

# ALL-TERRAIN VEHICLE ROUTES ORDINANCE 2007- 01

## STATE OF WISCONSIN

Town of Vance Creek

Barron County

## SECTION I – TITLE AND PURPOSE

The title of this ordinance is the Town of Vance Creek All-Terrain Vehicle Route Ordinance. 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 Vance Creek, Barron County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under s. 23.33 (8) (b) and (11) Wis. stats.

## SECTION III – ADOPTION OF ORDINANCE

The Town Board of the Town of Vance Creek, Barron 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 these routes and all-terrain vehicles in the town.

## SECTION IV – OPERATION OF ALL-TERRAIN VEHICLES

Pursuant to s. 23.33 (4) (d) 4., Wis. Stats., except as otherwise provided in s. 23.33 (4), Wis. Stats., 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 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

The following routes are designated all-terrain vehicle routes in the town:

Entering Vance Creek from the east at 2<sup>nd</sup> Avenue, traveling west and north  $\frac{3}{4}$  mile and crossing County Highway A, reentering road at 5<sup>th</sup> Street and 3<sup>rd</sup> Avenue intersection. Traveling west on 3<sup>rd</sup> Avenue for two miles, to the 3<sup>rd</sup> Street intersection. Turn south and proceed one mile on 3<sup>rd</sup> Street to cross County Highway A, turn west to go on to Reeve.

Route to Town of Turtle Lake will be from 3<sup>rd</sup> Avenue and 4<sup>th</sup> Street straight north on 4<sup>th</sup> Street for three miles to 6<sup>th</sup> Avenue.

Additional route designated on November 5, 2007 by the Town Board.

Entering Vance Creek from the west Barron-Polk Street at 1<sup>st</sup> Avenue, traveling east for one mile to the curve to the north and proceed north on 1<sup>st</sup> Street for one mile to 2<sup>nd</sup> Avenue County Highway A.

Additional route designated April 14, 2009 by the Town Board 6<sup>th</sup> Street to Barron Dunn County Line.

Additional route designated by the Town Board on May 10, 2011: From the intersection of 3<sup>rd</sup> Avenue and 3<sup>rd</sup> Street north on 3<sup>rd</sup> Street to 6<sup>th</sup> Avenue then west to Barron Polk County Line.

## SECTION VI – CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE ROUTES

Pursuant to s.23.33 (8) (d), Wis.stats., the following restrictions are placed on the use of the towns 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, 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 uninformed all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle or trail sign or standard creates a rebuttable presumption of illegal possession.
- B. Operation shall be subject to all provisions of s. 23.33, Wis. stats., which is adopted as a part of this ordinance by reference, pursuant to s. 23.33 (11), Wis. Stats.
- C. A copy of this ordinance shall be sent by the town clerk to the Barron County Sheriff's Department.
- D. All ATV operators shall observe posted roadway speed limits. All ATV operators shall ride single file. All ATV operators shall slow the vehicle to 10-mph or less when operating within 150 feet of a dwelling.

## 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 s. 23.33 (13) (a) Wis. Stats., 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.

Adopted this 8<sup>th</sup> day of May 2007  
Amended this 5<sup>th</sup> day of November 2007  
Amended this 10<sup>th</sup> day of May 2011

Allen Libby, Chairman

Michael Stafne, Supervisor

Attest: Marge A. Marlett, Town Clerk

Tim Prusak, Supervisor