

TOWN OF DUNN

ORDINANCE # 2020-03

(Supersedes 2018-01 and 2018-02)

All Terrain Vehicles (ATV) and Utility Task Vehicles (UTV) use and regulation in the TOWNSHIP OF DUNN

SECTION 1 TITLE AND PURPOSE

The title of this ordinance is the Town of Dunn ATV/UTV Ordinance. The purpose of this ordinance is to establish ATV / UTV operation regulations in the town.

SECTION 2 AUTHORITY

The Town Board of the Town of Dunn, Dunn County, Wisconsin has the specific authority to adopt this ATV/UTV Route Ordinance under Wisconsin's SS# 23.33(8)(b) and 23.33(11).

SECTION 3 ADOPTION OF ORDINANCE

The Town Board of Dunn, Dunn 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, provided the authority for the town to designate ATV / UTV routes in the town and to regulate the use of those routes.

SECTION 4 OPERATION OF ALL TERRAIN VEHICLES AND UTILITY TASK 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 ATV / UTV any state highway in the town. All town roads are designated as ATV / UTV by this ordinance. Operation of ATV / UTV on a roadway in the town is 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. On paved roadways ATV / UTV must be operated on the paved portion of the roadway and not on the gravel shoulder.

SECTION 5 DESIGNATION OF ATV / UTV

The following routes are designated ATV / UTV routes in the town:

- A. This ordinance opens all town roads to ATV / UTV with the following provisions
 1. All routes and ends of town roads need to have signage.
 2. State Highway 72 will not be open from State Highway 25 to town line
 3. State Highway 25 will not be open except for crossing straight across

SECTION 6 CONDITIONS OF ATV / UTV ROUTES

Pursuant to s.23.33(8), Wis. Stats., the following restrictions are placed on the use of the town ATV / UTV designated by this ordinance.

- A. Routes shall be marked with uniform ATV / UTV 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 ATV / UTV routes:
 - 1. 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 a uniform ATV / UTV route or trail or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.
 - 2. Possess any uniform ATV / UTV route or trail sign or standard of the types established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform ATV / UTV route or trail sign or standard in a lawful manner. Possession of a uniform ATV / UTV route 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 forwarded to the Dunn County Sheriff Department.
- D. In addition to the provisions of s.23.33, Wis. Stats., the following restrictions are placed on the use of the town ATV / UTV routes designated by this ordinance:
 - 1. All town roads are posted for 35 MPH. Operators shall reduce speed whenever the posted limit is less or as stated in the Wisconsin statutes that relate to ATV operation.
 - 2. All ATV operators shall ride single file.
 - 3. The allowed hours of operation shall be from dawn until dusk.
 - 4. Anyone under the age of twelve (12) cannot operate an ATV on a road or route under any circumstances.
 - 5. Anyone born after January 1, 1988 cannot operate an ATV on a roadway without a safety certification.
 - 6. All ATV operators under the age of 18 years must wear a helmet.
 - 7. Lights must be on at all times.
 - 8. Operation will be year-round.

SECTION 7 SPECIAL PROVISIONS

All signs, posts and similar material associated with the approved ATV trails, roads and streets in the Town of Dunn will be installed and maintained by an ATV Club or Organization through an agreement with the Town of Dunn. The said agreement will be reviewed annually by the Town Board to ensure compliance with all provisions of this ordinance.

SECTION 8 ENFORCEMENT

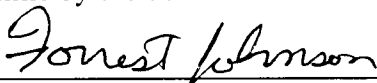
Any law enforcement officer authorized to enforce the laws of the State of Wisconsin may enforce this ordinance.

SECTION 9 PENALTIES

The penalties under s.23.33(13), Wis. Stats., are adopted by reference.

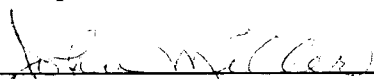
SECTION 10 EFFECTIVE DATE

This ordinance is effective when ATV / UTV route signs are posted by the local ATV club(s) or organization(s) and can be discontinued at any time by the decision of the Town of Dunn Board.



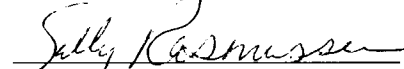
Chairman, Forrest Johnson

1 Supervisor, Dennis Weber



2 Supervisor John Miller

Passed and approved this
11th day of November, 2020.
Recorded in the Regular
Town Board Minutes dated 11/11/2020



Sally Rasmussen, Clerk-Town of Dunn