



Town of Troy

Walworth County, Wisconsin

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STATE OF WISCONSIN

TOWN OF TROY

WALWORTH COUNTY

ORDINANCE NO. 2023-01

AN ORDINANCE TO DESIGNATE ALL TOWN ROADS IN THE TOWN OF TROY AS ATV/UTV ROUTES

WHEREAS, Wisconsin Statutes Section 23.33 allows municipalities to designate municipal roads as All-Terrain Vehicle (ATV) and Utility-Terrain Vehicle (UTV) routes to allow ATVs and UTVs to drive on certain roads within the municipality; and

WHEREAS, municipalities throughout Walworth County have begun to designate their roads as ATV and UTV routes; and

WHEREAS, the County Board of Supervisors for Walworth County recently designated all County highways as ATV and UTV routes; and

WHEREAS, the Town Board of the Town of Troy finds that it is in the best interest of the Town of Troy residents to be consistent with Walworth County and other surrounding municipalities by designating all Town roads to be ATV and UTV routes.

NOW THEREFORE, The Town Board of The Town of Troy, Walworth County, Wisconsin, Does Hereby Ordain as Follows:

SECTION 1: The Town of Troy hereby adopts the following State laws by reference.

The statutory provisions describing and defining regulations concerning all-terrain vehicles and utility-terrain vehicles and the use thereof in the following enumerated sections of the Wisconsin Statutes, including penalties to be imposed, are hereby adopted by reference and made a part of this article as if fully set forth. Any act required to be performed or prohibited by any statute incorporated in this article by reference is required or prohibited by this article.

Wis. Stats. §23.33 (1)	Definitions
Wis. Stats. §23.33 (1m)	Utility Terrain Vehicle Program
Wis. Stats. §23.33 (2k)	Weekend Exemption
Wis. Stats. §23.33 (2m)	Rental of All-Terrain Vehicles and Utility Terrain Vehicles
Wis. Stats. §23.33 (3)	Rules of Operation

Wis. Stats. §23.33 (3c)	Operation with Firearms and Crossbows
Wis. Stats. §23.33 (3e)	Original Seating
Wis. Stats. §23.33 (32:)	Use of Headgear
Wis. Stats. §23.33 (4)	Operation on or near Highways; See Section 2 of this code for guidance on authorized routes on Town roads
Wis. Stats. §23.33 (4c)	Intoxicated operation of an All-Terrain Vehicle or Utility-Terrain Vehicle
Wis. Stats. §23.33 (42:)	Preliminary: Breath Screening Test
Wis. Stats. §23.33 (4j)	Applicability of the Intoxicated Operation of an All-Terrain Vehicle or Utility Terrain Vehicle Law
Wis. Stats. §23.33 (4L)	Implied Consent.
Wis. Stats. §23.33 (4o)	Chemical Tests
Wis. Stats. §23.33 (4t)	Report arrest to Department
Wis. Stats. §23.33 (4x)	Officer's Action After Arrest for Operating an All-Terrain Vehicle or Utility Terrain Vehicle White Under Influence of Intoxicant
Wis. Stats. §23.33 (42)	Public Education Program
Wis. Stats. §23.33 (5)	Age Restrictions; Safety Certification Program
Wis. Stats. §23.33 (6)	Equipment Requirements
Wis. Stats. §23.33 (6M)	Noise Limits
Wis. Stats. §23.33 (6r)	Passenger Restrictions
Wis. Stats. §23.33 (8)	Routes and Trails; See Section 2 of this Ordinance for guidance on authorized routes on Town roads
Wis. Stats. §23.33 (9)	Administration; Enforcement; Aids
Wis. Stats. §23.33 (10)	Liability of Landowners
Wis. Stats. §23.33(11)	Local Ordinances; See Section 2 of this Ordinance for guidance on authorized routes on Town roads
Wis. Stats. §23.33 (1 Im)	Exceptions
Wis. Stats. §23.33 (12)	Enforcement
Wis. Stats. §23.33 (13)	Penalties

SECTION 2: Designated Town highway routes.

(a) All Town of Troy roads shall be ATV and UTV routes.

SECTION 3: Signage.

(a) The Town shall post all required signs pursuant to Wisconsin Statutes Section 23.33(8)(e). Regulatory signage will be posted underneath an ATV guide sign restricting the hours of use on all Town roads to "5 AM- 11 PM ONLY."

SECTION 4: Enforcement by citation procedure.

The provisions of this section may be enforced pursuant to any citation ordinance heretofore adopted or hereinafter enacted pursuant to the provisions of Wis. Stats. § 66.0113. However, this provision shall not limit or preclude the enforcement of this section pursuant to any other ordinance or proceeding permitted by law, whether ordinance or statute.

SECTION 5: Reference to State statutes.

Whenever the underlying statute above adopted is amended, repealed, or modified by the State legislature, the provisions of the statute so adopted as ordinance violations shall be amended in accordance with those changes.

SECTION 6: SEVERABILITY.

The several sections of this Ordinance are declared to be severable. If any section or provision thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such declaration shall apply only to the specific section(s) or portion(s) thereof directly specified in said declaration, and shall not affect the validity of any other provisions, sections, or portions of the Ordinance, which shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

SECTION 7: EFFECTIVE DATE.

This ordinance shall take effect May 1, 2023

Dated this 12th day of January, 2023

TOWN OF TROY


John Kendall, Town Chair

ATTEST:


Michael Ramps, Town Clerk/Treasurer

Published and posted this 23 day of January, 2023