

# ORDINANCE NO. 3

## ORDINANCE FOR DESIGNATED ATV ROUTES

The Town Board of the Town of Necedah, Juneau County, Wisconsin, does ordain as follows:

### Section 1

ATV ROUTES DESIGNATED- following all rules as provided in Section 23.33 and all subsections of the Wisconsin State Statute- hereinafter designate the following roads to be designated as ATV Routes.

Town roads authorize as ATV routes:

The Town of Necedah Board on May 9, 2011 amended the ATV routes to now have **ALL Town of Necedah roads open as ATV routes**, this does not include state, & county roads. Private roads are not controlled by the Town on ATV issues.

The following list of roads #1-52 as routes is no longer needed.

1. 9<sup>th</sup> St. E. from Armenia/Necedah town line to 12<sup>th</sup> Ave.
2. 12<sup>th</sup> Ave. N. from Finley/Necedah town line to Farnam Dr.
3. 9<sup>th</sup> Ave. N. from Finley/Necedah town line to 12<sup>th</sup> Ave.
4. 12<sup>th</sup> Ave. west from 12<sup>th</sup> Ave to 9<sup>th</sup> St. W. (crossing Hwy 80)
5. 9<sup>th</sup> St. W. (Sprague-Mather Rd) from 12<sup>th</sup> Ave. to Kingston/Necedah town line (Bewick Trail)
6. 7<sup>th</sup> Ave. N. from 9<sup>th</sup> St. W. to Speedway Rd.
7. 11<sup>th</sup> St. from 7<sup>th</sup> Ave. N. to Kingston/Necedah town line (Bewick Trail)
8. Bewick Trail from 9<sup>th</sup> St. W. to 11<sup>th</sup> St.
9. Speedway Rd./17<sup>th</sup> St. W. from 7<sup>th</sup> Ave. N. to 12<sup>th</sup> Ave.
10. 10<sup>th</sup> Ave. from 17<sup>th</sup> St. W. to 18<sup>th</sup> St. W.
11. 18<sup>th</sup> St. W. from 10<sup>th</sup> Ave. to 12<sup>th</sup> Ave.
12. 19<sup>th</sup> St. W. from 11<sup>th</sup> Ave. to 12<sup>th</sup> Ave. (crossing Hwy 80)
13. 11<sup>th</sup> Ave. from 19<sup>th</sup> St. W. to 20<sup>th</sup> St. (Grand Dyke Rd.)
14. Airport Rd. from 19<sup>th</sup> St. W. to Necedah Village/Necedah town line
15. 20<sup>th</sup> St. W. (Grand Dyke Rd.) from Cutler/Necedah town line 12<sup>th</sup> Village/Necedah town line Rd. to Necedah
16. 22<sup>nd</sup> St. W. from Cutler/Necedah town line to Hwy 21
17. 23<sup>rd</sup> St. W. from 7<sup>th</sup> Ave. to Necedah Village/Necedah town line
18. 25<sup>th</sup> St. W. from 7<sup>th</sup> Ave. to Hwy 80
19. All of Siegler Court
20. 27<sup>th</sup> W. from 9<sup>th</sup> Ave. to Hwy 80
21. 28<sup>th</sup> St. W. from 7<sup>th</sup> Ave. to 9<sup>th</sup> Ave.
22. 7<sup>th</sup> Ave. from 22<sup>nd</sup> St. to 28<sup>th</sup> St. Clearfield/Necedah town line
23. 9<sup>th</sup> Ave. from 22<sup>nd</sup> St. to 28<sup>th</sup> St. Clearfield/Necedah town line

24. 11<sup>th</sup> Ave. S. from 25<sup>th</sup> St. W. to 27<sup>th</sup> St. W.
25. 16<sup>th</sup> Ave. from Armenia/Necedah town line to 23<sup>rd</sup> St. E. (crossing Hwy 21)
26. 17<sup>th</sup> Ave. from Armenia/Necedah town line to Hwy G (crossing Hwy 21)
27. All of Norwood Dr.
28. 19<sup>th</sup> St. E. from 16<sup>th</sup> Ave. to 18<sup>th</sup> Ave.
29. 18<sup>th</sup> Ave. from 19<sup>th</sup> St. E. to Hwy 21
30. 18<sup>th</sup> Ave from 23<sup>rd</sup> St. E to 28<sup>th</sup> St. E, Germantown/Necedah town line
31. 23<sup>rd</sup> St. E. from 16<sup>th</sup> Ave. to 18<sup>th</sup> Ave.
32. 28<sup>th</sup> St. E. from 17<sup>th</sup> Ave. to 20<sup>th</sup> Ave.
33. Saint Mary's Way from Hwy G to 16<sup>th</sup> Ave.
34. All of Trinity Way  
 Amendment of new additional routes added & approved by Necedah Town Board on March 13, 2006 (#35-#39)
35. Buckeye Dr. from 18<sup>th</sup> Ave. to 23 St.E.
36. 26<sup>th</sup> St. E between 17<sup>th</sup> Ave & 18<sup>th</sup> Ave.
37. 18<sup>th</sup> Ave. north of Hwy 21 from 19<sup>th</sup> St. E to the Petenwell Dam
38. Bewick Trail from 11<sup>th</sup> St. W. to 12<sup>th</sup> St. W.
39. 28<sup>th</sup> St. W. from 7<sup>th</sup> Ave. to township line towards Hwy M  
 Amendment of new additional routes added & approved by Necedah Town Board on March 10, 2008 (#40-#45)
40. 9<sup>th</sup> Ave. N from Highway 21 north to 20<sup>th</sup> St./Grand Dyke Rd.
41. 7<sup>th</sup> Ave N from Highway 21 north to End of 7<sup>th</sup> Ave (Town part).
42. Item 31 above changed due to RR clousure,  
 23<sup>rd</sup> St. to Pine Cone Ct. (RR crossing Closed), &  
 23<sup>rd</sup> St. from (Closed RR crossing) to 18<sup>th</sup> Ave
43. 16<sup>th</sup> Ave. from 23<sup>rd</sup> St. to 25<sup>th</sup> St.
44. 17<sup>th</sup> Ave. from 25<sup>th</sup> St. to 26<sup>th</sup> St.
45. 25<sup>th</sup> St. E from 16<sup>th</sup> Ave. to 17<sup>th</sup> Ave.  
 Amendment of new additional routes added & approved by Necedah Town Board on March 8, 2010 (#46-#50)
46. E Lynne Ave
47. W Lynne Ave
48. Lemonweir Ave
49. 19<sup>th</sup> Ave from Cty Rd G to Petenwell Rd
50. Petenwell Rd from 19<sup>th</sup> Ave to Hwy 21  
 Amendment of new additional routes added & approved by Necedah Town Board on March 8, 2010 (#51-#52)
51. Buckeye Dr
52. Pine Cone Ct

## Section 2

### OTHER RULES THAT APPLY TO THIS ORDINANCE

1. Must obey all laws and new laws that are set by the Department of Natural Resources (DNR).
2. Maximum speed on all routes is 35 mph, or less as posted.
3. No one under 18 years old riding after 9:00 pm curfew, unless accompanied by parent, or legal guardian.
4. No one under 12 years old may operate on ATV routes, as stated in DNR rules.
5. At all times stay on the roadway in single file unless safety deems it necessary to momentarily use any right of way for travel.
6. All other licensed vehicles and pedestrians shall have the right of way.
7. No damaging of any part of roadway or right of way while operating an ATV on any part of the designated routes.
8. Operation of ATV's in the Town of Necedah only on designated routes. All laws for other operation are covered in 23.33 of the Wisconsin State Statutes and all subsections for off trail operations.
9. All ATV's while in operation on the routes will have lights on at all times.
10. Each year on the Nine day gun/deer season, all ATV routes will be closed.
11. ATV Club will be providing patrols and inspections of routes and will notify the Town Board of any possible hazards. Also will be responsible for the inspection of safety signs put up to designate the routes.
12. Designated routes in the Town of Necedah are to be renewed on a year to year basis.

-In March of each year the club is required to attend the regular town board meeting to request the ATV trail renewal and at that time requests can be made for any amendments or deletions to the designated route. ATV routes are then renewed at the April regular town board meeting.

### Section 3

PENALTY- Any person who shall violate any provision of this ordinance shall upon conviction thereof forfeit not less than \$50.00, nor more than \$500.00; together with the costs of prosecution and in default of payment thereof may be imprisoned in the county jail not exceeding 90 days.

### Section 4

FORFEITED PENALTIES AND DEPOSITS- Except as otherwise provided in the Wisconsin Statutes and the deposit schedule adopted by the state board of circuit judges thereunder, the forfeited penalties and deposits or bail not including costs or fees for violations of this ordinance, shall be equal to or less than the sum of \$250.00.

### Section 5

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, with the constable for the Town of Necedah, and with the sheriff of Juneau County.

### Section 6

This ordinance replaces the Ordinance 3 adopted April 10, 2000.

This Ordinance shall be in full force and effect from and after its passage and publication.

Passed and adopted by the Town Board this 24<sup>th</sup> day of August, 2004.

Routes #35 to #39 in Section 1 were added & approved on March 13, 2006,

Routes #40 to #45 in Section 1 were added & approved on March 10, 2008

Routes #46 to #50 in Section 1 were added & approved on March 8, 2010

Routes #51 to #52 in Section 1 were added & approved on March 14, 2011

Amendment to Route Designation in Section 1, that All Town Roads be open for ATV routes, not State & County was added & approved on May 9, 2011

Town of Necedah

By; \_\_\_\_\_

Vince Marchetti, Chairman

By; \_\_\_\_\_

Terry Taft, Supervisor

Attest; \_\_\_\_\_

Susan Kosinski, Clerk

By; \_\_\_\_\_

George Schumer, Supervisor

Dated this August 24, 2004

Town of Necedah

By; \_\_\_\_\_

Vince Marchetti, Chairman

By; \_\_\_\_\_

Terry Taft, Supervisor

Attest; \_\_\_\_\_

Susan Kosinski, Clerk

By; \_\_\_\_\_

George Schumer, Supervisor

Amendment to Open All Roads Dated this May 9, 2011