

7.17 ALL-TERRAIN VEHICLE ROUTES AND OPERATION

(1) INTENT

Following due consideration of the recreational and economic value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this ordinance has been created pursuant to County Board authority under Wis. Stats. §§ 59.02, 23.33(11)(am) and 23.33(8)(b), as amended.

(2) ATV ROUTES

(a) County trunk highways designated as ATV routes shall be established and approved by the Juneau County Highway and Public Works Committee ("the Highway Committee") and the Juneau County Board of Supervisors. The Highway Committee shall develop policies and procedures for designation of ATV routes including appropriate criteria for making a designation. Any modification to a designated ATV route shall be approved by the Highway Committee. A copy of ATV routes, along with a map showing their location, shall be kept on file at the Highway Department. The Juneau County Highway Department shall have the authority to close or terminate any ATV route on the County Trunk Highway System, subject to approval by the Highway Committee.

(b) The following routes are established:

1. County Highway H, from 9th Street to Highway 173 in the Town of Kingston, with a length of approximately 1.6 miles.
2. County Highway F, from 12th Avenue North to 9th Avenue North in the Town of Finley, with a length of approximately 2.09 miles.

(3) ATV ROUTES ONLY ON ROADWAY

All ATV's shall operate only on the paved portion of the roadway. Operation on the gravel shoulders, grassy in-slope, ditches, or other highway right-of-way is prohibited and illegal.

(4) OPERATION OF ALL TERRAIN VEHICLES ON COUNTY HIGHWAYS

- (a) All ATV operators shall observe posted roadway speed limits for ATV operation.
- (b) All ATV operators shall ride in single file on the right hand side of the paved portion of the highway.
- (c) All ATV operators shall have their headlight illuminated, and taillight if available, while operating on a county highway.
- (d) All ATV operators who are born after January 1, 1988, and operating on a county highway are required to have an ATV Safety Certificate. No one under 12 years of age is allowed to operate an ATV on a county highway.
- (e) All ATV operators and passengers under 18 years old shall wear protective headgear while operating on county highways.

(5) SIGNAGE OF ALL-TERRAIN VEHICLE ROUTES

- (a) Pursuant to Wis. Stats. § 23.33(8)(d), the following restrictions are placed on the use of all-terrain vehicle routes designated by this ordinance.

1. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with Wisconsin Administrative Code § NR 64.12(7). The Juneau County Highway Department has sole responsibility for ATV signage on county highways. No person may do any of the following in regard to signs marking all-terrain vehicle routes:

A. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route or trail sign.

B. Possess any uniform all-terrain vehicle 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 uniform all-terrain vehicle route or trail sign or standard in a lawful manner. Possession

of a uniform all-terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.

2. ATV operation shall be subject to all provisions of Wis. Stats. § 23.33, which is adopted by reference as a part of this ordinance.

6) ENFORCEMENT

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

(7) VIOLATIONS/PENALTIES

The penalty for operating an ATV off the roadway of a designated ATV route (i.e., the gravel shoulder, grassy in-slope, ditch, or other highway right-of-way) or violating any other provision of this ordinance shall result in a forfeiture of not less than \$25.00 or more than \$500.00, plus court costs. Citations may be issued in accordance with the deposit schedule set forth in subsection (11) below, which does not include law enforcement training penalties, jail assessments or other applicable costs.

(8) SEVERABILITY

Should any section, subsection, clause, or provision of this ordinance be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

(9) MAINTENANCE

Designation of segments of the Juneau County Highway System as ATV routes does not impose upon the Juneau County Highway Department a greater duty of care or responsibility for maintenance of those segments than for any other segment of county highway. Operators of ATV's on county highways assume all the usual and normal risks of ATV operation.

(10) EFFECTIVE DATE

This ordinance becomes effective immediately upon passage by the County Board of Supervisors and publication.

(11) DEPOSIT SCHEDULE

(a)	Illegal Operation of an ATV off roadway.	\$200.00
(b)	Speeding, on or off roadway:	
1.	1-10	\$100.00
2.	11-15	\$150.00
3.	16-19	\$200.00
4.	20-24	\$250.00
5.	25 and over	\$300.00
(c)	Failure to Operate Single File	\$150.00
(d)	Failure to Illuminate Headlights or Taillights	\$150.00
(e)	Operating an ATV Without Safety Certificate	\$150.00
(f)	Operating an ATV Without Protective Headgear	\$150.00
(g)	Damage to Route or ATV Sign or Removal of Sign	\$500.00
(h)	Illegal Possession of ATV Sign	\$250.00

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