

Town of Auburn

Chapter 15

Designation of All-Terrain Vehicle/Utility Terrain Vehicle Route(s) and Regulation of All-Terrain Vehicle Operation

STATE OF WISCONSIN

Town of Auburn

Chippewa County

THE TOWN BOARD OF AUBURN, CHIPPEWA COUNTY, DOES HEREBY ORDAIN
AS FOLLOWS:

Section One: That the following Ordinance is hereby adopted by the Town Board on behalf of the Town of Auburn: ALL-TERRAIN VEHICLE/UTILIY TERRAIN VEHICLE ROUTE(S) OPERATION REGULATED

Section 1. - AUTHORITY

This Ordinance is adopted pursuant to the authority vested in the Town of Auburn pursuant to Sec.23.33 Wis. Stats. It is also enacted pursuant to the granting of Village Powers to the Town Board by the electors of the town which authorizes the enactment of ordinances under Sec.61.34, Wis. Stats.

Section 2. PURPOSE

The purpose of this ordinance is to designate the following all-terrain/utility terrain vehicle routes identified in Section 4 and regulate the operation of such all-terrain/utility terrain vehicles on such routes within the corporate limits of the Town of Auburn. The enactment of this Ordinance is deemed to be in the best interests of the health, safety, and welfare of the general public after due consideration of the recreational opportunities as weighed against public dangers, public health, liability aspects, terrain involved, traffic density, and history of automobile traffic.

Section 3. DEFINITIONS

As used in this ordinance:

A. "All-terrain vehicle" means an engine driven device which has a net weight of 900 pounds or less, which has a width of 48 inches or less, which is equipped with a seat designated to be straddled by the operator and which is designed to travel on 3 or more low-pressure tires. A low-pressure tire is a tire which has a minimum width of 6 inches, which is designed to be mounted

on a rim with a maximum diameter of 12 inches and which is designed to be inflated with an operating pressure not to exceed 6 pounds per square inch as recommended by the manufacturer.

B. "Utility terrain vehicle" means any of the following: A motor-driven device that does not meet federal motor vehicle safety standards; that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle; that is designed to be used primarily off of a highway; that has, and was originally manufactured with, all of the following:

- Net weight less than 2,000 pounds
- Four or more low pressure tires
- Cargo box
- Steering wheel
- Tail light
- Brake light
- Two headlights
- Max width of 65 inch
- Non-straddled seats for at least 2 people
- Seat belts for each occupant
- Roll bar or similar structural system or device

C. "All-terrain vehicle route" means a highway designated for use by all-terrain/utility terrain operators by the Town of Auburn.

D. "Operate" means to exercise physical control over the speed or direction of an all terrain/utility terrain to physically manipulate or activate any of the controls of an all terrain/utility terrain vehicle necessary to put it in motion.

E. "Operation" means the exercise of physical control over the speed or direction of an all-terrain/utility terrain vehicle or to physical manipulate or activate of any of the controls of an all-terrain/utility terrain vehicle necessary to put it in motion.

F. "Operator" means a person who operates an all-terrain/utility terrain vehicle, who is responsible for the operation of an all-terrain/utility terrain vehicle or who is supervising the operation of an all- terrain/utility terrain vehicle.

SECTION 4 - ROUTES

The following are designated as all-terrain/utility terrain vehicle as authorized by Sec.23.33 (8) (b) Wis. Stats

- A. All Town roads with the Town of Auburn, and.
- B. Said route(s) is farther described and identified by the attached map.

SECTION 5 –REGULATIONS OF ALL-TERRAIN/UTILITY TERRAIN VEHICLES ON DESIGNATED ROUTES(S).

The Town of Auburn, as authorized by Sec.23.33 (11) (a), Wis. States regulates the operation of all- terrain/utility terrain vehicles on designated routs(s) as follows:

- A. All all-terrain/utility terrain vehicle operators shall observe posted roadway speed limits.
- B. All all-terrain/utility terrain vehicle operators shall ride single file, and
- C. .All four wheels of all-terrain/utility vehicle must stay on paved surface.
- D. Roads will be open one hour before sunrise and one hour after sunset.
- E. All all-terrain/utility terrain vehicle operators shall slow the all-terrain/utility terrain vehicle to 10mph or less when operating within one hundred fifty (150) feet of a residence.
- F. All all-terrain/utility vehicle operators shall have their headlights and taillights turned on at all times.
- G. All all-terrain/utility terrain vehicle operators and riders under age 18 must wear a helmet.
- H. All all-terrain/utility vehicle operators under the age of 16 are required to have a rider safety certificate to ride, and they must be accompanied by a parent or guardian.

The Town of Auburn shall maintain the supervisory responsibility of ensuring that the all-terrain/utility vehicle routes identified in Section 4 are signed in compliance the standard, requirements, and regulations established by federal, state and local governments and their respective departments and agencies, including but not limited to, the Wisconsin Department of Neural Resources. The actual installation and maintenance of signage is hereby delegated to, and now becomes the responsibility of the all-terrain/utility terrain vehicle club known as Eagle Point ATV club. And shall also be responsible for the purchase of and associated costs related to the necessary signage for the route(s). All signage and signage materials shall be subject to approval by the Town Board prior to installation.

SECTION 7 - ENFORCEMENT

This ordinance shall be enforced by: Eagle Point ATV Club and the Chippewa County sheriff Department sec.23.33 (12) Wis. Stats. Section 8 Penalties.

Any person violating the provisions of this ordinance shall forfeit a sum of not less than \$50.00 nor more than \$250.00 for each offense, together with the costs of prosecution. Each day that a violation occurs shall constitute a separate offense.

Section Two: That this ordinance shall take effect upon its adoption and publication as required by law.

**Chapter 15 – ATV AMENDMENT ADOPTION
Town of Auburn**

Dated this 12th day of NOV, 2013



Paul Scheidecker – Chairman



Al Blaha – Supervisor



Kevin Ludwigson – Supervisor

Attested by: 

Judy Misner/Clerk

Posted _____

Published _____