

Town of Lincoln ATV and UTV Ordinance

Bayfield County, Wisconsin

SECTION I – TITLE AND PURPOSE

The title of this ordinance is the Town of Lincoln All-Terrain Vehicle (ATV) and Utility Terrain Vehicle (UTV) Route Ordinance. The purpose of this ordinance is to establish ATV and UTV routes in the town and to regulate the operation of ATVs and UTVs in the town.

SECTION II – AUTHORITY

The Town Board of the Town of Lincoln, Bayfield County, Wisconsin, has the specific authority to adopt this ATV and UTV Ordinance under s. 23.33 (8) (b) and (11), Wis. stats.

SECTION III – ADOPTION OF ORDINANCE

This ordinance adopted on proper notice with a quorum and roll call vote by a majority of the town board present and voting, provides the authority for the town to designate ATV and UTV routes in the town and to regulate the use of those routes and ATVs and UTVs in the town.

SECTION IV – OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES

Pursuant to s. 23.33 (4) (d) 4., Wis. stats., except as otherwise provided in s. 23.33 (4), Wis. stats., no person may operate an ATV or UTV on the roadway portion of any highway in the town except on roadways that are designated as ATV and UTV routes by this ordinance. Operation of ATVs and UTVs on a roadway in the town that is an ATV and UTV route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions.

SECTION V – DESIGNATION OF ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

All town roads within the Town of Lincoln are be designated as ATV and UTV routes.

SECTION VI – CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE [AND UTILITY TERRAIN VEHICLE] ROUTES

Pursuant to s. 23.33 (8) (d), Wis. stats., the following restrictions are placed on the use of the town ATV and UTV routes designated by this resolution:

- A. Routes shall be marked with uniform ATV route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code.
- B. Operation shall be subject to all provisions of s. 23.33, Wis. stats., which is adopted as a part of this ordinance by reference, pursuant to s. 23.33 (11), Wis. stats.

- C. A copy of this ordinance shall be sent by the town clerk to the Department of Natural Resources and the Bayfield County Sheriff's Department.
- D. All ATV and UTV operators shall ride single file, and shall not exceed the speed of 35mph when operated on Town roads.

SECTION VII - ENFORCEMENT

This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin.

SECTION VIII - PENALTIES

The penalties under s. 23.33 (13) (a), Wis. Stats., are adopted by reference.

SECTION IX - SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION X - EFFECTIVE DATE

This ordinance is effective on publication or posting.

The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 11 day of June, 2013.

Chairman

Roger J. Stuy

Supervisor

Daniel Vaillancourt

Supervisor

Carol Deuzo