

**TOWN OF ATHELSTANE
ALL-TERRAIN VEHICLE & UTILITY TERRAIN VEHICLE ROUTES
ORDINANCE
ORDINANCE #22**

SECTION I – TITLE AND PURPOSE

The title of this ordinance is the Town of Athelstane All-Terrain Vehicle and Utility Terrain Vehicle Route Ordinance. The purpose of this ordinance is to establish all-terrain and utility terrain vehicle routes in the town and to regulate the operation of all-terrain vehicles and utility vehicles in the town.

SECTION II – AUTHORITY

The Town Board of the Town of Athelstane, Marinette County, Wisconsin has the specific authority to adopt this All-Terrain Vehicle and Utility Terrain Vehicle Route Ordinance under s. 23.33(8) and (11), Wis. Stats.

SECTION III – ADOPTION OF ORDINANCE

This Ordinance 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 and utility terrain vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles and utility terrain vehicles in the town, designates all-terrain vehicle and utility terrain vehicle routes in the town and provides for the regulation of the use of those routes and of all-terrain vehicles and utility terrain vehicles in the town.

SECTION IV – OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES

Pursuant to s.23.33(4)(d)4., Wis. Stats., except as otherwise provided in s.23.33(4), Wis. Stats., no person may operate an all-terrain vehicle and utility terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle and utility terrain vehicle routes by this ordinance. Operation of all-terrain vehicles and utility terrain vehicles on a roadway in the town that is an all-terrain vehicle and utility terrain vehicle route is authorized only for 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.

SECTION V – DESIGNATION OF ALL –TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

The following roads are designated all-terrain vehicle and utility terrain vehicle routes in the town:

- a. Benson Lake Road from Mathis Road to Silver Cliff town line
- b. Beazly Road from Benson Lake Road to Forbes Road
- c. Becker Road from Northway Drive to Mathis Road
- d. Befay Lane from Becker Road to north end
- e. Bennett Road from Jones Road to Northway Drive
- f. Bolander Landing Road from Benson Lake Road to south end
- g. Davis Road from County Road C to east end
- h. Deer Lake Road from County Road C to Stephenson town line
- i. Dolan Lake Road from Benson Lake Road to north end
- j. Duck Lane from Dolan Lake Road to east end
- k. Eagle River Road from Northway Drive to Silver Cliff town line
- l. Firelane Road from Benson Lake Road to south end
- m. Flom Road from County Road C to north end
- n. Forbes Road from Benson Lake Road to Smiley Road
- o. Glen Lake Road from Benson Lake Road to south end
- p. Heller Road from Smiley Road to west end
- q. Jones Road from Firelane Road to Tower Road
- r. Lost Lake Trail from Deer Lake Road to south end
- s. Mathis Road from Benson Lake Road to County Road C
- t. Nelson Road from Perch Lake Road to County Road A
- u. Newton Lake Road from County Road C to Stephenson town line
- v. Northway Drive from Eagle River Road to County Road C
- w. Northwoods Lane from Benson Lake Road to south end
- x. Old County A Road from Benson Lake Road to Dunbar town line
- y. Park Lane from Dolan Lake Road to east end
- z. Perch Lake Road from County Road A to Wausaukee town line
- aa. Quarry Road from Mathis Road to west end
- bb. Rock Road from Smiley Road to Butternut Road
- cc. Schwittay Lane from Perch Lake Road to north end
- dd. Smiley Road from Benson Lake Road to north end
- ee. South Hill Road from Perch Lake Road to north end
- ff. Stone Lane from Mathis Road to east end
- gg. Thornton Lane from Tower Road to east end
- hh. Thompson Road from Benson Lake Road to Tower Road
- ii. Tower Road from Benson Lake Road to Silver Cliff town line

- jj. Tower Road from County Road C to Silver Cliff town line
- kk. Butternut Road from Rock Road to Dunbar town line
- ll. Wausaukee Athelstane Road from Perch Lake Road to north end
- mm. White Lane from Benson Lake Road to north end

SECTION VI – CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

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

- A. Routes shall be marked with uniform all-terrain vehicle and utility terrain vehicle route signs in accordance with s.NR64.12(7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain vehicle and utility terrain vehicle routes:
 - 1. Intentionally remove, damage, deface, move or obstruct any uniform all-terrain vehicle and utility terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle and utility 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 and utility 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 and utility terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle and utility terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.
- B. Operation shall be subject to all provisions of s.23.33, Wis. Stats., which is adopted as a part of this ordinance by reference, pursuant to s.23.33 (11), Wis. Stats.
- C. A copy of this ordinance shall be sent by the town clerk to the Department of Natural Resources, the Marinette County Sheriff's Department and any other law enforcement agency serving the Town of Athelstane's jurisdiction.

SECTION VII - ENFORCEMENT

This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin and additionally as stated in the Town's citation authority ordinance adopted per s.66.0113.

SECTION VIII - PENALTIES

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

SEVERABILITY

In the event that any section or sections herein shall be ruled unconstitutional by any competent court, such determination shall not affect the validity or effectiveness of the others sections of this Ordinance and the remainder of said Ordinance shall remain in effect.

This ordinance adopted by the Town Board of the Town of Athelstane on this 9th day of February, 2016.

The Town Board of Athelstane

By: _____ Attest _____
John Dobratz - Chairman Janice DuChateau - Clerk

Harold Tesch Jr - Supervisor

David Jose - Supervisor