

**23.33 (8) * ALL-TERRAIN VEHICLE ROUTES ORDINANCE
STATE OF WISCONSIN
TOWN OF BURNS
LA CROSSE COUNTY**

ORDINANCE NUMBER: 1-2021

SECTION 1 – TITLE AND PURPOSE

The title of this ordinance is the Town of Burns All-Terrain Vehicle Route Ordinance. The purpose of this ordinance is to establish an all-terrain vehicle (ATV) / utility-terrain vehicle (UTV) routes in the Town of Burns and to regulate the operation of ATV and UTV in the Town.

SECTION II – AUTHORITY

The Town Board of the Town of Burns, La Crosse County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle / Utility Terrain Vehicle Route Ordinance under s. 23.33 Wis. stats. For purposes of this ordinance, all references to ATV shall include UTV's as defined by statute. Except as otherwise specifically provided in this Chapter, that statutory provisions in s. 23.33, 340 to 348, and 350 Wis. Stats., describing and defining regulations with respect to all-terrain vehicles, exclusive of any provisions therein for which the statutory penalty is a fine or term of imprisonment, are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited such statutes are required by this section.

SECTION III – OPERATION OF ALL-TERRAIN VEHICLES

As authorized by s. 23.33(8)(b), Wis. Stats. and following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, the following ATV routs have been created:

- A. ROUTES
 - 1) All town roads, except where otherwise indicated.
- B. CONDITIONS. AS A CONDITION FOR THE USE OF THESE ROUTES, THE FOLLOWING CONDITIONS SHALL APPLY TO ALL OPERATORS AND PASSENGERS:
 - 1) All ATV operators shall obey posted roadway speed limits.
 - 2) All ATV operators shall ride single file.
 - 3) All ATVs shall operate only on the extreme right side of the paved portion of the roadway. Operation of an ATV on the shoulder, ditch, or right-of-way is prohibited and illegal.
 - 4) Headlights and taillights must be turned on at all times.
 - 5) All persons under the age of 18 operating or riding an ATV must wear a helmet.
 - 6) Routs must be signed in accordance with NR 64.12 and NR 64.12(7)(c).

SECTION IV - ENFORCEMENT

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

SECTION V - PENALTIES

The Wisconsin ATV Penalties as found in Wisconsin Statute 23.33(13) are adopted by reference.

SECTION VI – 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.

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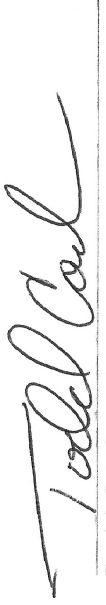
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SECTION VII – EFFECTIVE DATE

This ordinance is effective on adoption by the Town Board, publication and posting. The ordinance may be repealed at the discretion of the Town Board by official action. The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 14th day of April, 2021


Steve Nuttleman
Township Chairman


Todd Caultum
Township Supervisor


Matt Hoth
Township Supervisor


Mel Hart-Pollock
Township Clerk