

State of Wisconsin  
Monroe County  
Town of Wellington  
Ordinance #14.01  
ATV / UTV Ordinance

*adopted August 19, 2014*

The Town Board of the Town of Wellington, Monroe County, Wisconsin, in order to promote the public health, safety, general welfare and good order of the Town of Wellington, does ordain as follows:

Section 1: Intent

a. The purpose of this ordinance is to establish all-terrain and utility terrain vehicle (ATV/ UTV) routes and to regulate the operation of all-terrain and utility-terrain vehicles in the Town.

Section 2: Authority

a. The Town Board of the Town of Wellington, Monroe County, Wisconsin, has the specific authority to adopt this All-Terrain and Utility Terrain Vehicle Route Ordinance under s23.33 (8Xb) and (11ta), Wis. Stats., and 64.12 of the Department of Natural Resources Administrative Code.

Section 3: Statutes Adopted

a. The provisions describing and defining regulations with respect to ATV/UTVs in the subsections of Sec 23.33, Wis. Stats., and 64.12 of the Department of Natural Resources Administrative Code and any future amendments or revisions, are hereby adopted by reference and made part of this Section as if fully set forth herein.

Section 4: Designation of All-Terrain and Utility Terrain Vehicle Routes

a. Following all of the rules as provided in Section 23.33, Wis. State Statues, all Town roads, when and if posted, are hereby designated as ATV/UTV routes.

b. ATV/UTV routes will be open year round.

c. All roads must be signed in accordance with NR 664.12. Procurement, installation, and replacement of route signage are the exclusive responsibility of local or area ATV/UTV clubs; the Town will incur no costs associated with signage.

d. The Town Board will review designated ATV/UTV routes from time to time and may change them by resolution.

Section 5: Rules of Use

a. No person, unless authorized by a private use registration, shall operate an ATV or UTV in the Town of Wellington on a road which is not designated as an ATV or UTV route.

- b. Operation of ATVs on Town roads is authorized only for the extreme right side of the roadway, except that left turns may be made from any part of the right lane which is safe given prevailing considerations.
- c. Operators must obey all related laws, including all regulations of the Department of Natural Resources.
- d. Operators on designated routes must travel single file, whether on the travel portions of the right-of-way.
- e. All other licensed vehicles and pedestrians have the right-of-way over ATV/UTV use.
- f. No ATV/UTV can be operated on the designated route in a way that causes damage to the roadway or the road right-of-way.
- g. All ATV/UTVs while in operation on designated routes will have lights on at all times.
- h. All ATV/UTVs operated on designated routes will maintain physical control and reasonable and prudent speed but will go no faster than posted speed limits or such speed that is set by the Town Board by resolution from time to time.
- i. The operator of an ATV/UTV vehicle upon a roadway shall, addition to the provisions of Sec. 23.33, Wis. Stats.; obey all regulatory signs, such as but not limited to, stop signs, yield signs and speed limit signs.
- j. No person shall operate an ATV/UTV in any careless way so as to endanger the person or property of another.

#### Section 6: Enforcement

- a. Any law enforcement officer authorized to enforce the laws of the State of Wisconsin may enforce this ordinance. In addition, local / area ATV/UTV clubs will be responsible to patrol and inspect the routes and call to the Town Board's attention any surface defects or other problems that pose a safety concern.
- b. Local / area ATV/UTV clubs will take all reasonable measures to educate riders about the provisions within this ordinance.

#### Section 7: Penalties

- a. Wisconsin State ATV/UTV penalties as found in s.23.33. (13) (a) Wis Stats. are adopted by reference.

#### Section 8: Ordinance to be Filed

a. The Town Clerk shall file a copy of this ordinance upon its enactment and publication with the Wisconsin Department of Natural Resources and with the Monroe County Sheriff pursuant to Section 23.33. (11) Wis. State Statutes.

Section 9: References

a) Wisconsin Statute Section 23.33

<https://docs.legis.wisconsin.gov/statutes/23/33>

b. Wisconsin Department of Natural Resources Administrative Code 64.12

[https://docs.legis.wisconsin.gov/code/admin\\_code/nr/001/64/12](https://docs.legis.wisconsin.gov/code/admin_code/nr/001/64/12)

c. Wisconsin All-Terrain Vehicle & Utility-Terrain Vehicle Laws pamphlet

<http://dnr.wi.gov/files/pdf/pubs/le/le0500.pdf>

Section 10: Effective Date

a. This ordinance will become effective upon passage, publication, and proper route signage as approved by the Town.

This ordinance was introduced and adopted by the Town Board of the Town of Wellington on August 19, 2014. Keith Radke, Chairman, Robert Baker, Supervisor, Gerry Miller, Supervisor