

**TOWN OF KILDARE
ORDINANCE NO. 17(C)**

**AN ORDINANCE TO REGULATE ALL-TERRAIN VEHICLES/UTILITY TERRAIN
VEHICLES (ATVs/UTVs) WITHIN THE TOWN OF KILDARE**

The Town Board of the Town of Kildare, Juneau County, Wisconsin, in order to promote the public health, safety, general welfare and good order of the Town of Kildare, does ordain as follows:

Section I. Definitions – The definitions of Section 23.33(1), Wis. Stats., on all-terrain vehicles and utility terrain vehicles. (ATVs/UTVs) are adopted and incorporated herein by reference.

Section II. ATV/UTV Routes Designated – Following all the rules as provided in Section 23.33, Wis. Stats., all town roads, with the exception of dead-end roads and cul-de-sacs, are hereby designated as ATV/UTV routes. County Roads as designated by Juneau County Board of Supervisors and marked with ATV/UTV signage.

Section III. Prohibited Routes – No person, unless authorized by a private use registration, shall operate an ATV/UTV in the Town of Kildare which is not designated as an all-terrain vehicle route. Individuals living on dead-end roads and cul-de-sacs may operate an ATV/UTV on these roads in order to travel on designated ATV/UTV routes.

Section IV. Rules Use

- (a) Operation of ATVs/UTVs on town roads (with the exception of dead-end roads and cul-de-sacs) is authorized only for the extreme right side of the roadway, except that left turns may be made from any part of the roadway which is safe, given prevailing considerations.
- (b) All ATV/UTV operators, on any part of a designated route, must possess a valid driver's license or ATV/UTV Safety Certificate, whether they are operating in the road right-of-way or on the road itself.
- (c) Operators must obey all related laws, including all regulations of the Department of Natural Resources.
- (d) Operators on designated routes must travel single file, whether on the travel portion or right-of-way.
- (e) All other licensed vehicles and pedestrians have right-of-way over ATVs/UTVs.
- (f) No ATV/UTV can be operated on a designated route in a way that causes damage to the roadway or road right-of-way.
- (g) All ATVs/UTVs, while in operation on designated routes, will have lights on at all times.

- (h) All ATVs/UTVs, operated on designated routes, will have a maximum speed limit of 25 mph.
- (i) No ATV/UTV will be operated between the hours of 11:00 p.m. and 7:00 a.m.
- (j) Designated ATV/UTV routes in the Town of Kildare must be renewed on an annual basis. If not renewed, this ordinance is no longer effective from and after more than one year from the date of its passage and publication.

Section V. Enforcement – To the extent necessary for enforcement of this Ordinance, all of the terms and conditions, rules and regulations, and text of Section 23.33, Wis. Stats., is incorporated herein by reference and made a part hereof.

Section VI. Penalties – Any person or persons who violate any provision of this ordinance shall, upon conviction thereof, forfeit not less than \$50.00 nor more than \$250.00 for each violation, together with the costs of prosecution. Any person who, within the last two (2) years prior to the arrest for current violation, was two (2) or more times previously convicted for violating a provision of this chapter, shall forfeit not less than \$250.00 nor more than \$500.00 for each offense and in default of payment thereof may be imprisoned in the County Jail not to exceed ten (10) days. As additional penalties, this ordinance adopts the penalties of Section 23.33(13) Wis. Stats, to the extent they are greater than those stated above.

Section VII. Ordinance to be Filed – The Clerk shall file a copy of this ordinance upon its enactment and publication with the Wisconsin Department of Natural Resources and with the Juneau County Sheriff pursuant to Section 23.33(11) Wis. Stats.

Section VIII. Effective Date – This ordinance will become effective upon passage, publication and proper signage as approved by the Town.

This ordinance was introduced and adopted by the Town Board of the Town of Kildare on the _____ date of _____, 2021.

Town Chairman

Town Supervisor

Town Supervisor

Attest:

Town Clerk

Date Published _____

Date Proper Signage Approved _____

Certified copy of this Ordinance filed with the WDNR and the Juneau County Sheriff on the _____ day of _____, 20_____.

Town Clerk

Posted _____ in three public places in the Town of Kildare

- 1) Town Hall, N2592 26th Avenue
- 2) Shorty's Krazy Korner, W1715 58th Street
- 3) Clerk's Office, W3604 55th Street

Published _____ in Juneau County Star Times.

Town Clerk