

ORDINANCE NO. 2021-01

AN ORDINANCE ON ALL-TERRAIN VEHICLE (ATV AND UTV ROUTES ON VILLAGE ROADS

The Village Board of the Village of Coleman, Marinette County, Wisconsin does hereby ordain that we adopt Chapter 23 under Wisconsin State Statute.

1. Authorization and purpose.

The Village Board has considered the recreational and economic value of all-terrain vehicle (ATV) and utility terrain vehicle (UTV) routes opportunities weighed against protecting the safety of motorists by maintain the road edge, surface and integrity of the right-of-way, public safety, liability aspect, terrain involved, traffic density, and history of automobile traffic. After due consideration, this ordinance is created pursuant to Village Board authority under Wis. Stat. §§59.02, 23.33 (8) and 23.33 (11)(a) and (am).

2. State laws adopted.

Except as otherwise provided in this chapter, the statutory provisions in Wis. Stat Chapters 23, 340 to 348 and 350 establishing definitions and regulations with respect to ATV's and UTV's and Wis. Adm. Code. Ch NR 64, All -Terrain Vehicles, are hereby adopted and by reference made a part of this ordinance as if fully set forth herein. Unless otherwise provided in this ordinance, any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance. Any future amendments, revisions, or modifications of the statutes incorporated herein are made a part of this ordinance in order to secure uniform statewide regulation of ATVs and UTVs.

3. Roadways

ATVs and UTVs operated on designated routes shall operate on the roadway and not on the shoulder, ditch, or other parts of the road right-of-way. ATVs and UTVs operated on designated ATV/UTV routes shall:

- (a) Include all roads in the Village of Coleman as designated routes unless otherwise posted.
- (b) Be open year around.
- (c) Stay as far to the right of the roadway as practicable.
- (d) Yield the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway or shoulder.

4. Regulations on operation and maintenance routes.

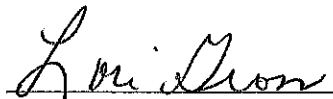
- (a) ATVs and UTVs shall be operated on a route at a safe speed not to exceed 35 miles per hour unless a reduced speed is otherwise required by law.
- (b) This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

- (c) Any person who violates any section of this ordinance or statutes adopted by reference, shall be subject to penalties as set forth in Wis. Stats. § 23.33 (13). Any person violating any provision of this Ordinance shall, upon conviction, be subject to forfeiture as provided under the statute.
- (d) 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 ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

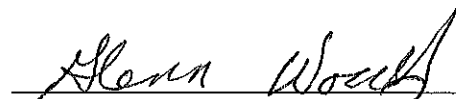
5. Effective Date

This ordinance is effective upon publication of this ordinance. The Village Clerk shall properly post and or publish this ordinance as required under Wis. Stats. § 60.80.

ADOPTED THIS 12TH DAY OF APRIL, 2021
VILLAGE OF COLEMAN, MARINETTE COUNTY, WISCONSIN.



Lori Gross, Village Clerk



Glenn A. Woulf, Village President

Published/Posted: April 14, 2021