

**STATE OF WISCONSIN
Town of Farmington
La Crosse County
Ordinance Number 1-2022
(Supersedes Ordinance 2-2019)**

SECTION I - TITLE AND PURPOSE

The title of this ordinance is the Town of Farmington All-Terrain Vehicle Route Ordinance. The purpose of this ordinance is to establish all-terrain vehicle routes in the town and to regulate the operation of all-terrain vehicles in the town.

SECTION II - AUTHORITY

The Town Board of the Town of Farmington, La Crosse County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under s. 23.33 (B) (b) and (11), Wis. stats.

SECTION III - ADOPTION OF ORDINANCE

This ordinance adopted on proper notice with a quorum and roll call vote by a majority of the town board present and voting, provides the authority for the town to designate all-terrain vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles in the town.

SECTION IV - OPERATION OF ALL TERRAIN VEHICLES

Pursuant to s. 23.33 (4) (d) 4., Wis. stats., except as otherwise provided in s. 23.33 (4), Wis. stats., no person may operate an all-terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle routes by this ordinance. Operation of all-terrain vehicles on a roadway in the town that is an all-terrain vehicle route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions. Utility-terrain vehicles (UTVs) may operate on designated ATV Routes as allowed under current Wisconsin ATV and UTV Laws, unless otherwise specifically posted on individual route designation signage.

SECTION V . DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES

All Town of Farmington Town Roads shall be designated as ATV routes unless otherwise marked.

SECTION VI. CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE ROUTES

Pursuant to s. 23.33 (8) (d), Wis. stats., the following restrictions are placed on the use of the town all-terrain vehicle routes designated by this resolution:

- A. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s.NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain vehicle routes:
 - 1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route or trail sign or standards if the sign or standard is legally placed by the state, any municipality, or any authorized individual.
 - 2. Possess any uniform all-terrain vehicle route or trail sign or standard of the type established by the department for the warning, instruction, or information of the public, unless he or she obtained the uniform all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.
- B. Operation shall be subject to all provisions of s. 23.33, Wis. stats., which is adopted as a part of this ordinance by reference, pursuant to s. 23.33 (1 1), Wis. stats.
- C. All ATV operators shall ride single file.
- D. All ATV operators shall observe posted ATV speed limits.
- E. All ATV operators shall slow the vehicle to 10 mph or less when operating within 150 feet of a dwelling.
- F. All ATV operators shall comply with the following time restrictions: Routes are open from 6:00am - 10:00pm, Sunday - Thursday and 6:00am - Midnight on Friday and Saturday.
- G. All ATV/UTVs operating in the Town of Farmington on described ATV routes shall have liability insurance coverage pursuant to 632.32, Wis. Stats.
 - 1. Proof of insurance as required by this section shall be produced and displayed by the owner or operator of such ATV/UTV upon the request of any law enforcement officer or any person having authority to enforce the provisions of this ordinance or to any person who has sufferer or claims to have suffered either personal injury or property damage as a result of the operation of such ATV/UTV.
- H. A copy of this ordinance shall be sent by the town clerk to the La Crosse County Sheriff's Department.

SECTION VII - ENFORCEMENT

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

SECTION VIII - PENAL TIES

The penalties under in s. 23.33 (13) (a), Wis. Stats., are adopted by reference.

SECTION IX - SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.


SECTION X


This ordinance supersedes and replaces Ordinance Number 2-2019.

SECTION XI - EFFECTIVE DATE-

This ordinance is effective on publication or posting. The town clerk shall properly post this ordinance as required under s. 60.80, Wis. Stats.

Adopted on this day 6th Day of December 2022.


Mike Hesse, Chairman


Paul Lash, East Supervisor


Greg Kastenschmidt, West Supervisor

Attest:

Crystal Sbraggia, Clerk