

Town of Maple Creek
Outagamie County, Wisconsin

Amending Code of Ordinances Chapter 4.041 An Ordinance Designating All
Town Roads in the Town of Maple Creek as All-Terrain/Utility Terrain Vehicle
Routes

The Town Board of the Town of Maple Creek pursuant to its authority under Sections 60.10 and 60.62(1) Wisconsin Statutes, does hereby amend the Town of Maple Creek, Ordinance Designating All Town Roads in the Town of Maple Creek as All-Terrain/Utility Terrain Vehicle Routes requirements and does ordain as follows:

1. Section 4.041 [4] Designation of Routes is hereby repealed and recreated as follows:

By this Ordinance, all public town roads under the jurisdiction of the Town of Maple Creek and county roads if approved by Outagamie County are designated as a route for use by all-terrain vehicles and utility terrain vehicles.

2. Section 4.041 [5] Operation is hereby repealed and recreated as follows:

[5] Regulations.

Except as otherwise provided herein, the statutory provisions of Wis. Stat. § 23.33 and Wis. Admin. Code NR § 64, which create, describe, and define regulations with respect to ATVs and UTVs, are adopted and, by reference, made a part of this Code as if fully set forth herein.

(a) *Operator and Rider Requirements.* Any person who operates or rides as a passenger on an ATV or UTV on a roadway that is an ATV/UTV route in the Town of Maple Creek designated pursuant to Wis. Stat. § 23.33(8)(b), or an ATV/UTV route in Town of Maple Creek designated pursuant to Wis. Stat. § 23.33(8)(c), must meet the following requirements:

- (I) Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including those outlined in Wis. Stat. § 23.33 and Wis. Admin. Code NR § 64. All ATV/UTV rules of operation outlined in Wis. Stat. § 23.33 and Wis. Admin. Code NR § 64 are adopted and incorporated by reference in this Ordinance.
- (II) No person may operate an ATV or UTV without having attained the age of 16.
- (III) No person may operate an ATV or UTV without a valid driver's license.
- (IV) All operators shall have a liability insurance policy in force on any ATV or UTV operated on an ATV, JTV route or route. The liability insurance policy must have the following minimum coverages:
 - (a) \$10,000 for property damage

(b)\$25,000 for the injury or death of one person

(c)\$50,000 for the injury or death of more than one person

3. Section 4.041 [6] State Regulations is hereby repealed and recreated as follows:

[6] - Rules of Operation.

The operation of an ATV or UTV on a roadway that is an ATV/UTV route in the Town of Maple Creek designated pursuant to Wis. Stat. § 23.33(8)(b)I, or an ATV/UTV route in the Town of Maple Creek designated pursuant to Wis. Stat. § 23.33(8)(c), is subject to the following rules of operation:

(I) Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including those outlined in Wis. Stat. §23.33 and Wis. Admin. Code NR § 64. All ATV/UTV rules of operation outlined in Wis. Stat. § 23.33(3) and NR § 64 are adopted and incorporated in this ordinance

(II) Operators may only operate on a designated ATV/UTV route signed in accordance with Wis. Stat. § 23.33(8)(e).

(III) Speed Limits

- a. Operators on ATV/UTV routes shall observe the posted speed limit on the roadway.

(IV) Operators shall ride in single file in the roadway. Roadway is defined in the same manner as defined in Wis. Stat. s. 340.01(54),

(V) All ATVs and UTVs must operate with fully functional headlamps, tail lamps, and brake lights.

(VI) Every ATV or UTV shall be equipped, maintained, and operated to prevent excessive or unusual noise. No person shall operate an ATV or UTV on an ATV, UTV Route unless the vehicle is equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation.

4. Section 4.041 [7] Effective Date is hereby repealed and recreated as follows:

[7] – Enforcement

(I) Any act that is required or is prohibited by any statute or administrative code provision incorporated herein by reference is required or prohibited by this Code.

(II) An officer of the state traffic patrol under Wis. Stats. § 110.07(1), inspector under Wis. Stats. § 110.07(3), conservation warden appointed by the department under Wis. Stats. § 23.10, county sheriff or municipal peace officer has authority and jurisdiction to enforce this section and ordinances enacted in accordance with this section.

(III) No operator of an all-terrain vehicle or utility terrain vehicle may refuse to stop after being requested or signaled to do so by a law enforcement officer or a commission warden, as defined in Wis. Stats. § 939.22(5).

5. Section 4.041 [8] Penalties is hereby created as follows:

[8] – Penalties

- (I) Any forfeiture for a violation of State Statute or Administrative Code adopted by reference in this section shall conform to the forfeiture permitted to be imposed for violation of said statutes or code provisions as set forth therein.
- (II) Any violation of a section of this section without a penalty specified by statute or administrative code shall be punishable as provided in Outagamie County Ordinance 1-10.

6. Section 4.041 [9] Severability is hereby created as follows:

[9] – Severability The provisions of this section shall be deemed severable and it is expressly declared that Outagamie County 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 this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other person's circumstances shall not be deemed affected.

7. Section 4.041 [10] State Regulations is hereby created as follows:

[10] State Regulations. The regulations in Section 23.33 Wis. Stats., and Chapter NR 64, Wis. Admin. Code are hereby incorporated in This Ordinance.

8. Effective Date. Following passage by the Town Board, this ordinance shall take effect the day after the date of publication or posting or as noted differently under "effective date" as provided by sec. 60.80, Wis. Stats.

Adopted this 13th day of November, 2023.

Town of Maple Creek Town Board

By: _____ Chairperson

_____ Supervisor

_____ Supervisor

Attest: _____ Town Clerk

Posted _____

Published _____