

## **All-Terrain Vehicle And Utility Terrain Vehicle Ordinance**

Town of Winfield, Sauk County, Wisconsin  
Ordinance #2011-1 Revised February 19, 2019

**Section I - Title and Purpose:** Ordinance #2011-1, Town of Winfield, Sauk County, Wisconsin, entitled Town of Winfield All-Terrain Vehicle/Utility Terrain Vehicle Ordinance shall be repealed and recreated to read as provided herein. The purpose of this ordinance is to establish all-terrain vehicle (ATV) and utility terrain vehicle (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 Winfield, Sauk County, Wisconsin, has the specific authority to adopt this ordinance under Wisconsin State Stats 23.33(8)(b) and 23.33(11).

**Section III – Adoption of Ordinance:** This ordinance adopted upon 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 – Designation of ATV and UTV Routes:** All town roads are designated ATV and UTV routes in the Town of Winfield.

**Section V - Route Signs:** Under the direction of the town board, route signs shall be provided by and shall be marked by the Sauk Ridge Runners ATV Club or their successor with uniform all-terrain vehicle route signs in accordance with Wisconsin Stats. 23.33(8)e and Wisconsin Administrative Code NR 64.12 (7). Signs shall be inspected annually and maintained by the Sauk Ridge Runners ATV Club or their successor. The town board shall be notified of any change in responsibility for maintenance of ATV/UTV route signs.

**Section VI - Operation of ATVs and UTVs:** The following restrictions apply to operation of ATVs and UTVs on all roads and highways designated as ATV/UTV routes:

1. Operators shall abide by all traffic laws, including the rules of operation and equipment requirements contained in Wisconsin State Stats 23.33 and Wisconsin Administrative Code. ch. NR 64, unless further restricted by this chapter.
2. ATVs and UTVs may only be operated on designated ATV/UTV route between 7 a.m. and 9 p.m.
3. ATVs and UTVs shall be operated on a route at a safe speed not to exceed 35 miles per hour unless a reduced speed is otherwise required by law or roadway conditions.
4. All ATV and UTV operators shall slow to a safe and prudent speed when there are animals on or near the roadway. Reference Wisconsin State Stats 23.33(3)(f).
5. ATVs and UTVs must operate with fully functional headlights, taillights, and brake lights. Reference Wisconsin State Stats 23.33(6)(a)-(h).
6. All ATV or UTV operators shall ride in single file on the extreme right hand side of the paved portion of the road or highway. Operation on the gravel shoulders, grassy in-slope, ditches, or other road or highway right-of-way is prohibited. Left turns may be made from any part of the highway when it is safe given prevailing conditions.

7. Crossing should be made only at a place where no obstruction prevents a quick and safe crossing. "Obstruction" includes, but is not limited to, impairment of view and potentially hazardous roadway conditions.
8. No person under the age of 16 may operate an ATV or UTV on any segment of a road or highway that is a designated ATV/UTV route. Reference Wisconsin State Stats 23.33(5)(a)1-6 for ATVs and 23.33(5)(am)1 for UTVs.
9. Every person who operates an ATV or UTV on any segment of a road or highway which is designated as an ATV/UTV route shall have in his or her immediate possession a valid motor vehicle operator's license and if born after January 1, 1988, possess a valid ATV safety certificate issued by Wisconsin or any other state or province. The ATV/UTV operator shall display the operator's license and safety certificate documents upon demand from any law enforcement officer, state patrol officer, inspector under Wisconsin State Stats 110.07(1), conservation warden, or municipal peace officer. Reference Wisconsin State Stats 23.33(5)(b)1 for ATVs, 23.33(5)(b)1m for UTVs or 23.33(5)(b)2 for display upon request.
10. No person may ride in or on any part of an ATV or UTV that is not designated or intended to be used by passengers. Reference Wisconsin State Stats 23.33(6r).
11. No operator or passenger of an ATV or UTV may possess in or on an ATV or UTV on any road or highway designated as an ATV/UTV route, any bottle or receptacle containing alcohol beverages if the bottle or receptacle has been opened, the seal has been broken, or the contents of the bottle or receptacle have been partially removed or released.
12. All ATV and UTV equipment is required to have applicable liability insurance and have proof of insurance.
13. All persons under the age of 18 operating and/or riding on an ATV/UTV must wear protective headgear as the type required under Wisconsin State Stats 347.485(1). Reference Wisconsin State Stats 23.33(3g).

**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:** Any person who violates any section of this ordinance, or statutes adopted by reference, shall pay a forfeiture for each offense as set forth in the following Town of Winfield bond schedule for ATVs and UTVs:

FORFEITURE	PENALTY SURCHARGE	COURT COST	TOTAL
\$50.00	\$13.00	\$66.00	\$129.00

Except that forfeitures for violations that are in conformance with state law may be cited as a violation of this ordinance, but the forfeiture amount shall be the amount provided in State of Wisconsin Revised Uniform Deposit and Bail Schedule for Conservation, Environmental Protection, Boating, Snowmobile, ATV, and Captive Wildlife Violations that is currently in effect at the time of the violation. Said forfeiture is exclusive of mandatory assessments and costs.

In addition to any forfeiture, a court may order restitution to repair any damage caused by violation of this ordinance.

**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 – Notifications:** A copy of this ordinance shall be sent by the town clerk to the Sauk County Sheriff's Department, Wisconsin State Patrol, and the Wisconsin Department of Natural Resources.

**Section XI - Effective Date:** This ordinance is effective on publication and posting. The town clerk shall properly publish this ordinance as required under Wisconsin State Stats 60.80.

Adopted this 19th day of February 2019

TOWN OF WINFIELD, SAUK COUNTY, WISCONSIN.

APPROVED:

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Ronald Churchill, Town Chairman

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Kurt Mead, Supervisor I

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Jason Dorow, Supervisor II

ATTESTED:

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Teresa Bass, Town Clerk

Published/Posted: February 27, 2019

History:

All-Terrain Vehicle Route Ordinance Adopted 12/21/11

Revised to include Utility Terrain Vehicles 8/21/12

Revised to include more roads 4/16/13

Revised to remove speed limit close to dwelling 10/15/13

Revised to include more roads, remove some items covered by statutes, and amend speed limit 4/19/16

Revised to include all town roads 8/15/17

Revised to reflect changes made by Sauk County 2/19/19