

Ordinance No. 600.18B

**IOWA COUNTY
ALL-TERRAIN and UTILITY TERRAIN VEHICLE ROUTE ORDINANCE**

SECTION 1.0: INTRODUCTION

1.1 NAME

This Ordinance shall be called the Iowa County All-Terrain and Utility-Terrain Vehicle Route Ordinance.

1.2 INTENT

Following due consideration of the recreational and economic value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this ordinance has been created pursuant to County Board authority under Wis. Stat. ss. 59.02, 23.33(4)(d)3.b., 23.33(11)(a) and (am), and 23.33(8)(b) as amended.

1.3 DEFINITIONS

- A. All-Terrain Vehicle (“ATV”) has the meaning specified within Wis. Stat. ss. 340.01 (2g).
- B. ATV/UTV Route shall mean a highway or sidewalk designated for use by all-terrain and utility-terrain vehicle operators by the governmental entity having jurisdiction.
- C. Utility-Terrain Vehicle (“UTV”) has the meaning specified within Wis. Stat. ss. 23.33 (1), (ng).

1.4 SEVERABILITY

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

1.5 SAVING CLAUSE

This Ordinance shall in no way be deemed to supplant or otherwise invalidate any provision of state statutes relating to the subject matter hereof. Any person entrusted with the enforcement of this Ordinance may; in the exercise of his or her discretion, proceed under applicable state statutes.

SECTION 2.0: ATV/UTV ROUTES AND OPERATION

2.1 RULES OF OPERATION

- A. All ATV/UTVs shall operate only on the paved portion of the roadway. Operation on the gravel shoulders, grassy in-slope, ditches, or other highway right-of-way area is prohibited and illegal.
- B. No ATV/UTV shall be operated at a speed greater than 30 miles per hour (MPH), or the posted speed limit, whichever is lower.
- C. No ATV/UTV may be operated on any designated route between the hours of 1:00 AM and 5:00 AM daily.
- D. All ATV/UTV operators shall ride in single file on the extreme right hand side of the paved portion of the highway except that left turns may be made from any part of the roadway which is safe given prevailing conditions.
- E. All ATV/UTV operators shall have their headlight and taillight illuminated, while operating on a county highway.
- F. All operators
 - a. of ATV's and UTV's must be 16 years of age or older.
 - b. Of ATV's, who are at least 16 years of age and who are born on or after January 1, 1988 shall possess a valid state-issued ATV/UTV Safety Certificate.
 - c. of UTV's who are at least 16 years of age and who are born on or after January 1, 1988 must possess a valid state-issued Safety Certificate.
 - d. of ATV/UTV's and any passengers under 18 years old shall wear protective headgear while operating on route-designated county highways.
- G. Mandatory Use of Seatbelts during operation of a UTV. ALL occupants riding in, or operating a UTV, shall be required to wear a seatbelt when travelling on any trail or route within Iowa County.
- H. Possession of Open Intoxicants in an ATV or UTV while in operation. It shall be unlawful for any person to possess 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 receptacle have been partially removed, while operating or as a passenger on an ATV or UTV on any road or road route in Iowa County.
- I. ATV/UTV operation shall be subject to all provisions of WI Stats. S. 23.33, which is adopted as a part of this ordinance by reference.

2.2 SIGNAGE OF ATV ROUTES

- 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:

- 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.
 - 2) Possess any uniform ATV/UTV route or trail sign or standard of the type established by the department 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.
- B. Every area authorized as being closed to an all-terrain vehicle/utility-terrain vehicle shall be designated by a No all-terrain vehicle/utility-terrain vehicle pictogram sign having a reflectorized black all-terrain vehicle symbol, a red circle with a red line through it, and on a reflectorized white background with a minimum size of 12 inches by 12 inches or a green reflectorized background with a minimum sign size of 24 inches by 18 inches with a white message stating END ATV/UTV ROUTE and a white atv/utv pictogram; where appropriate, placed at the location of the end of an ATV/UTV route or at the closest side road intersection, and such location as to notify the ATV/UTV operators to not drive beyond that point.
- C. All required designated route signs shall be paid for by an ATV/UTV club, with approval, installation, and maintenance of the signs by the Iowa County Highway Department.
- D. The quantity and location of signage shall be reviewed and approved by the Iowa County Highway Commissioner, where appropriate, placed at the beginning of an all-terrain vehicle route within the county and at such locations and intervals deemed necessary to enable the ATV/UTV operators to follow the route.
- E. No sign may be mounted on any existing County sign post or telephone post/pole. Posts shall be suitably sized for mounting the necessary amount of signs at the location
- F. No person shall operate an ATV/UTV contrary to any authorized and official posted sign.

2.3 DESIGNATION OF ROUTES

All requests for new or revised ATV/UTV route designations shall first be submitted to the Iowa County Traffic Safety Commission for review at its November quarterly meeting. The Iowa County Traffic Safety Commission shall review such requests for County Trunk Highway (CTH) route designations and make a recommendation to the Iowa County Public Works Committee. The Public Works Committee shall review designation of ATV/UTV routes, including appropriate criteria for making a designation, and make a recommendation to the Iowa County Board of Supervisors. County highways designated as ATV/UTV routes shall be approved by the Iowa County Board of Supervisors by amendment of Sec. 2.3 of

this Ordinance.

A copy of ATV/UTV routes, along with a map showing their location, shall be kept on file at the Highway Department. The Iowa County Highway Department shall file ATV/UTV routes adopted by this Ordinance with the Department of Natural Resources Conservation Warden for Iowa County and with the Madison, Wisconsin, Office of the Wisconsin Department of Natural Resources.

The Iowa County Highway Commissioner shall have the authority to temporarily close, suspend operation on, or terminate any ATV/UTV route enacted by this Ordinance for a period up to ninety (90) days due to hazard, safety, construction, or emergency conditions on any highway segment by placement of signage at the locations of the closure. The Highway Commissioner may also for a period of up to (90) ninety days, have the authority to designate any of the above closed segments to be opened for use and utilized for an alternate route. Alternates or closures for duration of greater than ninety (90) days shall be reviewed by the Public Works Committee.

- A. All Iowa County Trunk Highways shall be considered as ATV/UTV routes except as noted in Subsection B herein and posted as otherwise.
- B. The following sections of Iowa County Trunk Highways shall be PROHIBITED from ATV/UTV route usage and will be signed CLOSED to ATV/UTV traffic:
 - a. CTH A from the intersection of Heins Road easterly to USH 151.
 - b. CTH A in the Township of Moscow from Brue Road easterly to Dane County.
 - c. CTH B from Sunny Slope Road westerly to STH 39.
 - d. CTH BH within and from Blackhawk Lake County Park westerly to the end of the horizontal curve 1,000 Ft north/east of Fire Number #1907 at the Carter/Bettner Field Entrance.
 - e. CTH C from Fire #6279 driveway at the Spring Valley Inn easterly to and including the STH 14 intersection.
 - f. CTH C from High Point Road westerly to STH 23.
 - g. CTH C from STH 23 westerly to STH 130 in the Townships of Clyde and Wyoming.
 - h. CTH CH from County Farm Road northerly to STH 18.
 - i. CTH D from Sunny Ridge Road southerly to STH 39.
 - j. CTH DD from Pleasant View Road westerly to STH 39.
 - k. CTH E from Cave Road westerly to STH 39.
 - l. CTH F from CTH A southerly to the Village of Blanchardville limits.
 - m. CTH F from Prairie Grove Road northerly to Dane County.
 - n. CTH H from Twin Court northerly to CTH Y / Dugway Road.
 - o. CTH H from Fire #7195 Pappas' Trading Post driveway northerly to and including the STH 14 intersection.
 - p. CTH HHH from Strutt Road southeasterly to USH 18/151.
 - q. CTH I in the Township of Clyde from CTH P (South) easterly to STH 130.
 - r. CTH II in the Township of Clyde from Adams Hill Road northerly to CTH I.
 - s. CTH K from Jones Street northerly to USH 18/151.
 - t. CTH K from CTH ID southerly to USH 18/151.
 - u. CTH K from CTH HH north to Mounds Park Road.
 - v. CTH K from Ridgeview Road northerly to Sweeney Road.
 - w. CTH K from Zwettler Road northerly to Frame Road.
 - x. CTH K from Roelke Road northerly to STH 14.

- y. CTH KK from CTH K easterly to Dane County.
- z. CTH M from Hunter Hollow Road northerly to and including the STH 130 intersection.
- aa. CTH N in the Township of Clyde from Pine Knob Road southerly to CTH I.
- bb. CTH N from Wisconsin Avenue northerly to STH 133.
- cc. CTH NN in the Township of Clyde from CTH N to STH 130.
- dd. CTH O from the Lafayette County line northerly to Business 151 at Mineral Point.
- ee. CTH Q from Hazy Lane southwesterly to STH 80
- ff. CTH QQ from CTH Q north to STH 39.
- gg. CTH P from Hach Road westerly to STH 80.
- hh. CTH P from Busch Road easterly to STH 80.
- ii. CTH P from Old 80 Road northerly to STH 133.
- jj. CTH S from Ferrell Road westerly to STH 39.
- kk. CTH T from Schurch Road northerly to USH 18/151.
- ll. CTH T in the Township of Wyoming from Erdmann Road to STH 23.
- mm. CTH W from CTH DD northerly to STH 39.
- nn. CTH W from Sylvan Road southerly to STH 39.
- oo. CTH W from Sunny Ridge Road northerly to STH 39.
- pp. CTH Y from Governor Dodge Road westerly to USH 23/151.
- qq. CTH Y from McGraw Road northerly to STH 191.
- rr. CTH Y from STH 191 northerly to USH 18/151; with exception to the intersection with Section Line road.
- ss. CTH YD from the Midway Bowling Lanes driveway westerly to and including the intersection with USH 23/151.
- tt. CTH YZ from Evans Quarry Road southerly to USH 18/151.
- uu. CTH XX from CTH B northerly to STH 18.
- vv. CTH Z in the Township of Wyoming from Korbeck Road northerly to CTH T.
- ww. CTH ZZ from Fire Number #4425 westerly to STH 23.

- C. Under Wis. Stat. ss. 23.33(4)(d)3.b and 23.33 (11)(am)3., the County authorizes the operation of ATVs/UTVs on:
- i. STH 39 in the village of Linden and Town of Linden, from the intersection with Galena Street to the intersection with Dodgeville Street (also known as Wearne Road) including the bridge over Peddler creek, in the town of Linden ,Sec 8 and 9; T5N; R2E; a distance of 0.25 miles.
 - ii. STH 39 in the Town of Mineral Point and the City of Mineral Point, from the intersection of CTH QQ to the 30/45 speed limit transition near the City of Mineral Point, including the bridge over the Mineral Point Branch of the Pecatonica River, in Sec. 36; T5N; R2E, a distance of 0.5 miles more or less.
 - iii. STH 191, in the Village of Hollandale, from the intersection with 5th Avenue to the intersection with CTH K including the bridge over the Dodge Branch of the Pecatonica River, Sec.30; T5N; R5E; a distance of 787 feet more or less.

SECTION 3.0: ENFORCEMENT AND PENALTIES

This ordinance shall be enforced by any officer employed by the Iowa County Sheriff Department or any other law enforcement official as set forth in Wisconsin Statute § 23.33(12).

3.1 PENALTIES

The penalty for violating any provision of § 2.2 of this ordinance or §§ 2.3(A) (1) or (2), (D), or (E) shall result in a forfeiture of not more than \$250.00, plus court costs.

SECTION 4.0: EFFECTIVE DATE

This Ordinance and subsequent amendments to it shall be effective on the date after publication. Ordinance No. 600.18B was adopted by the Iowa County Board of Supervisors on July 16, 2013, and amended at the following sessions of the County Board: April 21, 2015; April 19, 2016; December 20, 2016; December 19, 2017; March 20, 2018; March 19, 2019; December 17, 2019; March 17, 2020; March 16, 2021; June 15, 2021; December 21, 2021.