

**Town of Namakagon
All Terrain Vehicle Ordinance**

32

Amended June 14, 2011

**Town of Namakagon
Bayfield County
Cable, Wisconsin**

THE TOWN DOES REPEAL AND RECREATE THE FOLLOWING:

SECTION I – TITLE AND PURPOSE

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

SECTION II – AUTHORITY

The Town Board of the Town of Namakagon, Bayfield County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under s. 23.33 (8) (b) 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 routes in the town and to regulate the use of these routes and all-terrain vehicles in the town.

SECTION IV – OPERATION OF ALL-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 on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle routes by this ordinance. Operation of all-terrain vehicles on a roadway in the town that is an all-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 ROUTES

The following routes are designated all-terrain vehicle routes in the Town of Namakagon:

1. Forest Rd. 193 Wilderness Rd. from Ashland County Line to Forest Rd. 191 Old Grade Rd.
2. Forest Rd. 191 Old Grade Rd. from Forest Rd. 193 Wilderness Rd. to Grandview Town Line.
3. Forest Rd. 341 Ehrman Rd. from Forest Rd. 191 Old Grade Rd. to Cty. Hwy. M.
4. Old Namakagon Rd. from transfer site road to Forest Rd. 341 Ehrman Road.
5. Garmisch Road from Birch Bend Rd. to Lakewoods via Marina Dr.
6. Forest Rd. 204 Ghost Creek Rd. from Cty.Hwy. M to Sawyer County /Spider Lake Town Line.
7. Forest Rd. 203 Lost Land Lake Rd. from Garmisch Rd. to Sawyer County/ Spider Lake Town Line.
8. Forest Rd. 207 Rock Lake Rd. from City. Hwy M to Sawyer County/Spider Lake Town Line.
9. Birch Bend Rd. from County Hwy D to County Hwy D.

- 10. Buffalo Lake Rd. to Forest Rd. 342 White Bass Lake Rd. to Ashland County line.
- 11. Unpaved portion of Lake Five Road
- 12. East Lake Five Road
- 13. Girls Camp Road

SECTION VI – CONDITIONS APPLICABLE TO ALL-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 routes designated by this resolution:

- A. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking all-terrain vehicle routes:
 - 1. Install or place signs without written permission of the Town Board
 - 2. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-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.
 - 3. Possess any uniform all-terrain vehicle route or trail sign or standard of the type established by the department for the warning, instruction, or information of the standard in a lawful manner. Possession of a uniform all-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 Bayfield County Sheriff’s Department and Wisconsin DNR.

- D. All ATV operators shall observe posted roadway speed limits.
 All ATV operators shall ride single file.
 All ATV operators shall ride with head lights and tail lights on at all times.
 All ATV operators shall slow the vehicle to 10 mph or less when operating within 150 feet of a dwelling, within 100 feet of a pedestrian, bicyclist, or any other non-motorized vehicle.
 There is no residential access allowance to ride on a roadway from house to route. You must trailer the ATV to the route.

SECTION VII – ENFORCEMENT

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

SECTION VIII – PENALTIES

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

SECTION IX – SEVERABILITY

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.

SECTION X – EFFECTIVE DATE

This ordinance is effective on publication or posting.

The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. stats.

This ordinance amends ATV Ordinances #32-32A-32B-32C

Adopted this 15th Day of Sept, 2010

Amended this 14th day of June 2011