

**ORDINANCE NO: 2008-02**

**ORDINANCE ESTABLISHING  
DESIGNATION AND REGULATION OF ALL-TERRAIN VEHICLE ROUTES  
TOWN OF NEW HAVEN, DUNN COUNTY, WISCONSIN**

**TITLE AND PURPOSE**

The title of this ordinance is the Town of New Haven All-Terrain Vehicle Route Ordinance. The purpose of this ordinance is to establish all-terrain vehicle routes in the town and to regulate the operation of all-terrain vehicles in the town.

**AUTHORITY**

The Town Board of the Town of New Haven, Dunn County, Wisconsin has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under s. 23.33 (8)(b) and (11) Wisconsin Statutes.

**ADOPTION OF ORDINANCE**

The Town Board of the Town of New Haven, Dunn County, Wisconsin, by this ordinance, adopted on proper notice with a quorum and roll call vote by a majority vote of the Town Board present and voting, provided the authority for the town to designate all-terrain vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles in the town.

**OPERATION OF ALL-TERRAIN VEHICLES**

Pursuant to s. 23.33 (4)(d) 4, Wisconsin Statutes, except as otherwise provided in s. 23.22 (4) Wisconsin Statutes, no person may operate an all-terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle routes by this ordinance. Operation of all-terrain vehicles on a roadway in the town that is an all-terrain vehicle route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions. On paved roadway all-terrain vehicles must be operated on the paved portion of the roadway and not on the gravel shoulder.

**DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES**

The following routes are designated all-terrain vehicle routes in the town:

All roads in the Town of New Haven that are properly signed as all terrain vehicle routes.

## CONDITIONS TO ALL-TERRAIN VEHICLE ROUTES

Pursuant to s. 23.33 (8)(d), Wisconsin Statutes, the following restrictions are placed on the use of the town all-terrain vehicle routes designated by this ordinance:

- A. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administration Code. No person may do any of the following in regard to signs marking all-terrain vehicle routes.
  - 1. Intentionally remove, damage, deface, move or obstruct any uniform all-terrain all-vehicle route or trail sign or standard or intentionally interfere with the effective operation of a uniform all-terrain vehicle route or trail or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.
  - 2. Possess any uniform all-terrain vehicle route or trail sign or standard of the types established by the department for warning, instruction or information of the public unless he or she obtained the uniform all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.
- B. Operation shall be subject to all provisions of s. 23.33, Wisconsin Statutes, which is adopted as part of this ordinance by reference, pursuant to s. 23.33 (11), Wisconsin Statutes.
- C. A copy of this ordinance shall be sent by the town clerk to St. Croix, Dunn, Barron and Polk County Sheriff Departments.
- D. In addition to the provisions of s. 23.33, Wisconsin Statutes, the following restrictions are placed on the use of the town all-terrain vehicle routes designated by this ordinance.
  - 1. All ATV operators shall observe the posted roadway speed.
  - 2. All ATV operators shall ride single file.
  - 3. Anyone under the age of twelve (12) cannot operate an ATV on a road or route under any circumstances.
  - 4. Anyone born after January 1, 1988 cannot operate an ATV on a roadway without a safety certification.
  - 5. All ATV operators and passengers under the age of 18 must wear a helmet.
  - 6. Lights must be on at all times.

**ENFORCEMENT**

Any law enforcement officer authorized to enforce the laws of the State of Wisconsin may enforce this ordinance.

**PENALTIES**

The penalties under s. 23.33 (13)(a), Wisconsin Statutes are adopted by reference.

**EFFECTIVE DATE**

This ordinance shall take effect when all-terrain vehicle route signs are posted by the local ATV clubs and goes for a probationary period from January 1, 2009 through January 1, 2010, but can be discontinued at any time by the decision of the New Haven Town Board.

The town clerk shall properly post this ordinance as required under s. 60.80, Wisconsin Statutes.

Adopted this 2nd day of December, 2008.

\_\_\_\_\_/s/\_\_\_\_\_  
Roger Hanson, Chairman

\_\_\_\_\_/s/\_\_\_\_\_  
Donald Cormican, Supervisor

\_\_\_\_\_/s/\_\_\_\_\_  
Brian Loida, Supervisor

Attest: \_\_\_\_\_/s/\_\_\_\_\_  
Diane Duerst, Clerk

I, the undersigned Town Clerk, hereby certify the foregoing ordinance was posted in three public places in the Town on 12/5, 2008

Town of New Haven Town Shop Outdoor Board  
Kistner's Korner  
Bolen Vale Cheese

\_\_\_\_\_/s/\_\_\_\_\_  
Diane Duerst, Town Clerk