

ORDINANCE NO. 2018-1

AN ORDINANCE CREATING CHAPTER 104 OF THE CODE OF ORDINANCES PROVIDING FOR THE ESTABLISHMENT OF ATV/UTV ROUTES IN THE CITY AND REGULATING THE USE OF ATVS AND UTVS IN THE CITY

The Common Council of the City of Richland Center, Wisconsin, does ordain as follows:

SECTION 1:

Chapter 104 of the Code of Ordinances providing for the establishment of ATV/UTV routes in the City is adopted to read as follows:

CHAPTER 104

OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES WITHIN THE CITY

104.01 Purpose. The purpose of this chapter is to establish an all-terrain vehicle ("ATV") and utility terrain vehicle ("UTV") route within the City of Richland Center and to provide regulation of the use of all-terrain vehicles and utility terrain vehicles within the City.

104.02 Definitions.

(1) All definitions set forth in sec. 23.33 (1) Wisconsin Statutes are hereby adopted by reference and shall be applicable to this Chapter.

(2) In addition, within this chapter "ATV" shall mean all-terrain vehicle and "UTV" shall mean utility terrain vehicle

104.03 Applicability. The provisions of this chapter shall apply to all areas within the corporate limits of the City of Richland Center.

104.04 General Prohibition Against Use of ATVs/UTVs on Public Property Off of Designated ATV/UTV routes; Exception for Route Access by City Residents.

(1) **General Prohibition.** No person shall operate an ATV or UTV upon any public property within the City of Richland Center including but not limited to City streets, sidewalks, walkways, trails, parks, cemeteries or other city-owned property except upon those areas specifically designated as an ATV/UTV route by section 104.05 of this chapter or as otherwise

permitted by the City Council.

(2) Exception for City Residents. Residents of the City may operate an ATV or UTV owned by them on City streets on a direct route between their place of residence and the nearest point on a designated City ATV/UTV route for the sole purpose of accessing the ATV/UTV routes in the City.

104.05 Designation of ATV and UTV Routes. The following portions of city streets shall constitute designated ATV and UTV routes:

- Seminary Street between the west City incorporation limit and South Church Street;
- South Church Street between Seminary Street and US Highway 14;
- US Highway 14 between South Church Street and Bohmann Drive;
- Bohmann Drive between US Highway 14 and the south City incorporation limit;
- Orange Street between West Seminary Street and Seventh Street;
- Seventh Street between Orange Street and Jefferson Street;
- Jefferson Street between Seventh Street and Eighth Street;
- Eighth Street between Jefferson Street and Park Street;
- Park Street between Eighth Street and Tenth Street;
- Tenth Street between Park Street and Cedar Street;
- Cedar Street between Tenth Street and the North City incorporation limit.

Notwithstanding the foregoing, the use of the portion of the ATV/UTV route on US Highway 14 shall not be permitted until and unless the Wis. Dept. of Transportation approves the use of that portion of the route by ATVs/UTVs.

104.06 Limitations on Usage on Designated ATV/UTV Routes. The following limitations apply to the operation of ATVs/UTVs upon those areas specifically designated as an ATV/UTV route by this chapter:

(1) Speed. No ATV/UTV shall be operated at a speed greater than 25 miles per hour on those areas within the City specifically designated as an ATV/UTV route by this chapter except where the posted limit is greater than 25 mph the maximum permitted speed shall be 35 mph.

(2) Lights. No ATV/UTV may be operated on any designated ATV/UTV route without fully functional headlights, tail-lights, and brake lights.

(3) Operation on Roadway Only. All ATVs and UTVs shall operate only on the paved

roadway on a designated ATV/UTV route. Operation on sidewalks, paved shoulders intended and posted for use by bicycles or pedestrians, gravel shoulders, grassy in-slope, ditches or other areas of a city street right-of-way other than upon the paved roadway on a designated ATV/UTV route is prohibited.

(4) Hours of Operation. No ATV/UTV may be operated on any designated ATV/UTV route within the City from sundown to the following dawn except pursuant to special permission granted by the Public Safety Committee of the City Council.

(5) Age, License and Protective Headgear. On any designated ATV/UTV route all operators must be sixteen (16) years of age or older and have a valid driver's license. No person under the age of eighteen (18) years may operate an ATV/UTV on any designated route unless wearing approved protective headgear of the type required under s. 347.485 (1) (a) and with the chin strap properly fastened.

(6) Noise. No ATV/UTV may be operated on any designated ATV/UTV route which does not meet all applicable Wisconsin State noise pollution standards.

(7) Insurance. The operator of any ATV/UTV operating on any designated ATV/UTV route shall carry or have readily available proof of liability insurance coverage for the ATV/UTV being operated.

(8) Registration. All ATV/UTVs being operated on any ATV/UTV route within the City shall be currently registered in conformity with the registration requirements of the State of Wisconsin and shall display the evidence of registration required by statute.

104.07 ATV/UTV ROUTE SIGNS.

(1) Route Signs. Every area authorized as an all-terrain vehicle/utility-terrain vehicle route shall be designated by state approved standard all-terrain vehicle/utility-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 directional arrow, where appropriate, placed at the beginning of an ATV/UTV route and at such locations and intervals as necessary to enable the ATV/UTV operators to follow the route.

(2) Signage. Provisions of this chapter permitting operation of ATVs/UTVs on ATV/UTV routes within the City shall not be operative until proper signage has been placed as directed by the City Council.

104.08 TEMPORARY SUSPENSION OF USE OF ATV/UTV ROUTES AND DESIGNATION OF DETOURS.

The Richland Center Public Works Superintendent shall have the authority to temporarily

suspend ATV/UTV operation on any portion of a designated ATV/UTV route for up to ninety (90) days due to hazard, construction or emergency conditions in any public street designated as part of an ATV/UTV route and, in concert with the chief of police, to designate detours. Notwithstanding the foregoing, the City Council may overrule the location of any detour or set alternative detour routes.

104.09 INCORPORATION OF WISCONSIN STATUTES.

(1) All provisions of section 23.33 Wisconsin Statutes as the same may from time to time be amended are hereby incorporated by reference and shall be applicable to ATV/UTV operation within the City.

(2) All provisions of chapters 340 through 347 Wisconsin Statutes defining terms and relating to the use of ATVs/UTVs as the same may from time to time be amended are hereby incorporated by reference and shall be applicable to ATV/UTV operation within the City.

104.10 PENALTIES.

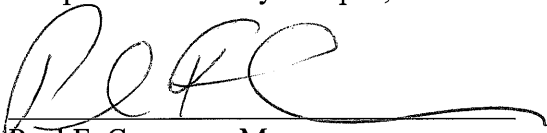
(1) Penalties for violations of the Wisconsin Statutes shall be as set forth in sec. 23.33(13) Wis. Stats. or in chapters 340 through 347 Wis. Stats. Deposit amounts for such violations shall be as set forth in the current Revised Uniform State Traffic Deposit Schedule.

(2) The penalty for any violation of this chapter not addressed in sec. 23.33(13) or chapters 340 through 347 Wis. Stats. or elsewhere in the Wisconsin Statutes shall be a forfeiture of \$50.00 together with all applicable costs, surcharges and assessments.


SECTION 2 EFFECTIVE DATE.

This ordinance shall become effective upon its passage and publication as required by law.

Adopted this 3rd day of April, 2018.


Paul F. Corcoran, Mayor

ATTEST:


Melinda D. Jones, Clerk