

ORDINANCE # 02-19

GOVERNING ALL-TERRAIN VEHICLES

The Town Board of the Town of Lincoln does hereby ordain as follows:

SECTION 1 – TITLE, PURPOSE AND APPLICABILITY. The title of this ordinance is the “Town of Lincoln Ordinance Governing All-Terrain Vehicles.” The purpose of this ordinance is to establish an all-terrain vehicle (ATV/UTV) route, to provide safe and enjoyable all-terrain vehicle recreation consistent with public rights and interests. The provisions of this Ordinance apply equally to ATVs and UTVs. The provisions of this ordinance shall apply to the areas designated herein, including roadways within the jurisdiction of the Town of Lincoln.

All ATV/UTV routes established pursuant to this ordinance shall be reviewed annually by the Town Board to consider the continued value, efficacy and need for the ATV/UTV routes as well as inclusion of any additional ATV/UTV routes, all pursuant to and in accordance with the intent of this ordinance.

SECTION 2 – STATUTORY AUTHORITY. The Town Board of Supervisors of the Town of Lincoln, Adams County, Wisconsin, pursuant to the specific authority given to Towns under Secs. 23.33(4)(d), 23.33(8)(b) and 23.33(11) of the Wisconsin Statutes provides under this Ordinance regulations to ATV/UTV operations.

SECTION 3 – ATV/UTV OPERATION

- A. Pursuant to s. 23.33(4)(d)4., Wis. stats., except as otherwise provided in s. 23.33(4), Wis. stats., no person may operate an all-terrain vehicle on the roadway portion of any highway in the Town except on roadways that are designated as all-terrain vehicle routes by this ordinance.
- B. Routes Designated:
 - 1. All Town roads in the Town under the jurisdiction of the Town of Lincoln are designated ATV/UTV routes unless otherwise indicated below. This designation excludes all county, state and federal highways and all private roads.
 - 2. The following Town-roads are not designated as an all-terrain vehicle route:
 - 3. Operation of ATVs and UTVs shall be suspended on any road where construction or emergency conditions exist.
 - 4. The Town of Lincoln reserves the right to close or modify routes at any time.
- C. Pursuant to 23.33(8)(e), Wis. Stats., a sign shall be erected on each highway that crosses the Town’s territorial boundary alerting motorists that all highways under the jurisdiction of the Town have been designated as all-terrain vehicle routes unless otherwise indicated. Any highway under the jurisdiction of the Town which is not designated as an all-terrain vehicle route shall

have signs erected at such locations as appropriate to indicate the highway is not designated as an all-terrain vehicle route. The Town of Lincoln, or its designee shall maintain all route signs within the township.

SECTION 5 - ENFORCEMENT AND PENALTIES. This Ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin. The penalties in Wis. Stat. 23.33 are adopted by reference.

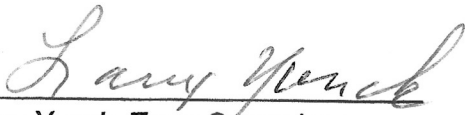
SECTION 6 - SEVERABILITY. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

SECTION 7 - EFFECTIVE DATE. This Ordinance is effective the day after proper publication or posting by the Clerk as required under Wis. Stats. 60.80, and posting of applicable signs.

Adopted this 16 day of January, 2020.



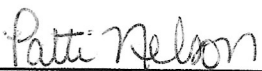
Peter J. Church, Town Chairperson



Larry Yunck, Town Supervisor



Dennis J. Thurber, Town Supervisor

Attest: 
Patti Nelson, Town Clerk