

## **Chapter 3: All-Terrain Vehicles and Off-Road Motor Vehicle Operation**

### **Sec. 10-3-1 State All-Terrain Vehicle Laws Adopted.**

The provisions describing and defining regulations with respect to all-terrain vehicles in §23.33, Wis. Stats., and any future amendments or revisions, are hereby adopted by reference and made part of this Section as if fully set forth therein.

### **Sec. 10-3-2 Purpose.**

Taking consideration of the economical and recreational value weighted against possible dangers, liability aspects, terrain involved, traffic density and public health, this ordinance has been created to designate certain all-terrain vehicle routes on portions of existing county highways, to identify the procedure for establishment of additional all-terrain vehicle routes in the county, to set forth conditions of operation of all-terrain vehicles on the county trunk highway system and signage, suspension and revocation of all-terrain vehicle routes, and to specify penalties for violation of this ordinance.

### **Sec. 10-3-3 Authority.**

This ordinance is enacted pursuant to County Board authority under Wis. Stat. 59.02, as authorized by 23.33 (11)(am) and 23.33 (8)(b).

### **Sec. 10-3-4 Establishment of ATV Routes.**

County Trunk Highways designated as ATV routes shall be established and approved by the Bayfield County Board upon recommendation by the Highway Committee. The Highway Committee shall develop policies and procedures for the designation of ATV routes including appropriate criteria for making a designation.

### **Sec. 10-3-5 Operation of All-Terrain Vehicles on the County Trunk Highway System**

- (a) All ATV's 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.
- (b) All ATV operators shall observe and obey posted speed limits. The speed limit for ATVs traveling on designated routes is 40 mph unless otherwise posted.
- (c) All ATV operators shall ride in single file.
- (d) ATV operators shall yield the right-of-way to other vehicular traffic and pedestrians.
- (e) All ATV operators shall have their headlight and taillight illuminated at all times while operating on a county highway.

- (f) All persons under the age of 18 must wear a helmet when operating or riding an ATV.
- (g) All ATV operators will be in compliance with Statutory Regulations.
- (h) All ATV operators assume all the usual and normal risks of ATV operation while on the approved County Highway route(s).

### **Sec. 10-3-6 Signage of ATV Routes.**

Any ATV signage on County Trunk Highway right-of-way will be installed by the Bayfield County Highway Department which shall be reimbursed for time and materials by the Route Sponsor. All signage will be in accordance with Wisconsin Administrative Code NR 64.12 (7). Any removal, damage, defacing, moving, or obstructing of signage is illegal and prohibited.

### **Sec. 10-3-7 Enforcement.**

This ordinance shall be enforced by the Bayfield County Sheriff's Department or any other law enforcement official as set forth in Wis. Statute 23.33(12).

### **Sec. 10-3-8 Violations.**

- (a) Wisconsin state All-Terrain Vehicle penalties as found in s. 23.33 (13) (a) Wis. Stats., are adopted by reference.
- (b) Forfeiture: The penalty for violation of any provision of this Chapter shall be a forfeiture, in accordance with Title 1, Chapter 2 of the Bayfield County Code of Ordinances, together with the court costs and fees and the applicable penalty assessment. Forfeiture for violation of any ATV regulation(s) set forth in the Wisconsin Statutes adopted by reference in this Chapter shall conform to the forfeiture penalty permitted to be imposed under the applicable statute(s).

**Sec. 10-3-9 Maintenance.** Approval of highway segments as ATV routes does not imply that additional maintenance will be provided by the Bayfield County Highway Department. These segments will be maintained like any other segment of County Highway, and Bayfield County makes no representation as to their condition or fitness for ATV use.

### **Sec. 10-3-10 Designated Routes.**

The following routes are designated all-terrain vehicles routes in Bayfield County:

1. CTH H (Scenic Drive to Finger Lake Road) – 0.15 *mile* (Adopted May 17, 2014)
2. CTH N (Hiatt Road to Longview Road) 2.26 miles
3. CTH N (STH 27 To Kickapoo Trail) 4.64 miles (Adopted Nov. 28, 2014)
4. CTH D (CTH M to Pioneer Road) 6.07 miles (Adopted Jan. 26, 2016)
5. CTH C (Siskiwit Lake Road to Mountain Road) 0.51 mile (Siskiwit Falls Road to Huron Avenue) 0.21 mile

6. CTH E (Sutherland to STH 63) 1.19 miles
7. CTH N (Pease Road to CTH A) 0.50 mile
8. CTH A (CTH N to Kickapoo Trail) 0.25 miles
9. CTH F (USH 2 to STH 63) *(Adopted Aug. 27, 2013)* – 3.47 miles *(Adopted May 27, 2014)*
10. CTH E (USH 2 to Keystone Road) *(Adopted Aug. 27, 2013)* – 1.0 miles
11. CTH M (Kavanaugh Road to USH 63, (1 City Block) *(Adopted Oct. 1, 2013)* – 0.09 Mile *(Adopted May 27, 2014)*
12. CTH C (FR 696 to FR 697) – 0.25 Mile *(Adopted May 27, 2014)*
13. CTH H (Horstman Road to CTH E) – 1.96 miles *(Adopted Nov. 28, 2014)*
14. CTH E (CTH H to Panasuk Road) – 1.00 mile *(Adopted Nov. 28, 2014)*
15. CTH E (Lund Road to Faith Church Road) - .50 Miles *(Adopted Nov. 28, 2014)*
16. CTHE (Moonshine Alley Road to Olaf Johnson Road) – 1.00 Miles *(Adopted Nov. 28, 2014)*
17. CTH E (Andrew Anderson Road to Benoit Road) - .50 Miles *(Adopted Nov. 28, 2014)*
18. CTH E (Panasuk Road to Keystone Road) – 1.00 Mile *(Adopted Nov. 28, 2014)*
19. CTH M (Frels Road to Garmisch Road) – 2.72 miles *(Adopted Aug. 30, 2016)*
20. CTH D (Porcupine Lake Road to Club Lake Road) – 0.06 miles *(Adopted Oct. 18, 2016)*

### **Sec. 10-3-11 Suspension and Revocation of Route**

- (a) The Bayfield County Highway Commissioner shall have the authority to suspend operation of any ATV route for up to ninety (90) days due to hazard, construction or emergency conditions in any highway segment listed as a designated route.
- (b) Any ATV route may be revoked at any time by the Bayfield County Highway Commissioner. At the next Bayfield County Highway Committee meeting following the revocation, the committee shall take action to either uphold the revocation or overturn it.