

TOWN OF WINTER  
Ordinance #2009-9

An Ordinance Designating Certain Town Roads as ATV Routes

STATE OF WISCONSIN  
Town of Winter  
Sawyer County

I. Purpose

The purpose of this ordinance is to designate the Thornapple Grade, Haystack Road, and Bissel Grade all Town of Winter roads, as an all-terrain vehicle routes, and to regulate the operation of all-terrain vehicles on those routes.

II. Authority

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

III. Designation of All-Terrain Vehicle Routes

The following roads are hereby designated as All-Terrain Vehicle routes as authorized by s. 23.33(8)(b), WI Stats from May 1 to November 15 of each year:

(a) The Thornapple Grade: beginning in Section 32, Township 37 North, Range 5 West, at the intersection of Old J Road, and traveling north and east through Townships 37 North, Range 4 West and 38 North, Range 4 West to end at the intersection with County Road W.

(b) Haystack Road: beginning in Section 17, Township 37 North, Range 4 West at the intersection of Thornapple Grade and traveling south and east to end at the intersection with West Lane.

(c) The Bissel Grade: beginning in Section 28, Township 37 North, Range 5 West at the intersection with Thornapple Grade and running north and east to the end of the Town Road in Section 3, Township 37 North, Range 5 West.

All-terrain vehicle routes 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.

V. Regulation

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

(a) All all-terrain vehicle operators shall ride single file on the far right of the traveled surface of the road.

(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 is 20 mph unless otherwise posted.

(c) All all-terrain vehicle operators shall have their headlights and tail lights turned on at all times.

(d) All all-terrain vehicle operators and riders under the age of 18 must wear a helmet.

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 Twelfth Day of August, 2009.

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Attest:

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Arlene Bishop, Clerk

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Wayne E. Geist, Chairman