Ordinance #2018-01

All-Terrain/Utility Terrain Vehicles Trails and Routes
Village of Big Falls, Waupaca County, Wisconsin

Section 1-Intent
The Village of Big Falls, Waupaca County, Wisconsin hereby adopts the following all terrain vehicle (ATV) and utility terrain vehicle (UTV) upon roadways listed in Section 3. Following due consideration of recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and automobile traffic volume, this route(s) has been created.

Section 2-Statutory Authority
This route is created pursuant to township authority as authorized by 23.33 (8) (b), Wis. Stats. The applicable provisions of 23.33 regulating ATV/UTV operations pursuant to routes and trails are adopted.

Section 3-Routes and Trails
1. The Village of Big Falls reserves the right to close or modify routes and trails at anytime. Any restrictions of trails and routes shall be designated by a motion and by majority of the Village of Big Falls board and shall be marked accordingly.
2. The Village of Big Falls or its designee shall maintain all routes and trail signs within the township.
3. All ATV/UTV routes and trails should be signed in accordance with NR 64.12, and NR 64.12 (7) (c).
4. All village roads, alleyways and transportation marked corridors within the Village of Big Falls are hereby designated as ATV/UTV routes. Authorized private lands subject to public easement or leases are designated trails. All county roadways located in the Village of Big Falls are hereby declared as ATV/UTV routes if authorized by the County of Waupaca.

Section 4-Conditions
1. All ATV/UTV operators on routes shall observe posted roadway speed limits; not to exceed 35 MPH.
2. All ATV/UTV operators shall ride single file.
3. Operators of ATV/UTV shall observe all laws of this state pertaining to the use of an ATV/UTV.

Section 5-Enforcement
This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

Section 6-Penalties
Wisconsin state ATV/UTV penalties as found in s.23.33 (13) (a) Wis. Stats., are adopted by reference.
Section 7-Severability
The provision of this ordinance shall be deemed severable and it is expressly declared that the Village of Big Falls would have passed the other provisions of this ordinance irrespective of whether or not one or more provision 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 the other persons circumstances shall not be deemed affected.

Section 8 Effective Date

This ordinance becomes effective upon passage and publication.

Passed this 11th Day of Oct. 2018.

Lee Baldwin
Village President

Amy Bazile
Village Clerk

Adopted: 10/11/2018

Published: 10/11/2018

Effective: 10/11/2018
ORDINANCE No. 18-02-08

An Ordinance for the Adoption of
ATV (All Terrain Vehicle) / UTV (Utility Terrain Vehicle)
Routes on the Town of Dayton Roads

The Town Board of the Town of Dayton, Waupaca County Wisconsin do ordain as follows:

SECTION 1: The purpose of this ordinance is to establish ATV/UTV routes in the Town of Dayton and to regulate the operation of all ATV/UTV vehicles in the town.

Section 2: Authority: Pursuant to Section 23.33(8)(b) and(11)(am) of the Wisconsin Statutes, the Town Board of the Town of Dayton, Waupaca County, Wisconsin has the authority to prepare and adopt an ordinance that is in strict conformity with this section and rules promulgated by the department under this section if the ordinance encompasses all aspects encompassed by this section, except as provided in subds.2.and 3.

Section 3. Adoption: This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, provides the Town of Dayton the authority to designate all township roads as ATV/UTV routes and provides for the regulation of the use of those routes and of all ATV/UTV vehicles in the town. The Town of Dayton reserves the right to close or modify routes at any time. Closures will be posted on the Town of Dayton website www.Dayton-waupaca.com

Section 4. Operation of ATV/UTV vehicles: Pursuant to s.23.33(4)(d)4 Wis Stats except as otherwise provided in 23.33(4) Wis Stats., no person may operate an ATV/UTV vehicle on the roadway portion of any highway in the town except on roadways that are designated as ATV/UTV routes by this ordinance. Operation of ATV/UTV vehicles on a roadway in the town that is an ATV/UTV route authorized only for the extreme right of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions.

Section 5: Designation of ATV/UTV vehicle routes: All township roads are designated as ATV/UTV routes. The Town of Dayton or its designee shall maintain all signage in accordance with NR 64.12 and NR 64.12(7)(c) within the township. All county roadways located in the township are hereby declared as ATV/UTV routes as authorized by Waupaca County.

Section 6. Cooperation with Waupaca County: The Town of Dayton hereby adopts the Waupaca County amendment to Chapter 7 Traffic Code 7.14 ATV/UTV Trails and Routes as approved at the Waupaca County Board June 19, 2018 meeting. Crossing State Hwy 22 in a straight crossover.

Section 7. Conditions: Pursuant to s. 23.33(8)(d) Wis Stats the following restrictions are placed on the use of the town ATV/UTV vehicle routes designated by ordinance:

A. Routes shall be marked with uniform ATV/UTV route signs in accordance with DNR 64.12(7), Wisconsin Administrative Code. 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 sign or standard, or intentionally interfere with the effective operation of any uniform ATV/UTV
route sign or standards if the sign or standard is legally placed by the municipality or any authorized individual.

2. Possess any uniform ATV/UTV route 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 sign or standard in a lawful manner. Possession of a uniform ATV/UTV route sign or standard creates a rebuttable presumption of illegal possession.

B. Additional restrictions

1. All operators shall observe posted roadway speed limits, not to exceed 35 mph.
2. All ATV/UTV vehicles must be operated in single file.
3. All operators under the age of 18 must wear a helmet.
4. All operators age 12 must hold a valid safety certificate issued by the DNR if born after January 1, 1988.
5. All ATV/UTVs must have on headlights at all times.
6. All ATV/UTVs must be operated on (paved or graveled) road surfaces only.
7. NO ATV/UTVs may be operated on road shoulders or in road ditches.
8. Hours of operation: 24/7, all year long.
9. No open intoxicants are allowed.

C. Operation shall be subject to all provisions of s.22.33. Wis Stats. which is adopted as a part of this ordinance by reference, pursuant to s. 22.33(11) Wis Stats.

Section 8: Enforcement: This ordinance under s. 22.33(12) will be enforced by an officer of the state traffic patrol (s.110.07(1)), inspector (s.110.07(3)), conservation warden appointed by the department (s.23.10), Waupaca County Sheriff Department officer or municipal peace officer as authorize to enforce the laws of the state of Wisconsin.

Section 9: Penalties: The penalties under s.23.33(13)(a) Wis Stats are adopted by reference.

Section 10: 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 11: Effective Date: This Ordinance shall take effect upon passage by a majority vote of the full membership of the Town Board, and publication or posting as required by law are required under s. 60.80 Wis Stats. sent to the DNR and the Waupaca County Sheriff Department and when all proper signage is installed.

Adopted this 21st day of August, 2018
Ayes 3 Noes 0 Absent 0
Date Published/Posted August 30, 2018
Attest: Judith A. Sahs, Town Clerk

Don Holtebeck, Chairman
John Miller, Supervisor
Jeff Barlow, Supervisor
July 23, 2018

To Whom It May Concern:

Enclosed please find the newly approved Town of Farmington, Waupaca County, Ordinance 7/16/18(2018) for the Adoption of ATV (All Terrain Vehicle) / UTV (Utility Terrain Vehicle) Routes on the Town of Farmington Roads.

The Ordinance will be sent to the Waupaca County Post newspaper today and should be published in this week's paper.

Please inform if you should need further information.

Sincerely,

Caroline Murphy, Chair
ORDINANCE  No. 7/16/18A (2018)

An Ordinance for the Adoption of
ATV (All Terrain Vehicle) / UTV (Utility Terrain Vehicle)
Routes on the Town of Farmington Roads

The Town Board of the Town of Farmington, Waupaca County Wisconsin do ordain as follows:

SECTION 1: The purpose of this ordinance is to establish ATV/UTV routes in the Town of Farmington and to regulate the operation of all ATV/UTV vehicles in the town.

Section 2: Authority: Pursuant to Section 23.33(8)(b) and(11)(am) of the Wisconsin Statutes, the Town Board of the Town of Farmington, Waupaca County, Wisconsin has the authority to prepare and adopt an ordinance that is in strict conformity with this section and rules promulgated by the department under this section if the ordinance encompasses all aspects encompassed by this section, except as provided in subds.2 and 3.

Section 3. Adoption: This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting an proper notice having been given, provides the Town of Farmington the authority to designate all township roads as ATV/UTV routes and provides for the regulation of the use of those routes and of all ATV/UTV vehicles in the town. The Town of Farmington reserves the right to close or modify routes at any time. Closures will be posted on the Town of Farmington website www.farmington-waupaca.com.

Section 4. Operation of ATV/UTV vehicles: Pursuant to s.23.33(4)(d)4 Wis Stats except as otherwise provided in 23.33(4) Wis Stats., no person may operate an ATV/UTV vehicle on the roadway portion of any highway in the town except on roadways that are designated as ATV/UTV routes by this ordinance. Operation of ATV/UTV vehicles on a roadway in the town that is an ATV/UTV route authorized only for the extreme right of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions.

Section 5: Designation of ATV/UTV vehicle routes: All township roads are designated as ATV/UTV routes. The Town of Farmington or its designee shall maintain all signage in accordance with NR 64.12 and NR 64.12(7)(c) within the township. All county roadways located in the township are hereby declared as ATV/UTV routes as authorized by Waupaca County. Permission has not been reached with the following municipalities: Town of Scandinavia, Town of Waupaca, the City of Waupaca and Portage County.

Section 6. Cooperation with Waupaca County: The Town of Farmington hereby adopts the Waupaca County amendment to chpt 7 Traffic Code 7.14 ATV/UTV Trails and Routes as approved at the Waupaca County Board June 19, 2018 meeting. Crossing State Hwy 10 and 54 in a straight crossover.

Section 7. Conditions: Pursuant to s. 23.33(8)(d) Wis Stats the following restrictions are placed on the use of the town ATV/UTV vehicle routes designated by ordinance:

A. Routes shall be marked with uniform ATV/UTV route signs in accordance with DNR 64.12(7), Wisconsin Administrative Code. 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 sign or standard, or intentionally interfere with the effective operation of any uniform ATV/UTV route sign or standards if the sign or standard is legally placed by the municipality or any authorized individual.

2. Possess any uniform ATV/UTV route 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 sign or standard in a lawful manner. Possession of a uniform ATV/UTV route sign or standard creates a rebuttable presumption of illegal possession.

B. Additional restrictions

1. All operators shall observe posted roadway speed limits, not to exceed 35 mph.
2. All ATV/UTV vehicles must be operated in single file.
3. All operators under the age of 18 must wear a helmet.
4. All operators age 12 must hold a valid safety certificate issued by the DNR if born after January 1, 1988.
5. All ATV/UTVs must have headlights at all times.
6. All ATV/UTVs must be operated on (paved or graveled) road surfaces only.
7. NO ATV/UTVs may be operated on road shoulders or in road ditches.
8. Hours of operation: 24/7, all year long.
9. No open intoxicants are allowed

C. Operation shall be subject to all provisions of s.22.33.Wis Stats. which is adopted as a part of this ordinance by reference, pursuant to s. 22.33(11) Wis Stats.

Section 8: Enforcement: This ordinance under s. 22.33(12) will be enforced by an officer of the state traffic patrol (s.110.07(1)), inspector (s.110.07(3)), conservation warden appointed by the department (s.23.10), Waupaca County Sheriff Department officer or municipal peace officer as authorize to enforce the laws of the state of Wisconsin.

Section 9: Penalties: The penalties under s.23.33(13)(a) Wis Stats are adopted by reference.

Section 10: 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 11: Effective Date: This Ordinance shall take effect upon passage by a majority vote of the full membership of the Town Board, and publication or posting as required by law are required under s. 60.80 Wis Stats. sent to the DNR and the Waupaca County Sheriff Department and when all proper signage is installed.

Adopted this 16th day of July, 2018
Ayes ___ Noes ___ Absent ___
Date Published/Posted July 30, 2018
Attest: Danielle Taggart
Danielle Taggart, Town Clerk-Treasurer

Caroline Murphy, Chair
Craig Nelson, Supervisor I
Mark Jensen, Supervisor II
ORDINANCE #18-1

AN ORDINANCE TO REPEAL AND RECREATE SECTION 492-9 OF THE VILLAGE OF FREMONT MUNICIPAL CODE

The Village Board of the Village of Fremont, WI hereby ordains as follows:

SECTION 1: Sections 492-9 of the Village of Fremont Municipal Code is hereby repealed and recreated as follows:

492-9 Snowmobiles, All-Terrain Vehicles, and Utility Terrain Vehicles.

A. State snowmobile laws adopted. Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin statutes are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this section.

B. State all-terrain vehicle laws adopted. The provisions describing and defining regulations with respect to all-terrain vehicles in the enumerated subsections of Wis. Stats Ch. 23.33, and any future amendments or revisions, are hereby adopted by reference and made part of this section as if fully set forth herein. Any acts required to be performed by such statutory subsections or which are prohibited by such statutory subsections are required to be performed by this section or are prohibited by this section.

C. Applicability of rules of the road to snowmobiles. The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, Wis. Stats., be subject to §§ 346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1) and (9), Wis. Stats.
D. Operation of snowmobiles in Village restricted. It shall be unlawful to operate any snowmobile on the Village sidewalks, alleys, parks, or on any public lands or private lands or parking lots held open to the public, except on snowmobile routes established by the Village Board and as provided in Subsection E below.

1. The snowmobile operator shall at all times have the consent of the owner before operation of such craft or vehicle on private lands.
2. Snowmobile and ATV speeds on all Village streets shall not exceed posted speed limit.
3. The route to include westbound and eastbound lanes of Highway 110 bridge crossing the Wolf River.
4. The route to include North and South County Highway H within the Village of Fremont.

E. Snowmobile and ATV routes established.
1. The Village reserves the right to close or modify routes and trails at any time. Any restrictions of trails and routes shall be designated by simple motion and by simple majority by the Village Board and shall be marked accordingly.
2. All snowmobile/ATV/UTV routes and trails should be signed in accordance with NR 64.12, and NR 64.12(7)(c).
3. All village streets and transportation marked corridors within the Village are hereby designated as snowmobile/ATV/UTV routes. Authorized private lands subject to public easement or leases are designated trails.
4. The Village will maintain a route and trail map.

F. Conditions.
1. All snowmobile/ATV/UTV operators on routes shall observe posted roadway speed limits; not to exceed 25 MPH.
2. All snowmobile/ATV/UTV operators shall ride single file.
3. Operators of snowmobiles/ATV/UTV shall observe all laws of this state pertaining to the use of snowmobiles/ATV/UTV.

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

H. Operation of snowmobiles on or in the vicinity of highways. Section 350.02, Wis. Stats., is herewith adopted by reference.

I. Permitting operation by improper persons prohibited. No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile, or who is under the influence of an intoxicant or a dangerous or narcotic drug.

J. Operation while under influence prohibited. Section 346.63, Wis. Stats., shall apply to the operation of a snowmobile any place within the Village.

K. Written consent of owner required. The consent required under § 350.10(1)(f), (k), (l) and (m), Wis. Stats., and in Subsection D above shall be written consent dated and limited to the year in which the consent is given. If the property is owned or leased by more than one person, the consent of each must be obtained.
SECTION 2: This ordinance shall take effect upon passage and posting as required by law.

Adopted: 3/13/18
Posted: 3/14/18

Attest:

__________________________
Daniel Sambs
Village President

__________________________
Michelle McClone
Clerk/Treasurer
Ordinance #12-03-18

All-Terrain/Utility Terrain Vehicles Trails and Routes
Town Of Helvetia, Waupaca County, Wisconsin

Section 1-Intent
The Town Of Helvetia, Waupaca County, Wisconsin hereby adopts the following all terrain vehicle (ATV) and utility terrain vehicle (UTV) upon roadways listed in Section 3. Following due consideration of recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and automobile traffic volume, this route(s) has been created.

Section 2-Statutory Authority
This route is created to pursuant to township authority as authorized by 23.33 (8) (b), Wis. Stats. The applicable provisions of 23.33 regulating ATV/UTV operations pursuant to routes and trails are adopted.

Section 3-Routes and Trails
1. The Town of Helvetia reserves the right to close or modify routes and trails at anytime. Any restrictions of trails and routes shall be designated by a motion and by majority of the Town of Helvetia board and shall be marked accordingly.
2. The Town of Helvetia or its designee shall maintain all routes and trail signs within the township.
3. All ATV/UTV routes and trails should be signed in accordance with NR 64.12, and NR 64.12 (7) (c).
4. All township roads, sidewalks, alleyways and transportation marked corridors within the Town of Helvetia are hereby designated as ATV/UTV routes. Authorized private lands subject to public easement or leases are designated trails. All county roadways located in the Township of Helvetia are hereby declared as ATV/UTV routes if authorized by the County of Waupaca.
5. The Town of Helvetia will maintain a route and trail map.
Section 4-Conditions

1. All ATV/UTV operators on routes shall observe posted roadway speed limits; not to exceed 35 MPH.
2. All ATV/UTV operators shall ride single file.
3. Operators of ATV/UTV shall observe all laws of this state pertaining to the use of an ATV/UTV.

Section 5-Enforcement
This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

Section 6-Penalties
Wisconsin state ATV/UTV penalties as found in s.23.33 (13) (a) Wis. Stats., are adopted by reference.

Section 7-Severability
The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Helvetia would have passed the other provisions of this ordinance irrespective of whether or not one or more provision 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 the other persons circumstances shall not be deemed affected.

Section 8-Effective Date

This ordinance becomes effective upon passage and publication.

Passed this 3rd Day of December, 2018

Leonard Opper
Town Chairman

Douglas Hines
Town Clerk

Adopted: 12/03/2018
Published: 12/13/2018
Effective: 12/13/2018
Ordinance #18-01

All-Terrain/Utility Terrain Vehicles Trails and Routes

Town of Iola, Waupaca County, Wisconsin

Section 1-Intent

The Town of Iola, Waupaca County, Wisconsin hereby adopts the following all terrain vehicle (ATV) and utility terrain vehicle (UTV) upon roadways listed in Section 3. Following due consideration of recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and automobile traffic volume, this route(s) has been created.

Section 2-Statutory Authority

This route is created to pursuant to township authority as authorized by 23.33 (8) (b), Wis. Stats. The applicable provisions of 23.33 regulating ATV/UTV operations pursuant to routes and trails are adopted.

Section 3-Routes and Trails

1. The Town of Iola reserves the right to close or modify routes and trails at any time. Any restrictions of trails and routes shall be designated by a motion and by majority of the Town of Iola board and shall be marked accordingly.
2. The Town of Iola or its designee shall maintain all routes and trail signs within the township.
3. All ATV/UTV routes and trails should be signed in accordance with NR 64.12 and NR 64.12 (7) (c).
4. All townships roads, sidewalks, alleyways and transportation marked corridors within the Town of Iola are hereby designated as ATV/UTV routes. Authorized private lands subject to public easement or leases are designated trails. All county roadways located in the Township of Iola are hereby declared as ATV/UTV routes if authorized by the County of Waupaca.
5. The Town of Iola will maintain a route and trail map.

Section 4-Conditions

1. All ATV/UTV operators on routes shall observe posted roadway speed limits; not to exceed 35 MPH.
2. All ATV/UTV operators shall ride single file.
3. Operators of ATV/UTV shall observe all laws of this state pertaining to the use of and ATV/UTV.
Section 5-Enforcement

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

Section 6-Penalties


Section 7-Severability

The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Iola 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 the other persons circumstances shall not be deemed affected.

Section 8-Effective Date

This ordinance becomes effective upon the passage and publication.

Passed this 30th Day of July, 2018.

[Signatures]

Town Chairman

Town Clerk

Adopted: 7/30/18
Published: 8/9/18
Effective: 8/9/18
Ordinance No. 2018-004

AN ORDINANCE TO AMEND the Code of the City of Marion, Chapter 572 thereof, entitled Vehicles and Traffic, to add a new section providing for All-Terrain/Utility Terrain Vehicles Trails and Routes in the City of Marion, Waupaca & Shawano County, Wisconsin

Be it ordained by the council of the City of Marion as follows:

Chapter 572 of the Code of the City of Marion is hereby amended to add a new section following ss. 572-35 to be known as ss. 572-36 as follows:

Section 1-Intent
The City of Marion, Waupaca & Shawano County, Wisconsin hereby adopts the following all terrain vehicle (ATV) and utility terrain vehicle (UTV) upon roadways listed in Section 3. Following due consideration of recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and automobile traffic volume, this route(s) has been created.

Section 2-Statutory Authority
This route is created to pursuant to the authority as authorized by 23.33 (8) (b), Wis. Stats. The applicable provisions of 23.33 regulating ATV/UTV operations pursuant to routes and trails are adopted.

Section 3-Routes and Trails
1. The City of Marion reserves the right to close or modify routes and trails at anytime. Any restrictions of trails and routes shall be designated by a motion and by majority of the City of Marion council and shall be marked accordingly.
2. The City of Marion or its designee shall maintain all routes and trail signs within the city.
3. All ATV/UTV routes and trails should be signed in accordance with NR 64.12, and NR 64.12 (7) (c).
4. All city roads, streets, alleyways and transportation marked corridors within the City of Marion are hereby designated as ATV/UTV routes. Authorized private lands subject to public easement or leases are designated trails. All county roadways and State Highways with a speed limit less than 35 miles per hour; located in the City of Marion are hereby...
declared as ATV/UTV routes. Any county roadway with a speed limit over 35MPH if authorized by ordinance established by the County of Waupaca will be designated as a ATV/UTV route.

5. The City of Marion or its designee will maintain a route and trail map.

Section 4-Conditions

1. All ATV/UTV operators on routes shall observe posted roadway speed limits; not to exceed 35 MPH.
2. All ATV/UTV operators shall ride single file.
3. Operators of ATV/UTV shall observe all laws of this state pertaining to the use of an ATV/UTV.

Section 5-Enforcement

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

Section 6-Penalties

Wisconsin state ATV/UTV penalties as found in s.23.33 (13) (a) Wis. Stats., are adopted by reference.

Section 7-Severability

The provision of this ordinance shall be deemed severable and it is expressly declared that the City of Marion would have passed the other provisions of this ordinance irrespective of whether or not one or more provision 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 the other persons circumstances shall not be deemed affected.

Section 8 Effective Date

This ordinance shall become effective October 19, 2018

PASSED AND ADOPTED by the Marion City Council, City of Marion, Waupaca and Shawano Counties, Wisconsin this 8th day of October, 2018.

Patricia A. Mielke, Mayor

ATTEST: Mary S. Rogers, Clerk-Treasurer
Ordinance # 2019-02

All-Terrain/Utility Terrain Vehicles Trails and Routes
Town of Union, Waupaca County, Wisconsin

Section 1-Intent
The Town of Union, Waupaca County, Wisconsin hereby adopts the following all terrain vehicle (ATV) and utility terrain vehicle (UTV) upon roadways listed in Section 3.

Section 2-Statutory Authority
This route is created pursuant to township authority as authorized by 23.33 (8) (b), Wis. Stats. The applicable provisions of 23.33 regulating ATV/UTV operations pursuant to routes and trails are adopted.

Section 3-Routes and Trails
1. The Town of Union reserves the right to close or modify routes and trails at anytime. Any restrictions of trails and routes shall be designated by a motion and by majority of the Town of Union board and shall be marked accordingly.
2. The Town of Union or its designee shall maintain all routes and trail signs within the township.
3. All ATV/UTV routes and trails should be signed in accordance with NR 64.12 and NR 64.12 (7) (e). The primary use of the all-terrain vehicle routes sign and arrow is to alert the trail user that it is permissible to use the traveled portion of the road or highway for travel. The signs also alert others that the road or highway is a route. The routes may be signed in accordance to WISS 23.33 (8) (e) or a combination thereof. The Town of Union may designate a preferred route to connect with other routes that connect to other municipalities.
4. All township roads, sidewalks, alleyways and transportation marked corridors within the Town of Union are hereby designated as ATV/UTV routes. Authorized private lands subject to public easement or leases are designated trails. All county roadways located in the Township of Union are hereby declared as ATV/UTV routes if authorized by the County of Waupaca. Bridges a 1,000 feet or less on state and county highways located in the territorial boundaries in the Town of Union are hereby routes. Operators will cross the bridge in the most direct and practicable manner and exit to the next connecting town or county road completing the route or trail; with the exception of the bridge located on State Highway 110 where it will be legal to travel from County Road OO – West River Road north to County Road OO, as the first exit north of the bridge is Missall Lane which is a dead-end road. All roadways on state or county roads of 35 MPH or less are hereby declared as routes.
5. The Town of Union will maintain a route and trail map.

Section 4-Conditions
1. All ATV/UTV operators on routes shall observe posted roadway speed limits; not to exceed 35 MPH.
2. All ATV/UTV operators shall ride single file.
3. Operators of ATV/UTV shall observe all laws of this state pertaining to the use of an ATV/UTV.
Section 5-Enforcement
This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

Section 6-Penalties
Wisconsin state ATV/UTV penalties as found in s.23.33 (13) (a) Wis. Stats. are adopted by reference.

Section 7-Severability
The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Union would have passed the other provisions of this ordinance irrespective of whether or not one or more provision 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 the other persons circumstances shall not be deemed affected.

Section 8 Effective Date
This ordinance becomes effective upon passage and publication.

Passed this 11th day of February, 2019.

Attest:  
Town Clerk

Town Chairman

Supervisor

Supervisor 1

Adopted:  February 11, 2019

Published:  February 21, 2019

Effective:  February 22, 2019
Ordinance #01-2018

All-Terrain/Utility Terrain Vehicles Trails and Routes
Town of Wyoming, Waupaca County, Wisconsin

Section 1-Intent
The Town of Wyoming, Waupaca County, Wisconsin hereby adopts the following all terrain vehicle (ATV) and utility terrain vehicle (UTV) upon roadways listed in Section 3. Following due consideration of recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and automobile traffic volume, this route(s) has been created.

Section 2-Statutory Authority
This route is created to pursuant to township authority as authorized by 23.33 (8) (b), Wis. Stats. The applicable provisions of 23.33 regulating ATV/UTV operations pursuant to routes and trails are adopted.

Section 3-Routes and Trails
1. The Town of Wyoming reserves the right to close or modify routes and trails at anytime. Any restrictions of trails and routes shall be designated by a motion and by majority of the Town of Wyoming board and shall be marked accordingly.
2. The Town of Wyoming or its designee shall maintain all routes and trail signs within the township.
3. All ATV/UTV routes and trails should be signed in accordance with NR 64.12, and NR 64.12 (7) (c).
4. All township roads, sidewalks, alleyways and transportation marked corridors within the Town of Wyoming are hereby designated as ATV/UTV routes. Authorized private lands subject to public easement or leases are designated trails. All county roadways located in the Township of Wyoming are hereby declared as ATV/UTV routes if authorized by the County of Waupaca.
5. The Town of Wyoming will maintain a route and trail map.

Section 4-Conditions
1. All ATV/UTV operators on routes shall observe posted roadway speed limits; not to exceed 35 MPH.
2. All ATV/UTV operators shall ride single file.
3. Operators of ATV/UTV shall observe all laws of this state pertaining to the use of an ATV/UTV.

Section 5-Enforcement
This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.
Section 6-Penalties
Wisconsin state ATV/UTV penalties as found in s.23.33 (13) (a) Wis. Stats., are adopted by reference.

Section 7-Severability
The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Wyoming would have passed the other provisions of this ordinance irrespective of whether or not one or more provision 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 the other persons circumstances shall not be deemed affected.

Section 8 Effective Date
This ordinance becomes effective upon passage and publication.

Passed this 12 Day of Nov. 2018.

Beaton Brady
Town Chairman

Kreifel Apzeva
Town Clerk

Adopted: Nov. 12, 2018
Published: Dec. 27, 2018
Effective: Jan. 1, 2019
AMEND CHAPTER 7 OF THE WAUPACA COUNTY TRAFFIC CODE
ADD 7.14 ALL-TERRAIN/UTILITY TERRAIN VEHICLES TRAILS
AND ROUTES

7.14 ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES

A. INTENT
1. The County of Waupaca, Wisconsin hereby adopts the following ordinance permitting all-terrain vehicle (ATV) and utility terrain vehicle (UTV) traffic upon roadways listed in Section C. This ordinance is enacted in due consideration of the recreational and economic value to connect trail opportunities and weighed against protecting the safety of motorists by maintaining the road edge and surface; the integrity of the right-of-way; public safety; liability aspects; terrain involved; and traffic density and patterns.
2. Municipality is defined as any Village, City or Township that is in the territorial jurisdiction of Waupaca County.
3. The County of Waupaca adopts a “blanket” approach and permits all local municipalities that create an ATV/UTV route or trail within their territorial jurisdiction by local ordinance the authority to utilize any bridge, county trunk highway or state highway located within the municipality as part of a dedicated ATV/UTV route or trail.

B. STATUTORY AUTHORITY AND STATE LAWS ADOPTED
1. The ATV/UTV route or trail designation is created pursuant to town, village, city, or county authority as set forth in sec. 23.33 (8) (b), Wis. Stats.
2. The applicable provisions of sec. 23.33, Wis. Stats., regulating ATV/UTV operations pursuant to routes and trails are adopted.
3. Except as otherwise provided in this Chapter, the statutory provisions in Wisconsin Statutes Chapters 23, 340 to 348, and 350 establishing definitions and regulations with respect to ATVs and UTVs, and Wisconsin Administrative Code Ch. NR 64, All-Terrain Vehicles, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter as if fully set forth herein.
4. Unless otherwise provided in this chapter, any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance. Any future amendments, revisions or modifications of the statutes incorporated herein are made part of this chapter in order to secure uniform statewide regulation of ATVs and UTVs.

C. ROUTES AND TRAILS
1. The County of Waupaca designates to the Waupaca County Highway Committee with consideration of the Highway Commissioner the authority to temporarily close, terminate, or modify routes and trails at any time. Any restrictions of trails and routes placed by the Highway Commissioner shall be
considered by the Waupaca County Highway Committee at the next regular Highway Committee meeting and properly noticed on its agenda. The Highway Commissioner will communicate the restrictions to the local municipality. The local municipality or its designee shall immediately mark the ATV/UTV trail or route with the restriction.

2. The local municipality or its designee shall maintain all ATV/UTV routes and trail signs within its jurisdiction, including on county trunk highways, which are adopted by the municipality.

3. All ATV/UTV routes and trails shall be signed in accordance with Wis. Admin. Code NR 64.12 and NR 64.12(7)(c).

4. Local municipalities that adopt ordinances authorizing ATV/UTV routes and trails within their jurisdiction utilizing county trunk highways, roads, streets, sidewalks, alleyways and transportation-marked corridors shall be designated as ATV/UTV routes. Private lands subject to public easement or authorized leases are designated ATV/UTV trails. Waupaca County grants permission and mutual authority for use of county trunk highway system within local municipalities upon adoption of a local ordinance of an ATV/UTV designated route or trail.

5. The local municipality shall maintain a route and trail map and provide current routes to Waupaca County Highway Commissioner.

D. CONDITIONS

1. All ATV/UTV operators on routes shall observe posted roadway speed limits; at no time shall speed exceed 35 miles per hour.
2. All ATV/UTV operators shall ride single file.
3. All ATV/UTV operators shall observe all state laws pertaining to the use of an ATV/UTV; said state laws are further adopted by reference in this County ordinance.

E. ENFORCEMENT

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

F. PENALTIES

ATV/UTV penalties as found in § 23.33(13)(a), Wis. Stats., and as may be subsequently amended are adopted by reference.

G. SEVERABILITY

If any section, provision or portion of this ordinance or the application to any person or circumstances is held invalid by a Court of competent jurisdiction the remainder of the ordinance shall not for that reason be rendered ineffective but rather shall be enforced, to whatever degree possible, as if the provision which was declared invalid had not been enacted.

H. EFFECTIVE DATE

This ordinance becomes effective upon passage and publication.
RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY LAW ENFORCEMENT COMMITTEE AND LEGISLATIVE, JUDICIAL, ETHICS, SAFETY & SECURITY COMMITTEE: /s/ William Jonely, Dick Koeppen, Mary Kay Poehlman, David R. Morack, Darrell Handrich, Patricia Craig, Dennis Kussmann, Fred Zaug

ATTEST: /s/ Jill Lodewegen
Waupaca County Clerk

SUPPER. Zaug moved and Supr. Jonely seconded the motion to adopt the amendment to Chapter 7, Section 7.14 ATV/UTV Trails and Routes. Motion carried 22-3 with Suprs. Penney, Craig and Ritchie voting no. Passed the 19th day of June, 2018.

RESOLUTION NO. 9 (2018-2019)

Subject: Donation Acceptance – Drug Treatment Court

WHEREAS, Waupaca County’s policy requires resolution to the County Board to accept donations over $1,000, and

WHEREAS, Waupaca County has received donations in the amounts of $1,000 from Waupaca Community Chest for the purpose of the Drug Treatment Court,

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors accepts the donations received in the amount of $1,000 for the purpose of the Drug Treatment Court.

Fiscal Note: The amount of $1,000 will be placed in a donation restricted account until further budget action is taken to expend the funds.

RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY FINANCE COMMITTEE: /s/ DuWayne Federwitz, John F. Penney, G. Robert Flease, David Johnson, Gerald M. Murphy, Dave Neumann, Patricia Craig, Dick Koeppen

ATTEST: /s/ Jill Lodewegen
Waupaca County Clerk
