

TOWN OF LAFAYETTE

ALL-TERRAIN VEHICLE AND UTILITY-TERRAIN VEHICLE ROUTES AND REGULATIONS

ORDINANCE # 7 - 03

SECTION 1.0 PURPOSE

The purpose of this chapter is to establish routes and regulations to provide for the safe operation of all-terrain vehicles ("ATVs") and utility-terrain vehicles ("UTVs") upon designated roadways within the town.

SECTION 2.0 AUTHORITY AND CONDITIONS

The town board of the town of LaFayette, Walworth County, Wisconsin, has the specific authority to adopt this chapter under Wis. Stats. Sections 23.33(8)(b) and (11). The town board retains the right to close any town road to ATV/UTV operation for any reason, including but not limited to special events, unlawful use, and road construction or repair. Said closures of town roads to ATV/UTV use may occur without prior notice. The town accepts no liability for the operation of ATV/UTVs on any town road under the provisions of this chapter. Operation of ATV/UTVs shall be at the operator's own risk. ATV/UTV operators within the town shall abide by all state, county, and local laws, and the applicable provisions of Wis. Stats. Section 23.33 regulating ATV/UTV operations are adopted by reference and made part of this chapter.

SECTION 3.0 ROUTES

The town designates all roadways within the town's jurisdiction as ATV/UTV routes except the following roadways:

- (a) ATV/UTVs are strictly prohibited from operating on all state and county highways in the town, unless otherwise authorized by the state of Wisconsin or Walworth County. ATV/UTVs may cross state and county highways as necessary to travel through the town.
- (b) All authorized ATV/UTV routes shall be signed in accordance with Wis. Stats. Section 23.33(8)(e). The town, or its designee, shall maintain all route signs within the town. Any restrictions on authorized routes shall be designated by a majority vote of the town board and shall be signed accordingly.

SECTION 4.0 OPERATION OF ATV/UTVs

All ATV/UTV operators on town routes must comply with the following conditions of operation:

- (a) ATV/UTV operators shall observe all posted speed limits as indicated by official signs posted within the town.
- (b) ATV/UTV operators shall ride single file along the extreme right side of the roadway with the exception of left turns, which may be made from any part of the roadway that is safe given then occurring conditions.
- (c) ATV/UTV operators are prohibited from riding on the shoulder of the road or in the ditch.
- (d) ATV/UTV operators born after December 31, 1987, must have a valid ATV Safety Certificate, be at least 16 years of age, and have a valid Wisconsin Driver's License.
- (e) ATV/UTV riders (not operators) under the age of 16 must be accompanied by an adult over the age of 18.
- (f) ATV/UTV operators and riders under the age of 18 must wear a helmet.

(g) ATV/UTVs may not be operated on any town route between the hours of 10:00 p.m. and 5:00 a.m. unless they are engaged in snow plowing.

(h) ATV/UTVs shall have headlights, taillights, and brake lights on while operating on any town route and must operate with a muffler that falls within the legal decibel limits.

(i) ATV/UTV operators shall use hand signals if their machine is not equipped with turn signals.

(j) ATV/UTVs shall be registered with the Wisconsin Department of Natural Resources and have up-to-date stickers and license plates.

(k) ATV/UTVs shall be insured and have minimum liability coverage amounts consistent with motor vehicle requirements under Wisconsin law. All operators must have proof of insurance when operating on town routes.

SECTION 5.0 ENFORCEMENT

This chapter may be enforced by any law enforcement officer authorized to enforce the ordinances of the town of LaFayette, laws of Walworth County, and state of Wisconsin. Consistent with Wis. Stats. Section 23.33(11)(b), the town clerk shall immediately send a copy of the ordinance codified in this chapter to the Department of Natural Resources, the Wisconsin State Highway Patrol, and the Walworth County Sheriff's Department.

SECTION 6.0 PENALTIES

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

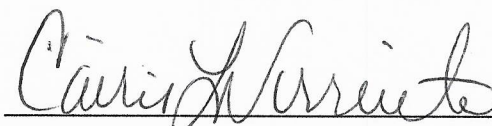
SECTION 7.0 SEVERABILITY

If any provision of this chapter or its application to any person or circumstance is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.


SECTION 8.0 EFFECTIVE DATE

This ordinance shall be effective September 1, 2023 or later pending posting of proper signage on town roads and upon passage and publication as provided by law.

This ordinance adopted by the Town Board of the Town of LaFayette on this 17th day of May, 2023.



Cairie Virrueta, Clerk-Treasurer



Derek Steffen, Chair