

THE TOWN OF LEON
ORDINANCE 2022-05 – AMENDED
ATV/UTV OPERATION WITHIN THE LIMITS OF THE TOWN OF LEON

Section 1 – Intent

The Town of Leon, Waushara County, Wisconsin hereby adopts the following ordinance allowing for the operation of all-terrain vehicles (ATVs) and utility-terrain vehicles (UTVs) upon roadways listed in Section 3.

Section 2 – Statutory Authority

This route is created pursuant to Town of Leon authority as authorized by Wis. Stats. §23.33(8)(b). The applicable provisions of WI §23.33 regulating ATV/UTV operations pursuant to routes and trails are adopted.

Section 3 – Routes and Trails

- The Town of Leon reserves the right to close or modify routes and trails at any time. Any restrictions of routes and trails shall be designated by a motion and by majority of the Town of Leon board and shall be marked accordingly.
- The Town of Leon or its designee shall maintain all routes and trail signs within the Township.
- All ATV/UTV routes and trails shall be signed in accordance with WI NR 64.12, and NR 64.12(7)(c). The primary use of the all-terrain vehicle routes sign and arrow is to alert the trail user that it is permissible to use the traveled portion of the road or highway for travel. The signs also alert others that the road or highway is a route. The routes may be signed in accordance with WI §23.33(8)(e) or a combination thereof. The Town of Leon may designate a preferred route to connect with other routes that connect to other municipalities.
- All Township roads and transportation marked corridors within the Town of Leon are hereby designated as ATV/UTV routes. Authorized private lands subject to public easement or leases are designated trails. All county roadways located in the Town of Leon are hereby declared as ATV/UTV routes if authorized by Waushara County. Bridges 1,000 feet or less on state and county highways located in the territorial boundaries in the Town of Leon are hereby routes. Operators will cross the bridge in the most direct and practicable manner and exit to the next connecting town or county road completing the route or trail. All roadways on state or county roads of 35 MPH or less are hereby declared as routes.

- Pursuant to WI §23.33(11)(am)2, A person may operate an all-terrain vehicle or utility-terrain vehicle with a snow removal device attached on a roadway or adjacent to a roadway or on a public sidewalk during the period beginning on October 1 and ending on April 30th of each year for the purpose of removing snow if such operation is necessary to travel to or from a site where the snow removal device will be used. The travel necessary to or from the site may not exceed 2 miles. All roadways located within the territorial boundaries in the Town of Leon are hereby authorized for the operation of all-terrain vehicles and utility-terrain vehicles with snow removal devices attached on any roadway, or adjacent to the roadway, if the applicable roadway speed limit is greater than 45 miles per hour, regardless of whether the Town has jurisdiction over the roadway.
- The Town of Leon will maintain a route and trail map.

Section 4 – Conditions

As a condition for the use of this route, all operators and passengers shall comply with the following conditions:

- All ATV/UTV operators shall abide by the provisions of WI §23.33, including all definitions existing and modified and adopted herein by reference.
- All ATV/UTV operators shall operate at no more than 35 mph and shall follow any lower established speed limits.
- All ATV/UTV operators shall ride single file on the extreme right side of the paved road.
- All ATV/UTV operators shall only ride on the paved surface of the road.
- All ATV/UTV operators shall slow the vehicle to ten mph or less when operating within 150 feet of a dwelling or a person who is not operating an ATV/UTV, snowmobile, motorcycle or other motor vehicle, including but not limited to, pedestrians and non-motorized transportation such as buggies.
- The route shall be signed in accordance with NR64.12, NR64.12(7)(c), and the requirements of the Waushara County Highway Commissioner by the Waushara County Highway Department where applicable.
- The route will be open for public ATV/UTV usage daily from 5:00 a.m. - 11:00 p.m.
- All ATV/UTV operators under the age of 18 are required to wear a helmet and be accompanied by an adult.
- All ATV/UTV operators born after January 1, 1988 must have completed an ATV safety certification course and carry verification of such on their person.

- Operators must be at least 16 years of age and possess a valid driver's license.
- All ATV/UTV operators shall abide by all traffic laws.
- No ATV/UTV may be operated on any designated route without fully functional headlights and taillights.
- All operators shall have a liability insurance policy in force on any ATV/UTV operated on an ATV/UTV route with the following minimum coverage:
 - a. \$10,000.00 for property damage;
 - b. \$25,000.00 for the injury or death of one person;
 - c. \$50,000.00 for the injury or death of more than one person.

Section 5 – Enforcement

Pursuant to WI §23.33(12)(a), any law enforcement officer authorized to enforce the laws of the State of Wisconsin including but not limited to an officer of the state traffic patrol under WI §110.07(1), inspector under WI §110.07(3), conservation warden appointed by the department under WI §23.10, county sheriff, or municipal peace officer has authority and jurisdiction to enforce this section and ordinances enacted in accordance with this section.

Section 6 – Penalties

Wisconsin State ATV/UTV penalties as found in WI §23.33(13), are adopted by reference.

Section 7 – Severability

The provision of this ordinance shall be deemed severable, and it is expressly declared that the Town of Leon would have passed the other provisions of this ordinance irrespective of whether one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person(s) or circumstance(s) is held invalid, the remainder of the ordinance and the application of such provisions to the other person(s) or circumstance(s) shall not be deemed affected.

Section – 8 Effective Date

This ordinance becomes effective upon passage and posting.

Effective Date: 9/22/2022

Effective Date (As Amended): 1-10-2023

TOWN BOARD OF THE TOWN OF LEON

Chris Sorenson

Chris Sorenson, Town Chair

Russell Heise

Russell Heise, Town Supervisor

Gordon Engel

Gordon Engel, Town Supervisor

ATTEST: Lois Jewell

Lois Jewell, Town Clerk

DATE: 8/10/2022

Posted: 9/22/2022

Posted (As Amended): 1-10-2023