

## VILLAGE OF GLENBEULAH

### ORDINANCE NO 2019-1

AN ORDINANCE CHANGING SECTION 4.08(2) OF THE MUNICIPAL CODE OF THE VILLAGE OF GLENBEULAH

AN ORDINANCE DESIGNATING ALL-TERRAIN VEHICLES ROUTES AND REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES

#### Section I – Intent

The Village of Glenbeulah, Sheboygan County adopts the following all-terrain vehicle route for the operation of all-terrain vehicles upon all village roads. Following due consideration of the recreational value to connect trail opportunities and weighed against possible danger, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this ordinance has been created.

#### Section II – Statutory Authority

Open usage of village road is done pursuant to village authority as authorized by 23.33(8)(b), Wis stats The applicable provisions of 23.33 regulating ATV/UTV operation pursuant to routs are adopted.

#### Section III – Routes

All village roads will be open to ATV/UTV usage. All county and state roadways posted 35mph or less will be open to ATV/UTV usage as authorized under Wis. Stat.S.23.33(11)(am)4.

#### Section IV – Conditions

As condition for use of village roads, the following conditions shall apply to all operators (and passenger);

- A. All ATV/UTV operators shall observe posted speed limits.
- B. No person under 18 years of age may operate or be a passenger on an ATV/UTV without wearing protective headgear of the type required under s. 347.485(1)(a) and with the chin strap properly fastened, except as specifically exempted under s. 23.33(3g)(b, c, and d) Wis. Stat.
- C. Operation of ATVs and UTVs on roadways designated as ATV/UTV Routes are authorized only for the extreme right side of the roadway, on the paved surface (if the roadway is paved), except that left turns may be made from any part of the roadway that is safe given prevailing conditions.
- D. All ATV/UTV operators shall ride single file.
- E. The operator of an ATV/UTV shall obey all traffic laws, Local ordinances, and DNR regulations.
- F. The operator of an ATV/UTV shall display a lighted headlamp and tail lamps on the ATV/UTV and display the registration or license plate at all times.
- G. All roads must be signed in accordance with NR 64.12, and NR 64.12(7).
- H. ATV/UTV operations is at the risk of the operator. The Village of Glenbeulah has no liability for any damage or injury to persons, real property or personal property, arising out of the operation of ATV's and UTV's on designated ATV/UTV routes.
- I. Routes are open year round.

Section V – Enforcement

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

Section VI – Penalties

Wisconsin State All-Terrain Vehicle penalties as found in s. 23.33(13)(a) Wis. Stat., are adopted by reference.

Section VII – Severability

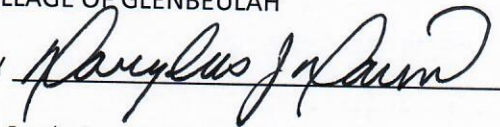
The provision of this ordinance shall be deemed severable and it is expressly declared that the Village would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be deemed affected.

Section VIII – Effective Date

This ordinance becomes effective upon passage and publication. Passed this 9<sup>th</sup> day of January, 2019.

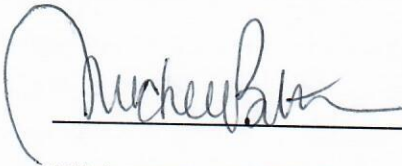
VILLAGE OF GLENBEULAH

BY



Douglas Daun, President

Attested:



Michele Bertram, Village Clerk/Treasurer