

Village of Tony

All-Terrain Vehicle Route Ordinance

AN ORDINANCE DESIGNATING ALL- TERRAIN VEHIVLE ROUTES AND REGULATING THE OPERATION OF ALL TERRAIN VEHICLES

Section I – Intent

The Village of Tony, Rusk County adopts the following all-terrain vehicle (ATV) route for the operation of all-terrain vehicles upon the roadways listed in Section II.

Section II – Statutory Authority

This route is created pursuant to town authority under section 1.1.01 as authorized by 23.33 (8) (b), Wis Stats.

The applicable provisions of 23.22 regulating ATV operation pursuant to routes are adopted.

Section III – Routes

The following roads are designated as routes:

- A. Cemetary due South to the end of the Village Limits
- B. All of South Avenue
- C. All of Central Avenue
- D. All of Cedar Avenue
- E. Flambeau Drive due North to Villiage Limits
- F. All of North Avenue
- G. All of Walnut Street
- H. County Trunk I North from North Avenue to Deertail Road (pending on County approval)
- I. County I due South from Highway 8 to Old 14 (pending on County approval)

Section IV

As a condition for the use of this route, the following conditions shall apply to all Operators (and passengers):

- A. All ATV operators shall observe posted roadway speed limits of 40 MPH
- B. All ATV operators shall ride single file

- C. All ATV operators shall slow the vehicle to 10 mph or less when operating within 150 feet of a dwelling
- D. All persons must be 16 years of age and hold a valid driver license or an ATV Safety course certificate to operate an ATV on the Village of Tony roads
- E. ATVs must have their headlights on at all times while traveling on the village roads
- F. Routes must be signed in accordance with NR 64.12 and NR 64.12(7)c
- G. ATVs must travel on the extreme right on all designated Village of Tony Roads
- H. ATVs must have 4 or more wheels (no 3 wheelers)
- I. This ordinance may be amended at the discretion of the Village Board (additions or deletions of roads, restrictions, and ect.,).

Section V – Enforcement

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

Section VI – Penalties

Wisconsin state ATV penalties as found in s.23.33(13)(a) Wis.Stats., are adopted by reference.

Section VII – Severability

The provision of this ordinance shall be deemed severable and it is expressly declared that the village would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provisions of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons circumstances shall not be deemed affected.

Section VIII – Effective Date

This ordinance becomes effective upon passage and publication.

Ordinance No. _____

An ordinance to establish an all-terrain vehicle ordinance pursuant to Section 23.33 (8) of the Wisconsin Statutes.

The Village Board of the Village of Tony, State of Wisconsin, does hereby ordain as follows:

SECTION I.

PURPOSE: The purpose of this Ordinance is to establish an all-terrain vehicle route and provide safe and enjoyable all-terrain vehicle recreation consistent with public rights and interests. This will include Utility Terrain Vehicles and golf carts.

SECTION II.

AREAS DESIGNATED: All streets and township roads should be designated by all-terrain vehicle route signs, having a white all-terrain symbol, bordered and messaged on a reflectorized green background with a minimum size of 24 by 18 inches with directional arrows where appropriate. Placed at the beginning of an all-terrain vehicle route, and at such locations and intervals as necessary to enable the all-terrain vehicle operators to follow the route or routes.

SECTION III.

ENFORCEMENT: The provisions of this Ordinance shall be enforced by an officer of the State Traffic Patrol under the Section 110.07(1) of the Wisconsin Statutes, an inspector under Section 110.07 (3) of the Wisconsin Statutes, a conservation warden appointed by the Department of Natural Resources under Section 23.10 of the Wisconsin Statutes, County Sheriff, Sheriff's Deputy or Municipal Police Office.

SECTION IV.

INCORPORATION BY REFERENCE: The provisions of Chapter 23 of the Wisconsin Statutes, relating to all-terrain vehicles including the penalty provisions are hereby incorporated by reference.

Dated this 13th day of July, 2007

Passed and Approved this 13th day July, 2007

VILLAGE OF TONY BY:

Monte Groothusen

Monte Groothusen, Village President

ATTEST:

Julie Hauser
Julie Hauser, Village Clerk

I, Julie Hauser, the duly elected and acting Clerk for the Village of Tony, do hereby certify that the above and foregoing Ordinance was enacted by unanimous vote of the Village Board at the regular meeting held on the 13th day of July, 2007 at the Village Hall in said Village, County, and State.

Dated this 13th day of July, 2007.

Julie Hauser
Julie Hauser, Village Clerk