

**CHAPTER XXII
ALL TERRAIN VEHICLE ROUTE**

32.01 PURPOSE

The Town of Osborn, Outagamie County hereby adopts uniform procedures and requirements for the use and operation of All Terrain Vehicle (ATV) and Utility Terrain Vehicle (UTV) on Town Roads. The Town of Osborn, Outagamie County adopts the following routes upon roadways listed in 32.03 below. Following due consideration of the recreational value to connect trail opportunities and weighed against possible dangers, public health, liability aspects, terrain involved, traffic volume and traffic density, this ordinance has been created.

32.02 AUTHORITY

The Town of Osborn is authorized to designate Town roads as ATV/UTV routes pursuant to Wis. Stat 23.33(8)b and is authorized to enact ordinances regulating ATVs and UTVs on designated routes pursuant to Wis. Stat. 23.33(11)(a).

32.03 ROUTES

The Town of Osborn reserves the right to close or modify routes at any time. The following roads are designated as routes:

- A. All "Town" roads within the Town of Osborn
- B. No "County" or "State" highway are ATV/UTV routes

Any restrictions on authorized routes shall be designated by majority vote of the Town Board and shall be marked accordingly. The Town shall maintain all route signs within the Town.

32.04 CONDITIONS

As a condition for use of this route, the following conditions shall apply to all operators and passengers;

- A. All ATV/UTV operators shall observe posted roadway speed limits.
- B. All ATV/UTV operators shall ride single file.
- C. All ATV/UTV operators shall observe all laws of this state pertaining to their use
- D. ATV/UTV operators **cannot** ride on any route from midnight to 5:00 am, unless they are engaged in snow plowing.
- E. All ATVs/UTVs must operate with fully functional headlamps, tail lamps, and brake lights.
- F. All ATVs/UTVs shall be equipped, maintained, and operated to prevent excessive or unusual noise. No person shall operate and ATV/UTV on an ATV/UTV route unless the vehicle is equipped with a muffler or other effective noise-suppressing system in good working and in constant operation.

32.05 ENFORCEMENT

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

32.06 PENALTIES

Wisconsin state ATV/UTV vehicle penalties as found in s. 23.33(13(a) Wis. Stats are adopted by reference.

32.07 SEVERABILITY

The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Osborn, Outagamie County 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.

32.08 EFFECTIVE DATE

This ordinance becomes effective upon passage, route signage and posting of said ordinance.