

TOWN OF WYOMING
ALL-TERRAIN and UTILITY TERRAIN VEHICLE ROUTE ORDINANCE

SECTION 1.0: INTRODUCTION

1.1 NAME

This Ordinance shall be called the Town of Wyoming All-Terrain and Utility-Terrain Vehicle Route Ordinance.

1.2 INTENT

Following due consideration for the landowners who use ATV/UTV for farming and maintenance of their property and for 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 Town Board authority under Wisconsin Statute. §§ 59.02, 23.33(4)(d)3.b., 23.33(11)(a) and (am), and 23.33(8)(b) as amended.

1.3 DEFINITIONS

- A. All-Terrain Vehicle (“ATV”) has the meaning specified within Wisconsin Statute § 340.01 (2g).
- B. ATV/UTV shall mean Town Roads designated for use by all-terrain and utility-terrain vehicle operators by the Town Board having jurisdiction.
- C. Utility-Terrain Vehicle (“UTV”) has the meaning within Wisconsin Statute § 23.33(1), (ng).

1.4 SEVERABILITY

The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town of Wyoming would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of the Ordinance or the application to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provisions to other persons and circumstances shall not be deemed affected.

1.5 SAVING CLAUSE

This Ordinance shall in no way be deemed to supplant or otherwise invalidate any provision of state statutes relating to the subject matter hereof. Any person entrusted with the enforcement of this ordinance may, in the exercise of his or her discretion, proceed under applicable state statutes.

SECTION 2.0: ATV/UTV ROUTES AND OPERATION

2.1 DESIGNATION

The following town roads to be included in this ordinance are:

- Lower Wyoming Road- from Cty Hwy C to STH 23
- Rush Creek Road-all
- Sneed Creek Road-from Rush Creek Rd to ½ mile North of the Dodgeville Township Line
- Lake View Road-from Percussion Rock Rd to to ½ mile North of the Dodgeville Township Line
- Limmex Hill Road-from Lake View Rd to Clyde Township Line
- High Point Road-from Sneed Creek Rd to Clyde Township Line
- Percussion Rock Road-all
- Hewitt Lane-all

Included town-maintained roads, within the Town of Wyoming, that are signed in accordance with s. NR 64.12(7), Wisconsin Administrative Code, are hereby designated ATV/UTV Routes for their length described above unless signed otherwise or prohibited by statute or county ordinance.

The Town Board shall have the authority to temporarily close any ATV/UTV route designated herein due to an emergency, complaint, or other necessary condition as determined by the Town Board.

2.2 RULES OF OPERATION

- A. All ATV/UTV'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 area is prohibited and illegal.
- B. No operator or passenger of an ATV/UTV will be allowed to have an open intoxicant while operating an ATV/UTV on any Town designated route(s).
- C. ATV/UTV's may be operated on any designated route(s) only between the hours of 6:00 AM and 10:00 PM daily, with route use prohibited the remainder of the day.
- D. The Town of Wyoming may close ATV/UTV routes due to road emergencies including but not limited to blizzards or flooding or other safety hazards. The closure of ATV/UTV routes will be posted on the Town of Wyoming website at www.townofwyoming.org.
- E. The speed limit is 35 miles per hour (MPH), or the posted speed limit, whichever is lower.
- F. All ATV/UTV operators shall ride in single file on the extreme right-hand side of the paved portion of the road except that left turns may be made from any part of the roadway which is safe given prevailing conditions.

- G. All ATV/UTV operators shall have their headlight and taillight illuminated, while operating on the Town Roads.
- H. Except as otherwise authorized by State law, all operators
 - a. of UTV's who are at least 16 years of age and who are born on or after January 1, 1988 must possess a valid state-issued Safety Certificate and a valid Driver's License
 - b. of ATV/UTV's and their passengers under 18 years old shall wear protective headgear while operating on a designated Town route.
- I. No person may operate an ATV/UTV that is constructed in such a manner that noise emitted from the vehicle exceeds 96 decibels.
- J. ATV/UTV operation shall be subject to all provisions of Wisconsin Statute § 23.33, which is adopted as a part of this ordinance by reference.
- K. Mandatory use of seatbelt during operation of a UTV. All occupants riding in or operating a UTV shall be required to wear a seatbelt when traveling on any trail or route within Iowa County.
- L. All ATV/UTV's on roadway must display an orange flag above the cab of the ATV/UTV for better visibility.

2.3 SIGNAGE OF ATV ROUTES

- A. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12(7), Wisconsin Administrative Code. No person may do any of the following regarding signs marking ATV/UTV routes:
 - a. Intentionally remove, damage, deface, move, or obstruct any uniform ATV/UTV route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign.
 - b. Possess any uniform ATV/UTV route or trail sign or standard of the type established by the department of the warning, instruction or information of the public, unless he or she obtained the uniform ATV/UTV route or trail sign or standard in a lawful manner. Possession of a uniform ATV/UTV route or trail sign or standard creates a rebuttable presumption of illegal possession.
- B. All required designated route signs shall be paid for, installed & maintained by an ATV/UTV Landowner Advocates, with approval by the Town of Wyoming.
- C. The quantity and location of signage shall be reviewed and approved by the Town of Wyoming, where appropriate, placed at the beginning of an all-terrain route within the Town and at such locations and intervals deemed necessary to enable the ATV/UTV operators to follow the route.
- D. No sign may be mounted on any existing Town signpost unless authorized by the Town Board. Posts shall be suitably sized for mounting the necessary number of signs at the location.
- E. No person shall operate an ATV/UTV contrary to any authorized and official posted sign.
- F. All complaints regarding signage shall be addressed to the Town of Wyoming. These complaints will be communicated to the Landowner Advocates within 48 hours. The Landowner Advocates then have 48 hours to address the complaint.

2.4 DESIGNATION OF ROUTES - SEE BELOW

SECTION 3.0: ENFORCEMENT AND PENALTIES

3.1 PENALTIES

The penalties shall be enforced by any officer employed by the Iowa County Sheriff Department or any other law enforcement official as set forth in Wisconsin Statute § 23.33(12).

SECTION 4.0: EFFECTIVE DATE

4.1 EFFECTIVE DATE

The Town Clerk shall properly publish this ordinance as required under Wisconsin Statute § 60.80 will become effective upon passage & publication. Chapter _____ was adopted by the Town of Wyoming Board on _____.

Passed this _____ day of _____, 2023 by the Wyoming Town Board

Chairman

Supervisor

Supervisor