

AN ORDINANCE TO CREATE CHAPTER 8.04
ALL-TERRAIN VEHICLE (ATV)/UTILITY TERRAIN VEHICLE (UTV)
OF THE CODE OF ORDINANCES, TOWN OF SUMPTER, SAUK COUNTY, WISCONSIN

Title. The title of this ordinance is the Town of Sumpter All-Terrain Vehicle (ATV) and Utility-Terrain Vehicle (UTV) Ordinance.

- A. **Authorization.** The town board has considered the recreational and economic value of all-terrain vehicle and utility-terrain vehicle (ATV/UTV) routes and trail opportunities weighed against protecting the public safety, liability aspects, terrain involved, traffic density, and history of automobile traffic. After due consideration, this ordinance is created to establish all-terrain vehicle and utility-terrain vehicle routes on public roadways and to regulate the operation of such vehicles on such routes and trails to provide safe and healthful conditions for the personal use ATVs/UTVs consistent with public rights and interest pursuant to town board authority under Wis. Stat. ss 60.22, 23.33(8) and 23.33(11) (a) and (am).
- B. **State Laws Adopted.** The statutory provisions in Wis. Stat. Chapters 23.33 and 340 to 348, establishing definitions and regulations with respect to ATVs and UTVs, and Wis. Adm. Code Chapter NR 64, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Unless otherwise provided in this chapter, any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance. Any future amendments, revisions or modifications of the statutes incorporated herein are made a part of this chapter in order to secure uniform statewide regulation of ATVs and UTVs.
- C. **Designation Of All-Terrain Vehicle And Utility-Terrain Vehicle Routes.**
- (1) The following routes in the Town of Sumpter are designated All-Terrain Vehicle (ATV)/Utility-Terrain Vehicle (UTV) Routes for their entire length unless noted otherwise:
- Huber Road
 - Kings Corner Road
 - New Haven Road
 - Stones Pocket Road, north of County Highway C
- (2) ATV's may be operated on roads designated as Non-Through Road in the Town of Sumpter for the sole purpose of a resident riding to and from their residence. No other person shall operate an ATV or UTV on a road designated as a non-through road in the Town of Sumpter. Non-Through Roads in the Town of Sumpter are as follows:
- Dischler Road
 - Groth Road

Stones Pocket Road South of Hwy C
Swiss Valley Road

- D. Route Signs. Under the direction of the Town, route signs shall be provided by and shall be marked by the Honey Creek ATV/UTV Club, LLC or their successor with uniform all-terrain vehicle route signs in accordance with Wisconsin Administrative Code Nr 64.12 (7). Signs shall be inspected annually and shall be maintained by the Honey Creek ATV/UTV Club, LLC or their successor. The Town shall be notified immediately in any change in responsibility for maintenance of ATV/UTV Route signs. Failure of the Honey Creek ATV/UTV Club, LLC or their successors to inspect or maintain route signs may be considered just cause for suspension or termination of routes by the Town of Sumpter.
- E. Operation of ATVs and UTVs.
- (1) Operation of ATVs and UTVs on designated ATV/UTV routes shall be subject to all provisions of s. 23.33, Wis. Stats., which is adopted as a part of this ordinance by reference.
 - (2) Pursuant to s. 23.33 (8) (d), Wis. Stats., the Town of Sumpter restricts operation of ATVs and UTVs on the designated ATV/UTV routes to ½ hour before sunrise and ½ hour after sunset.
 - (3) ATVs and UTVS operated on an established ATV/UTV Route and Trails shall operate at a safe speed not to exceed 35 MPH or the posted speed limits, whichever is less.
- F. Notifications. A copy of this ordinance shall be sent by the town clerk to the Sauk County Sheriff's Department, Sauk County Highway Department, and to the Wisconsin Department of Natural Resources.
- G. Enforcement. This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.
- H. Penalties. Any person who violates any section of this ordinance or statutes adopted by reference, shall be subject to the penalties as set forth in Wis. Stat ss 23.33 (13). Any person violating any provision of this ordinance shall, upon conviction, be subject to the forfeiture as provided therein.
- I. 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.
- J. Effective Date. This ordinance is effective upon posting of this ordinance. The Town Clerk shall properly post this ordinance as required under s. 60.80, Wis. State Statutes. This ordinance shall be effective from the date of posting. On or before, April 1st of each year

the Town Board shall review this Ordinance and either amend, rescind, or continue Ordinance without change.

Adopted this 8 day of June, 2020

TOWN OF SUMPTER, SAUK COUNTY, WISCONSIN

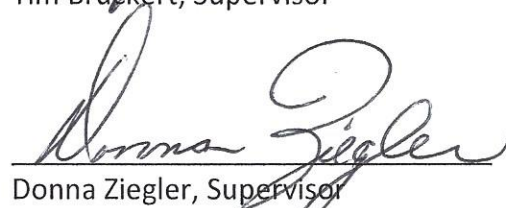
APPROVED:



Tim Colby, Chairman

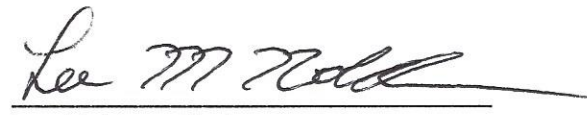


Tim Bruckert, Supervisor



Donna Ziegler, Supervisor

ATTEST:



Lee Nolden, Clerk