

TOWN OF KILDARE  
ORDINANCE NO. 17(B)

AN ORDINANCE TO REGULATE ALL-TERRAIN VEHICLES (ATVs)  
WITHIN THE TOWN OF KILDARE

The Town Board of the Town of Kildare, Juneau County, Wisconsin, in order to promote the public health, safety, general welfare and good order of the Town of Kildare, does ordain as follows:

Section I. Definitions – The definitions of Section 23.33(1), Wig. Stats., on all-terrain vehicles (ATVs) are adopted and incorporated herein by reference.

Section II. ATV Routes Designated – Following all the rules as provided in Section 23.33, Wig. Stats., all town roads, with the exception of dead-end roads, cul-de-sacs and Town Line Road, are hereby designated as ATV routes.

Section III. Prohibited Routes – No person, unless authorized by a private use registration, shall operate an ATV in the Town of Kildare which is not designated as an all-terrain vehicle route. Individuals living on dead-end roads and cul-de-sacs may operate an ATV on these roads in order to travel on designated ATV routes.

Section IV. Rules Use

(a) Operation of ATVs on town roads (with the exception of dead-end roads and cul-de-sacs) is authorized only for the extreme right side of the roadway, except that left turns may be made from any part of the roadway which is safe, given prevailing considerations.

(b) All ATV operators, on any part of a designated route, must possess a valid driver's license or ATV Safety Certificate, whether they are operating in the road right-of-way or on the road itself

(c) Operators must obey all related laws, including all regulations of the Department of Natural Resources.

(d) Operators on designated routes must travel single file, whether on the travel portion or right-of-way.

(e) All other licensed vehicles and pedestrians have right-of-way over ATV

(f) No ATV can be operated on a designated route in a way that causes damage to the roadway or road right-of-way.

(g) All ATVs, while in operation on designated routes, will have lights on at all times.

(h) All ATVs, operated on designated routes, will have a maximum speed limit of 25 mph.

(i) No ATV will be operated between the hours of 11:00 p.m. and 7:00 a.m.

(j) Designated ATV routes in the Town of Kildare must be renewed on an annual basis. If not renewed, this ordinance is no longer effective from and after more than one year from the date of its passage and publication.

Section V. Enforcement – To the extent necessary for enforcement of this Ordinance, all of the terms and conditions, rules and regulations, and text of Section 23.33, Wis. Stats., is incorporated herein by reference and made a part hereof.

Section VI. Penalties – Any person or persons who violate any provision of this ordinance shall, upon conviction thereof, forfeit not less than \$50.00 nor more than \$250.00 for each violation, together with the costs of prosecution. Any person who, within the last two (2) years prior to the arrest for current violation, was two (2) or more times previously convicted for violating a provision of this chapter, shall forfeit not less than \$250.00 nor more than \$500.00 for each offense and in default of payment thereof may be imprisoned in the County Jail not to exceed ten (10) days. As additional penalties, this ordinance adopts the penalties of Section 23.33(13) Wis. Stats, to the extent they are greater than those stated above.

Section VII. Ordinance to be Filed – The Clerk shall file a copy of this ordinance upon its enactment and publication with the Wisconsin Department of Natural Resources and with the Juneau County Sheriff pursuant to Section 23.33(11) Wis. Stats.

Section VIII. Effective Date – This ordinance will become effective upon passage, publication and proper signage as approved by the Town.

This ordinance was introduced and adopted by the Town Board of the Town of Kildare on the 15th date of December, 2005.

Dennis Frank  
Town Chairman

Leo R. Schuss  
Town Supervisor

DAN CAPP  
Town Supervisor

Attest:

Randa Wintersstein  
Town Clerk

Date Published January 12, 2006  
Date Proper Signage Approved January 11, 2006