

# VILLAGE OF BIRNAMWOOD

## ORDINANCE # 19-10-1

### ALL TERRAIN AND UTILITY TERRAIN

#### **Section 1 - Intent**

It is the intent of the Village of Birnamwood to allow operation of All-Terrain and Utility Terrain Vehicles on Village Streets.

This ordinance also allows the use of golf carts within the village limits.

#### **Section 2 - Authority**

The Village Board of the Village of Birnamwood, Shawano/Marathon County, Wisconsin, has the specific authority to adopt this all-terrain and utility terrain vehicle ordinance under SS23.33 (8) (b) and (11), Wis. Stats.

#### **Section 3 - Designation of ATV and UTV routes**

Pursuant to SS 23.33(4) (d) 4, Wis. Stats., except as otherwise provided in SS23.33 (4) Wis. Stats., all streets within the Village are open to ATV/UTV use, including County Highway N through the Village from eastern to western limits. US Hwy 45 is not open to ATV/UTV use. Operation of ATV and UTV's on streets within the Village must be operated to the extreme right side of the street, except that left turns may be made from any part of the street that is safe given prevailing conditions.

#### **Section 4- Conditions applicable to ATV and UTV**

Pursuant to SS 23.33 (8) (d), Wis. Stats., the following restrictions are placed on the use of ATV and UTV's within the Village.

- A. Maximum speed for operation of ATV/UTV's in the Village will be thirty-five (35) miles per hour. Operators shall reduce speed whenever the posted limit is less, or as required by Wisconsin Statutes, or as conditions warrant.
- B. All ATV and UTV operators must have their head and taillights on and visible while operating on Village streets.
- C. All ATV and UTV operators must ride in single file.
- D. All ATV and UTV's must be registered and display a license plate.
- E. All ATV and UTV operators must be at least 12 years of age. Anyone born on or after 1/1/1988 must have completed an ATV/UTV safety course.
- F. Helmets are required to be worn by everyone under the age of 18.
- G. Operators between the ages of 12 to 15 must be accompanied by an adult over the age of 18.
- H. ATV and UTV's are to operate on the extreme right side of the street surface and not on/in the ditch line.
- I. Operation on sidewalks is prohibited.
- J. All traffic control signs must be obeyed.
- K. All ATV and UTV operators must yield to pedestrians.
- L. Operation shall be subject to all provisions of SS23.33 Wis. Stats., which is adopted as part of this ordinance by reference, pursuant to SS23.33 (11) Wis. Stats.
- M. A copy of this ordinance shall be sent to the Dept. of Natural Resources, the Shawano and Marathon /County Sheriff's Departments and Wisconsin State Patrol.

**Section 5 - Golf carts**

This ordinance will grant permission for persons over 18 to use golf carts within the Village limits. They must observe the 15-mph speed limit, be to the right side of the street and not drive on the sidewalks. They must obey all traffic control signs, and yield to pedestrians. Golf carts must have operating head lights, tail lights, and brake lights.

**Section 6 - Enforcement and Penalties**

- A. This ordinance may be enforced by any law enforcement officer authorized to enforce laws of the State of Wisconsin, Shawano and Marathon County, and the Village of Birnamwood.
- B. The penalties under SS23.33 (13) (a) Wis. Stats., are adopted by reference.

**Section 7 - Effective and termination date**

This ordinance is in effect as of the adoption date, by the Village Board, Village of Birnamwood. Ordinance can be suspended or revoked by the Village Board at any time.

Amended this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Village Clerk/Treasurer