

TOWN OF WINTER
Ordinance #2009-8

An Ordinance Designating a Portion of County Road W
as ATV Trail

STATE OF WISCONSIN
Town of Winter
Sawyer County

I. Purpose

The purpose of this ordinance is to designate a portion of County Road W, located in the Town of Winter as an all-terrain vehicle trail to allow access to fuel, services and the Tuscobia Trail; and to regulate the operation of all-terrain vehicles on that trail.

II. Authority

The Town of Winter Board of Supervisors has specific authority to adopt this All-Terrain Vehicle Trail Ordinance under s. 23.33(8)(b) and (11), WI Stats.

III. Designation of All-Terrain Vehicle Trail

The following portion of County Road W is hereby designated as All-Terrain Vehicle trail as authorized by s. 23.33(8)(b), WI Stats from May 1 to November 15 of each year:

Commencing from the intersection with Old 70 in the Southwest Quarter of the Southwest Quarter of Section 4, Township 38 North, Range 5 West, traveling north on County Road W to the intersection with Crawford Street in Section 32/33, Township 39 North, Range 5 West.

All-terrain vehicle trail will be clearly marked, with signs designating beginning and ending as well as other directional signs as needed. Signage will be provided, installed and maintained by local ATV clubs and/or interested parties. Roads that are not signed are understood to be closed to ATV traffic.

IV. Release of Liability

The Town of Winter shall not be responsible for accidents and/or injuries incurred while operating an all-terrain vehicle on any designated route or trail.

V. Regulation

The Town of Winter regulates the operation of all-terrain vehicles on designated routes and trails as follows:

a. All all-terrain vehicles shall be operated single file in the county road right of way, as far off the paved road surface as practical, as marked and signed.

b. All all-terrain vehicle operators shall observe and obey posted speed limits and shall slow the all-terrain vehicle to 10 mph or less when operating within 150 feet of a residence. The speed limit for ATVs traveling on designated routes and trails is 20 mph unless otherwise posted.

- lights
- c. All all-terrain vehicle operators shall have their headlights and tail turned on at all times.
 - d. All all-terrain vehicle operators and riders under the age of 18 must wear a helmet.
 - e. This trail is for ATV travel during daylight hours only.

VI. Enforcement

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

VII. Penalties

Wisconsin State All-terrain vehicle penalties as found in s. 23.33(13)(a) WI Stats, are adopted by reference.

IX. Severability

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town of Winter would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons circumstances shall not be deemed effected.

X. Effective Date

This ordinance becomes effective upon passage and publication as required by law and the proper signing of all routes as required by this ordinance.

Dated this Eighth Day of July, 2009.

Wayne E. Geist, Chairman

Attest:

Arlene Bishop, Clerk