

**TOWN OF HARMONY
ORDINANCE NO. _____**

AN ORDINANCE CREATING CHAPTER 20 OF THE TOWN OF HARMONY MUNICIPAL CODE REGARDING ATV/UTV ROUTES AND REGULATIONS IN THE TOWN.

THE TOWN BOARD OF THE TOWN OF HARMONY, COUNTY OF ROCK, STATE OF WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. Chapter 20 of the Town of Harmony Municipal Code, is created to be titled "ATV/UTV Routes and Regulations" and to read as follows:

"Chapter 20 – ATV/UTV Routes and Regulations

Section 1. Purpose.

The purpose of this ordinance is to establish All-Terrain Vehicle ("ATV") and Utility Terrain Vehicle ("UTV") routes in the Town and to regulate the operation of ATV/UTV's in the Town.

Section 2. Authority.

The Town Board of the Town of Harmony, Rock County, Wisconsin has the specific authority to adopt this ATV/UTV Routes and Regulations Ordinance under Wis. Stats. §23.33 (8)(b) and (11). The Town Board retains the right to close any Town road to ATV/UTV operation for any reason, including but not limited to special events, unlawful use, and road construction or repair. Said closures of Town roads to ATV/UTV use may occur without prior notice. The Town accepts no liability for the operation of ATV/UTV's on any Town road under the provisions of this ordinance. Operation of ATV/UTV's is at the operator's own risk. ATV/UTV operators within the Town shall abide by all state, county, and local laws, and the applicable provisions of Wis. Stat. §23.33 regulating ATV/UTV operations are adopted by reference and made part of this ordinance.

Section 3. Routes.

The Town designates all roadways within the Town's jurisdiction as ATV/UTV routes except the following roads:

- a. ATV/UTVs are strictly prohibited from operating on all state and county highways in the Town.. ATV/UTVs may cross state and county highways as necessary to travel through the Town.
- b. All authorized ATV/UTV routes shall be signed in accordance with Wis. Stats. §23.33 (8)(e). The Town, or its designee, shall maintain all route signs within the Town. Any restrictions on authorized routes shall be designated by majority vote of the Town Board and shall be marked/signed accordingly.

Section 4. Operation of ATV/UTVs.

All ATV/UTV operators on Town routes must comply with the following conditions of operation:

- a. ATV/UTV operators shall not operate an ATV or UTV at a speed exceeding 35 miles per hour, unless a different speed limit is indicated by official signs posted within the Town.
- b. ATV/UTV operators shall ride single file.
- c. ATV/UTV operators are prohibited from riding on the shoulder of the road or in the ditch.
- d. ATV/UTV operators born after December 31, 1987, must have a valid ATV Safety Certificate, be at least 16 years of age, and have a valid Wisconsin Driver's License.
- e. ATV/UTV riders (not operators) under the age of 16 must be accompanied by an adult over the age of 18.
- f. ATV/UTV operators and riders under the age of 18 must wear a helmet.
- g. ATV/UTV may not be operated on any Town route between the hours of 10:00 p.m. and 5:00 a.m. unless they are engaged in snow plowing.
- h. ATV/UTVs shall have headlights, taillights, and brake lights on while operating on any Town route and must operate with a muffler that falls within the legal decibel limits.

- i. ATV/UTV operators shall use hand signals if their machines are not equipped with turn signals.
- j. ATV/UTVs shall be registered with the Wisconsin Department of Natural Resources and have up-to-date stickers and license plates.
- k. All ATV/UTVs must be insured and have minimum liability coverage amounts consistent with motor vehicle requirements under Wisconsin law. All operators must have proof of insurance when operating on Town routes.

Section 5. Enforcement.

This ordinance shall be enforced by any law enforcement officer authorized to enforce the ordinances of the Town of Harmony and the laws of Rock County and/or the State of Wisconsin. Consistent with Wis. Stat. §23.33(11)(b) the Town Clerk shall immediately send a copy of this ordinance to the Department of Natural Resources, the Wisconsin State Highway Patrol, the Rock County Sheriff's Department, and the Town of Milton Police Department.

Section 6. Penalties.

Wisconsin state ATV/UTV penalties as found in Wis. Stat. §23.33(13)(a) are adopted by reference and made part of this ordinance.

SECTION 2. This Ordinance shall take effect after posting as required by law and posting and installation of all required signs in accordance with Wis. Stats. §23.33 (8)(e).

DATE: _____

Jeff Klenz, Town Chair

SUMMARY OF ORDINANCE FOR PUBLICATION

PLEASE TAKE NOTICE THAT the Town Board of the Town of Harmony, Rock County, Wisconsin, has adopted Ordinance No. _____ on _____, 2022, creating Chapter 20 of the Town of Harmony Municipal Code regarding ATV/UTV Routes and Regulations on Town of Harmony roadways.

The full text of the Ordinance may be obtained from the Town Clerk, Tim Tollefson by calling him at 608-563-4477, by viewing it on the Town's web site www.townofharmony.com, or by viewing the Ordinance at the Harmony Town Hall at 440 N. Highway 14, Janesville, Wisconsin, where it is posted.

CERTIFICATION

I hereby certify that the above Ordinance number _____ was adopted by the Town Board of the Town of Harmony on the _____ day of _____ 2022, and that on the _____ day of _____, 2022, a copy of the above Ordinance was posted in three places in the Town as follows:

Tim Tollefson, Town Clerk,
Town of Harmony
Rock County, Wisconsin

Subscribed and sworn to before me this
_____ day of _____, 2022.

Notary Public, Rock County, Wisconsin
My Commission expires:_____