

# **Town of Little Suamico ALL-TERRAIN VEHICLE ORDINANCE #01-2021**

Town of Little Suamico, Oconto County and for the purpose of establishing the designation of all town roads with exception to all County and State Highways/Roads within the Township for year round usage.

## **Section I — Intent**

The Town of Little Suamico adopts the following all-terrain vehicle (ATV) and Utility Vehicle (UTV) Ordinance/year round route for the operation of DNR currently registered ATVs and UTVs upon the roadways listed in Section III.

Following due consideration of the recreational value to connect trail opportunities and weights 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**

These routes/town roads is created pursuant to the Town of Little Suamico authority under as authorized by 23.33 (8) (b), Wis. Stats.

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

## **Section III — Routes/Town Roads**

The following roads are designates as routes/town roads for year round usage:

- A. All maintained roads within the Town of Little Suamico, Oconto County, which have been posted with appropriate signage, are acceptable travel for DNR currently registered ATVs and UTVs, with exception to all County and State roads within the township. Specifically West & East Brown Road, County Highway J, County Road S, U.S. State Highway 41, and U.S. State Highway 141. The Town Clerk of the Town of Little Suamico shall maintain a copy of the official ATV/UTV route map and will have map available to the public at request or online at [www.townoflittlesuamico.com](http://www.townoflittlesuamico.com).

## **Section IV — Conditions**

ATV/UTV operation shall be subject to all provisions of Wis. Stats. §23.33, Wis. Stats. §340, and NR 64, which are adopted as part of this ordinance by reference. In addition:

- A. No person may operate an ATV or UTV on town road unless the owner or operator has in effect a liability insurance policy providing coverage consistent with the liability insurance required for automobile operators by the State of Wisconsin and has in his or her immediate possession proof that he or she is in compliance.
- B. Persons 16 years of age or older must possess a valid driver's license to operate an ATV or UTV on a town road.
- C. No one under 12 years of age is allowed to operate an ATV or UTV on a town road and all operators born after January 1, 1988, are required to have an ATV Safety Certificate.
- D. No person under 16 years of age may operate an ATV or UTV on a town road unless the person is accompanied by his or her parent or guardian or by a person who is at least 18 years of age who is designated by the parent or guardian. Anyone accompanying those under 16 years of age must possess a valid driver's license.
- E. No person may operate or be a passenger on an ATV or UTV without wearing protective headgear of the type required in section 347.485(1) (a), Wis. Stats. Unless the person is a least 18 years of age.
- F. All ATVs and UTVs shall display either a Wisconsin registration or a Nonresident Trail Pass while operating on town road. ATV/UTV operators shall not exceed 35 MPH or the posted speed limit, whichever is less, on any town road.

- G. All ATV/UTV operators shall ride in single file on the right hand side of the paved portion of the road, unless otherwise marked for operation on the shoulder or in the right of way.
- H. All ATV/UTV operators are required to display a lighted headlamp and tail lamp while operating on a town road.
- I. No person shall operate an ATV/UTV with tire chains or studded tires on any town road in the town
- J. Open intoxicants are prohibited for ATV/UTV operators or passenger(s) while operating on a town road.
- K. Every ATV/UTV shall be equipped, maintained and operated to prevent excessive or unusual noise. No person shall operate an ATV/UTV on a town road unless such ATV/UTV is equipped with a muffler or other noise suppressing system in good working order and in constant operation. It shall be unlawful to use a muffler cutout, bypass or similar device on any ATV/UTV in a manner such that noise emitted by the ATV/UTV increases to a level higher than as originally manufactured.
- L. A golf cart is not an ATV or UTV. Operation of golf carts on town roads is prohibited.

#### **Section V — Enforcement**

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the Town of Little Suamico, Oconto County, Wisconsin, and the State of Wisconsin.

#### **Section VI — Penalties**

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

#### **Section VII — Severability**

The provisions of this ordinance shall be deemed severable and it is expressly declared that County/Town would have passed the other provisions 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 person's circumstances shall not be deemed affected. This ordinance will be reviewed annually.

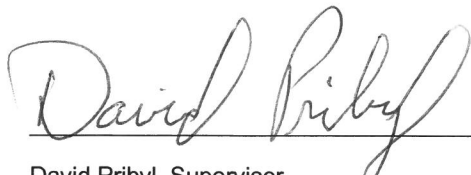
#### **Section VIII — Effective Date**


This ordinance becomes effective upon passage and publication.

Passed this 8<sup>th</sup> day of March, 2021.

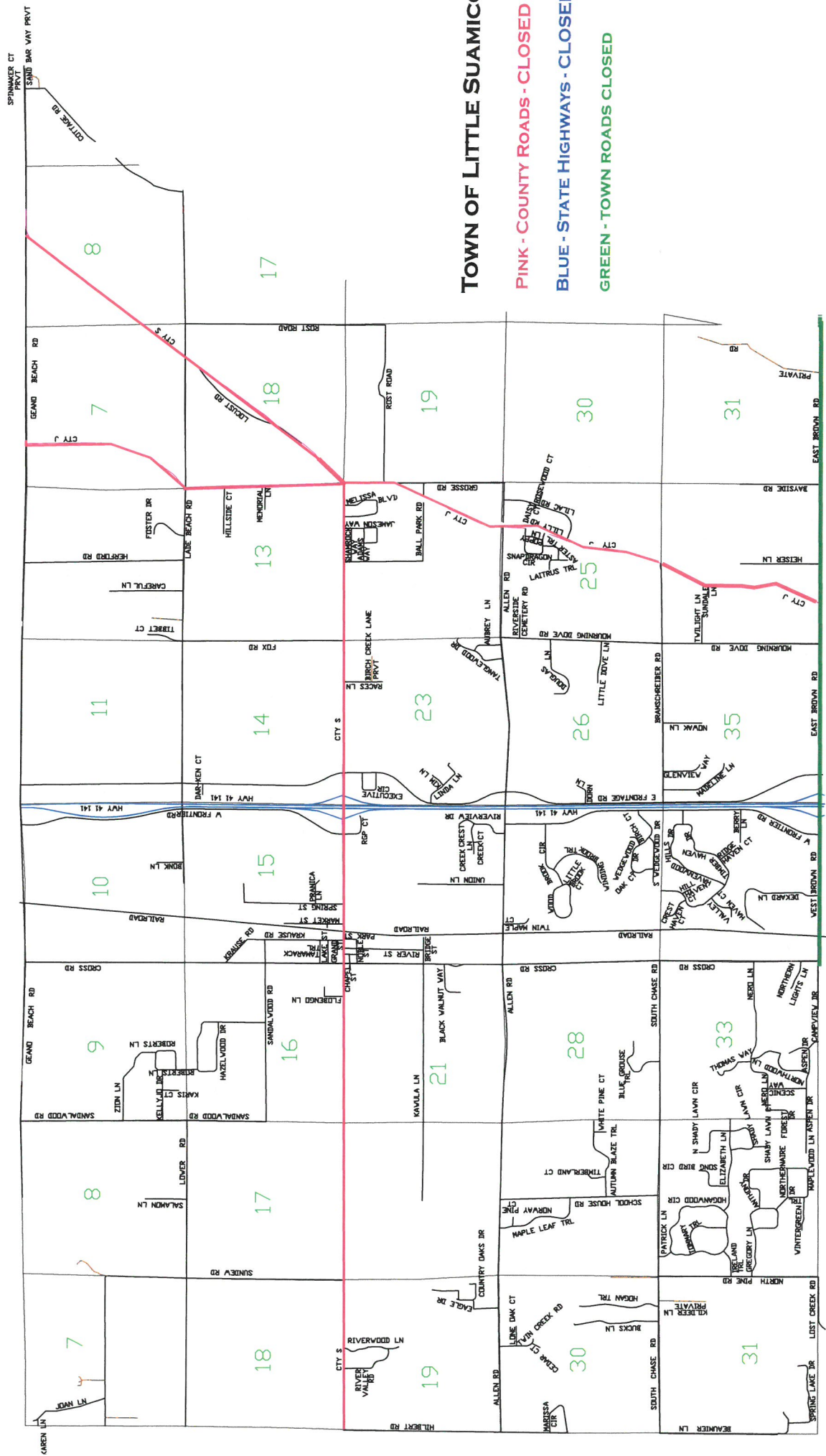
  
Elmer Ragen, Chairman

Attested by:   
Nikki Tolzman, Clerk/Treasurer

  
David Pribyl, Supervisor

  
Douglas Allen, Supervisor

# TOWN OF LITTLE SUAMICO ATV/UTV ROUTES



TOWN OF LITTLE SUAMICO

PINK - COUNTY ROADS - CLOSED

BLUE - STATE HIGHWAYS - CLOSED

GREEN - TOWN ROADS CLOSED