

STATE OF WISCONSIN - TOWN OF BRIDGE CREEK - EAU CLAIRE COUNTY
ALL-TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE ROUTE ORDINANCE
ORDINANCE# Chapter 13.0

Section 1: Purpose.

The purpose of this ordinance is to establish all-terrain vehicle/utility terrain vehicle routes in the Town of Bridge Creek and to regulate the operation of all-terrain vehicles/utility terrain vehicles in the Town of Bridge Creek.

Section II: Authority.

The Town Board of the Town of Bridge Creek, Eau Claire County, Wisconsin has the specific authority to adopt this All-Terrain Vehicle/Utility Terrain Ordinance under Sec. 23.33 (8)(b) and (11) Wis. Stats.

Section III: Adoption of Ordinance.

The Town Board of the Town of Bridge Creek, Eau Claire 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 of the town to designate all-terrain vehicle/utility terrain vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles/utility terrain vehicles in the town.

Section IV: Operation of All-Terrain Vehicles/Utility Terrain Vehicles.

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

Section V: Designation of All-Terrain Vehicle/Utility Terrain Vehicle Routes.

The following are designated as all-terrain vehicle/utility terrain vehicle routes as authorized by sec. 23.33 (8) (b), Wis. Stats.

- A. All town highways in their entirety within the Town of Bridge Creek, Eau Claire County, Wisconsin

Section VI: Conditions Applicable to All-Terrain Vehicle/Utility Terrain Vehicle Routes

Pursuant to sec. 23.33 (8) (d), Wis. Stats., the following restrictions are placed on the use of all town all-terrain vehicle/utility terrain vehicle routes designated by this resolution:

- A. Routes shall be marked with uniform all-terrain vehicle/utility terrain vehicle route signed in accordance with sec. NR64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain vehicle/utility terrain vehicle routes:

1. Intentionally remove damage, deface, move, or obstruct any uniform all-terrain vehicle/utility

terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle/utility terrain vehicle route or trail sign or standard if legally placed by the state, any municipality or any other authorized individual.

2. Possess any uniform all-terrain vehicle/utility 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/utility terrain vehicle route or trail sign or standard in a lawful manner. Possession of uniform all-terrain vehicle/utility terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.

B. Operation shall be subject to all provisions of sec. 23.33 Wis. Stats., which is adopted as a part of this ordinance by reference, pursuant to sec. 23.33 (11), Wis. Stats.

C. A copy of this Ordinance and town road map of designated routes shall be sent by the town clerk to the Eau Claire County Sheriff's Department, Department of Natural Resources and Eau Claire County Parks and Recreation.

D. All all-terrain vehicle/utility terrain vehicle operators shall observe all roadway speed limits.

E. All all-terrain vehicle/utility terrain vehicle operators shall ride single file;

F. All all-terrain vehicle/utility terrain vehicle operators shall slow the all-terrain vehicle/utility terrain vehicle to 10 mph or less when operating within one hundred fifty (150) feet of a residence;

G. All all-terrain vehicle/utility terrain vehicle operators shall have their headlights turned on at all times;

H. All all-terrain vehicle operators/utility terrain vehicle and their riders under the age of 18 must wear a helmet

I. All all-terrain vehicle/utility terrain vehicle operators unless under the age of 16, and all all-terrain vehicle/utility terrain vehicle operators born on or after 1-1-2001, are required to have a safety certificate.

Section VII: Enforcement.

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

Section X: Penalties

The penalties in sec. 23.33 (13) (a) Wis. Stats., are adopted by reference

Section XI: Severability

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

Section XII: Effective Date

This ordinance is effective on publication or posting and routes properly signed

The Town Clerk shall properly publish this ordinance as required under sec, 60.80, Wis. Stats.

Adopted this *17 day of April 2014*:

Jeff Gerike, Town Chairman

Dean Solie, Supervisor

Lynn Norheim, Supervisor

Steve Weiss, Supervisor

Ricky Strauch, Supervisor

Attest: Patti Warner, Clerk

Adopted: 04-17-14

Published 04-30-14

Posted 04-21-14

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Section IV: Operation of All-Terrain Vehicles/Utility Terrain Vehicles.

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

Section V: Designation of All-Terrain Vehicle/Utility Terrain Vehicle Routes.

The following are designated as all-terrain vehicle/utility terrain vehicle routes as authorized by sec. 23.33 (8) (b), Wis. Stats.

- A. All town highways in their entirety within the Town of Bridge Creek, Eau Claire County, Wisconsin

Section VI: Conditions Applicable to All-Terrain Vehicle/Utility Terrain Vehicle Routes

Pursuant to sec. 23.33 (8) (d), Wis. Stats., the following restrictions are placed on the use of all town all-terrain vehicle/utility terrain vehicle routes designated by this resolution:

- A. Routes shall be marked with uniform all-terrain vehicle/utility terrain vehicle route signed in accordance with sec. NR64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain vehicle/utility terrain vehicle routes:

1. Intentionally remove damage, deface, move, or obstruct any uniform all-terrain vehicle/utility

terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle/utility terrain vehicle route or trail sign or standard if legally placed by the state, any municipality or any other authorized individual.

2. Possess any uniform all-terrain vehicle/utility 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/utility terrain vehicle route or trail sign or standard in a lawful manner. Possession of uniform all-terrain vehicle/utility terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.

B. Operation shall be subject to all provisions of sec. 23.33 Wis. Stats., which is adopted as a part of this ordinance by reference, pursuant to sec. 23.33 (11), Wis. Stats.

C. A copy of this Ordinance and town road map of designated routes shall be sent by the town clerk to the Eau Claire County Sheriff's Department, Department of Natural Resources and Eau Claire County Parks and Recreation.

D. All all-terrain vehicle/utility terrain vehicle operators shall observe all roadway speed limits.

E. All all-terrain vehicle/utility terrain vehicle operators shall ride single file;

F. All all-terrain vehicle/utility terrain vehicle operators shall slow the all-terrain vehicle/utility terrain vehicle to 10 mph or less when operating within one hundred fifty (150) feet of a residence;

G. All all-terrain vehicle/utility terrain vehicle operators shall have their headlights turned on at all times;

H. All all-terrain vehicle operators/utility terrain vehicle and their riders under the age of 18 must wear a helmet

I. All all-terrain vehicle/utility terrain vehicle operators unless under the age of 16, and all all-terrain vehicle/utility terrain vehicle operators born on or after 1-1-2001, are required to have a safety certificate.

Section VII: Part B:

The speed limit for ATV/UTVs of 35 mph (unless the posted speed limit of the roadway is less, then the ATV/UTVs must obey that speed limit).

Section VII: Enforcement.

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

Section X: Penalties

The penalties in sec. 23.33 (13) (a) Wis. Stats., are adopted by reference

The penalties will align with the City of Augusta Bond Schedule.

Section XI: Severability

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

Section XII: Effective Date

This ordinance is effective on publication or posting and routes properly signed

The Town Clerk shall properly publish this ordinance as required under sec, 60.80, Wis. Stats.

Amended: November 21, 2024

Approved: Chairman: Ricky Strauch

Supervisor #1 Patrick Bethke

Supervisor #2 Bruce Logterman

Supervisor #3 Duane Ives

Supervisor #4 William Jacobs

Attested: Clerk- Elizabeth Pettis