

TOWN OF VERMONT: ALL-TERRAIN VEHICLE AND UTILITY TASK VEHICLE ROUTES AND OPERATION
ORDINANCE

Section 1.1 - AUTHORITY

The Town Board of the Town of Vermont, Dane County, Wisconsin, has the specific authority to adopt this ATV/UTV Route Ordinance under Wisconsin Statute 23.33(8)(b) and 23.33(11).

Section 1.2 - PURPOSE

The Town of Vermont, Dane County, adopts the following all-terrain route for the operation of All Terrain vehicles (UTV/ATV) on town roads. Following due consideration of the recreational value to connect opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density, and history of automobile traffic, this route has been created.

Section 1.3 - ROUTES

The following roads are designated as routes: All Town roads unless posted otherwise. No County or State highways are designated as routes, except those that have been designated as routes by the County or State. The Town Board may suspend any route, at any time, for any reason.

Section 1.4 - CONDITIONS

As a condition for use of this route, the following conditions shall apply to all operators and passengers.

- A. Operators of ATV or UTV vehicles shall abide by all traffic laws, including the rules and operation and equipment requirements contained in Wisconsin Statute 23.33 and Wisconsin Administrative Code Chapter 64, unless further restricted by this ordinance.
- B. ATV and UTV vehicles shall operate at a safe speed not to exceed 35 miles per hour unless a reduced speed is otherwise noted by this ordinance, by law or roadway conditions.
- C. Routes must be signed in accordance with NR 64.12 and NR 64.12(7)c. All required designed route signs and posts and their installation shall be paid for by an ATV/UTV Club, with approval, installation, and maintenance of the signs by the Town of Vermont. Repair of any damaged or vandalized signs will be paid for by the ATV/UTV Club. No ATV/UTV designated route will be open for use until properly signed.
- D. ATV and UTV Vehicles may only operate during the hours of 5:00am and 10:00pm on Town Routes.
- E. No ATV/UTV may operate within the town roadway with open intoxicants on or in the vehicle.
- F. All ATV/UTV must be at least 16 years of age and possess a valid driver's license.
- G. ALL ATV/UTV may not be operated on road shoulders or in road ditches. No straddling of the shoulder or ditch is allowed, unless moving over to make room for passing or oncoming traffic.
- H. All ATV/UTVs being operated on designated routes must have fully functional headlights, taillights and brake lights. Headlights and taillights must be always on.
- I. All ATV/UTVs shall be equipped with a muffler system with a maximum noise level of 96 decibels.

J. ATV/UTVs shall yield the right of way to all other vehicular traffic and pedestrians.

K. All ATV/UTV operators shall maintain liability insurance for their ATV/UTV in the amount established by the State of Wisconsin for motor vehicle operation. By utilizing any ATV/UTV, the operator agrees to fully indemnify and hold harmless the Town of Vermont for all liability arising from use on town roadways.

L. All ATV/UTVs will ride single file along the extreme right side of the roadway, with the exception of left turns which may be made from any part of the roadway if it is safe given then occurring conditions.

Section 1.5 - ENFORCEMENT

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin. Pursuant to Wisconsin Statute 23.33(1)(b), if a town adopts an ordinance regulating all-terrain vehicles, utility terrain vehicles, or both, its clerk shall immediately send a copy of the ordinance to the DNR, the State Patrol, and to the office of any law enforcement agency having jurisdiction over any of the roads or highways to which the ordinance applies.

Section 1.6 - PENALTIES

Wisconsin State All-Terrain Vehicle penalties, as found in Wisconsin Statute 23.33(13)(a), are adopted by reference.

Wisconsin DNR Rules, Penalties, and regulations as found on the DNR website are adopted by reference.

Dane County Ordinance 79.01 – 79.023(3) in its entirety is adopted as written and published.

Section 1.7 - SEVERABILITY

The provision of this ordinance shall be deemed severable, and it is expressly declared that the Town of Vermont would have passed the other provisions of this ordinance irrespective of whether 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.

14.08 EFFECTIVE DATE

This ordinance shall take effect and be in force from and after the day of passage and publication as required by law. **The Town of Vermont has the right to revoke this ordinance at any time.**

Adopted **[April 8]**, 2024, by the Town Board.

Karen Carlock Town Chair, Kirk Lynch Town Supervisor, Alex McKenzie Town Supervisor, Doug Meier Town Supervisor and Nick Balster Town Supervisor

Attested by:

Katie Zelle, Town Clerk