

**ALL-TERRAIN VEHICLE ORDINANCE
TOWN OF GULL LAKE, WASHBURN COUNTY
ORDINANCE #104**

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

SECTION 1 – INTENT

The Town Board of the Town of Gull Lake adopts the following all-terrain vehicle route for the operation of all-terrain vehicles upon the roadways listed in Section III.

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

SECTION II – STATUTORY AUTHORITY

This route is created as authorized by 23.33 (8) (b), Wisconsin Statutes and regulation of ATV's as provided in 23.33 of Wisconsin Statutes are adopted.

SECTION III - ROUTES

The following roads in the Town of Gull Lake are designated as routes.

All town roads which include the following:

- A. Asp Road
- B. Buchman Road
- C. Gardner Lake Road
- D. Gull Creek Road
- E. Haddick Road
- F. Hall Road
- G. Haynes Road
- H. Hay Lake Road
- I. McIntosh Road
- J. McNitt Blvd
- K. Northern Lake Road
- L. Shore Drive
- M. Swanson Road
- N. Taylor Lake Road
- O. Walt's Drive
- P. Western Lake Road

SECTION IV – CONDITIONS

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

1. This ordinance will not become effective until proper route signs are in place.
2. The speed limit shall be 20 miles per hour while operating on gravel road portion and 10 miles per hour while operating on paved portion of road.

NOTE: State law restricts all-terrain vehicle speed to 10 miles per hour within 150 feet of a dwelling 24 hours a day.

3. All-terrain vehicles shall operate on the extreme right side of the roadway and travel with the flow of traffic.
4. All-terrain vehicles shall be operated in single file.

5. All-terrain vehicle operators shall yield the right-of-way to all other vehicular traffic and pedestrians.
6. Headlamps shall be turned on and in proper working order at all times while operating on designated town roadways.
7. A minor who is 12 to 15 years of age may only operate on an all-terrain vehicle route, if the minor holds an ATV safety certificate issued by Wisconsin DNR, and is under continuous supervision of an adult.
8. All persons under 18 operating and/or riding on an ATV must wear a helmet.

AMENDED IV. 9. 1/10/04 (add to equipment, property) . . . for any damages to equipment, property or injuries to operators

9. Operators of all-terrain vehicles travel at their own risk and the Town of Gull Lake will not be liable for any damages (to equipment, property) or injuries to operators of all-terrain vehicles occurring in the Town of Gull Lake.

SECTION V – ENFORCEMENT

This ordinance shall be enforced by any law enforcement officer of The Washburn County Sheriff's Department and the Wisconsin DNR.

SECTION VI – PENALTIES

Wisconsin state All-Terrain Vehicle penalties as found in s23.33, (13)(a) Wisconsin Statutes, are adopted by reference.

SECTION VII – SEVERABILITY

The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Gull Lake Board 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 VIII- EFFECTIVE DATE

This Ordinance shall be effective upon passage, publication and the placement of all route signs.

Amended and passed on January 13, 2004.

_____, Clerk, Town of Gull Lake