

## ORDINANCE NO 2017-1

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

UPON THE RECOMMENDATION OF the Village Board Members

#### A. PUBLIC PROPERTY

The Village of Downing adopts the following all-terrain vehicle route for the operation of all-terrain vehicles upon the roadways listed in Section C.

#### B. STATUTORY AUTHORITY

This route is created pursuant to the Village of Downing under section 1.1.01 as authorized by 23.33 (8)(b), Wis. Stats.

The applicable provisions of Wis. Stats. 23.33 regulating ATV operation pursuant to routes are adopted.

#### C. ROUTES

ATV's will be specifically excluded from Main Street (State Highway 170). The Village Park and Highway Q (North). The ATV's are restricted to the authorized streets and alleys of the ATV route map. Residence of the Village of Downing may use Village streets to gain access to the approved ATV Trail, as approved by the Village Board.

#### D. CONDITIONS

As a condition for the use of this route, the following conditions shall apply to all operators (and passengers);

- A. All ATV operators shall observe posted roadway speed limits.
- B. All ATV operators shall ride single file.
- C. All ATV operators shall slow the vehicle to 10-mph or less when operating within 150 feet of a dwelling.
- D. Routes must be signed in accordance with NR 64.12, and 64.12 (7) c.
- E. The Village Board has the authority to revoke Said Ordinance (2017-1).

**E. ENFORCEMENT**

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

**F. PENALTIES**

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

**G. 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 circumstances shall not be deemed affected.

**H. AUTHORIZED VEHICLES**

Nothing in this Section shall be construed to restrict the use or operation of authorized vehicles engaged in maintenance or repair or other authorized purposes.

**I EFFECTIVE DATE**

This ordinance becomes effective upon passage and publication.

Dated this 14<sup>th</sup> Day of August 2017

**AYES 3**

**NAYS 0**

**ABSENT 0**

**ABSTAIN 0**

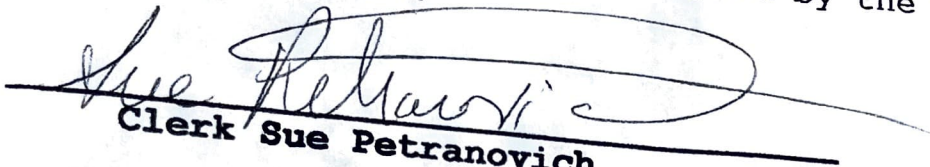
Attest

  
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President Greg Holden

**CERTIFICATION**

IN WITNESS WHEREOF, I certify that this is true and accurate copy of Ordinance 2017-1 adopted by the Village Board on August 14, 2017.

**Attest**



**Clerk Sue Petranovich**  
(SEAL)

**Date of Publication**

