

**ORDINANCE #2-2020  
ATV/UTV ORDINANCE**

AN ORDINANCE REGULATING THE USE OF ALL-TERRAIN/UTILITY-TERRAIN  
VEHICLES ON TOWN ROADS AND ESTABLISHING ATV ROUTES

The Holland Town Board, Township of Holland, La Crosse County does ordain as follows:

**SECTION 1 – INTRODUCTION**

1.01 Title and Purpose

This ordinance is entitled the Town of Holland All-Terrain/Utility-Terrain Vehicle Ordinance. The purpose of this ordinance is to establish all-terrain vehicle (ATV)/utility-terrain vehicle (UTV) routes in the Town of Holland and to regulate the operation of ATV/UTVs in the Town.

1.02 Authority

The Town Board of the Town of Holland, La Crosse County, Wisconsin, has the specific authority to adopt this ATV/UTV Ordinance under s. 23.33, Wis. Stats.

1.03 Adoption

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, adopts this ATV/UTV Ordinance.

1.04 Definition

For purposes of this ordinance, all references to ATV shall include UTV's as define by Wisconsin State Statute. Except as otherwise specifically provided in this ordinance, the statutory provisions in s. 23.33, 340 to 348 and 350 Wis. Stats., describing and defining regulations with respect to all-terrain vehicles, exclusive of any provisions therein for which the statutory penalty is a fine or term of imprisonment, are hereby adopted by reference and made part of this ordinance as if fully set forth herein. Acts required to be performed or prohibited by such statues are required by this section.

1.05 Applicability of rules of the road of ATVs

The operator of an ATV upon a roadway shall, in addition to the provisions of s. 23.33, Wis. Stats., also be subject to the rules of the road as provided in s. 346.02(11), Wis. Stats.

**SECTION 2 – OPERATION OF ATV/UTVs**

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 ATV/UTV on the roadway portion of any highway in the Town except on roadway that are designated as ATV/UTV routes by this ordinance.

**SECTION 3 – DESIGNATION OF ATV/UTV ROUTES**

3.01 Routes

The following routes are designated ATV/UTV in the Town of Holland:

- A. Casberg Coulee Road
- B. Flaten Road
- C. Moe Coulee Road

### 3.02 Conditions

As a condition for the use of these routes, the following conditions shall apply to all operators and passengers:

- A. All ATV/UTV operators shall obey posted roadway speed limits.
- B. All ATV/UTV operators shall ride single file.
- C. All ATV/UTVs shall operate only on the extreme right side of the paved portion of the roadway. Operation of an ATV/UTV on the shoulder, ditch or right-of-way is prohibited and illegal.
- D. Headlights and taillights must be turned on at all times.
- E. All persons under the age of 18 operating or riding an ATV/UTV must wear a helmet.
- F. All farm implement use must follow State Statute if they are on a road that is not a designated ATV/UTV route.
- G. Routes must be signed in accordance with NR 64.12 and R 64.12(70(c)).

## **SECTION 4 – ENFORCEMENT**

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

## **SECTION 5 – PENALTY PROVISIONS**

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

## **SECTION 6 – 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 7 – EFFECTIVE DATE**

This ordinance shall take effect immediately upon posting. The town clerk shall properly post this ordinance as required under s. 60.80, Wis. stats.

Adopted by the Holland Town Board of the Township of Holland, La Crosse County, Wisconsin, this 9<sup>th</sup> day of September, 2020.

By:

Steven Michaels, Town Chair

Attest:

Marilyn Pedretti, Town Clerk

Posted: 9/14/2020