

# **ATV Trail Access Ordinance – 2010-2**

## **Town of Edgewater - Sawyer County, Wisconsin**

### **SECTION 1 – AUTHORITY**

The Town Board of the Town of Edgewater, Sawyer County, Wisconsin has the specific authority under s. 23.33 (8) (b) and (11), Wisconsin Stats., to adopt this ordinance.

### **SECTION 2 -- ADOPTION OF ORDINANCE**

This Ordinance adopted by a majority of the Town Board on a roll call vote with a quorum present and voting and proper notice having been given, allows the use of ATV's on designated Town Roads by Town Residents, Property Owners and their Associates to gain access to the nearest public ATV Trails.

### **SECTION 3 -- REQUEST FOR TOWN ROAD ATV DESIGNATION**

Any Town of Edgewater Resident or Property Owner (Applicant) may request that a certain Town Road be designated a ATV Access Road by submitting a written request to the Town of Edgewater Plan Commission with the following information:

A. Map indicating the Town Road requested to be designated for ATV use from Applicants address to the Public Trail to be accessed. Map to indicate the names of all property owners abutting this road.

B. Applicant must provide written documentation from a majority of Residents and Property Owners abutting the subject Town Road indicating their approval of ATV use on that road. Under certain circumstances the Town Board at its discretion may require more than a simple majority or may accept less than a majority to protect resident property rights.

C. The Applicant will be charged for the purchase, installation and relocation of all signage necessary to post the Town Road. Signage to include termination of the trail, speed limits and ATV prohibited signs. Costs will be determined by the Town Board. Installation will be accomplished by Town Road employees.

D. A fee of \$50.00 at the time of application to cover the cost of the Towns review.

### **SECTION 4 – REGULATIONS**

As a condition for the use of these roads, the following shall apply to all operators:

A. All ATV operators shall observe posted speed limits of 15 mph.

B. All ATV operators shall ride single file on the extreme right side of the road but must stay out of ditches and adjacent properties.

C. All ATV's shall display lighted headlamp and tail lamps and shall be equipped with a muffler system with a maximum noise level of 96 decibels.

### **SECTION 5 – ENFORCEMENT AND PENALTIES**

This ordinance shall be enforced by any law enforcement officer authorized to enforce laws in the Town of Edgewater or Sawyer County or State of Wisconsin. Penalties for violations as found in s.23.33 (13) (a) Wis. Stats.

## SECTION 6 – ANNUAL ORDINANCE REVIEW

The Town of Edgewater Plan Commission shall review this ordinance annually to establish conformance with rules and citizen concerns for each approved Town Road and make recommendations to the Town Board if necessary.

## SECTION 5 – APPROVED TOWN ROADS

The following Town of Edgewater Roads have been approved for ATV Trail Access. Additional roads may be approved and added to this Ordinance by amendment by the Town Board:

A. 16366W Lost Lane, and all of Green Lake Road from Lost Lane south to ATV Trail 26.

This Ordinance is effective on posting by the Town Clerk as required under s.60.80, Wis. Stats.

Adopted this 9<sup>th</sup> day of Feb, 2010

Bill Zimmer

Pete Baribeau

Scott Spaeth

Town Chairman and Members of the Board

Natalie Kay Clemens

Town Clerk