

# **Town of Hartland, Shawano County, State of Wisconsin**

## **Ordinance #2019-01**

### **All-Terrain/Utility Terrain Vehicle Routes**

#### **Section 1: Purpose**

The **Town of Hartland**, Shawano County, Wisconsin hereby adopts the following all-terrain vehicle (ATV) and utility terrain vehicle (UTV) upon roadways listed in Section 3. Following due consideration of recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and automobile traffic volume, this route(s) has been created. The establishment of this ordinance is for the convenience of the ATV/UTV riding public only and the Town of Hartland makes no warranty expressed or implied that the aforementioned routes are safe for ATV/UTV operation.

#### **Section 2: Statutory Authority**

This ordinance is enacted under the authority granted in Chapter 23 and Chapter NR64 of the Wisconsin Statutes. The Town of Hartland does hereby adopt Chapter 23 and Chapter NR64 of the Wisconsin Statutes which deal with all-terrain and utility terrain vehicles to be applied on all Town roads as designated ATV/UTV routes within the Town of Hartland.

#### **Section 3: Routes**

1. The **Town of Hartland** reserves the right to close or modify routes at any time. Any restrictions of routes shall be designated by a motion and by majority of the **Town of Hartland** board and shall be marked accordingly. All ATV/UTV routes refer to town roads.
2. The **Town of Hartland** or its designee shall maintain all routes within the township.
3. All ATV/UTV routes should be signed in accordance with NR 64.12, and NR 64.12 (7) (c).
4. All township roads, within the **Town of Hartland** are hereby designated as ATV/UTV routes. No ATV/UTV travel is allowed on any County Highway located in the **Town of Hartland**, unless the subject County Highway is a designated ATV/UTV route under the Shawano County ATV/UTV Ordinance, except for the purpose of crossing the County Highway.

#### **Section 4: Conditions**

1. All ATV/UTV operators on routes shall observe posted roadway speed limits; not to exceed 35 MPH.
2. All ATV/UTV operators shall ride single file.
3. Operators are required to have headlamps and tail-lamps turned on at all times.
4. No person under 12 years of age shall operate an ATV/UTV under any circumstances.
5. All operators born after January 1, 1988 and over the age of 12 are required to complete an approved ATV/UTV safety course, and carry a safety certificate with them while riding on public roads.
6. All operators under the age of 18 shall wear a helmet approved by the Wisconsin Department of Transportation.
7. The **Town of Hartland** accepts no liability for the operation of ATV/UTVs on any town road.
8. All rules of Chapter NR64 of the Wisconsin Administrative Code shall be observed.

**Section 5: Enforcement**

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

**Section 6: Penalties**

Wisconsin state ATV/UTV penalties as found in s.23.33 (13) (a) Wis. Stats., are adopted by reference.

**Section 7: Review of Routes**

This ordinance is open to review on an as needed basis.

**Section 8: Severability**

The provision of this ordinance shall be deemed severable and it is expressly declared that the **Town of Hartland** would have passed the provisions 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 the other persons circumstances shall not be deemed affected.

**Section-9: Effective Date**

This ordinance becomes effective upon passage and publication as required by law.

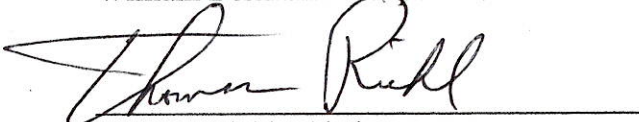
Adopted this 8<sup>th</sup> day of July, 2019.



William Berkhahn – Supervisor



Dave Bohm – Supervisor



Thomas Riehl - Chairman

Attested:   
Sharon Riehl - Clerk