

**Village of Colfax
Public Safety Committee Meeting Agenda
Monday, June 4, 2018
5:15 p.m.
Rescue Squad Meeting Room
614C Railroad Ave., Colfax, WI**

1. Call to Order
2. Roll Call
3. Review the ATV/UTV trail route possibility
4. Review the Emergency Operations Plan Revisions (view at the meeting)
5. Adjournment

Any person who has a qualifying disability as defined by the American With Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format must contact: Lynn M. Niggemann, Administrator-Clerk-Treasurer's Office, 613 Main Street, Colfax, (715) 962-3311 by 2:00 p.m. the day prior to the meeting so that any necessary arrangements can be made to accommodate each request.

It is possible that members of and possibly a quorum of members of the governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information - no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.



2017 SENATE BILL 392

August 24, 2017 - Introduced by Senators MARKLEIN, TESTIN, HARSDORF and MOULTON, cosponsored by Representatives NOVAK, TRANEL, BALLWEG, E. BROOKS, DUCHOW, GANNON, HORLACHER, JARCHOW, KITCHENS, KULP, RIPP, SUMMERFIELD and SPIROS. Referred to Committee on Transportation and Veterans Affairs.

1 **AN ACT** *to amend* 23.33 (4) (b) and 23.33 (11) (am) 1.; and *to create* 23.33 (11)
2 (am) 4. of the statutes; **relating to:** municipal ordinances authorizing
3 all-terrain vehicle and utility terrain vehicle operation on highways within the
4 municipality.

Analysis by the Legislative Reference Bureau

This bill authorizes a municipality to enact an ordinance to authorize the operation of all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) on certain highways within the territorial boundaries of the municipality.

Under current law, no person may operate an ATV or UTV upon any interstate highway or, unless authorized by the Department of Transportation, any other freeway. A person may operate an ATV or UTV on any other highway only under certain limited circumstances.

Under this bill, a city, village, or town may enact an ordinance to authorize the operation of ATVs and UTVs on a highway that is not part of the national system of interstate and defense highways, that has a speed limit of 35 miles per hour or less, and that is located within the territorial boundaries of the city, village, or town regardless of whether the city, village, or town has jurisdiction over the highway.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:



NEWS

Wisconsin Department of Transportation

Office of Public Affairs, P.O. Box 7910, Madison, WI 53707-7910 608/266-3581 FAX: 608/266-7186 www.dot.wisconsin.gov

May 22, 2018

For more information, contact:

WisDOT Office of Public Affairs
608/266-3581, opa.exec@dot.wi.gov



Joanne Haas, Wisconsin Department of Natural Resources
608/209-8147, Joanne.Haas@Wisconsin.gov

Motorists and ATV/UTV Riders Urged to Share the Road Safely

New Wisconsin law allows local communities to authorize ATV/UTV use on local roads with posted speed limits of 35 mph or less

Motorists could be sharing the road more frequently in some areas with all-terrain and utility-terrain vehicles (ATV/UTV) under a change in state law granting local authority to allow use on roads within territorial boundaries.

The state Departments of Transportation and Natural Resources urge motorists and ATV/UTV operators to stay cautious and be aware of these changes in the law:

- 2017 Wisconsin Act 87 enacted November 30, 2017, allows a town, village, or city to authorize the operation of ATVs/UTVs on roads within their territorial boundaries that have posted speed limits of 35 mph or less regardless of which municipality has jurisdiction on that road.
- 2017 Wisconsin Act 193 enacted April 3, 2018, allows a town, village, city or county to place a sign on each road that crosses its boundary alerting motorists that all roads under the municipality's jurisdiction have been designated as ATV routes.

“As the weather warms up, we’re asking everyone – drivers and riders alike – to eliminate distractions and stay safe,” said WisDOT Secretary Dave Ross. “Also, be mindful that motorists may see more ATVs on state and local roads than in the past, and fewer signs indicating ATV routes.”

WisDOT has published a website with resources for riders and for local officials who are interested in learning more about requirements to establish ATV routes within their jurisdiction. The website also contains a downloadable flier for anyone who'd like to encourage motorists and riders to share the road. The DNR publishes additional resources to assist ATV and UTV riders with safety courses, vehicle registration and knowledge of the law.

"ATVs and UTVs are growing in popularity throughout Wisconsin and, in some areas, it can be a sure sign of spring and summer to have more four-wheelers out on roads and trails," said DNR Off-Highway Vehicle Administrator Gary Eddy. "Keep safety in the forefront of your thinking – no matter what you drive."

Safety tips for motorists:

- When you approach ATV/UTVs on the road, slow down and be patient for a safe opportunity to pass. As ATV/UTVs are much wider than bicycles or motorcycles, motorists will need to ensure they can achieve a wide berth that many times can extend into an oncoming traffic lane.
- Keep an eye out for ATV/UTV Route postings, and remember that the new law allows postings at territorial boundaries so motorists might not see additional signage along individual roads.
- Watch for riders. Always eliminate distractions, be patient and stay focused.

Safety tips for ATV/UTV riders:

- If riding on a road, stick to authorized areas. Most highways and roads statewide remain off limits. Check for posted signs or with local authorities to see if certain highways and roads are legally open.
- Travel at an appropriate speed and stay aware of your surroundings.
- Stay as visible as possible, as some drivers might not expect to be sharing the road with ATVs.
- Riders are required to operate headlight(s) when on or around roadways.
- Always remember the basics by wearing your helmet and protective gear. Most importantly, never consume alcohol or drugs before or during ATV operation.

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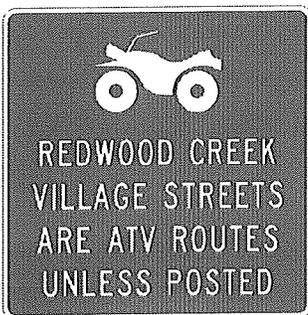
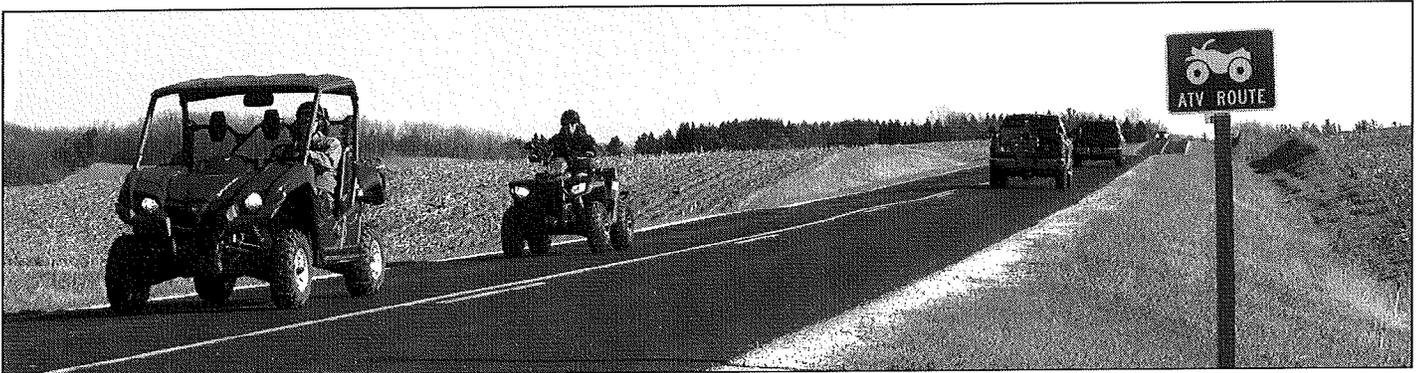
NOTE: View this document on the Web at: www.dot.wisconsin.gov/news/index.htm.

Share the Road



Wisconsin law* enables city, village or town officials to authorize ATV/UTV use on any road posted **35 mph or less** within their territorial boundaries.

*(2017 Wisconsin Act 87)



Watch for riders, *and please always drive carefully.*



Visit **Wisconsin.gov** for more information.

**TOWN OF
STELLA**
**ATV/UTV
ORDINANCE**

Sample 1

SECTION I- TITLE AND PURPOSE

The title of this ordinance is the Town of Stella All-Terrain Vehicle/UTV 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.

SECTION II- AUTHORITY

The Town Board of Stella, Oneida County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under s.23.33 (8) (b) and (11), Wis. Stats.

SECTION III- ADOPTION OF ORDINANCE

The Town Board of the Town of Stella, Oneida 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 all-terrain vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles in the town.

SECTION IV- OPERATION OF ALL-TERRAIN VEHICLES

Pursuant to s. 23.33(4)(d)4., Wis. Stats., except as otherwise provided in s.23.33(4), Wis. Stats., 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 at 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. ATV/UTV routes are open year round.

SECTION V- DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES

All town roads are to be designated as ATV/UTV routes.

SECTION VI- CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE ROUTES

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

- A. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12(7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain vehicle routes:
 1. Intentionally remove damage, deface, move, or obstruct any uniform all-terrain vehicle route sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route sign 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 sign or standard of the type established by the department for the warning, instruction, or information of the public, unless he or she obtained the uniform all-terrain vehicle route sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle route or standard creates a reputable presumption of illegal possession.

- B. Operation shall be subject to all provisions of s.23.33, Wis. Stats., which is adopted as a part of this ordinance by reference, pursuant to s.23.33 (11), Wis. Stats., including but not limited to:
 - 1. Helmets are required for all riders under the age of 18 unless on property owned by your immediate family. A passenger must wear a helmet under similar circumstances. However, all riders are encouraged to wear helmets.
 - 2. If you are under 16, you cannot operate any ATV on a roadway or route under any circumstances.
 - 3. If you were born after 1988, you must possess a valid ATV safety certificate to operate an ATV, unless on land owned by your immediate family.
 - 4. Headlights and tail lamps must be activated and visible.
- C. A copy of this ordinance shall be sent by the town clerk to all law enforcement agencies affected.
- D. All ATV operators shall observe the posted ATV speed limits of 35 MPH (specific areas may be posted at 25 MPH). In addition, you must operate at 10 MPH or less within 100 feet of a pedestrian or within 150 feet of a dwelling. All ATV operators must follow Wisconsin All-Terrain Vehicle Laws.
- E. All ATV operators shall follow designated routes as approved by the Stella Town Board as well as any restrictions placed on the route by the Stella Town Board.
- F. All ATVs shall follow allowed decibel noise levels as set forth under Wis. Stats 23.33 which is hereby adopted by reference.
- G. This ordinance shall be reviewed annually.

SECTION VII- ENFORCEMENT

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

SECTION VIII- PENALTIES

The penalties under in s.23.33 (13) (a), Wis. Stats., are adopted by a reference.

SECTION IX- SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect the 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 X- EFFECTIVE DATE

The ordinance is effective on publication or posting.

The town clerk shall properly publish this ordinance as required under s.60.80, Wis. Stats.

Adopted this ____ day of _____, 2013.

Town Chairman

Published/Posted

Town Clerk

Sample 2

ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE ROUTES ORDINANCE

STATE OF WISCONSIN
TOWN OF PLOVER
PORTAGE COUNTY

ORDINANCE NO: 150401
AMENDED 09/01/2015
AMENDED 09/15/2015
AMENDED 03/02/2016

**ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE ROUTES
ORDINANCE**

SECTION I – PURPOSE:

The purpose of this ordinance is to establish ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE routes in the Town of Plover and to regulate the operation of ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLES in the town.

SECTION II - AUTHORITY:

The Town Board of the Town of Plover, Portage County, Wisconsin, has the specific authority to adopt this ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE Route Ordinance under s. 23.33 (8) (b) and (11), Wis. stats.

SECTION III - ADOPTION OF ORDINANCE:

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, provides the Town of Plover the authority to designate ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE routes in the town and provides for the regulation of the use of those routes and of ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLES in the town.

SECTION IV – OPERATION OF ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLES:

Pursuant to s. 23.33 (4) (d) 4., Wis. Stats., except as otherwise provided in s. 23.33 (4), Wis. Stats., no person may operate an ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE on the roadway portion of any highway in the town except on roadways that are designated as ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE routes by this ordinance. Operation of ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLES on a roadway in the town that is an ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE route is authorized only for the extreme right of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions.

**SECTION V – DESIGNATION OF ALL TERRAIN VEHICLE/UTILITY
TERRAIN VEHICLE ROUTE:**

The following roads are designated as the preferred ATV/UTV Destination Route in the Town of Plover:

1. Birch Drive, from Monroe Avenue to Hwy 54
2. Biron Drive East, from the Portage/Wood County Line to Johnson Avenue
3. Club Forest Drive, from Johnson Avenue to Meehan Drive
4. Hayes Avenue, from Meehan Drive to Prairie Drive
5. Isherwood Road, from the Town Line (Stewart Road) to Birch Drive
6. Johnson Avenue, from Biron Drive East to Club Forest Drive
7. Kennedy Avenue, from Porter Drive to Hwy 54
8. Meehan Drive from Club Forest Drive to Hayes Avenue
9. Monroe Avenue, from Birch Drive to Prairie Drive
10. Prairie Drive, from Monroe Avenue to Hayes Avenue
11. Prairie Drive, from Harding Avenue to Hwy 54
12. Shady Drive, from Kennedy Avenue to County Road R
13. Taft Avenue, from Buena Vista Road to Birch Drive

In addition to the designated destination route defined above, all town roads are open to ATV/UTV usage to facilitate permitting all town residents to access the ATV/UTV preferred Destination Route.

**SECTION VI – CONDITIONS APPLICABLE TO ALL TERRAIN
VEHICLE/UTILITY TERRAIN VEHICLE ROUTES:**

Pursuant to s. 23.33(8)(d), Wis. Stats., the following restrictions are placed on the use of the town ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE routes designated by this resolution:

- A. Routes shall be marked with uniform ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE route signs in accordance with s. NR 64.12(7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE routes:
 1. Intentionally remove, damage, deface, move or obstruct any uniform ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE route or trail sign or standard, or intentionally interfere with the effective operation of any uniform ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE route or trail sign or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.

ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE ROUTES ORDINANCE

2. Possess any uniform ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE route or trail sign or standard of the type established by the department for the warning, instruction, or information of the public, unless he or she obtained the uniform ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE route of trail sign or standard in a lawful manner. Possession of a uniform ALL TERRAIN VEHICLE/UTILITY 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, Wis. Stats., which is adopted as a part of this ordinance by reference, pursuant to s. 23.33(11), Wis. Stats.
- C. A copy of this ordinance shall be forwarded, by the Town Clerk, to the Portage County Sheriff's Department.
- D. Additional restrictions and applicable time periods, if any, for example:
- The maximum speed on ATV/UTV routes is 25 miles per hour.
 - All ATV/UTV vehicles must be operated in single file.
 - All ATV/UTV operators shall slow the vehicle to 10 mph or less when operating within 150 feet of a dwelling or 100 feet of any pedestrian.
 - All ATV/UTV operators under the age of 18 must wear a helmet.
 - All ATV/UTV's must have on headlights at all times.
 - All ATV/UTV's must be operated on (paved or graveled) road surfaces only.
 - No ATV/UTV's may be operated on road shoulders or in road ditches.
 - Any or all ATV/UTV routes may be closed at any time at the discretion of the Town of Plover.

SECTION VII – ENFORCEMENT

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

SECTION VIII – PENALTIES

The penalties under s. 23.33 (13)(a), Wis. Stats. are adopted by reference.

SECTION IX – 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 X – EFFECTIVE DATE

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

Adopted this ____ day of _____, 20__.

Timothy J. Karcheski, Town Chair

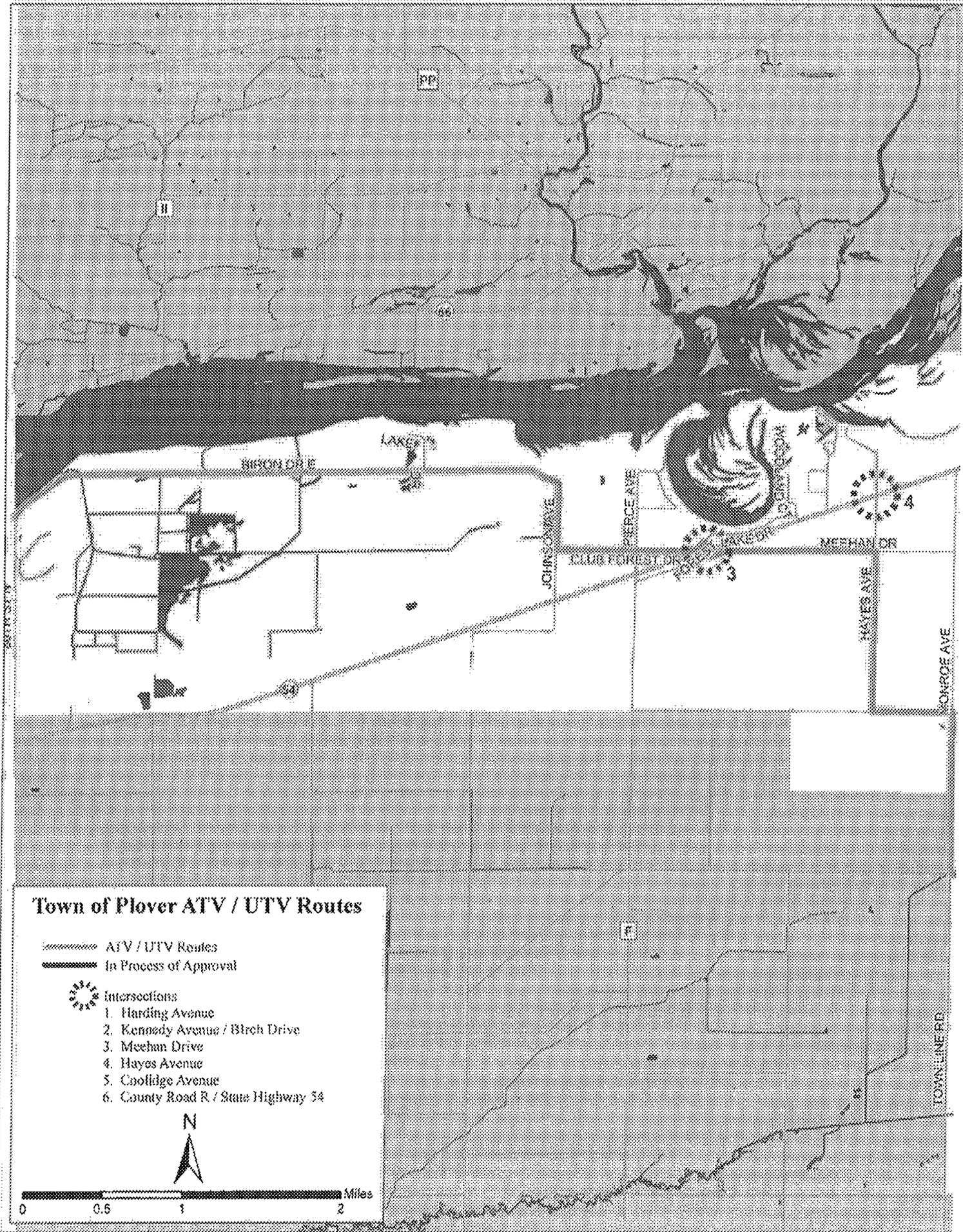
Joe Firkus, Supervisor

James Garbe, Supervisor

Michael Langlois, Supervisor

James Rowe, Supervisor

Attested to by: _____
Joan Scheider
Clerk/Treasurer



Town of Plover ATV / UTV Routes

-  ATV / UTV Routes
-  In Process of Approval



- Intersections
1. Harding Avenue
 2. Kennedy Avenue / Birch Drive
 3. Meehan Drive
 4. Hayes Avenue
 5. Knollidge Avenue
 6. County Road R / State Highway 54



Town of Merillan

Sample 3

Snowmobiles and All-Terrain Vehicles

10-3-1	State Laws Adopted
10-3-2	Purpose
10-3-3	Definitions
10-3-4	Unauthorized Off-Road Operation Prohibited
10-3-5	Snowmobile and All-Terrain Vehicle Routes Designated
10-3-6	Additional Restrictions
10-3-7	Operation of Mini-Bikes and Self-Propelled Vehicles
10-3-8	Liability of Parent or Guardian
10-3-9	Penalty

Sec. 10-3-1 State Laws Adopted.

(a) Except as otherwise specifically provided in this Chapter, the statutory provisions describing and defining regulations with respect to snowmobiles and all-terrain vehicles in the following enumerated sections of the Wisconsin Statutes and any future amendments or revisions, are hereby adopted by reference and made part of this Chapter as if fully set forth herein. Any acts required to be performed or prohibited by such statutes are required to be performed or prohibited by this Chapter:

23.33(1)	Definitions
23.33(2)	Registration
23.33(3)	Rules of operation
23.33(4)	Operation on or near highway
23.33(5)(a)(c)	Age restrictions
23.33(6)	Equipment requirements
23.33(7)	Accidents
350.01	Definitions
350.02	Operation of Snowmobiles on or in the Vicinity of a Highway
350.03	Right of Way
350.045	Public Utility Exemptions
350.05	Operation by Youthful Operators Restricted

350.055	Safety Certification Program Established
350.06	Firearms and Bows
350.07	Driving Animals
350.08	Owner Permitting Operation
350.09	Head Lamps, Tail Lamps and Brakes
350.10	Miscellaneous Provisions for Snowmobiles Operation
350.12	Registration of Snowmobiles
350.13	Uniform Trail Signs and Standards
350.15	Accidents and Accident Reports
350.17	Enforcement
350.19	Liability of Landowners
346.02(10)	Applicability of Rules of Road to Snowmobiles

- (b) The adoption of Sec. 346.02(10), Wis. Stats., by reference is intended to include the Rules of the Road therein enumerated, which are as follows: Sections 346.04; 346.06; 346.11; 346.14(1); 346.18 to 346.21; 346.26; 346.27; 346.33; 346.35; 346.37; 346.39; 346.40; 346.44; 346.46 to 346.48; 346.50 (1)(b); 346.51 to 346.55; 346.87 to 346.91; 346.92 (1) and 346.94 (1), (6), (6m) and (9), Wis. Stats.

Sec. 10-3-2 Purpose.

- (a) The unauthorized off-road operation of motor vehicles has resulted in serious damage to public and private lands including damage or destruction of vegetation, animal life and improvement to the lands; and
- (b) The unauthorized off-road operation of motor vehicles has resulted in the permanent scarring of land and an increase in both erosion and air pollution; and
- (c) The unauthorized off-road operation of motor vehicles has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons; and
- (d) The unauthorized off-road operation of motor vehicles has resulted in a loss of the privacy, quietude and serenity to which the owners and users of land are rightfully entitled.

Sec. 10-3-3 Definitions.

For purposes of this Chapter, the terms below shall be defined as follows:

- (a) **Unauthorized.** Operation, use or presence without the express prior consent of the owner, lessee, manager or other person authorized to give consent by the owner or lessee or land. Authorization shall not be implied from a failure to post private or public land.
- (b) A **“snow removal device”** means an attachment designed and installed for the purpose of removing snow, such as a plow blade, blower, bucket, or brush.

- (c) **Off-Road.** Any location which:
 - (1) Is not paved or maintained public street or alley; or
 - (2) Is not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
 - (3) Is a private trail for use only by the owner or his/her permittees for recreational or other vehicular use. Off-road shall not include any creek bed, riverbed or lake provided, however, that this Subsection shall not apply to snowmobiles or other vehicles being operated on the ice covering such creek bed, riverbed or lake.

- (d) **Operation.** The physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion.
- (e) **Motor Vehicle.** Any vehicle which is self-propelled and shall include but not be limited to automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-karts, motorized three-wheeled vehicles, all-terrain vehicles, mopeds, snowmobiles, dune buggies and tractors. Motor vehicle shall not mean any airplane, railroad train, boat, wheelchair or bicycle. A vehicle which would otherwise be defined as a motor vehicle under this Chapter shall not be so defined while:
 - (f)
 - (1) It is being operated solely for the purpose of construction or maintenance of an improvement to land or solely for access to construction or maintenance sites provided such operation is by persons having legitimate business on such lands or sites;
 - (2) It is being operated by or at the direction of public employees or utility company employees as part of their employment duties.
 - (3) It is being operated by the holder of an easement or right of access on or over the land on which operation is occurring, including operation by the holder's employees or agents.
- (f) **Mini-Bike.** Any motorized vehicle primarily used for transportation or sport, including, but not limited to, motorcycles, off-the-road trail bikes and motorized bicycles.
- (g) **Self-Propelled Vehicles.** Any motorized vehicle primarily used for off-the-road use, including but not limited to, go-carts, all terrain vehicles and all other vehicles not registered pursuant to Chapter 341, Wis. Stats., as amended, but not snowmobiles.
- (h) **Motorized Vehicle.** Any self-propelled device in, upon or by which any person or property is or may be transported.
- (i) **Highway.** All public ways and thoroughfares and bridges on the same. It includes the entire highway right-of-way width, not limited to the actual traveled portion, but also includes the shoulders, ditches and other areas adjacent thereto.

Sec. 10-3-4 Unauthorized Off-Road Operation Prohibited.

- (a) The unauthorized off-road operation of a motor vehicle is prohibited.
- (b) Except for authorized maintenance vehicles and snowmobiles or all-terrain vehicles operating in areas authorized by the Village Board, it shall be unlawful to operate any mini-bike, go-kart, all-terrain vehicle or any other motor-driven craft or vehicle principally manufactured for off-highway use on the Village streets, alleys, parks, sidewalks, bikeways, parking lots or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the written consent of the owner before operation of such craft or vehicle on private lands.

Sec. 10-3-5 Snowmobile and All-Terrain Vehicle Routes Designated.

- (a) **Designated Routes.** Except as provided in Sections 350.02 and 350.045, Wis. Stats., as amended, or for snowmobile events authorized in accordance with Sec. 350.04, Wis. Stats., as amended, no person shall operate a snowmobile or all-terrain vehicle upon any public right of way, in any public park, or on any other public municipal property in the Village of Merrilan except upon the following streets or portions thereof which are designated as snowmobile and all-terrain vehicle route:

All-Terrain Vehicle Route:

Paines Mill Road to Summit Street to North Street to Jackson Street.

Then proceed to Clark Street to North Main Street to Railroad Street. At this point an option is to travel west on Railroad Street to Washington Street (Hwy 12/27) The route then proceeds to the parking lot of Merrilan Café. The route then goes out the west end of the parking lot onto a trail owned and maintained by the Village of Merrilan. The trail travels in an easterly and westerly direction to Sand Road or travel south on North Main Street to its termini with Charles Street on the west. Or an option is to proceed from Railroad Street south from its intersection with Wisconsin Street continue south on Wisconsin Street to its termini with West Pearl Street (aka STH 95). In all cases the operator shall follow appropriate signage and detours as appropriate.

Snow Mobile Route:

Paines Mill Road to Summit Street to North Street to Jackson Street.

Then proceed to Clark Street to North Main Street to Railroad Street. At this point an option is to travel west on Railroad Street to Washington Street (Hwy 12/27) The route then proceeds to the parking lot of Merrilan Café. The route then goes out the west end of the parking lot onto a trail owned and maintained by the Village of Merrilan. The trail travels in an easterly and westerly direction to Sand Road or travel south on North Main Street to its termini with Charles Street on the west. Or an option is to proceed from Railroad Street south from its intersection with Wisconsin Street continue south on Wisconsin Street to its termini with West Pearl Street (aka STH 95). In all cases the operator shall follow appropriate signage and detours as appropriate.

- (b) **Closing of Routes.** The Village Board grants the authority to temporarily close the designated route for repair or maintenance or in the event ground and/or weather conditions to the Village Marshal and/or Street Superintendent for repair or maintenance or in the event ground and/or weather conditions in their discretion require closure. The designated ATV/Snowmobile route shall open and close in conjunction with the Clark County trail systems.
- (c) **Use of Village Streets; Restricted Streets.** All other streets within the Village limits of the Village Merrilan, except those streets or highways set forth below, may be used to gain entry to the designated snowmobile and all-terrain vehicle route. However, said streets may be used for access purposes only and the most direct route must be used in order to gain access to the designated route. Those streets that shall not be used in order to gain access to the designated route are as follows:
- (1) U.S. Highway 12, except that portion of U.S. Highway 12 which is included in the designated route.
 - (2) State Highway 95.
 - (3) Main Street, except that portion of Main Street which is included in the designated route.
- (d) **Signage.**
- (1) The Village Marshal is directed and authorized to procure the necessary signs and the Village Marshal is directed and authorized to erect and maintain appropriate snowmobile and all-terrain vehicle routes, limit signs and markers as approved by the Wisconsin Department of Natural Resources.
 - (3) No person shall fail to obey any route sign, marker, or limit erected in accordance with this Chapter.

Sec. 10-3-6 Additional Restrictions.

- (a) No person shall operate a snowmobile or all-terrain vehicle upon any public highway within the Village at a speed in excess of ten (10) miles per hour.
- (b) No person shall operate a snowmobile or all-terrain vehicle within the Village between the hours of 3:00 a.m. and 6:00 a.m.
- (c) No person shall leave or allow a snowmobile or all-terrain vehicle to remain unattended on any public highway or public property while the motor is running or with the starting key in the ignition.
- (d) No person shall operate a snowmobile or all-terrain vehicle on any sidewalk, pedestrian way or mall within the Village, except for the purpose of crossing to obtain immediate access to an authorized area of operation and for snow removal purposes.
- (e) **All Terrain Vehicle Snow Removal Regulated:**

A person may operate an ATV with a snow removal device attached, for snow removal purposes and under the following situations:

- On a public sidewalk, speed may not exceed 5 mph
- On or adjacent to a roadway which is not a freeway, speed may not exceed 15 mph
- Only on roadways where the motor vehicle speed limit is 45 mph or less
- Only on the far right hand side of the road
- On roads that are posted ATV Routes and currently open to use of ATVs
- The operator must be 16 years or older and if born after December 31, 1987, a valid ATV Safety Certificate is also required
- Only between October 1 and April 30 for the purpose of removing snow
- For a distance not to exceed 2 miles from your original starting or your unloading point
- Displaying one or more illuminated, yellow lights that are flashing or rotating and visible for 360 degrees

Other All-Terrain Vehicle Regulations:

- ATVs operating within 150 feet of a dwelling devoted to human occupancy are required to slow their ATVs to 10 mph under current law.
- ATVs are required to have their headlights on at all times while operating on any road.
- ATV headlights must be able to illuminate an object at least 200 feet away. Taillights must be visible from at least 500 feet away during the hours of darkness.
- Operators must be certain that their snow removal equipment does not interfere with these legal lighting requirements.
- ATVs must have current Public Use Registration while operating on public roadways, public road right of ways or on public sidewalks.
- Children under age 18 are required to wear helmets while operating ATVs off of private property that is owned by their parents or legal guardians.

Sec. 10-3-7 Operation of Mini-Bikes and Self-Propelled Vehicles.

No person shall operate a mini-bike or self-propelled vehicle in the Village of Merrillan in the following manner:

- (a) At a rate of speed that is unreasonable or imprudent under the circumstances.
- (b) In any careless way so as to endanger the person or property of another.
- (c) While under the influence of intoxicating liquor, fermented malt beverages, narcotics or other controlled substances.
- (d) In such a way that the exhaust of the motor makes an excessive or unusual noise.
- (e) Without a functioning muffler.
- (f) Upon any public highway, street, or alley, or upon any sidewalk or parkway in the Village of Merrillan unless such vehicle is registered as required by Chapter 341, Wis. Stats., and its operation and operator are specifically permitted to operate the said vehicle by the Wisconsin Statutes.

- (g) Upon any slide, ski or skating area, except for the purposes of serving the area or crossing the places where marked.
- (h) Upon any lands owned, operated or leased by the Village of Merrilan.
- (i) Upon a cemetery, burial ground, school or church property, without the express consent of the owner.

Sec. 10-3-8 Liability of Parent or Guardian.

No parent or guardian of any child under the age of eighteen (18) years shall authorize or permit such child to violate any of the provisions of this Chapter. Any child under the age of eighteen (18) years who shall operate a mini-bike or self-propelled device shall be presumed to be operating said vehicle under the authority of a parent or guardian.

Sec. 10-3-9 Penalty.

Any person who shall violate any provision of this Chapter shall upon conviction thereof forfeit not less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars (\$300.00), together with the costs of prosecution, and in default of payment thereof may be imprisoned in the county jail for not exceeding ninety (90) days; provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense and further provided that the penalty and forfeiture for parking violations on highways shall be the amount applicable to such violations by owners or operators of snowmobiles or all-terrain vehicles under Section 10-1-50 of the Village of Merrilan Code of Ordinances.

Sec. 10-3-10 Enforcement.

- (a) The Uniform Traffic Citation promulgated under Sec. 345.11, Wis. Stats., as amended, shall be used for violations of this Chapter relating to highway use, except as herein provided.
- (b) The special traffic citation described and defined in Section 10-1-50 shall be used for enforcement of violations of Rules of the Road relating to parking of vehicles adopted by reference in the Chapter.
- (c) All violations of this Chapter not described in Subsection (a) or (b) of this Section shall be enforced in accordance with Sec. 66.12 and 66.114, Wis. Stats., as amended.

For Reference

**Resolution 2018-01
Designation of Snowmobile Route or Trails**

WHEREAS, the Village of Colfax Board of Trustees, is designated to identify the routes and trails with the Village of Colfax limits.

WHEREAS, the Village of Colfax will meet with the Colfax Sno-Drifters annually to discuss the intended route(s).

WHEREAS, the Colfax Sno-Drifters will procure, erect and maintain the trail markers.

WHEREAS, the Village of Colfax will publish to the Messenger the approved route(s).

WHEREAS, the Village of Colfax has named the 2018-2019 trail routes.

THEREFORE, BE IT RESOLVED the Village of Colfax Board of Trustees has designated the Village of Colfax snowmobile trails as follows:

- East side of Dunn Street to Railroad Avenue, east to County Road M, north to Highway 40.
- East side of Dunn Street to Railroad Avenue, east towards the east driveway of the Fairgrounds, to the footbridge, cross Highway 40 to Johnson-Olson Road, west on High Street to the High School.
- East side of Dunn Street to Railroad Avenue, west to Synergy Cooperative.
- Synergy Cooperative parking lot is designated parking if you plan to visit any businesses on Highway 40.
-

Adopted this 12th day of March 2018.

Gary Stene, President

Attest: _____
Lynn M. Niggemann
Administrator-Clerk-Treasurer

AN ORDINANCE REGARDING SNOWMOBILES ROUTES AND TRAILS DESIGNATED.

The Village Board of the Village of Colfax, Wisconsin, do ordain as follows:

SECTION 1. Section 10-3-8 of the Code of Ordinances of the Village of Colfax, Wisconsin, is hereby retracted and repealed as follows:

Sec 10-3-28 SNOWMOBILE ROUTES AND TRAILS DESIGNATED.

(a) Operation Areas Designated.

(1) Generally. Except as provided in Secs. 350.02 and 350.03, Wis. States., no person shall operate a snowmobile upon any public right-of-way, in any public park, golf course or on any other public property in the Village except on designated routes or trails, designated by the Village Board by Resolution annually.

(2) Operation on Private Premises Restricted. No person shall operate a snowmobile on any private property not owned or controlled by him/her within the Village of Colfax without the express consent or permission of the owner of said property.

(3) No Operation in village Park. No person shall operate a snowmobile in the Village park of the Village of Colfax; unless designated.

(4) Operation on Sidewalks and Malls Prohibited. No person shall operate a snowmobile on any sidewalk, pedestrian way or mall within the Village of Colfax.

(b) Trail Markers. The Colfax Sno-drifters snowmobile club is directed and authorized to procure, erect and maintain appropriated snowmobile route, trail or limit markers.

(c) Rules of Operation. Snowmobiles operated on designated snowmobile routs over public highways shall observe the rules of the road for motor vehicles set forth in Chapter 346, Wis. Stats., and Title 10 of this Code of Ordinances, which is hereby adopted by reference and made part of this Chapter as if fully set forth herein. Any act required to be performed or prohibited by such laws is required or prohibited by this Section.

(d) Declaring Trails Closed. Due to weather conditions or emergency, the chief of Police may declare snowmobile trails closed within the Village.

Cross Reference: Section 10-4-2.

SECTION 2. This ordinance shall take effect upon passage and publication as required by law.

Village of Colfax

Adopted March 12, 2018

Published April 4, 2018

Lynn Niggemann
Administrator-Clerk-Treasurer