

**TOWN OF DECATUR
ORDINANCE NO. 32**

AN ORDINANCE CREATING CHAPTER 32 OF THE TOWN OF DECATUR CODE OF ORDINANCES REGARDING ATV/UTV ROUTES ON TOWN ROADS.

NOW, THEREFORE, the Town Board of the Town of Decatur, County of Green, State of Wisconsin, ordains as follows:

SECTION I: Chapter 32 of the Town of Decatur Code of Ordinances, to be captioned “ATV/UTV ROUTES AND REGULATIONS” is created to read as follows:

CHAPTER 32
ATV/UTV ROUTES AND REGULATIONS

SECTION 1. TITLE AND PURPOSE

The title of this ordinance is “ATV/UTV Routes and Regulations”. The purpose of this ordinance is to establish All-Terrain Vehicle (“ATV”) and Utility Terrain Vehicle (“UTV”) routes in the Town of Decatur (“Town”) and to regulate the operation of ATV/UTVs in the Town.

SECTION 2. AUTHORITY AND GENERAL REGULATION

The Town Board of the Town of Decatur, Green County, Wisconsin (“Town Board”) has the specific authority to adopt this ATV/UTV Routes and Regulations Ordinance under Wis. Stats. §23.33 (8)(b) and (11). The Town Board retains the right to close any Town road to ATV/UTV operation for any reason, including but not limited to special events, unlawful use, and road construction or repair. Said closures of Town roads to ATV/UTV use may occur without prior notice. The Town accepts no liability for the operation of ATV/UTVs on any Town road under the provisions of this ordinance. Operation of ATV/UTVs is at the operator’s own risk. ATV/UTV operators within the Town shall abide by all state, county, and local laws, and the applicable provisions of Wis. Stat. §23.33 regulating ATV/UTV operations are adopted by reference and made part of this ordinance.

SECTION 3. ROUTES

- A. The Town designates all Town Roads within the Town as ATV/UTV routes except the following roads:
 - 1. The entire portion of Decatur-Sylvester Road lying within the Town; and
 - 2. The entire portion of Decatur-Albany Road lying within the Town.

- B. All county roadways located in the Town are hereby declared as ATV/UTV routes only if authorized by the County of Green, and all state highways in the Town are declared as ATV/UTV routes only if authorized by the State of Wisconsin.

- C. All authorized ATV/UTV routes shall be signed in accordance with Wis. Stats. §23.33 (8)(e). The Town, or its designee, shall maintain all route signs within the Town. Any restrictions on authorized routes shall be designated by majority vote of the Town Board and shall be marked/signed accordingly.

SECTION 4. OPERATION OF ATV/UTVs

All ATV/UTV operators on Town routes must comply with the following conditions of operation:

- (1) ATV/UTV operators shall observe the posted roadway speed limits in the lane of travel.
- (2) ATV/UTV operators shall ride single file.
- (3) ATV/UTV operators are prohibited from riding on the shoulder of the road or in the ditch.
- (4) ATV/UTV operators must have a valid ATV Safety Certificate and be at least 16 years of age.
- (5) ATV/UTV operators and riders under the age of 18 must wear a helmet.
- (6) ATV/UTVs shall have headlights, taillights, and brake lights on while operating on any Town route and must operate with a muffler that falls within the legal decibel limits.
- (7) ATV/UTV operators shall use hand signals if their machines are not equipped with turn signals.
- (8) ATV/UTVs shall be registered with the Wisconsin Department of Natural Resources and have up-to-date stickers and license plates.

SECTION 5. ENFORCEMENT

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of Green County and/or the State of Wisconsin.

Consistent with Wis. Stat. §23.33(11)(b) the Town Clerk shall immediately send a copy of this ordinance to the Department of Natural Resources, the Wisconsin State Highway Patrol, and to the Green County Sheriff's Department.

SECTION 6. PENALTIES

Wisconsin state ATV/UTV penalties as found in Wis. Stat. §23.33(13)(a) are adopted by reference and made part of this ordinance.

SECTION 7. 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 8. EFFECTIVE DATE

This Ordinance shall take effect on April 1, 2021, after the Town Clerk properly publishes or posts this ordinance as required by law.

Dated this 25 day of February, 2020.


Allen Schneider, Town Chair

SUMMARY OF ORDINANCE FOR PUBLICATION

PLEASE TAKE NOTICE THAT the Town Board of the Town of Decatur, Green County, Wisconsin, has adopted Ordinance No. 32 on February 25, 2021, creating Chapter 32 of the Town of Decatur Municipal Code regarding ATV/UTV Routes and Regulations on Town of Decatur roadways.

The full text of the Ordinance may be obtained from the Town Clerk, Jamie Olson, by calling her at 608-897-4965, by viewing it on the Town's website at www.townofdecat.com, or by viewing the Ordinance at the Decatur Town Hall at 1408 14th Street, Brodhead, Wisconsin, where it is posted.