

**ORDINANCE NO. 2012-7
TOWN OF RIVER FALLS**

**An Ordinance to Use a Portion of 720th St., 800th Ave., 925th St. and 920th St.
for ATV/UTV Travel**

Definitions:

"Utility-Terrain Vehicle (UTV)" means any of the following:

1. A motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a highway, and that has, and was originally manufactured with, all of the following:
 - a. A net weight of less than 2,000 pounds.
 - b. Four or more low-pressure tires.
 - c. A cargo box installed by the manufacturer.
 - d. A steering wheel.
 - e. A tail light.
 - f. A brake light.
 - g. Two headlights.
 - h. A width of not more than 65 inches.
 - i. Seats for at least 2 occupants, all of which seating is designed not to be straddled.
 - j. A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.
 - k. A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device

All-Terrain Vehicle (ATV) Definition

"All-terrain vehicle" means an engine-driven device which has a net weight of 900 pounds or less, which is originally manufactured with a width of 50 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed by the manufacturer to travel on 3 or more low-pressure tires

WHEREAS the Town of River Falls has authority under Wis. Stat. Sec. 23.33(8)(b) to adopt an All-Terrain Vehicle (ATV)/Utility-Terrain Vehicle (UTV) Route ordinance; and

WHEREAS the Town Board desires to establish certain designated All-Terrain Vehicle Route/Utility-Terrain Vehicle Routes and regulations in the Town;

NOW THEREFORE, the Town Board of the Town of River Falls does hereby ordain as follows:

Section 1. Section 7.04 of the General Code of Ordinances is amended to read as follows:

“7.04 All-Terrain/Utility-Terrain Vehicle Routes

- (1) No person may operate an ATV/UTV on the roadway portion of any highway in the Town except on roadways that are designated as ATV/UTV routes in this Section. Operation of ATV/UTV’s on a roadway in the Town that is an ATV/UTV route is authorized only for the extreme right side of the roadway except that turns may be made from any part of the roadway that is safe given prevailing conditions. On paved roadways ATV/UTV’s must be operated on the paved portion of the roadway and not on the gravel shoulder.
- (2) The following road(s) are designated ATV/UTV routes in the Town provided there be first installed thereon “ATV/UTV Route signs”: 720th St. from intersection of 650th Ave. north to the Town Line, Section 36; 800th Ave., Section 17 & 18; 925th St., Section 17 and 18; and 920th St., Section 17. All designated routes are located in T27N/R18W.
- (3) ATV/UTV routes shall be marked with uniform signs by the Pierce County ATV Association in accordance with Section NR 64.12(7) Wis. Admin. Code.
- (4) No person may do any of the following in regard to signs marking Town ATV/UTV routes:
 1. Intentionally remove, damage, deface, move or obstruct any uniform ATV/UTV route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route

or trail sign or standards if the sign or standard is legally placed by the State, any municipality or any authorized individual.

2. Possess any uniform ATV/UTV or trail sign or standard of the type established by the Department of Natural Resources for the warning, instruction or 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.
- (5) Operation of ATV/UTV's on Town roads shall be subject to the provisions of Section 23.33, which Section is adopted and made a part of this Section by reference.
- (6) In addition to the provisions of Wis. Stats. Sec. 23.33, the following rules shall apply to the use and operation of ATV/UTV's on ATV/UTV routes in the Town:
1. All ATV/UTV operators shall observe a speed limit of 40-mph or the posted roadway speed limit, whichever is lower.
 2. All ATV/UTV operators shall ride/drive single file.
 3. The allowed hours of operation shall be from 6:00 a.m. to sunset during Daylight Savings Time and from 6:00 a.m. to 7:00 p.m. during Standard Time.
 4. All ATV operators at least 12 year old and born on or after January 1, 1988 shall possess a valid state-issued ATV Safety Certificate. All UTV operators must be 16 years old. UTV operators born on or after January 1, 1988 must carry ATV safety educational

certification.

5. All ATV/UTV operators ages 12 and under 16 must be under the direct supervision of a parent or legal guardian at all times when operating on a designated ATV/UTV route.

(7) Any person violating any provision of this Ordinance shall be subject to the penalty provided under Wis. Stats. Section 23.33(13)(a), as from time to time amended, plus costs of prosecution.

Section 2. A copy of this Ordinance shall be furnished to the Office of the Pierce County Sheriff and the Department of Natural Resources ATV Section.

Section 3. This Ordinance shall take effect on December 15, 2012 after publication or posting as required by law. If any provision of this Ordinance is held invalid, the invalidity shall not affect any other provision that can be given effect without such invalid provision, the provisions of this Ordinance being severable.

Section 4. Unless there is action taken by the Town Board this Ordinance shall automatically be renewed.

Passed and adopted this 3rd day of December, 2012.