

VILLAGE OF NELSON, WISCONSIN

AN ORDINANCE TO PERMIT OPERATION OF ALL-TERRIAN VEHICLES ON VILLAGE STREETS, ALLEYS & PUBLIC WAYS.

Village of Nelson

An ordinance designating All-Terrain Vehicle Routes and Regulating All-Terrain Vehicles and Utility Terrain Vehicles While Using Said Routes in the Village of Nelson.

Section I- Intent

The Village of Nelson adopts the following all-terrain vehicle (ATV) routes for the operation of all-terrain vehicles and utility terrain vehicles (UTV) upon the roadways listed in Section III. 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, these routes have been created by the authority of the Village Board for the Village of Nelson.

Section II- Statutory Authority

These routes are created pursuant to municipal authority under §1.1.01 as authorized by statute §23.33(8)(b) Wis.Stats.

The applicable provisions of Wis.Stats. 23.33 regulating all-terrain vehicles and utility terrain vehicles operation pursuant to said statutes are adopted.

Section III- Routes

ATVs and UTVs, as described herein, shall be legal to operate on all Village of Nelson streets, alleyways and upon the existing snowmobile trail known as the "Burlington Trail" adjacent to the railroad from 6th Street South to the alley nearest to the railroad crossing. To also include: State Highways 25/35 within the village limits with a speed limit of no more then 35 mph or the posted roadway speed limit, whichever is less.

Section IV- Conditions

Conditions of Use

- ~~20~~
- B. All ATV/UTV operators shall observe a speed limit not more than ~~40~~ mph or the posted roadway speed limit, whichever is lower.
 - C. All ATV/UTV operators shall ride single file on the extreme right-hand portion of the roadway. (Not the ditch)
 - D. All ATV/UTV operators shall operate their own ATV/UTV under their own liability insurance policies.
 - E. All ATV/UTVs operating on Village streets, alleys, or public ways must be equipped with functioning brake lights and headlamps must be illuminated when operating.
 - F. All ATV/UTV operators born on or after January 1st, 1988 shall possess a valid DNR issued ATV Safety Certificate.
 - G. All ATV/UTV operators 16 years old and under must be in direct supervision of a parent or legal guardian when operating on a designated all-terrain vehicle route.
 - H. All ATV/UTV operators shall observe a night time curfew of 60 minutes after dusk to 60 minutes before dawn unless traveling the ATV/UTV designated route for the purpose of snow removal and or maintenance.
 - I. On all roads shared with another jurisdiction, the most restrictive ordinance regarding ATV/UTV if any, shall apply.
 - J. All ATV/UTV riders must have a valid driver's license when operating an ATV/UTV with the exception of those persons under the age of 16 who are subject to the provisions of paragraphs F and G above.
 - K. All residents of the Village of Nelson shall have the priveledge of passage from their residence to the first available access point to the ATV/UTV route as set forth herein. The Village of Nelson as the unit of government that designates the routes is responsible by statute to post proper route signs designating the location of the ATV/UTV route. The route signing will be clearing understandable to all users of said route. The Village of Nelson Street Department shall be the maintaining authority of the designated ATV/UTV routes ordained by this ordinance of the Village of Nelson.

Section V- Enforcement

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

If there is serious misuse of the privilege associated with the ATV/UTV trails by said ATV/UTV operators, the ordinance or designated routes may be cancelled at any time by the rescission or modification of the ordinance as seen fit by the Village Board for the Village of Nelson upon proper procedures and public hearing according to statute.

Section VI- Penalties

Wisconsin state All-Terrain Vehicle penalties as found in §23.33(13)(a) Wis.Stats. are adopted herein by reference as the applicable penalties for violation of the Village of Nelson ATV/UTV ordinance.

Section VII- Severability


The provisions of this ordinance shall be deemed severable and it is expressly declared that the Village of Nelson 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 circumstance is held invalid, the remainder of the ordinance and the application of such provisions to other person's circumstances shall not be deemed affected.

Section VIII- Effective Date

This ordinance is effective immediately upon posting as set forth in Wisconsin Statutes.

Adopted this 8 day of August, 2018.


Darin Larson, Village of Nelson President


Cindy Hanson, Village of Nelson Clerk

VILLAGE OF NELSON, WISCONSIN

**AMMENDMENT TO AN ORDINANCE TO PERMIT OPERATION OF
ALL-TERRIAN VEHICLES ON VILLAGE STREETS, ALLEYS, PUBLIC
WAYS, AND STATE HIGHWAYS.**

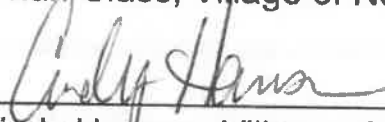
AMMENDMENT ON PAGE ONE SECTION III - ROUTES

THIS AMMENDMENT IS EFFECTIVE IMMEDIATELY UPON POSTING AS
SET FORTH IN WISCONSIN STATUTES.

ADOPTED THIS 9th DAY OF June, 2021



Brian Glass, Village of Nelson President



Cindy Hanson, Village of Nelson Clerk