

TOWN OF HILES
ORDINANCE 5-2020
ATV, UTV & EQUESTRIAN

SECTION I - Title and purpose

The title of this article is the “Town of Hiles All-Terrain Vehicle/UTV/Equestrian Route Ordinance.” The purpose of this article is to establish all-terrain vehicle routes in the town and to regulate the operation of all-terrain vehicles in the town.

SECTION II - Authority

The town board has the specific authority to adopt this all-terrain vehicle route article under Wis. Stats. §§ 23.33(8)(b) and (11).

SECTION III - Adoption of article

The town board, by this article, adopted on proper notice with a quorum and roll call vote by a majority of the town board present and voting, provides the authority for the town to designate all-terrain vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles in the town.

SECTION IV - Operation of all-terrain vehicles

Pursuant to Wis. Stats. § 23.33(4)(d)4., except as otherwise provided in Wis. § 23.33(4), no person may operate an all-terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle routes by this article. Operation of all-terrain vehicles on a roadway in the town that is an all-terrain vehicle route is authorized at the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions. All ATV/UTV trails are open from May 1 – November 15 (or as weather/conditions permit) ATV/UTV/Equestrian routes are open year round.

SECTION V - Designation of all-terrain vehicle routes

All town roads are to be designated as ATV/UTV & Equestrian routes.

SECTION VI - Conditions applicable to all-terrain vehicle routes.

Pursuant to Wis. Stats. § 23.33(8)(d), the following restrictions are placed on the use of the town all-terrain vehicle routes designated by this resolution:

(A) Routes shall be marked with uniform all-terrain vehicle route signs in accordance with § NR 64.12(7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain vehicle routes:

1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route or trail sign or standards if the sign or standard is legally placed by the state, any municipality, or any authorized individual.
2. Possess any uniform all-terrain vehicle route or trail sign or standard of the type established by the department for the warning, instruction, or information of the public, unless he or she obtained the uniform all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle route or trail sign or standard creates a reputable presumption of illegal possession.

(B) Operation shall be subject to all provisions of Wis. Stats. § .23.33, which is adopted as a part of this article by reference, pursuant to Wis. Stats § 23.33(11), to include Wis. Stats. 23.33 (11)(am) 3 allowing the town to authorize the operation of ATV's/UTV's on a highway bridge that is 1,000 feet in length or less.

1. County Highway S, South on Hwy 32 to Strong Road
2. West Pine Lake Rd, South on Hwy 32 to Fire Tower Road
3. Lovers Lane Rd, North on Hwy 32 to Fire Tower Road
4. West Main St, North on Hwy 32 to Old 32 Road
5. Old Highway 32 Road, North on Hwy 32 to Experimental Road

A copy of this article shall be sent by the town clerk to all Law Enforcement Agencies affected.

All ATV operators shall observe the posted ATV speed limits of 35 mph. All ATV traffic within the Town of Hiles Sanitary District will be 25 mph. All ATV operators must follow Wisconsin All Terrain Vehicle Laws.

All ATV operators shall follow designated routes as approved by the Hiles Town Board as well as any restrictions placed on the route by the Hiles Town Board.

All equestrian riders are responsible for their animal's manure. It must be moved into the woods or off the side of the trail. In the Sanitary District of Hiles, the manure must be removed.

SECTION VII – Enforcement

This article shall be enforced by any law enforcement officer authorized to enforce the laws of the State.

SECTION VIII – Penalties

The penalties under in Wis. Stats. § s.23.33(13)(a) are adopted by a reference.

SECTION IX – Severability

If any provision of this ordinance or its application to any person or circumstance is held invalid the Invalidity does not affect other provisions or applications of this ordinances that can be giving effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

SECTION X – Effective Date

This ordinance is effective on publication or posting.

The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. Stats.

Adopted this 13th day of May 2020

Town Board of Hiles

Karl Tauer, Chairman

Brian Bukovic, Supervisor

Mark Ferris, Supervisor

ATTEST

Cathleen Votis, Clerk/Treasurer