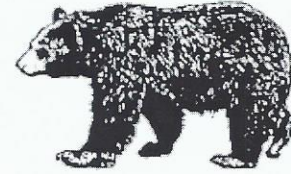


# TOWN OF DRUMMOND

Bayfield County  
Drummond, Wisconsin 54832



ORDINANCE #20230418

## AN ORDINANCE DESIGNATING ALL-TERRAIN VEHICLE ROUTES AND REGULATING THE OPERATION OF ALL TERRAIN VEHICLES

### **Section I – Intent**

This ordinance will replace Ordinance # 20190519. The purpose of this ordinance is to adopt the following all-terrain vehicle (ATV) and utility terrain vehicle (UTV) routes for the operation of all-terrain vehicles and utility terrain vehicles upon the roadways listed in Section IV and to regulate the operation of all-terrain and utility terrain vehicles in the town.

The term All-terrain vehicle (ATV) includes Utility terrain vehicle (UTV) as defined under s. 23.33 (1) (ng), Wis. Stats.

Following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this following routes are created.

### **Section II - Statutory Authority**

The town of Drummond, Bayfield County 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**

The Town of Drummond, Bayfield County, by this ordinance, adopted on proper notice with a quorum and roll call vote by a majority of the Town Board present and voting, provided the authority for the town to designate all-terrain and utility terrain vehicle routes in the town and to regulate the use of those routes and all terrain and utility terrain vehicles in the town.

## **Section IV – Routes**

The following routes are designated ATV/UTV routes in the town:

- Under Wis. Stats sec. 23.33(8)(b) the Town designates all Town maintained roads and streets as ATV/UTV routes except any road or street that is signed to prohibit ATV/UTV use.
- Under Wis. Stats. Sec. 23.33(11)(am)4, the Town authorizes the operation of ATV/UTV's on any county or state highway within the territorial boundaries that has a speed limit of 35 mph or less.
- The Town authorizes the operation of ATV/UTV's on that portion of US Highway 63 right-of-way between County Hwy N and Delta-Drummond Road as described and designated by a valid agreement with the Wisconsin Department of Transportation.

## **Section IV – Conditions**

Pursuant to s. 23.33 (8) (d), Wis. Stats, the following restrictions are placed on the use of the town ATV/UTV routes designated by this ordinance:

- 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 ATV/UTV routes:
  - a. Intentionally remove, damage, deface, or obstruct any uniform ATV/UTV route or trail sign of standard or intentionally interfere with the effective operation of an uniform ATV/UTV route or trail or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.
  - b. Possess any uniform ATV/UTV route of trail or standard of the types established by the department for the warning, instruction of information of the public, unless he or she obtained the uniform ATV/UTV route or trail sign or standard in a lawful manner. Possession of a uniform ATV/UTV 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 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 Department.

- D. In addition to the provisions of s. 23.33, Wis. Stats, the following restrictions are placed on the user of the town ATV/UTV routes designated by this ordinance.
- a. All ATV/UTV riders shall observe a speed limit of 35 mph or the posted roadway speed limit whichever is lower.
  - b. All ATV/UTV riders shall ride single file.
  - c. Lights must be on at all times.

## **Section V – Enforcement**

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

## **Section VI – Penalties**

Wisconsin state All-Terrain Vehicle penalties as found in s. 23.33 (13) (a) Wis. Stats., are adopted by reference.

## **Section VII – Severability**

The provision of this ordinance shall be deemed severable and it is expressly declared that the County/Town/City/Village would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons circumstances shall not be deemed affected.

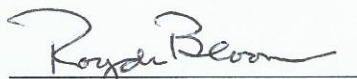
## **Section VIII - Effective Date**

This ordinance becomes effective April 18, 2023.


Passed this 18th Day of April, 2023

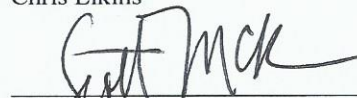
**SIGNED:**

**ATTEST:**

  
\_\_\_\_\_, Chairman  
Royden Bloom

  
\_\_\_\_\_, Clerk  
Andrew Tuttle

  
\_\_\_\_\_, Supervisor  
Chris Elkins

  
\_\_\_\_\_, Supervisor  
Scott McKinney