

Town of Lemmonweir

CHAPTER 12

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

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

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

Section 2. ATV Routes Designated—Following all the rules as provided in Section 23.33, Wis. State Stats., all town roads are hereby designated as ATV routes.

Section 3. Prohibited Routes—No person, unless authorized by a private use registration, shall operate an ATV in the Town of Lemmonweir which is not designated as an all-terrain vehicle route.

Section 4. Rules Use

a) Operation of ATVs on town roads 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 the right-of-way.

e) All other licensed vehicles and pedestrians have the right-of-way over ATV use.

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 maintain physical control, reasonable and prudent speed and direction of an ATV.

i) No ATV will be operated between the hours of 11:00 p.m. and 5:00 a.m.

Section 5. 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 State Stats., is incorporated herein by reference and made a part hereof.

Section 6. 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 cost 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 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 State Stats., to the extent they are greater than those stated above.

Section 7. Ordinance to be Filed—The Town Administrator 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 State Stats.

Section 8. 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 Lemmonweir on this 9th day of March, 2010.

/s/ Greg S. Bires, Town Chairman

Supervisors: /s/ Lyle Peterson

/s/ John N. Flint

/s/ Carl B. Miller

/s/ Carl A. Householder, Jr.

Attest: /s/ Carin E. Leach
Town Administrator

WNAXLP

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