

Town of Cooperstown

Manitowoc Wisconsin

Ordinance 2019-1

An Ordinance adding to certain sections of the General Code of Ordinances designating All-Terrain Vehicle routes and regulating the operation of All-Terrain vehicles including ATV's & UTV's

Ordinance 7.09 & 7.10 - Chapter 7 entitled Public Safety - Traffic

Section I - Intent

Ordinance 7.09 is hereby created as follows:

The Town of Cooperstown, Manitowoc County adopts the following All-Terrain Vehicle route for the operation of All-Terrain vehicles (ATV) and Utility Terrain Vehicles (UTV) upon the roadways listed in section IV.

Wisconsin Statutes are cited a "S.S.---"

Section II - Authority

This ordinance is adopted pursuant to Town powers granted under Wisconsin Statutes including but not limited to, authority under section 1.02; Town Ordinances as authorized by S.S. 23.33(8)

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

Section III- Definitions

UTV's and ATV's are defined as any multi-wheel small engine or motor powered vehicle capable of carrying one or more persons as defined by the American National Standards Institute (ANSI) that travels on low-pressure tires and defined in S.S. 23.33(1).

Utility Terrain Vehicle (UTV) means any of the following

1. A commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a highway, and that has, and was originally manufactured with, all of the following:

- a. A weight, without fluids, of 2,000 pounds or less.
- b. Four or more low-pressure tires or non-pneumatic tires
- c. A steering wheel.
- d. A tail light.
- e. A brake light.

- f. Two headlights.
- g. A width of not more than 65 inches.
- h. A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.
- i. A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device

Adopted by Reference: S.S. 23.33(1)(ng)1

2. A commercially designed and manufactured motor driven device to which all of the following applies:

- a. A weight, without fluids, of more than 900 pounds but no more than 2000 pounds.
- b. A width of 50 inches or less.
- c. Equipped with a seat designed to be straddled by the operator.
- d. Travels on 3 or more low pressure tires or non pneumatic tires.

Adopted by Reference: S.S. 23.33(1)(ng)2

All Terrain Vehicle (ATV) means the following:

A commercially designed and manufactured motor driven device to which all of the following applies:

- a. It has a weight, without fluids, of 900 pounds or less.
- b. It has a width of 50 inches or less.
- c. It is equipped with a seat designed to be straddled by the operator.
- d. It travels on 3 or more low-pressure tires or non-pneumatic tires.

Adopted by Reference: S.S. 340.01(2g)

Section IV – Routes

All paved road under the jurisdiction of the Town of Cooperstown as denoted by the Official County map.

Exclusions: State Trunk Highways, Connecting Highways, and County Highways.

Section V – Conditions

The following conditions shall apply to all operators (and passengers):

- 1. Observe all posted speed limits
- 2. Conform to all State Statutes and Administrative codes regarding registration, noise, and equipment requirements.
- 3. Ordinance allows for operation on paved roadways under the jurisdiction and maintained by Town of Cooperstown.
- 4. Comply with State Certification requirements, including age restrictions and use of helmets.

5. Operation of vehicles on the roadway shoulder or in the ROW ditches is prohibited.
6. Operation of vehicles on County Highways is prohibited. Vehicles may cross County Highways.
7. The vehicle shall have operational headlights, tail lights and brake lights at all times.

Section VI - Enforcement

This ordinance shall be enforced by any Law Enforcement Agency or Officer authorized to enforce the laws of the State of Wisconsin as defined in S.S. 23.33(12)(a).

Section VII - Penalties

Wisconsin State All-Terrain penalties as found in S.S. 23.33(13) are adopted by reference. Fines are found in Chapter 15 of Town Codes.

Section VIII - Severability

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Town 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.

Section 10 of Chapter 7, Public Safety - Traffic

Ordinance 7.10 is hereby created to read as follows:

PENALTY: Any person, who violates any provision of this chapter, except as otherwise provided, shall be subject to a penalty as provided in Chapter 15 of this code.

Section IX - Effective Date

This Ordinance becomes effective upon passage and publication, with proper signage in place.

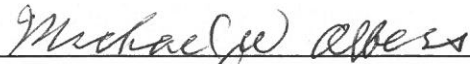
Passed this the 12 first day of March ~~MAY~~ 2019

TOWN OF COOPERSTOWN

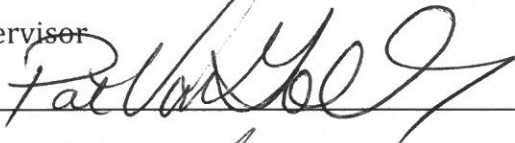
Attest

By: 

Town Chairperson

By: 

Supervisor

By: 


Supervisor

By: 

Supervisor

By: _____

Supervisor

By: 

Town Clerk