

Town of Bone Lake Polk County, Wisconsin

ORDINANCE No. 2-2012 ALL-TERRAIN VEHICLE ROUTE

REMINDER: You are not allowed to ride on any designated routes until proper signs are in place.

The Town Board of the Town of Bone Lake, Polk County, Wisconsin, does hereby ordain as follows:

SECTION I – PURPOSE

The purpose of this ordinance is to establish all-terrain vehicle routes in the town and to regulate the operation of all-terrain vehicles in the town.

SECTION II - AUTHORITY

The Town Board of the Town of Bone Lake, Polk County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under Wisconsin Statutes 23.33 (8) (b) and (11).

SECTION III - ADOPTION OF ORDINANCE

The Town Board of the Town of Bone Lake, Polk County, Wisconsin, by this ordinance, adopted on proper notice with a quorum and roll call vote by a majority of the town board present and voting, provides the authority for the town to designate all-terrain vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles in the town.

SECTION IV - OPERATION OF ALL-TERRAIN VEHICLES

Pursuant to Wisconsin Statutes 23.33 (4) (d) 4, except as otherwise provided in Wisconsin Statutes 23.33 (4), no person may operate an all-terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle routes by this ordinance. Operation of all-terrain vehicles on a roadway in the town that is an all-terrain vehicle route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions.

SECTION V - DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES

All Town roads in the Town of Bone Lake limits.

SECTION VI - CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE ROUTES

Pursuant to Wisconsin Statutes 23.33 (8) (d), the following restrictions are placed on the use of the town all-terrain vehicle routes designated by this resolution:

- A. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain vehicle routes:
 - 1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route or trail sign or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.
 - 2. Possess any uniform all-terrain vehicle route or trail sign or standard of the type established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.
- B. Operation shall be subject to all provisions of Wisconsin Statutes 23.33, which is adopted as a part of this ordinance by reference, pursuant to Wisconsin Statutes 23.33.
- C. A copy of this ordinance shall be sent by the town clerk to the Polk County Sheriff's Department and the Wisconsin Department of Natural Resources.
- D. No person shall operate any all-terrain vehicle within the Town of Bone Lake at a speed in excess of thirty-five (35) miles per hour.
- E. All ATV operators shall ride single file.
- F. All ATV operators shall slow the vehicle to 10 miles per hour or less when operating within 150 feet of a dwelling or 100 feet of pedestrians.
- G. All ATV operators must have a valid driver's license to operate on any ATV route.
- H. All ATV operators shall yield the right-of-way to other vehicular traffic and pedestrians.

SECTION VII - ENFORCEMENT

This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin.

SECTION VIII - PENALTIES

The penalties under Wisconsin Statutes 23.33 (13) (a), are adopted by reference.

SECTION IX - SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

SECTION X - EFFECTIVE DATE

This ordinance is effective on publication or posting, and shall remain in effect for one year (365 days) from the effective date and is renewable by a resolution of the Board any time prior to the one year anniversary of the effective date. If no resolution or ordinance amendment by the Town Board renews this ordinance it shall expire one year from the effective date.

The town clerk shall properly publish this ordinance as required under Wisconsin Statutes 60.80.

Adopted this 14th day of June, 2012

Marsha Karpinen—Chairperson
Roger Neumann—Supervisor
Bill Schilling—Supervisor
Darrell Frandsen—Clerk