

Town of Fifield

Ordinance No. 100

Subject: All-Terrain Vehicles and Utility Task Vehicles (ATVs/UTVs)

Section I. **Purpose**

The intent of this ordinance is to repeal previous All-Terrain Vehicle Ordinance No. 86 and to establish a new comprehensive All-Terrain Vehicle/Utility Task Vehicle (hereinafter referred to as "ATV/UTV") Ordinance designating ATV/UTV routes and opening all Town of Fifield roadways year-round for ATV/UTV use within the limits of the Town of Fifield, Price County, Wisconsin. ATV trails will apply to UTVs and any ATV routes where UTVs are not permitted to operate must be posted with a "NO UTVs" sign.

Section II. **Statutory Authority**

The Town Board of the Town of Fifield, Price County, Wisconsin, has the specific authority to adopt this ATV/UTV Route Ordinance under WI Statute 23.33(8)(b) and (11).

Section III. **Repeal of Previous All-Terrain Vehicle Ordinances and Amendments**

Previous All-Terrain Vehicle Ordinance No. 86, as amended by Ordinance No. 97, is hereby repealed and replaced with this ordinance, Ordinance No. 100.

Section IV. **Designated Roadways and/or Highways**

The Town Board of the Town of Fifield authorizes ATVs and UTVs on designated routes within the Town of Fifield. Pursuant to WI Statute 23.33(4)(d) 4, except as otherwise provided by Statute, all Town of Fifield roadways will be open to ATV/UTV traffic all year round.

Designated routes must be legally signed as ATV routes and shown on a map entitled "Official ATV Route, Town of Fifield, Wisconsin" displayed in the Clerk's Office at the Fifield Town Hall. All notations and references shown on the map are as much a part of this Section as though specifically described herein. Changes to the designated roads and the map shall be made upon authorization by the Town Board through an approved motion at a Town Board meeting.

Section V. **Route Modifications**

Any request for modification to an existing ATV/UTV route must be submitted to the Town of Fifield Board. Said Board shall provide a copy of such request to the local ATV/UTV club/organization at least two weeks prior to a Town of Fifield Board meeting at which time such request shall be discussed and/or acted upon in order to give the local ATV/UTV club/organization time to give its comments and suggestions to the Town of Fifield Board.

The Town Board of the Town of Fifield may remove any route as a result of any problems or safety concern pending a full report and decision upon such route by the Town of Fifield Board.

Section VI. Conditions

1. Uniform ATV/UTV route signs indicating that all Town of Fifield roads are open all year round with speed limits in accordance with s.NR 64.12(7) Wisconsin Administrative Code shall be erected on all roadways entering the Town of Fifield. "Local Access" signs shall be erected on designated roads as requested by landowners with property adjacent to that roadway. Local ATV/UTV organizations shall be directed to erect signs under the direction and authority of the Town of Fifield. No person may do any of the following with respect to signs relative to ATV/UTV traffic:
2. Intentionally remove, damage, deface, move or obstruct any uniform ATV/UTV sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV sign or standard if the sign or standard is legally placed by the state, any municipality, or any authorized individual/organization.
3. Possess any uniform ATV/UTV route or trail sign or standard of the type established by the department for the warning instructions 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 presumption of illegal possession.
4. Routes shall be designated by all-terrain vehicle route signs having a reflectorized white all-terrain vehicle symbol, bordered and message on a reflectorized green background with a minimum size of 24 inches by 18 inches with a directional arrow where appropriate. Also a 6 inch by 6 inch reflectorized all-terrain vehicle route sign at the beginning of the route and at such locations and intervals as necessary to enable the all-terrain vehicle operators to follow the route.
5. All-terrain vehicle routes will be kept open 12 months of the year, being properly signed at all times.
6. A copy of this Ordinance shall be sent by the Town of Fifield to the Price County Sheriff's Department; the Wisconsin Department of Natural Resources; and the Federal Forest Service (as applicable).

All other Wisconsin state ATV/UTV regulations and restrictions as found in WI Statutes 23.33 are adopted by reference.

Section VII. Restrictions and Enforcement

- (a) All ATV/UTV operations shall observe the posted speed limit of 35 mph for ATVs/UTVs.
- (b) All ATV/UTV operators shall ride single-file on the right side of the pavement, but shall not operate on the shoulders or in the ditch.
- (c) ATV/UTV operators will be at least 18 years of age or accompanied by an adult.
- (d) Left turns may be made from any part of the right lane that is safe given prevailing conditions.
- (e) Headlights shall be on at all times.
- (f) ATVs/UTVs shall yield right-of-way to other vehicular traffic and pedestrians.
- (g) A Safety Education Certificate is required for all riders (residents and non-residents) who are at least 12 years old and born after December 31, 1987. Certificates from other states are acceptable. Certificate must be carried while operating (Wisconsin state law).

Section VIII. Penalties

Wisconsin state ATV/UTV penalties as found in WI Stats. 23.33(13) are adopted by reference.

Section IX. Severability

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town of Fifield Board 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 or circumstances shall not be affected.

Section X. Effective Date

This Ordinance is effective on posting or publication. The town clerk shall properly post or publish this ordinance as required under 60.80, WI Stats.

Passed this 20th day of June, 2019.

William Felch, Chairman

James Hintz, Supervisor

Bonita Salm, Supervisor

Attest:

Jennifer Jontry, Town Clerk