

ORDINANCE NO. 2019-1

AN ORDINANCE AMENDING CHAPTER 104 OF THE CODE OF ORDINANCES PROVIDING FOR THE ESTABLISHMENT OF ATV/UTV ROUTES IN THE CITY AND REGULATING THE USE OF ATVS AND UTVS IN THE CITY

The Common Council of the City of Richland Center, Wisconsin, does ordain as follows:

SECTION 1:

Chapter 104 of the Code of Ordinances providing for the establishment of ATV/UTV routes in the City and regulating the use of ATVS and UTVS in the city is amended to read as follows:

CHAPTER 104

OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES WITHIN THE CITY

104.01 Purpose. The purpose of this chapter is to establish all-terrain vehicle ("ATV") and utility terrain vehicle ("UTV") routes within the City of Richland Center and to provide regulation of the use of all-terrain vehicles and utility terrain vehicles within the City.

104.02 Definitions.

(1) All definitions set forth in sec. 23.33 (1) Wisconsin Statutes are hereby adopted by reference and shall be applicable to this Chapter.

(2) In addition, within this chapter "ATV" shall mean all-terrain vehicle and "UTV" shall mean utility terrain vehicle

104.03 Applicability. The provisions of this chapter shall apply to all areas within the corporate limits of the City of Richland Center.

104.04 General Prohibition Against Use of ATVs/UTVs on Public Property Off of Designated ATV/UTV routes.

(1) **General Prohibition.** No person shall operate an ATV or UTV upon any public property within the City of Richland Center including but not limited to City streets, sidewalks, walkways, trails, parks, cemeteries or other city-owned property except upon those areas

specifically designated as an ATV/UTV route by section 104.05 of this chapter or as otherwise permitted by affirmative action of the City Council.

104.05 Designation of ATV and UTV Routes. The following are designated as ATV/UTV routes within the City of Richland Center:

(1) The posted ATV/UTV route through North Park between North Main Street and Eldon Storer Drive.

(2) All City streets with a posted speed limit of 35 miles per hour or less, except as follows:

(a) No UTV or ATV shall be operated in the 200 block of West Court Street (Court Street between Jefferson Street and Main Street).

(b) No UTV or ATV shall be operated on US Highway 14 between Sextonville Road and Bohmann Drive

104.06 Limitations on Usage on Designated ATV/UTV Routes. The following limitations apply to the operation of ATVs/UTVs upon those areas specifically designated as an ATV/UTV route by this chapter:

(1) Speed Limits. No ATV/UTV may be operated on any designated ATV/UTV route in excess of the following speed limits:

(a) On any ATV/UTV route which is a City street, no ATV/UTV shall be operated at a speed greater than the speed limit applicable to motor vehicles on such street.

(b) On the posted ATV/UTV route through North Park between North Main Street and Eldon Storer Drive the speed limit shall be 10 miles per hour.

(2) Lights. No ATV/UTV may be operated on any designated ATV/UTV route without fully functional headlights, tail-lights, and brake lights.

(3) Operation on Roadway Only. All ATVs and UTVs shall operate only on the paved roadway on a designated ATV/UTV route. Operation on sidewalks, paved shoulders intended and posted for use by bicycles or pedestrians only, gravel shoulders, grassy in-slope, ditches or other areas of a city street right-of-way other than upon the paved roadway on a designated ATV/UTV route is prohibited.

(4) Hours of Operation.

(a) ATV/UTV operation in the City is allowed only between the hours of 7:00 A.M. and

10:00 P.M. No ATV/UTV may be operated in the City between the hours of 10:00 P.M. and the following 7:00 A.M.

(b) The Public Safety Committee of the City Council may grant special permission for ATV/UTV operation at other times for special events.

(5) Age, License and Protective Headgear. On any designated ATV/UTV route all operators must be sixteen (16) years of age or older and have a valid driver's license. No person under the age of eighteen (18) years may operate an ATV/UTV on any designated route unless wearing approved protective headgear of the type required under s. 347.485 (1) (a) and with the chin strap properly fastened.

(6) Noise and Equipment. No ATV/UTV may be operated on any designated ATV/UTV route which does not meet all applicable Wisconsin State equipment and noise pollution standards and any required registration.

(7) Registration. All ATV/UTVs being operated on any ATV/UTV route within the City shall be currently registered in conformity with the registration requirements of the State of Wisconsin and shall display the evidence of registration required by statute.

(8) Insurance. The operator of any ATV/UTV operating on any designated ATV/UTV route shall carry or have readily available proof of liability insurance coverage for the ATV/UTV being operated.

104.07 ATV/UTV ROUTE SIGNS.

(1) Route Signs. State approved standard all-terrain vehicle/utility-terrain vehicle route signs having a reflectorized white all-terrain vehicle symbol, bordered and message on a reflectorized green background with a minimum size of 24 inches by 18 inches indicating that all city streets are authorized for ATV/UTV operation except those areas closed to ATV/UTV operation shall be placed at every entrance to the City.

(2) Closed Areas. Areas closed to ATV/UTV operation shall be designated by state approved signs indicating such closure.

(3) Signage. Provisions of this chapter permitting operation of ATVs/UTVs on ATV/UTV routes within the City shall not be operative until proper signage has been placed as directed by the City Council.

104.08 TEMPORARY SUSPENSION OF USE OF ATV/UTV ROUTES AND DESIGNATION OF DETOURS.

The Richland Center Public Works Superintendent shall have the authority to temporarily suspend ATV/UTV operation on any portion of a designated ATV/UTV route for up to ninety (90) days due to hazard, construction or emergency conditions in any public street designated as part of an ATV/UTV route and, in concert with the chief of police, to designate detours. Notwithstanding the foregoing, the City Council may overrule the location of any detour or set alternative detour routes.

104.09 INCORPORATION OF WISCONSIN STATUTES.

(1) All provisions of section 23.33 Wisconsin Statutes as the same may from time to time be amended are hereby incorporated by reference and shall be applicable to ATV/UTV operation within the City.

(2) All provisions of chapters 340 through 347 Wisconsin Statutes defining terms and relating to the use of ATVs/UTVs as the same may from time to time be amended are hereby incorporated by reference and shall be applicable to ATV/UTV operation within the City.

104.10 PENALTIES.

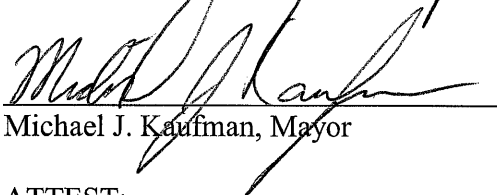
(1) Penalties for violations of the Wisconsin Statutes shall be as set forth in sec. 23.33(13) Wis. Stats. or in chapters 340 through 347 Wis. Stats. Deposit amounts for such violations shall be as set forth in the current Revised Uniform State Traffic Deposit Schedule.

(2) The penalty for any violation of this chapter not addressed in sec. 23.33(13) or chapters 340 through 347 Wis. Stats. or elsewhere in the Wisconsin Statutes shall be a forfeiture of \$100.00 together with all applicable costs, surcharges and assessments.

SECTION 2 EFFECTIVE DATE.

This ordinance shall become effective upon its passage and publication as required by law.

Adopted this 27th day of May, 2019.


Michael J. Kaufman, Mayor

ATTEST:


Melinda D. Jones, Clerk