

CHAPTER 15

ALL TERRAIN VEHICLES/MOTORCYCLES

SECTION 1 – APPLICABILITY

The provisions of this section shall apply to all roads and trails located on lands owned, leased or administered by Chippewa County under the management supervision and control of the Land, Forest, Parks and Conservation Committee. It shall include all designated trails within the County developed by Chippewa County and/or the Wisconsin Department of Natural Resources.

SECTION 2 - DEFINITIONS

In this ordinance:

- A. All Terrain Vehicle means an engine driven device which has a net weight of 950 pounds or less, which has a width of 48 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on 3 or more low pressure tire. A low pressure tire is 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. All Terrain Vehicle Route means a highway or sidewalk designated for use by all terrain vehicle operators by the governmental agency having jurisdiction over said route.
- C. All Terrain Vehicle Trail means a marked corridor on public property or on private lands subject to public easement or lease, designated for use by all terrain vehicle operators by the governmental agency having jurisdiction over said trail.
- D. Motorcycle means a motor vehicle, excluding a tractor or all terrain vehicle, which is capable of speeds in excess of 30 miles per hour with a 150 pound rider on a dry, level, hard surface with no wind with a power source as an integral part of the vehicle and having either two wheels in tandem or three wheels.
- E. County Lands means all lands owned, leased or administered by the County, including lands contained in County Forests or County Parks.

Also including land interests acquired by granting of easements to the County.

- F. County Forest Road means a public highway with a minimum roadway width of 20 feet and a surface width of 16 feet that receives transportation aids from the State Department of Transportation, in accordance with State Statute Section 86.315.

SECTION 3 - ADOPTION OF STATE STATUTE AND CODE

Wisconsin Statute Section 23.33, Section 895 and Wisconsin Administrative Code NR 64 and any future amendments to the same are hereby adopted by reference and made a part of this ordinance as if fully set forth herein.

SECTION 4 - RESTRICTED USE OF MOTORCYCLES

No person shall operate a motorcycle on County lands, subject to the following:

- A. Licensed motorcycles may be operated on County Forest Roads within County lands for which the County has received State aids.

SECTION 5 - RESTRICTED USE OF ALL TERRAIN VEHICLES

No person shall operate an all terrain vehicle on County lands, subject to the following:

- A. No person shall operate an all terrain vehicle on County lands except on designated all terrain vehicle trail(s).
- B. No person shall operate an all terrain vehicle at a speed in excess of ten miles per hour on any portion of a designated all terrain vehicle trail(s) that is posted with caution signs consisting of black symbols or letters on yellow backing.
- C. Operators of all terrain vehicles must abide by all regulatory trail signs.
- D. No person shall operate an all terrain vehicle on any designated all terrain vehicle trail(s) at such times that said trail(s) are closed. Said designated trail(s) shall generally be open from May 1 of each year to November 15 of the same year. The county Forest and Parks Administrator may, in his sole discretion, close such designated all terrain vehicle trail(s) at such other times in furtherance of his/her duties.

SECTION 6 - RESTRICTED USE OF ALL TERRAIN VEHICLES DURING DEER GUN SEASON

No person shall operate an all terrain vehicle on County lands during Deer Gun Season, except as follows:

- A. No person shall operate all terrain vehicles during the hunting hours of gun deer season each year as such season and hours are established by the Wisconsin Department of Natural Resources.
- B. During the gun deer season, operation of an all terrain vehicle is permitted on designated all terrain vehicle trail(s) after hunting hours and up to midnight of each day and for the sole purpose of retrieving a deer carcass.

SECTION 7 - OBSTRUCTIONS

No person shall place or part any obstruction, including any motor driven vehicle, on the maintained portion of any designated all terrain vehicle trails(s).

SECTION 8 - ABANDONED VEHICLES

No person shall leave any motor driven vehicle unattended in any County Forest or other County lands for more than 48 hours under such circumstances as to cause the vehicle to reasonably appear to be abandoned. Such abandoned vehicle shall constitute a public nuisance.

SECTION 9 - TRAIL GATES AND SIGNS

No person shall damage, destroy or remove any gate or sign on County lands which are placed by the County.

SECTION 10 - EXCEPTIONS.

- A. Nothing in this chapter shall prohibit or hinder the County Forestry, Law Enforcement or Medical Emergency personnel from performing their official duties on County Lands.
- B. The County Forest and Parks Administrator shall have the authority to issue special use permits for all terrain vehicles on County lands. Such permits may be issued in the following instances: physically disabled persons (as defined in the Wisconsin Statutes and Wisconsin Administrative Code), and for activities beneficial to County Forests and Parks Department, to include: trapping nuisance animals, cleanup activities including firewood gathering by permit, trail maintenance

activities, logging activities authorized under timber sales contracts with the County and investigating established timber sales for timber procurement. Issuance of such special use permits shall be subject to the review of the County Land, Forests and Parks Committee. The County Forests and Parks Administrator may revoke such special use permits in the event any of the provisions of the same are violated by the permittee.

SECTION 11 - PENALTIES

Any person violating the provisions of this Ordinance shall pay a forfeiture as follows:

- For the first offense - \$100.00
- For the second offense - \$250.00
- For the third offense - \$500.00

Costs of the action shall also be paid and in default of payment of any of the above fines imprisonment in the County Jail until said forfeiture and costs are paid, but not to exceed 30 days.