

**Ordinance No. 2023-02**

**An Ordinance for the adoption of ATV (All Terrain Vehicles) / UTV (Utility Terrain Vehicle)  
Routes on the Town of Springwater Roads**

**Section 1 – Title and Purpose**

The title of this ordinance is the Town of Springwater All-Terrain Vehicle (ATV)/Utility Terrain Vehicle (UTV) Route Ordinance. The purpose of this ordinance is to establish ATV/UTV routes and to regulate the operation of ATVs/UTVs in the town of Springwater.

**Section II – Authority**

The Springwater Town Board, Waushara County, Wisconsin, has the specific authority to adopt the 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 vote by a majority of the town board present and voting, provides the authority for the town to designate ATV/UTV routes in the town and to regulate the use of those routes and ATVs/UTVs in the town.

**Section IV – Operation of ATV/UTVs**

Pursuant to s.23.33 (4) (d) 4., Wis. Stats., except as otherwise provided in s. 23.33 (4), Wis. Stat., 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 ATVs/UTVs on a roadway in the town that is an ATV/UTV route is authorized only for 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.

**Section V – Designation of ATV/UTV Routes**

All township roads are designated as ATV/UTV routes.

**Section VI – Conditions**

As a condition for the use of this route, all operators and passengers shall comply with the following conditions:

- (1) All ATV/UTV operators shall abide by the provisions of Wis. Stats. § 23.33, including all definitions existing and modified and adopted herein by reference.
- (2) All ATV/UTV operators shall operate at no more than 35 mph and shall follow any lower established speed limits.
- (3) All ATV/UTV operators shall ride single file on the extreme right side of the paved road.
- (4) All ATV/UTV operators shall only ride on the paved surface of the road.
- (5) All ATV/UTV operators shall slow the vehicle to ten mph or less when operating within 150 feet of a dwelling or a person who is not operating an ATV/UTV, snowmobile, motorcycle or other motor vehicle, including but not limited to, pedestrians and non-motorized transportation such as buggies.
- (6) The route shall be signed in accordance with NR64.12, NR64.12(7)(c) and the requirements of the Waushara County Highway Commissioner by the Waushara County Highway Department.

- (7) All ATV/UTV operators born after January 1, 1988, must have completed an ATV safety certification course and carry verification of such on their person.
- (8) The route will be open for public ATV/UTV usage daily from 5:00 a.m. - 11:00 p.m.
- (9) All ATV/UTV operators under the age of 18 are required to wear a helmet and be accompanied by an adult.
- (10) Operators must be at least 16 years of age and possess a valid driver's license.
- (11) All ATV/UTV operators shall abide by all traffic laws.
- (12) No ATV/UTV may be operated on any designated route without fully functional headlights and taillights.
- (13) All operators shall have a liability insurance policy in force on any ATV/UTV operated on an ATV/UTV route with the following minimum coverage:
  - a. \$10,000.00 for property damage;
  - b. \$25,000.00 for the injury or death of one person;
  - c. \$50,000.00 for the injury or death of more than one person.

**Section - VII Enforcement.**

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

**Section - VIII Penalties.**

Violations shall be subject to the penalties located in Wis. Stats § 23.33(13).

**Section IX – Maintenance of ATV/UTV routes.**

Operators of ATV/UTVs on Town of Springwater roadways assume all the usual and normal risks associated with ATV/UTV operations.


**Section X – Severability**

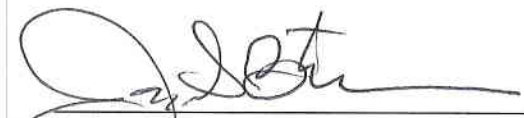
If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

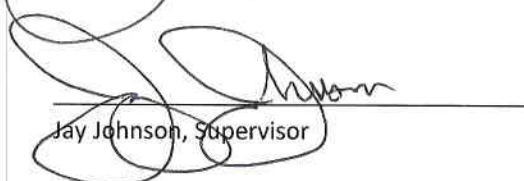
Adopted this 12<sup>th</sup> day of June, 2023

Ayes 3 Noes 0

Date Published/Posted

  
Ed Hernandez, Chair

  
Josh Baitinger, Supervisor

  
Jay Johnson, Supervisor