

LANGLADE COUNTY



ORDINANCE TO OPEN ALL COUNTY HIGHWAYS AS ATV ROUTES EXCEPT CERTAIN COUNTY HIGHWAYS IDENTIFIED BY THE HIGHWAY COMMISSIONER AND HIGHWAY COMMITTEE

ORDINANCE #4-2020

THE LANGLADE COUNTY BOARD OF SUPERVISORS does hereby ordain to repeal Section 7.13 and create a new Section 7.13 of the Langlade County Code of Ordinances as follows:

(1) **TITLE AND PURPOSE.**

(a) This Ordinance is entitled "ALL-TERRAIN VEHICLE ROUTES AND REGULATING THE OPERATION OF ALL TERRAIN VEHICLES ON COUNTY HIGHWAYS". The purpose of this Ordinance is to establish all-terrain vehicle routes in the County and to regulate the operation of all-terrain vehicles and utility terrain vehicles in the County. Any ATV routes designated by Langlade County are intended for recreational use only.

(2) **AUTHORITY.**

(a) The County Board of Langlade County adopts this Ordinance pursuant to its authority under Section 23.33 (8)(b) and (11), Wis. Stats.

(3) **APPLICATION OF THE ORDINANCE.**

(a) This Ordinance shall apply to all-terrain vehicles (ATV) and utility terrain vehicles (UTV) as those terms are defined by Sec. 23.33, Wis. Stats. All references to all-terrain vehicle (ATV) shall also apply to the utility terrain vehicle (UTV).

(b) This Ordinance applies to the operation of an ATV on or adjacent to County Highways and on County Highways designated as ATV routes.

(c) By this Ordinance the County Board adopts Sec. 23.33, Wis. Stats., and any amendments thereto. To the extent that provisions of this Ordinance impose greater restrictions on ATV operation than set forth in Sec. 23.33, Wis. Stats., the provisions of this Ordinance shall apply and prevail.

(4) **DESIGNATION OF ATV ROUTES.**

(a) The following routes are designated ATV Routes in the County for recreational use only, and therefore are open for use by ATV/UTV operation only for the time period each year during which the Langlade County ATV trail system is open to the public.

All county trunk highways within the unincorporated areas of Langlade County are designated as ATV Routes, except county trunk highways deemed unsafe for ATV operation by the Highway Commissioner and the Highway Committee. A listing of county trunk highways not designated as ATV Routes shall be posted on the County's website and available for public inspection at the County Highway Department.

That portion of any county trunk highway that traverses within the municipal boundaries of a city or village is not designated as a County ATV Route and is subject to regulation or designation by the governing body of such city or village.

(b) The Highway Commissioner, or Commissioner's designee, shall have the authority to close any ATV route on the County Trunk Highway System. Upon closure of an ATV route, the Highway Department shall place and/or remove signs indicating the operational status of the ATV route.

(c) The Highway Commissioner, or Commissioner's designee, shall have the authority to place restrictions on ATV routes (i.e., change posted speed limits) consistent with the Highway Department's ATV Route Policy; and post and/or replace signs indicating restrictions that apply to the ATV route.

(d) The Highway Commissioner, or Commissioner's designee shall have the authority to enter into agreements with ATV clubs to maintain ATV Routes, including but not limited to agreements to maintain required signs, and for other services necessary to promote the safe operation of ATV Routes.

(e) The Highway Commissioner or Highway Committee shall have the authority to close an ATV Route for any reason, including any ATV Route for which the County does not have a current ATV Route Maintenance Agreement on file.

(5) OPERATION OF ALL-TERRAIN VEHICLES.

(a) Except as otherwise provided in Section 23.33(4), Wis. Stats., no person may operate an all-terrain vehicle or utility terrain vehicle on the roadway portion or within the right-of-way of any highway in the County except on roadways that are designated as ATV Routes by this Ordinance. Operation of all-terrain vehicles and utility terrain vehicles on a roadway in the County that is an ATV route is authorized only for the extreme right side of the paved surface of the roadway. For the purpose of this Ordinance, "right-of way" is defined as the area extending sixty-six feet (66') from the center of the roadway.

(6) ATV ROUTE REGULATIONS.

(a) No ATV/UTV shall operate on any portion of any County Highway unless the County Highway is designated as an ATV Route as identified by all-terrain vehicle route signs in accordance with State Law.

(b) Operation of an ATV/UTV on the ATV Route shall be subject to all provisions of Section 23.33, Wis. Stats., and as set forth in this Ordinance.

(c) No person may operate an all-terrain vehicle in any manner which violates the posted restrictions on the ATV Route, or violates the Rules of Road as set forth in Chapter 346, Wisconsin Statutes and the Langlade County Traffic Ordinance Section 7.01, or in any way so as to endanger the person or property of another, or in a manner which violates rules promulgated by the Department of Natural Resources.

(d) Unless otherwise posted, the maximum speed limit on any ATV route shall be 35 mph.

(e) Additional conditions:

All ATV operators shall be at least 16 years of age and possess a valid Driver's License.
All ATV operators shall observe posted ATV Route speed limits.
All ATV operators shall ride single file.
Routes must be signed in accordance with NR 64.12, and NR 64.12(7)c.

(7) **ENFORCEMENT.**

(a) This Ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

(8) **PENALTIES.**

(a) The penalties under Section 23.33(13)(a), Wis. Stats., and Langlade County Ordinance Chapter 25 are adopted by reference.

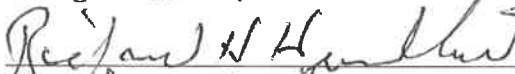
(9) **SEVERABILITY.**


(a) If any provision of this Ordinance is held invalid, the invalidity shall not affect other provisions of this Ordinance that can be given effect without the invalid provision.

EFFECTIVE DATE. This Ordinance shall take effect upon passage and publication. A copy of this Ordinance and any revisions thereto, shall be sent by the Langlade County Clerk to the Department of Natural Resources, the Langlade County Sheriff's Department and any other law enforcement agency serving Langlade County's jurisdiction.


HIGHWAY COMMITTEE:


George Shinnars, Chairman



Richard H. Hurlbert


Joseph Novak, III


Roger Buck


Richard Wiegert


Benjamin Pierce, Chairman
Board of Supervisors

ATTEST:

Judy Nagel
Langlade County Clerk