

# TOWN OF BROOKLYN, GREEN COUNTY, WISCONSIN

## ORDINANCE # 1.8

Title: ATV/UTV Routes and Regulations

Adopted: October 24, 2024

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### 1. PURPOSE:

The Town of Brooklyn has determined the need to amend local code to regulate utility-terrain (UTV), as well as all-terrain vehicles (ATV) and in order to provide regulations on the use of such vehicles in the Town of Brooklyn as allowed by WI Stat § 23.33 and to designate specific routes such vehicle are to take within the Town. The purpose of this ordinance is to promote the health and safety of the community and the motoring public accessing public highways in the Town of Brooklyn. Further, it is the intention of the Town, by enactment of this ordinance, to encourage operators to operate safely in the Town for the health, safety and welfare of the public.

### 2. AUTHORITY AND GENERAL REGULATION:

The Town Board of the Town of Brooklyn, Green County, Wisconsin ("Board") has the specific authority to adopt this ATV/UTV Routes and Regulations Ordinance under Wis. Stat. § 23.33(11) (11), and Green County Ordinances Title 8 Chapter 2. The Board retains the right to close any Town road to ATV/UTV operation for any reason, including but not limited to special events, unlawful use, and road construction or repair. Said closures of town roads to ATV/UTV use may occur without prior notice.

The Town accepts no liability for the operation of ATV/UTV's on any Town road under the provisions of this ordinance. The operation of ATV/UTV's is at the operator's own risk. ATV/UTV operators within the Town shall abide by all State, County, and Municipal laws, and the applicable provisions of Wis. Stat. § 23.33, regulating ATV/UTV operations are adopted by reference and made part of this ordinance.

### 3. ROUTES

A. All Town roads within the Town of Brooklyn have been designated as ATV/UTV routes except for the gravel portions of Town Roads including without limitation, Yarwood Road west of County Highway E, and Frei Road remain closed to ATV/UTV traffic.

All County roadways located in the Town are hereby declared as ATV/UTV routes only if so authorized by the County of Green, and all State highways in the Town are declared as ATV/UTV routes only if so authorized by the State of Wisconsin.

B. All authorized ATV/UTV routes shall be signed in accordance with Wis. Stat. § 23.33(8)(e). The Town, or its designee, shall maintain all route signs within the Town. Any restrictions on authorized routes shall be designated by majority vote of the Town Board and shall be marked and/or signed accordingly.

#### **4. REQUIREMENTS FOR OPERATION OF ATV/UTV'S**

**The following restrictions apply to operation of ATVs and UTVs on all Town of Brooklyn (Town) roads designated as ATV/UTV routes:**

A. Operators shall abide by all traffic laws, including the rules of operation and equipment requirements contained in Wis. Stat. §23.33 and Wis. Adm. Code. Ch. NR 64, unless further restricted by this chapter.

B. ATVs and UTVs may only be operated on an approved ATV/UTV route between the hours of 4:00 a.m. to 10:00 p.m.

C. ATVs and UTVs shall be operated at a safe speed not to exceed 35 miles per hour unless a reduced speed is otherwise required by law or roadway conditions.

D. All ATV and UTV operators shall slow to a safe and prudent speed when there are animals on or near the roadway.

E. The hours of operation and speed limit will be posted on Town ATV/UTV Routes, on signs paid for by route sponsors.

F. All ATVs and UTVs must operate with fully functional headlights, taillights, and brake lights. All ATV or UTV operators shall ride in single file on the extreme right-hand side of the paved portion of the highway. Operation on the gravel shoulders, grassy in-slope, ditches, or other highway right-of-way is prohibited. Left turns may be made from any part of the highway when it is safe given prevailing conditions.

G. No Operator shall cross any public road or highway except where no obstruction prevents a quick and safe crossing. "Obstruction" shall include, but is not limited to, any object or condition that impairs the Operator's view or creates a potentially hazardous roadway condition."

H. No person under the age of 16 may operate an ATV or UTV on any road or highway within the Town of Brooklyn.

I. Every operator shall have in his or her immediate possession a valid motor vehicle operator's license, and shall display the license document upon demand from any law enforcement officer, state patrol officer, Inspector under Wis. Stat. § 110.07(1), conservation warden, or municipal peace officer.

J. No person may ride in or on any part of an ATV or UTV that is not designated or intended to be used by passengers.

K. No operator or passenger of an ATV or UTV may possess, in or on an ATV or UTV on any Town road, any bottle or receptacle containing alcohol beverages if the bottle or receptacle has been opened, the seal has been broken or the contents of the bottle or receptacle have been partially removed or released.

L. All ATV and UTV operators shall carry a motor vehicle liability policy that complies with Sec. 344.33 of the Wisconsin Statutes

M. No person may operate an ATV or UTV after sunset or before sunrise without functioning directional signal lamps on both the front and back of the ATV or UTV.



**5. ENFORCEMENT**

A. This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of Green County and/or the State of Wisconsin.

B. Consistent with the Wis. Stat. § 23.33 (11)(b), the Town Clerk shall immediately send a copy of this ordinance to the Department of Natural Resources, the Wisconsin State Highway Patrol, and to the Green County Sheriff's Department.

**6. PENALTIES**

Wisconsin State ATV/UTV penalties as found in Wis. Stat. § 23.33 (13)(a) are adopted by reference and made part of this ordinance.

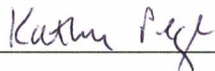
**7. SEVERABILITY**

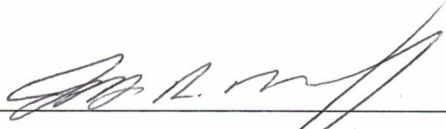
If any provision of this ordinance or its application to any person or circumstances is held invalid, the invalidity does not affect other provision or application of this ordinance that can be give effect without the invalid provision or application, and to this end the provisions of this ordinance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

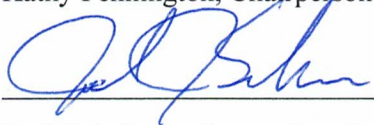
**8.EFFECTIVE DATE**

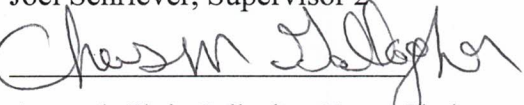
This ordinance shall be effective one day after its publication or posting as required by law.

This ordinance was adopted by the Town Board of Supervisors of the Town of Brooklyn at a regular meeting on the 24<sup>th</sup> day of October, 2024, by a vote of 3 aye and 0 nay

  
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Kathy Pennington, Chairperson

  
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Jeffrey McNeely, Supervisor 1

  
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Joel Schriever, Supervisor 2

  
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Attested: Chris Gallagher, Town Clerk

posted November 5<sup>th</sup> 2024

