

CODE OF ORDINANCES
Town of Willard, Rusk County, Wisconsin

CHAPTER 10
SNOWMOBILE AND ATV/UTV ORDINANCE

10.01 AUTHORITY, STATEMENT OF PURPOSE

- (1) TITLE AND PURPOSE.** This ordinance is entitled the 'Town of Willard Snowmobile and ATV/UTV Ordinance'. The purpose of this ordinance is to adopt snowmobile, all-terrain vehicle, and utility terrain vehicle, traffic regulations for the Town of Willard.
- (2) AUTHORITY.** The Town Board has the specific authority under Wisconsin Statutes, and the Town's Village Powers, to adopt and enforce this ordinance. To regulate, control, prevent, and enforce against in the Town of Willard certain uses, activities, businesses, and operations by persons that may affect snowmobile use and traffic in the Town of Willard.
- (3) ADOPTION OF ORDINANCE.** The Town Board of the Town of Willard has, by adoption of this ordinance, confirmed the specific statutory authority, powers, and duties noted in the specific sections of this ordinance, and has established, by these sections and this ordinance, the regulations, controls, and enforcement against certain uses, activities, businesses, and operations by persons that may affect snowmobile use, and snowmobile traffic, in the Town of Willard.
- (4) 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.
- (5) EFFECTIVE DATE.** This ordinance is effective on publication or posting. The town clerk shall properly publish this ordinance as required under Wisconsin Statutes.

10.02 SNOWMOBILE REGULATIONS

- (1) SNOWMOBILE LAW ADOPTED.** Except as specifically noted otherwise in this ordinance, Chapter 350, Wisconsin Statutes, describing and defining regulations with respect to snowmobiles and snowmobile traffic for which the penalty is a forfeiture, including penalties to be imposed and procedure for prosecution, are hereby adopted and incorporated by reference by the Town of Willard and made a part of this ordinance as if fully set forth herein. Any future amendments, modifications, revisions, additions, or deletions of the above-noted statutory chapter shall be incorporated herein and made a part of this ordinance in order to secure uniform State regulation of snowmobile use and traffic on the public highways, roads, streets, and alleys of the State of Wisconsin.
- (2) APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES.** The operator of a snowmobile upon a roadway shall in addition to the provisions of Chapter 350, Wisconsin Statutes, be subject to Chapter 346, Wisconsin Statutes.
- (3) ADDITIONAL REQUIREMENTS.**
 - (a) Snowmobile Routes.** The following streets in the Town of Willard are open to snowmobile routes when signed in accordance with Chapter 350, Wisconsin Statutes: Broken Arrow Road, from Highway 27, West to the Town line between the Town of Washington, and the Town of Willard.
- (4) ENFORCEMENT.** This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin, and additionally as stated in the Town's citation authority ordinance.
- (5) FILING.** A copy of this ordinance shall be sent by the Town Clerk to the Department of Natural Resources, the Rusk County Sheriff's Department, and any other law enforcement agency serving the Town of Willard's jurisdiction.

10.03 ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTE ORDINANCE

- (1) TITLE AND PURPOSE.** The title of this ordinance is the Town of Willard 'All-Terrain Vehicle and Utility Terrain Vehicle Route Ordinance'. The purpose of this ordinance is to establish all-terrain vehicle (ATV), and utility terrain vehicle (UTV), routes in the town and to regulate the operation of ATV/UTVs in the Town.
- (2) AUTHORITY.** The Town Board of the Town of Willard, Rusk County, Wisconsin, has the specific authority to adopt this ATV/UTV Ordinance under Chapter 23, Wisconsin Statutes.
- (3) ADOPTION OF ORDINANCE.** 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 ATV/UTV routes, regulate the use of those routes, regulate ATV/UTVs in the Town, designates ATV/UTV routes, provides for the regulation of the use of those routes, and of ATV/UTVs in the Town.

10.04 OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES

Pursuant to Chapter 23, Wisconsin Statutes, no person may operate an all-terrain vehicle (ATV), or utility terrain vehicle (UTV), on the roadway portion of any highway in the Town, except on roadways that are designated as ATV/UTV routes by this ordinance. Operation of an ATV/UTV on a roadway in the Town that is an ATV/UTV 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.

10.05 DESIGNATION OF ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

The following routes are designated all-terrain vehicle (ATV), and utility terrain vehicle (UTV), routes in the Town:

- (1) All Town roads are designated ATV/UTV routes unless excepted by a resolution of the Town Board.
- (2) No roads are excepted by the Town Board

10.06 CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

Pursuant to Chapter 23, Wisconsin Statutes, the following restrictions are placed on the use of the Town all-terrain vehicle (ATV), and utility terrain vehicle (UTV), routes designated by this resolution:

- (1) Routes shall be marked with uniform ATV/UTV route signs in accordance with NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking Town ATV/UTV routes:
 - (a) Intentionally remove, damage, deface, move, or obstruct any uniform ATV/UTV route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign or standards if the sign or standard is legally placed by the State, any municipality, or any authorized individual.
 - (b) Possess any uniform ATV/UTV 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 ATV/UTV route, trail sign, or standard, in a lawful manner. Possession of a uniform ATV/UTV route, trail sign, or standard creates a rebuttable presumption of illegal possession.
- (2) Operation shall be subject to all provisions of Wisconsin Statutes.
- (3) A copy of this ordinance shall be sent by the Town Clerk to the Department of Natural Resources, the Rusk County Sheriff's Department, and any other law enforcement agency serving the Town of Willard's jurisdiction.
- (4) Additional restrictions.
 - (a) All ATV/UTV operators shall observe 30 mph speed limits.
 - (b) All ATV/UTV operators shall ride single file.
 - (c) All ATV/UTV operators shall slow the vehicle to 10 mph, or less when operating within 50 feet of a dwelling.

10.07 ENFORCEMENT

This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin, and additionally, as stated in the Town's citation authority ordinance.

10.08 PENALTIES

The penalties under Wisconsin Statutes shall apply.

**Ordinance Chapter 10
Adopted this 10th day of July, 2017**

Robert Nelson	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Mark Taft	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Linda Bentley	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

Attest: Mary Jane Nelson, Town Clerk