

Ordinance 2024-001

An ordinance creating Article V of Chapter 202 of the Town of Pleasant Springs General Code of Ordinances to Establish All-terrain and Utility-terrain vehicle routes Pleasant Springs

Whereas, the town board finds that there is a desire for ATV/UTV routes on roadways in the town for recreational purposes and that the need should be balanced against possible dangers to public safety resulting from use of ATV/UTVs on town roadways; and

Whereas, the town board finds it to be in the public interest to establish ATV/UTV routes in the town of Pleasant Springs and to regulate the operation of the same upon such routes; and

Whereas, the town board is authorized to establish ATV/UTV routes and to adopt regulations under §23.33(8), Wis. Stats.

NOW, THEREFORE, the Town Board of the Town of Pleasant Springs, Dane County, Wisconsin, does ordain as follows:

Article V of Chapter 202 of the Pleasant Springs General Code of Ordinances, is created to read as follows:

ARTICLE V ATV/UTV Routes and Regulations

§202.30 Designation of ATV/UTV routes.

Pursuant to §23.33(8)(b)(1), Wis. Stats. The Town of Pleasant Springs designates all town roads under the jurisdiction of the Town as ATV/UTV routes when appropriate signs have been installed as required by §23.33(8)(e), Wis. Stats. and §202.31.

202.31 Signage of ATV/UTV Routes.

All authorized ATV/UTV routes shall be designated by route signs meeting the requirements of §NR64.12(7), Wis. Admin. Code. Signs may be installed only by Town officers or employees.

202.32 Regulations applicable to designated routes.

All use of ATVs and UTVs on routes designated by §202.30 shall be subject to the following regulations.

- (1) All ATV/UTV operators shall be at least 16 years of age and possess a valid operator's license as defined in §340.01(41g), Wis. Stats.
- (2) WisDOT-approved helmets shall be worn by all operators and passengers of any ATV/UTV under the age of 18 years old.
- (3) All UTV operators and passengers must wear seatbelts at all times.
- (4) Passengers riding in or on any part of the ATV/UTV shall be seated in seats designated or intended by the manufacturer of the ATV/UTV for use by passengers.
- (5) No ATV/UTV shall be operated at a speed greater than 35 mph or the posted speed limit whichever is lower, except that an operator of an ATV/UTV with a snow removal device attached shall not exceed 15 mph if more than 150 feet from a dwelling.
- (6) ATV/UTVs shall be operated with fully functional headlights, taillights, and brake lights on all routes. ATV/UTV headlights and taillights must be illuminated at all times. All lighting must conform to the specifications contained in §23.33(6), Wis. Stats.

9(7) All ATV/UTV operators must ride single file on the extreme right-hand side of the paved highway.

(8) No person shall operate an ATV/UTV on town highways between 10:00 PM and 5:00 AM.

(9) ATV/UTVs on town highways may be operated only on the paved roadway surface.

(10) All ATVs/UTVs operated on town highways shall be covered by a policy of liability insurance meeting the requirements of §344.33, Wis. Stats. Operators while on town highways shall have proof of such insurance on their person and produce it upon demand by any law enforcement officer.

(11) ATVs/UTVs operated on town highways shall be equipped with a functioning muffler limiting the sound emitted therefrom to not more than 96 dB(A) as provided in §23.33(6m), Wis. Stats.

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

(13) Any person who shall violate any portion of this ordinance shall, upon conviction thereof, forfeit not less than \$100 nor more than \$300.