

ORDINANCE: Create Section 7.16 of the General Code of Winnebago County: All-Terrain Vehicle/Utility Terrain Vehicle Routes and Regulations

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Winnebago County Highway Committee has determined that the public interest is best served by allowing ATV/UTV use to utilize the County Highway system from 6:00 a.m. to 10:00 p.m. beginning May 1 and ending October 31 of the calendar year; and

WHEREAS, the Winnebago County Board supports recreational opportunities in Winnebago County; and

WHEREAS, §23.33, Wis Stats, authorizes Winnebago County to adopt an ordinance allowing ATV/UTV use on the county highway system.

NOW, THEREFORE, THE WINNEBAGO COUNTY BOARD OF SUPERVISORES DOES ORDAIN AS FOLLOWS: Section 7.16 of the General Code of Winnebago County is hereby adopted and shall read as follows:

7.16 ALL-TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE ROUTES AND REGULATIONS

(1) The Winnebago County Board of Supervisors adopts the following All-Terrain Vehicle/Utility Terrain Vehicle ("ATV/UTV") Routes and Regulations Ordinance for the operation of all-terrain vehicle/utility terrain vehicles upon Winnebago County roadways as listed in Section 4, below.

(2) **PURPOSE & INTENT:** Following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved and traffic density, these routes have been created.

(3) **AUTHORITY:** The provisions of this Ordinance are adopted by the Winnebago County Board of Supervisors pursuant to the authority granted in §23.33(8)(b), Wis Stats. The applicable provisions of §23.33, Wis Stats, regulating ATV/UTV operations pursuant to routes are adopted.

(4) **ROUTES:** The following roads are designated as routes:

- (a) CTH A
- (b) CTH AH
- (c) CTH AP
- (d) CTH B
- (e) CTH BB (Border Highway w/Outagamie County)
- (f) CTH C
- (g) CTH CB
- (h) CTH D
- (i) CTH E
- (j) CTH F
- (k) CTH FF (Portion is border highway with Fond du Lac County)
- (l) CTH G
- (m) CTH GG
- (n) CTH H
- (o) CTH HH

- 43 (p) CTH I
- 44 (q) CTH II
- 45 (r) CTH J
- 46 (s) CTH JJ
- 47 (t) CTH K
- 48 (u) CTH M
- 49 (v) CTH M
- 50 (w) CTH N
- 51 (x) CTH O
- 52 (y) CTH P
- 53 (z) CTH R
- 54 (aa) CTH S
- 55 (bb) CTH T
- 56 (cc) CTH V
- 57 (dd) CTH Z

58 (5) **CONDITIONS:** As a condition for the use of this route, the following conditions shall apply to all operators
59 (and passengers where applicable):

- 60 (a) All ATV/UTV operators shall observe posted roadway speed limits.
- 61 (b) All ATV/UTV operators shall ride single file.
- 62 (c) All ATV/UTV operators shall slow the vehicle to 10 mph or less when operating within 150 feet of a
63 dwelling.
- 64 (d) Routes must be signed in accordance with NR 64.12 and NR 64.12(7)c, Wisconsin Administrative
65 Code.

66 (6) **ENFORCEMENT:** This Ordinance shall be enforced by any law enforcement officer authorized to enforce
67 the laws of the State of Wisconsin.

68 (7) **PENALTIES:** All-Terrain Vehicle / Utility Terrain Vehicle penalties for the State of Wisconsin, as found in
69 §23.33(13)(a), Wis Stats, are adopted and incorporated herein by reference.

70 (8) **SEVERABILITY:** The provision of this Ordinance shall be deemed severable and it is expressly declared
71 that Winnebago County would have passed the other provisions of this Ordinance regardless of whether or not one
72 or more provisions may be declared invalid. If any provision of this Ordinance or the application to any individual or
73 circumstance is held invalid, the remainder of the Ordinance and the application of such provisions to other
74 individual circumstances shall not be deemed affected.

75 (9) **EFFECTIVE DATE:** This Ordinance becomes effective as of the date following the date of its publication.

76 Respectfully submitted by:

77 **HIGHWAY COMMITTEE**

78 Committee Vote: **3-0**

79 Vote Required for Passage: **Majority of Those Present**

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81 Approved by the Winnebago County Executive this ____ day of _____, 2019.

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Mark L Harris
Winnebago County Executive