

TOWN OF NEW HOLSTEIN  
Calumet County, Wisconsin  
Ordinance No. 2021-3

ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

The Town Board of the Town of New Holstein do ordain as follows:

Section 1: ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

- A. Pursuant to Wis. Stat. § 23.33(8) & (11), the Town hereby designates as all-terrain vehicle and utility terrain vehicle routes the following Town highways:
1. All Town highways.
  2. For a roadway, or for a portion of a roadway, that is located within the territorial boundaries of the Town, the Town further authorizes the operation of all-terrain vehicles and utility terrain vehicles with snow removal devices attached on the roadway, or adjacent to the roadway, if the applicable roadway speed limit is greater than 45 miles per hour, and regardless of whether the Town has jurisdiction over the roadway.
  3. The Town further authorizes the operation of all-terrain vehicles and utility terrain vehicles on highway bridges that are not part of the national system of interstate and defense highways, that are 1,000 feet in length or less, and that are located within the territorial boundaries of the Town, regardless of whether the Town has jurisdiction over the highway. Any person crossing such a bridge shall do all of the following:
    - a. Cross the bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing.
    - b. Stay as far to the right of the roadway or shoulder as practicable.
    - c. Stop the vehicle prior to the crossing.
    - d. Yield the right-of-way to other vehicles, pedestrians, electric scooters, and electric personal assistive mobility devices using the roadway or shoulder.
    - e. Exit the highway as quickly and safely as practicable after crossing the bridge.

4. The Town further authorizes the operation of all-terrain vehicles and utility terrain vehicles on a highway that is not part of the national system of interstate and defense highways, that has a speed limit of 35 miles per hour or less, and that is located within the territorial boundaries of the Town, regardless of whether the Town has jurisdiction over the highway.
- B. The Town shall cause the appropriate traffic signage to be placed upon the above-designated highways.
  - C. Wis. Stat. § 23.33 & Wis. Admin. Code ch. NR 64 are hereby incorporated into this Ordinance by reference as if fully set forth herein, and as from time to time amended.
  - D. Additional Rules of Operation.
    1. Except where otherwise required, all-terrain vehicle and utility terrain vehicle operators shall observe posted roadway speed limits.
    2. All all-terrain vehicle and utility terrain vehicle operators shall ride single file.
    3. All all-terrain vehicle and utility terrain vehicle operators shall slow the vehicle to 10 miles per hour or less when operating within 150 feet of a dwelling.
  - E. The Town Clerk shall immediately send a copy of this Ordinance to: the Wisconsin Department of Natural Resources; the Wisconsin State Patrol; the Calumet County Sheriff; and to the office of any other law enforcement agency having jurisdiction over any of the highways to which this Ordinance applies.

Section 2: If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is found invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provision or application of this Ordinance that can be given effect without the invalid or unconstitutional provision or application.

Section 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they would prevent or hinder any operation of this Ordinance as written.

Section 4: This Ordinance shall be in full force and effect from and after its date of adoption and notice to the public as required by law.

Section 5: Town officers and personnel are hereby authorized and directed to take all further actions necessary in order to enact this Ordinance.

Adopted this 9<sup>th</sup> day of June, 2021.

TOWN OF NEW HOLSTEIN

By:   
Ben Henke, Chairperson

ATTEST:

By:   
Cheryl Heller, Clerk

Noticed to the public on: \_\_\_\_\_.