

**TOWN OF OAK GROVE  
Pierce County, Wisconsin  
Ordinance No. 2021-01**

**All-Terrain Vehicle and Utility Terrain Vehicle Routes Ordinance**

The Town Board of the Town of Oak Grove ordains as follows:

**SECTION 1 – TITLE AND PURPOSE**

The title of this Ordinance is the All-Terrain Vehicle (“ATV”) and Utility Terrain Vehicle (“UTV”) Routes Ordinance. The purpose of this Ordinance is to establish ATV and UTV Routes in the Town of Oak Grove (“Town”) and to regulate the operation of ATVs and UTVs in the Town.

**SECTION 2 – AUTHORITY**

The Town Board of the Town of Oak Grove, Pierce County, Wisconsin, has the specific authority to adopt this Ordinance under S. 23.33(8)(b) and (11), Wis. Stats.

**SECTION 3 – ADOPTION OF ORDINANCE**

The Town Board of the Town of Oak Grove, Pierce County, Wisconsin, by this Ordinance, adopted on proper notice with a quorum and roll call 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 and UTVs in the town.

**SECTION 4 – OPERATION OF ATVs and UTVs**

Pursuant to Wis. Stat. Sec. 23.33(4)(d)(4), except as otherwise provided in s. 23.33(4), Wis. Stats., no person may operate an ATV or 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 and 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. On paved roadways ATVs and UTVs must be operated on the paved portion of the roadway and not on the gravel shoulder.

**SECTION 5 – DESIGNATION OF ATV AND UTV ROUTES**

All town roads in the Town of Oak Grove shall be designated ATV/UTV routes. However, the majority of property owners on a dead-end road may petition the Town Board to close their dead-end road to ATV/UTV travel and the board will consider their request.

**SECTION 6 – CONDITIONS APPLICABLE TO ATV AND UTV ROUTES**

Pursuant to s. 23.88(8)(d), Wis. Stats., the following restrictions are placed on the use of the Town ATV/UTV routes designated by this Ordinance:

- A. Routes shall be marked with uniform ATV/UTV route signs in accordance with s. NR 64.12, Wisconsin Administrative Code. No person may do any of the following in regard to signs marking Town ATV/UTV routes:
1. Intentionally remove, damage, deface, move, or obstruct any uniform ATV/UTV route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign or standards if the sign or standard is legally placed by the state, any municipality, or any authorized individual.
  2. Possess any uniform ATV/UTV route or trail sign or standard of the types established by the department for the warning, instruction, or information of the public, unless he or she obtained the uniform ATV/UTV route or trail sign in a lawful manner. Possession of a uniform ATV/UTV route or trail sign or standard creates a reasonable presumption of illegal possession.
- B. Operation shall be subject to all provisions of s. 23.33, Wis. Stats., which is incorporated as part of this Ordinance by reference, pursuant to s. 23.33(11), Wis. Stats.
- C. A copy of this Ordinance shall be sent by the Town Clerk to the Pierce County Sheriff's Department, and the Wisconsin Department of Natural Resources.
- D. In addition to the provisions of s. 23.33, Wis. Stats., the following restrictions are in place for operators on the Town ATV/UTV routes designated by this Ordinance:
1. All ATV and UTV operators shall observe a speed limit of 40 mph or the posted roadway speed limit, whichever is lower.
  2. All ATV and UTV operators shall ride single file.
  3. The allowed hours of operation shall be from 6:00 a.m. to 8:00 p.m. during Daylight Savings Time and from 6:00 a.m. to 7:00 p.m. during Standard Time.
  4. All ATV and UTV operators born on or after January 1, 1988 shall possess a valid-state-issued ATV/UTV Safety Certificate.
  5. All ATV and UTV operators under the age of 16 must be under the direct supervision of a parent or legal guardian at all times when operating on a designated ATV/UTV route.

## **SECTION 7 – ENFORCEMENT**

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

## **SECTION 8 – PENALTIES**

The penalties under s. 23.33, Wis. Stats., are adopted by reference.

## **SECTION 9 – 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 10 – EFFECTIVE DATE**

This Ordinance is effective after proper publication or posting. The Town Clerk shall properly publish this Ordinance as required under s. 60.80, Wis. Stats.

This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Adopted this \_\_\_\_\_ 15<sup>th</sup> day of \_\_\_\_\_ March, 2021, by a majority vote of the Town Board of the Town of Oak Grove.

\_\_\_\_\_  
Jerry Kosin, Town Chair

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Andria Hayday, Town Clerk

Date: \_\_\_\_\_

Adopted by town board: March 15, 2021  
Published notice: April 8, 2021  
Posted: April 8, 2021  
Effective date: April 9, 2021