

Village of Forestville

ORDINANCE NO. 382-7

Establish All-Terrain/Utility-Terrain Vehicles (ATV's/UTV's) Routes and Regulations for operation

The Village Board Trustees of the Village of Forestville, Door County, Wisconsin, does ordain as follows:

1. TITLE AND PURPOSE. The title of this ordinance is the "Village of Forestville All-Terrain/Utility Terrain Vehicle (ATV's/UTV's) Route Ordinance. The purpose of this ordinance is to establish ATV/UTV routes on designated roadways in the Village of Forestville and to establish regulations of said ATV/UTV operation on such ATV/UTV routes.

2. AUTHORITY. The designation of ATV/UTV routes is created pursuant to authority provided to the Village of Forestville as authorized by Wis. Stats. Section 23.33(8)(b) and 23.33(11).

3. ADOPTION. The Village of Forestville, Door County, Wisconsin, by this ordinance, adopted on proper notice with a quorum and majority vote of the Village Trustees, provides the authority for the Village of Forestville to designate ATV/UTV routes on village roadways and to regulate the use of ATV's/UTV's on those routes.

4. OPERATION. Pursuant to Wis. Stats. Section 23.33(4)(d)4, except as otherwise provided in Wis. Stats. Section 23.33(4), no person may operate an ATV/UTV on the roadway portion of any Village of Forestville roadway except portions designated as ATV/UTV routes under this ordinance. Operation of ATVs/UTVs on village roadways that are designated as ATV/UTV routes is authorized only for the extreme right side of the roadway, not the shoulders, not ditches, except that left turns may be made from any part of the roadway that is safe given prevailing conditions.

5. ROUTES. No portion of any roadway in the Village of Forestville shall be deemed to be an ATV/UTV route unless it is properly signed and so designated as a "route" by this ordinance as listed hereon:

A. West Avenue from the North Village Limit to West Main Street.

B. Main Street (CTH J) from West Ave to the East limits of the Village.

6. REQUIREMENTS AND CONDITIONS APPLICABLE TO ATV/UTV ROUTES AND USE. Pursuant to Wis. Stats. Section 23.33(8), the following requirements and conditions are placed on all operators and passengers for the use of ATV/UTV routes upon any portion of roadways in the Village of Forestville designated by this ordinance:

A. The Village of Forestville, Door County, Wisconsin hereby adopts the applicable provisions of Wis. Stats. Section 23.33 regulating ATV/UTV operations. These provisions may be found at dnr.wi.gov or the DNR call center at 1-888-936-7463.

B. Routes shall be marked with uniform ATV/UTV route signs in accordance with Wis. Stats NR 64.12 and NR 64.12(7)(c), Wis. Adm. Code. No person may do any of the following with respect to signs marking ATV/UTV routes upon any designated portion of village roadways.

1) Intentionally remove, damage, deface, move, or obstruct any uniform ATV/UTV route sign or standard if the sign or standard is legally placed by the State, County or municipality of the Village of Forestville or any authorized individual.

2) Possess any uniform ATV/UTV route sign or standard of the type established by the State, County or Municipality, for the Village of Forestville for the warning, instruction or information of the public, unless he or she obtained the uniform ATV/UTV route sign or standard in a lawful manner. Possession of a uniform ATV/UTV route sign or standard creates a rebuttable presumption of illegal possession.

C. ATV/UTV routes are designated and marked as ATV/UTV routes only. It is a privilege to use any ATV/UTV route within the Village of Forestville. Operators must stay on the routes, riding in illegal areas can cause routes to be closed and/ or restrict riding opportunities for everyone. The Village of Forestville reserves the right to close, open, designate, or terminate the use of any or all ATV/UTV routes within the Village limits of Forestville Wisconsin.

1) You must obey all laws and rules as set forth by Wis. Stats. Section 23.33 relating to WIS. ATV/UTV laws and operations as published in PUB-LE-500-2014.

7. ENFORCEMENT. This ordinance shall be enforced by any law enforcement officer authorized to enforce laws of the State of Wisconsin.

1) You must stop your machine after being requested or signaled to do so by a law enforcement officer.

8. PENALTIES. Wisconsin state all-terrain vehicle penalties as found in Section 23.33(13)(a), Wis. Stats., are adopted by reference and by Village ordinance.

9. SEVERABILITY. The provisions of this ordinance shall be deemed severable and it is expressly declared that the Village would have passed the other provision of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other person's circumstances shall not be deemed affected.

10. PRECEDENCE. This ordinance replaces all ordinances previously created by the Village of Forestville relating to ATV/UTV operations on village highways.

11. Copies of this ordinance shall be provided to the Door County Highway Department, Door County Sheriff's Department, and local DNR wardens.

12. EFFECTIVE DATE. This ordinance shall take effect on the day following its publication.

Adopted this 17th day of October, 2017.

Signed:

By: Terry McNulty
Terry McNulty, Village President

Certification:

I, Mary Ann Salmon, Clerk of the Village of Forestville hereby certify that the above is a true and correct copy of an ordinance that was adopted on the 17th day of October, 2017, by the Board of Trustees.

Mary Ann Salmon
Mary Ann Salmon, Village Clerk