

ORDINANCE #2019-02
TOWN OF BROTHERTOWN
CALUMET COUNTY, WISCONSIN

AN ORDINANCE DESIGNATING ALL-TERRAIN VEHICLE ROUTES AND REGULATING THE
OPERATION OF ALL-TERRAIN VEHICLES WITHIN THE TOWN OF BROTHERTOWN

Be it hereby ordained, by the Town Board of the Town of Brothertown, Calumet County, Wisconsin as follows:

SECTION 1: INTENT

Following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density, and the history of automobile traffic, the Town of Brothertown, Calumet County, Wisconsin, adopts and designates the following all-terrain vehicle (ATV) routes for the operation of ATVs upon the roadways set forth and designated in Section 3 below.

SECTION 2: STATUTORY AUTHORITY AND REFERENCE

This Ordinance is adopted pursuant to Wis. Stat. § 23.33(8)(b) and (11). All provisions of Wis. Stat. § 23.33, along with any future amendments thereto, are adopted and incorporated herein by reference to the fullest extent permitted by law.

SECTION 3: ATV ROUTES

All Town roadways, to the fullest extent permitted by law, are designated as ATV routes.

SECTION 4: CONDITIONS

As conditions for the use of ATVs on the ATV routes set forth and designated in Section 3 above, all ATV operators and passengers shall comply with all of the following:

- A. All ATV operators shall observe posted speed limits.
- B. All ATV operators shall ride in single file.
- C. All other applicable laws.

SECTION 5: SIGNAGE

All ATV routes set forth and designated in Section 3 above shall be signed in accordance with NR 64.12.

SECTION 6: ENFORCEMENT

This Ordinance may be enforced by any law enforcement officer authorized to enforce the laws in the State of Wisconsin.

SECTION 7: PENALTIES

The penalties set forth in Wis. Stat. § 23.33(13) are adopted and incorporated herein by reference.

SECTION 8: SEVERABILITY

The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town of Brothertown, Calumet County, Wisconsin, would have adopted all other provisions of this Ordinance irrespective of whether or not one or more provisions of this Ordinance may be declared invalid. If any provision of this Ordinance, or if the application of this Ordinance to any person, entity, and / or circumstance, is declared invalid, the remainder of this Ordinance, and the application of such provisions to other persons, entities, and / or circumstances, shall remain in full force and effect.

SECTION 9: NOTICE

Pursuant to Wis. Stat. § 23.33(11)(b), immediately upon the adoption of this Ordinance, the Town Clerk shall send a copy of this Ordinance to the Wisconsin Department of Natural Resources, the State of Wisconsin Department of Transportation Division of State Patrol, and the Calumet County Sheriff's Office.

SECTION 10: EFFECTIVE DATE

This Ordinance shall become effective upon adoption and publication.

Adopted and passed this 6th day of August, 2019.

TOWN BOARD OF THE TOWN OF BROTHERTOWN

BY: Charles J. Schneider
Charles J. Schneider, Chairman

BY: Delmar Buechel
Delmar Buechel, Supervisor

BY: Larry Propson
Larry Propson, Supervisor

ATTEST:

LeAnne Karls
LeAnne Karls, Town Clerk

ADDENDUM TO ORDINANCE #2019-02

**ORDINANCE DESIGNATING ALL-TERRAIN VEHICLE ROUTES AND
REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES WITHIN THE
TOWN OF BROTHERTOWN**

This ordinance is to apply to both All-Terrain Vehicles and Utility Terrain Vehicles.

Addendum approved on October 1st, 2019.

TOWN BOARD OF THE TOWN OF BROTHERTOWN

BY: Charles J. Schneider
Charles J. Schneider, Chairman

BY: Delmar Buechel
Delmar Buechel, Supervisor

BY: Larry Propson
Larry Propson, Supervisor