

Town of Niagara
Marinette County
ALL TERRAIN VEHICLE and UTILITY VEHICLE ORDINANCE

An ordinance designating All-Terrain / Utility vehicle routes and regulating the operation of ATV/UTV

Section I – Intent

The Town of Niagara, Marinette County adopts the following ATV/UTV vehicle route for the operation of ATV/UTV vehicles upon the roadways listed in Section III.

Following due consideration of the recreation value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this ordinance has been created.

Section II – Statutory Authority

This route is created pursuant to town authority under section 11.a as authorized by 23.33 (8) (b), Wis, Stats.

The applicable provisions of 23.33 regulating ATV/UTV operation pursuant to routes are adopted.

Section III – Routes

All Town roads are designated routes except any road where the majority of Town residents have petitioned the board to exclude their road from ATV/UTV traffic. The following roads are excluded from ATV/UTV traffic:

Sparks Road
Hansen Road
Antonissen Road

Section IV – Conditions

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

- A. All ATV/UTV operators shall observe posted roadway speed limits.
- B. All ATV/UTV operators shall ride single file.
- C. All ATV/UTV operators shall slow the vehicle to 25-mph or less when operating within 150 feet of a dwelling.
- D. Routes must be signed in accordance with NR 64.12, and NR 64.12(7)c.

Section V – Enforcement

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

Section VI – Penalties

Wisconsin state ATV/UTV penalties as found in s. 23.33 (13)(a) Wis. Stats., are adopted by reference.

Section VII – Authority and Severability

The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Niagara 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 circumstance shall not be deemed affected.

This ordinance supersedes all previous ATV/UTV ordinances upon adoption.

Section VIII – Effective Date

This ordinance become effective upon passage and publication

Passed this 18th day of June 2019

Mark DeClark, Chairman

Ronald Neuens, Supervisor

David Sanicki, Supervisor

Attested by Dawn Johnson, clerk