

**TOWN OF SHERRY
ORDINANCE #7 - 2013**

AN ORDINANCE DESIGNATING ALL TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE (ATV/UTV) ROUTES AND REGULATING THE OPERATION OF ATV'S AND UTV'S

**STATE OF WISCONSIN
Town of Sherry
Wood County**

SECTION I – TITLE AND PURPOSE

The title of this ordinance is the Town of Sherry ATV/UTV Route Ordinance. The purpose of this ordinance is to establish all ATV/UTV routes in the town and to regulate the operation of ATVs/UTVs in the town.

SECTION II – AUTHORITY

The Town Board of the Town of Sherry, Wood County, Wisconsin has the specific authority to adopt this ATV/UTV Ordinance under S 23.33(8)(b) and (11) Wis. Stats.

SECTION III – ADOPTION OF ORDINANCE

This ordinance adopted on proper notice with a quorum and roll call vote by a majority of the town board present and voting, provided the authority for the town to designate all ATV/UTV routes in the town and to regulate the use of those routes and ATVs/UTV's in the town.

SECTION IV – OPERATION OF ATV/UTV 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 ATV/UTV on the roadway portion of any highway in the town except on roadways that are designated as ATV/UTV routes by this ordinance. Operation of ATV/UTV vehicles on a roadway in the town that is an ATV/UTV route is authorized only for the extreme right side of the roadway surface except that left turns may be made from any part of the roadway that is safe giving prevailing conditions.

SECTION V – DESIGNATION OF ATV/UTV ROUTES

The following routes are designated ATV/UTV routes in the town:

1. All town roads
2. Exceptions: Travel on County Roads is determined by the authority of Wood County.

SECTION VI – CONDITIONS APPLICABLE TO ATV/UTV ROUTES

- A. Routes shall be marked with uniform ATV/UTV route signs in accordance with s. NR64.12(7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town ATV/UTV routes:
 1. Intentionally remove, damage, deface, move, or obstruct any uniform ATV/UTV route or trail sign or standard, or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign or standards if the sign or standard is legally placed by the state, any municipality, or any authorized individual.
 2. Possess any uniform ATV/UTV 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 ATV/UTV route or trail sign or standard in a lawful manner. Possession of a ATV/UTV 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.23.22(11), Wis. Stats.
- C. A copy of this ordinance shall be sent by the town clerk to the Department of Natural Resources and the Wood County Sheriff's Department.
- D. All ATV/UTV operators shall observe posted roadway speed limits.
- E. All ATV/UTV operators shall ride single file.

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 application of this ordinance that can give effect without the invalid provision of application, and to this end the provisions of this ordinance are severable.

SECTION X - EFFECTIVE DATE

This 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 9th day of July, 2013.



DAVE HOMB, CHAIRMAN



EDWIN HETZE, SR., SUPERVISOR



JIM MANN, SUPERVISOR

Attest: 

Rosie Ewoldt, Town Clerk

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