

ORDINANCE 2020-9-1

Town of Osceola, Fond du Lac County, State of Wisconsin

ALL-TERRAIN VEHICLE OPERATION TOWN OF OSCEOLA, FOND DU LAC COUNTY

AN ORDINANCE DESIGNATING ALL TOWN ROADS WITHIN THE TOWN LIMITS
OPEN FOR ALL-TERRAIN VEHICLE OPERATION AND REGULATING THE OPERATION
OF SUCH VEHICLES ON THESE ROADS

Section I – Intent 8.4.1

The Town of Osceola hereby adopts Wisconsin Assembly Bill 442 and 2017 Wisconsin Act 193 which allows all town roads to be designated as ATV/UTV routes unless posted, and point of entry signs erected in compliance with State Statutes 23.33(8)(e)1. and 2.(a) & (b).

Following due consideration of possible danger, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this ordinance has been created for public use.

Section II – Statutory Authority 8.4.2

This ordinance is created pursuant to Town authority under Section 8.4.01 and supersedes any previous ATV/UTV ordinances.

Section III – Route 8.4.3

All Town roads within the town limits are open for all-terrain vehicles unless posted otherwise.

Section IV – Conditions 8.4.4

As a condition for the use of these roads, the following conditions shall apply to all operators (and passengers):

- All ATV operators shall observe a posted speed limit sign
- All DNR, State, County and Town rules and regulations apply
- All ATV operators shall ride single file

Section V – Enforcement 8.4.5

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

Section VI – Penalties 8.4.6

Wisconsin State All-Terrain Vehicle penalties as found in S 23.33(13)(a) Wis. Stats., are adopted by reference and supersedes all previous Town ATV Ordinances.

Section VII – Severability 8.4.7

The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Osceola would have passed the other provisions of this resolution 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 other persons' circumstances shall not be deemed affected.

Section VIII – Effective Date 8.4.8

This ordinance becomes effective upon passage and publication.

Approved this date of September 8, 2020

Kay Wege

Town of Osceola Clerk

Town Chairman *Thomas Thompson*

Town Supervisor 1 *James V Walter*

Town Supervisor 2 *Terry Leininger*

Published this date of September 17, 2020