

TOWN OF ROSE
ORDINANCE 1-2024

**An Ordinance for the adoption of ATV (All-Terrain Vehicle) / UTV (Utility Terrain Vehicle) Routes on the
Town of Rose Roadways**

Section 1 – Title and Purpose

The title of this ordinance is the Town of Rose All-Terrain Vehicle (ATV) / Utility Terrain Vehicle (UTV) Route Ordinance. The purpose of this ordinance is to establish ATV/UTV routes and to regulate the operation of ATVs/UTVs in the Town of Rose. This ordinance is for a one-year trial beginning January 1, 2024.

Section 2 – Authority

The Town of Rose Board, Waushara County, Wisconsin, has the specific authority to adopt the ATV/UTV ordinance under s.23.33(8)(b) and (11), Wis. Stats. The Town of Rose Board reserves the right to close or modify routes at any time. Any restrictions of routes shall be designated by a motion and by a majority of the Town of Rose Board and shall be marked accordingly.

Section 3 – Adoption of Ordinance

This ordinance, adopted on proper notice with a quorum and vote by a majority of the town board present and voting, provides the authority for the town to designate ATV/UTV routes in the town and to regulate the use of those routes and ATVs/UTVs in the town.

Section 4 – Operation of ATV/UTVs

Pursuant to s.23.33(4)(d)4., Wis. Stats., except as otherwise provided in s. 23.33(4), Wis. Stat., no person may operate an ATV/UTV on the roadway portion of any highway in the town except on roadways that are designated as ATV/UTV routes by this ordinance. Operation of ATVs/UTVs on a roadway in the town that is an ATV/UTV 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.

Section 5 – Designation of ATV/UTV Routes

All township roads are designated as ATV/UTV routes except the following: Alp from 13th to 14th Ct, 14th Ct. from Alp to Akron, and Akron from 14th Ct. to Cty. Rd. AA.

Section 6 – Conditions

As a condition for the use of this route, all operators and passengers shall comply with the following conditions:

- All ATV/UTV operators shall abide by the provisions of Wis. Stats. s. 23.33, including all definitions existing and modified and adopted herein by reference.
- All ATV/UTV operators shall operate at no more than 35 mph and shall follow any lower established speed limits.
- All ATV/UTV operators shall ride single file on the extreme right side of the paved road.
- All ATV/UTV operators shall only ride on the paved surface of the road.
- All ATV/UTV operators shall slow the vehicle to ten mph or less when operating within 150 feet of a dwelling or a person who is not operating an ATV/UTV, snowmobile, motorcycle or other motor vehicle, including but not limited to pedestrians and non-motorized transportation such as buggies.

- The route shall be signed in accordance with NR64.12. NR64.12(7)(c) and the requirements of the Waushara County Highway Commissioner by the Waushara County Highway Department.
- All ATV/UTV operators born after January 1, 1988, must have completed an ATV safety certification course and carry verification of such on their person.
- The route will be open for public ATV/UTV usage daily from 5:00am to 11:00pm.
- All ATV/UTV operators under the age of 18 are required to wear a helmet and be accompanied by an adult.
- Operators must be at least 16 years of age and possess a valid driver's license.
- All ATV/UTV operators shall abide by all traffic rules.
- No ATV/UTV may be operated on any designated route without fully functional headlights and taillights.
- All operators shall have a liability insurance policy in force on any ATV/UTV operated on an ATV/UTV route with the following minimum coverage:
 - \$10,000.00 for property damage;
 - \$25,000.00 for the injury or death of one person;
 - \$50,000.00 for the injury or death of more than one person.

Section 7 – Enforcement

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

Section 8 – Penalties

Violations shall be subject to the penalties located in Wis. Stats. s 23.33(13).

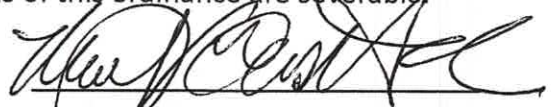
Section 9 – Maintenance of ATV/UTV Routes


Designation of segments of Town of Rose roadways does not impose upon the town a greater duty of care or responsibility for maintenance of those segments than for any other segment of town roadways. Operators of ATV/UTVs on Town of Rose roadways assume all the usual and normal risks associated with ATV/UTV operations.

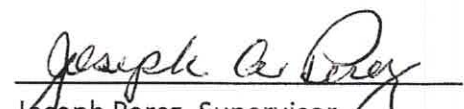
Section 10 – Severability

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.

Adopted this 8th day of JANUARY, 2024
 Ayes 3 Nays 0
 Date Published/Posted


 Mark VandeCastle, Chair


 Christopher Cutts, Supervisor


 Joseph Perez, Supervisor