

ATV ORDINANCE NO. #01-01

Amended September 9, 2020

AN ORDINANCE TO REPEAL ALL-TERRAIN VEHICLE (ATV) ORDINANCE 2-2019 OF THE TOWN OF SPIDER LAKE, SAWYER COUNTY, WISCONSIN AND TO CREATE AN ATV ORDINANCE RELATING TO ATV/UTV OPERATION AND ROUTES AND ESTABLISHING PENALTIES FOR VIOLATION THEREOF

THE TOWN BOARD OF THE TOWN OF SPIDER LAKE, SAWYER COUNTY, WISCONSIN, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I: Ordinance "All-Terrain Vehicle Route Ordinance 2-2019" of the Town of Spider Lake is hereby repealed.

SECTION II: ATV Ordinance #01-01 is amended on September 9, 2020 and reads as follows:

ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES AND ROUTES

(A) **PURPOSE.** The purpose of this ordinance is to designate ATV and UTV routes as part of the Sawyer County ATV/UTV Trail System in the Town of Spider Lake and to provide safe ATV/UTV recreation consistent with public rights and interests pursuant to Wis. Stat. §23.33.

(B) **APPLICABILITY AND ENFORCEMENT; DESIGNATION OF ROUTES.**

(I) The provisions of this ordinance shall apply as described below:

- (a) Under Wis. Stat. §23.33(8)(b), the Town designates these portions of the following named roads as ATV routes as part of the Sawyer County ATV/UTV Trail System, between those areas posted as such with ATV signs
- (i) Rock Lake Road (from the intersection of Snowmobile Route #8 and Rock Lake Road to the Bayfield County Line).
 - (ii) Janet Road from Lenroot Town Line to Bodecker Road. (.36 miles)
 - (iii) Bodecker Road from Lenroot Town Line to Janet Road intersection. (1.9 miles)
 - (iv) Telemark Road from Bayfield County Line to Camp #38 Road. (.5 miles)
 - (v) Fire Tower Road from the Bayfield County Line to Camp #38 Road. (approx. 55 feet)
 - (vi) Lake Helane Road-- 1.2 miles from intersection of Lake Helane Road and Preston Road and .6 miles from the intersection of Telemark Road and Lake Helane Road, approximately 810 feet.

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- (b) Under Wis. Stat. §23.33(8)(b), the Town designates the following named roads in the Town of Spider Lake for temporary use commencing when all-terrain vehicle route signs are posted:
 - (i) Forest Road 203 from the Bayfield County Line to the road's intersection with Forest Road 328 (3.1 miles) from Forest Road 328 to its intersection with Forest Road 204 (1.25 miles) from this intersection north on Forest Road 204 (Ghost Creek Road) to the Bayfield County Line (1.7 miles).
 - (ii) Forest Road 203 from its intersection with Forest Road 328 south to Forest Road 651 (4 miles), from Forest Road 651 to Sheers Road (1.2 miles), from Sheers Road to State Highway 77 (.1 miles), on State Highway 77 to Forest Road 714 (County Road S) (.1 miles), and from Forest Road 714 (County Road S) to the southern boundary of the Town (.8 miles).
 - (c) Roads designated for temporary use by ATVs and UTVs in Paragraph (b) of this ordinance are subject to all of the general provisions of this ordinance and are also subject to the following additional limitations and conditions:
 - (i) Such roads are limited to daylight ATV and UTV use (daylight being defined as that period of time beginning one-half hour after sunrise until one-half hour before sunset); and
 - (ii) Such roads are only open to use from May 1 until October 23 each year.
 - (d) Under Wis. Stat. §23.33(8)(b) the Town designates the portion of State Trunk Highway 77 from Sheers Road west to Forest Road 714 (County Road S) as an ATV/UTV Route (.1 miles).
- (2) The provisions of this section shall be enforced by the Sawyer County Sheriff Department. Adoption of this ordinance shall not prohibit any law enforcement officer or DNR warden from proceeding under any other ordinance, regulation, statute, law or order that pertains to the subject matter addressed under this section.

(C) RULES OF OPERATION. The following rules of operation apply on all routes:

- (1) **Speed.** The speed limit shall be 25 miles per hour while operating on any Town road designated for use.
- (2) **Lights.** No ATV/UTV may be operated on the routes without fully functional headlights, tail-lights, and brake lights. Every ATV/UTV being operated on the routes must display a lighted headlamp and tail lamp at all times.

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- (3) Roadway Travel. On any ATV route, all ATV/UTV operation 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 conditions. All ATVs and UTVs must operate in single file. Operation on paved shoulders intended for bicycle or pedestrians, gravel shoulders, grassy in-slope, ditches or other highway right-of-way is prohibited.
- (4) Operation. ATV/UTV operation on the routes shall be in accordance with the provisions of the Wisconsin State Statutes, the Wisconsin Administrative Code and all other applicable ordinances, as the same may be amended from time to time.
- (5) Open Intoxicants. No person may possess on his or her person or in or on an ATV or UTV upon any route, any bottle or receptacle containing alcohol beverages if the bottle or receptacle has been opened, the seal has been broken or the contents of the bottle or receptacle have been partially removed or released.
- (6) Route Closure. The Town of Spider Lake may close ATV/UTV routes due to road emergencies including but not limited to blizzards or flooding or other safety hazards.

(D) ROUTE SIGNS.

- (1) Routes shall be marked with uniform ATV/UTV route signs. Signs shall conform to the requirements of Wisconsin law, the Manual on Uniform Traffic Control Devices, the Wisconsin Department of Transportation and the Wisconsin Department of Natural Resources, at locations required under this ordinance as designated by the Town Board or its authorized representative.
- (2) No person may erect remove, obscure, or deface, any official designated route sign unless authorized by the Town Board.

(E) PENALTIES. The penalties under Wis. Stat. §23.33(13)(a) are adopted by reference.

(F) SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provision or application 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.

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- (G) COPIES TO BE DISTRIBUTED TO LAW ENFORCEMENT.** The Town Clerk shall immediately send a copy of this ordinance to the Department of Transportation, the Department of Natural Resources, to the state traffic patrol, and to the Sawyer County Sheriff's Department.

SECTION III: This ordinance shall become effective upon its passage and publication as required by law.

The Town Board of the Town of Spider Lake, Sawyer County, Wisconsin, by 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 and utility terrain vehicle routes in the Town, and to regulate the use of those routes and all-terrain vehicles and utility terrain vehicles in the Town.

Adopted by a vote of 4 to 1, and approved on this 9th day of September, 2020.

Date Adopted: _____

Date Published: _____

Effective Date: _____

Timothy D. Sheldon, Interim Chair, Town of Spider Lake

ATTEST:

Chelsea, Tripodi, Town Clerk, Town of Spider Lake

Posted: Town Hall, 10896W Town Hall Rd.
Spider Lake Golf Course, 11165W Elaine Dr.
Boulder Lodge, 7296 WI-77