

TOWN OF AMHERST

All-Terrain Vehicle (ATV) and Utility Task Vehicle (UTV) Routes Ordinance 06-17-2020

SECTION I – TITLE AND PURPOSE

The title of this ordinance is All-Terrain Vehicle (ATV) and Utility Task Vehicle (UTV) Routes Ordinance 06-17-2020. The purpose of this ordinance is to establish an ATV and UTV routes in the Town of Amherst and to regulate the operation of ATV/UTVs in the Town of Amherst.

SECTION II – AUTHORITY

The Town of Amherst, Portage County, Wisconsin, has the specific authority to adopt this ATV and UTV Route Ordinance under sec. 23.33 (8)(b) and (11), Wis. Stats. The Town of Amherst will retain the right to close any town road to ATV/UTV operation for any reason, including but not limited to special events unlawful use, and road construction repair. Said closures of town roads to ATV/UTV operation may occur without notice. The Town of Amherst accepts no liability for the operation of ATV/UTV on any town road under the provisions of this ordinance. Operation of ATV/UTVs is at the operators own risk. UTV/ATVs that operate on the aforementioned routes shall abide by all state laws regulating ATV/UTV operation.

SECTION III – ADOPTION OF ORDINANCE

The Town of Amherst, by this ordinance adopted on proper notice with required quorum of the town board present and voting, provides the authority for the town to designate ATV/UTV vehicle routes in the town and to regulate the use of those routes and ATV/UTVs in the town.

SECTION IV – Designation of ATV/UTVs Routes

Pursuant to s. 23.33 (4)(d)4., Wis. Stats., except as otherwise provided in sec. 23.33(4), Wis. Stats., no person may operate an ATV/UTV on the roadway portion of any highway in the township except on roadways that are designated as ATV/UTV routes by this ordinance. Operation of ATV/UTVs on a roadway in the township that is 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.

The following routes are designated ATV/UTV routes in the Town of Amherst:

- All town roads except those with signage indicated closed route to ATV/UTVs

SECTION V – Operation of ATV/UTVs

Operation of ATV/UTVs on a road in the Town of Amherst that is a permissible route is subject to the following rules of operation in accordance to all rules promulgated under Wis. Stat. 23.33, including but not limited to the following;

- i. All ATV/UTV operators shall observe posted roadway speed limits.
- ii. All ATV/UTV operators shall ride single-file.
- iii. All ATV/UTV operators shall slow the vehicle to 10 mph or less when operating with 150 feet of a dwelling.
- iv. All ATV/UTV operators shall travel only on 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 VI – ENFORCEMENT

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

SECTION VII – PENALTIES

The penalties under/in sec. 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 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.

SECTION X – EFFECTIVE DATE

This ordinance is effective on publication or posting.

The Town of Amherst clerk shall properly publish this ordinance as required under s. 60.80, Wis. Stats.

Adopted this 17th day of June, 2020.

Town Chairman Don Spierings

Town Clerk Shawn Lea