

**ORDINANCE NO. 2021-21
TOWN OF MILTON
AN ORDINANCE DESIGNATING ALL-TERRAIN VEHICLE ROUTES AND
REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES**

WHEREAS, the Town Board of the Town of Milton deems it expedient and necessary to establish all-terrain vehicle routes in the Town and to regulate the operation of all-terrain vehicles on said routes;

NOW THEREFORE, the Town Board of the Town of Milton does hereby ordain as follows:

Section I: Definitions. The following definitions apply throughout this Ordinance:

1. All-Terrain Vehicle ("ATV") has the meaning specified within Wis. Stat. Sec. 340.01(2)(g).
2. ATV/UTV Route shall mean a highway designated for use by all-terrain and utility-terrain vehicle operators by the Town Board.
3. The definitions contained in Wis. Stat. Sec. 23.33, as from time to time amended, are hereby adopted by reference.

Section II: Routes. The following roads are designated as ATV/UTV routes:

All Town Highways (roadways).

Section III: Conditions. The operation of ATV's and UTV's on any portion of a Town Road designated as an ATV/UTV route shall be subject to the following:

1. Operation shall be subject to all provisions of Wis. Stat. Sec. 23.33, as from time to time amended, which is hereby adopted by reference under authority of Wis. Stat. Sec. 23.33(11).
2. All ATV/UTV operators shall observe a speed limit of not more than 35 MPH or the posted roadway speed limit, whichever is lower.
3. All ATV/UTV operators shall ride single file on the far-right hand side of the paved portion/lane of traffic of the roadway. Operation on the gravel shoulders, grassy in-slope, ditches, or other highway right-of-way area is prohibited. Left turns may be made from any part of the roadway which is safe given prevailing conditions.
4. 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 Milton for all liability arising from use on Town Highways.

5. All ATV/UTVs operating on Town roads must be equipped with a functioning headlamp and taillamp, illuminated while operating on a Town Highway.
6. ATV/UTV operators shall not operate their ATV/UTV for the period of one (1) hour prior to sunrise and no later than 10:00 p.m.
7. On all roads shared with another jurisdiction the most restrictive Ordinance shall apply.
8. All ATV/UTV operators ages 16 years or older must have a valid driver's license. All ATV/UTV safety certified operators age 12-15 must be accompanied by a parent or legal guardian, or an adult designated by the parent or legal guardian, with continuous verbal direction and physical control over operation of the ATV/UTV. Any such parent, guardian or adult shall hold a valid driver's license. Anyone under age 12 may not operate an ATV/UTV on any Highway.
9. All operators under the age of 18 must wear protective headgear as required by Wis. Stat. Sec. 23.33.
10. All occupants riding in or operating an ATV/UTV shall be required to wear a seatbelt when travelling on any trail or route if the ATV/UTV was originally equipped with a seatbelt.
11. It shall be unlawful for any person to possess any bottle or receptacle containing alcohol beverages if the bottle or receptacle has been opened, the seal has been broken, or the contents of the receptacle have been partially removed, while operating as a passenger on an ATV/UTV.
12. ATV/UTV operators born after January 1, 1988, are required to have an ATV Safety Certificate provided by the Department of Natural Resources.

Section IV: Signs. The Town shall have oversight of the installation of signage in compliance with s. NR 64, Wisconsin Administrative Code. The quantity and location of all signs shall be reviewed and approved by the Town Board.

1. No person may intentionally remove, damage, deface, move, or obstruct any uniform ATV/UTV route or trail sign or standard or

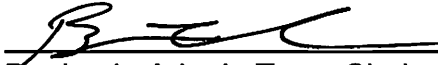
1. No person may intentionally remove, damage, deface, move, or obstruct any uniform ATV/UTV route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign.
2. No person shall operate an ATV/UTV contrary to any authorized and official posted sign.

Section V: Enforcement. This Ordinance shall be enforced by the Town of Milton and any law enforcement officer authorized to enforce the laws of the State of Wisconsin, as set forth in Wis. Stat. Sec. 23.33(12).

Section VI: Penalties. Any person violating this Ordinance shall be subject to the penalties as set forth in Wis. Stat. Sec. 23.33(13).

Section VII: Effective Date. This Ordinance shall be effective upon passage and publication.

TOWN BOARD, TOWN OF MILTON

Passed and Adopted: 7-14-21 By: 
Benjamin Adank, Town Chair

ATTEST: 
Kalene Engel, Town Clerk

I, the undersigned Village Clerk, hereby certify the foregoing Ordinance was posted in the following three public places in the Town of Milton on July 14, 2021.

W823 Engel Rd

S2838 Fern Circle

S2794 State Rd 88

ATTEST: 
Kalene Engel, Town Clerk