

STATE OF WISCONSIN
Town of Casey, Washburn County

Ordinance Number 2010-06

SECTION I – TITLE/PURPOSE

The title of this ordinance is the Town of Casey All-Terrain Vehicle Route Ordinance. The purpose of this ordinance is for the Town of Casey to establish all-terrain vehicle (ATV) routes in the Town of Casey, and to regulate the operation of ATVs in the Town of Casey.

SECTION II – AUTHORITY

The town board of the Town of Casey has the specific authority under s. 23.33 (8) (b) and (11), Wis. stats. with general authority under its village powers to adopt this ordinance.

SECTION III – ADOPTION OF ORDINANCE

The town board of the Town of Casey, by this ordinance, adopted on proper notice with a quorum and by a roll call vote by a majority of the town board present and voting, provides the authority for the town to designate ATV routes in the Town of Casey and to regulate the use of those routes and ATV vehicles in the Town of Casey.

SECTION IV – OPERATION OF ALL-TERRAIN VEHICLES

Pursuant to s. 23.33 (4) (d) 4, Wis. Stats., except as otherwise provided in 23.33 (4), Wis. Stats., no person may operate an ATV on the roadway portion of any highway in the town except on roadways that are designated as ATV routes by this ordinance. Operation of all-terrain vehicles on a roadway in the town that is an ATV route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions.

SECTION V – DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES

The following roads are designated ATV routes in the Town of Casey in their entirety:

Pair O' Lakes Road, Spring Lake Road, Dunn Lake Road, Medley Road, Sunfish Lake Road, Fisher Road, Loon Lake Road, Casey Lake Road, Townsend Road, Woodbridge Road, Lower McKenzie Road, Big Bass Lake Road, Emerson Corner Road, Melsvck Road, Section One Road, Deer Lake Road, Blackburn Road and Lakewood Road.

The following roads are designated ATV roads and limited as listed:

Island Lake Road between County Trunk E and Woodbridge Road; Little Bass Lake Road between Town of Evergreen line and McKenzie Lake Road; Leisure Lake Road between Island Lake Road and Skunk Lake Road; Timberland Road between Lower McKenzie Road and Scenic Drive.

SECTION VI – CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE ROUTES

Pursuant to s. 23.33 (8) (d), Wis. Stats. The following restrictions are place on the use of the Town of Casey ATV routes designated by this resolution:

- a. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town ATV routes:
 1. Intentionally remove, damage, deface, move or obstruct any uniform ATV route or ATV prohibited sign if the sign is legally placed by the Town of Casey or any authorized agent of the Town of Casey.
 2. Possess any uniform ATV route or ATV prohibited sign established by the Town of Casey for the warning, instruction or information of the public, unless he or she obtained the uniform ATV sign in a lawful manner. Possession of a uniform ATV route or ATV prohibited sign creates a rebuttable presumption of illegal possession.
- b. Operation shall be subject to all provisions of s. 23.33, Wis. Stats., which is adopted as part of this ordinance by reference, pursuant to s. 23.33 (11), Wis. Stats.
- c. A copy of this ordinance shall be sent by the town clerk to the Washburn County Sheriff's Department and to the Washburn County Forestry Department.
- d. Maximum speed limit not to exceed 35 MPH is hereby established where safe given prevailing conditions with speeds not to exceed 20 MPH when meeting on-coming vehicular traffic, vehicular traffic entering/exiting the roadway via an ingress/egress, and when roadway vision is limited to less than 100 feet. Use of the non-asphalt covered roadways and road right-of-ways is prohibited.
- e. All ATV operators shall ride single file, and operate on the designated roadways during daylight hours only with daylight being defined as the hours commencing one hour after sunrise and ending one hour prior to sunset.

SECTION VII – ENFORCEMENT

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

SECTION VIII – PENALTIES

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

SECTION IX – SEVERABILITY

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 or circumstances shall not be affected, and to this end, the provisions of this ordinance are severable.

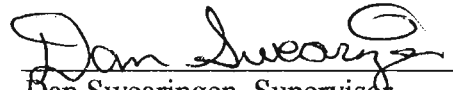
SECTION X – EFFECTIVE DATE

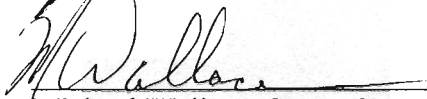
The All-Terrain Vehicle Route Ordinance is effective on publication.

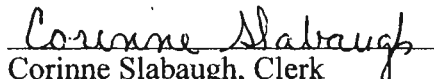
The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. Stats and insert in the Town of Casey Code of Ordinances.

Adopted this 9th day of June 2010.


Gene Bethel, Chairperson


Dan Swearingen, Supervisor


Michael Wallace, Supervisor

Attested to: 
Corinne Slabaugh, Clerk

posted: June 9, 2010

- 1) Town Hall
- 2) junction of Dunn Lake and Island Lake Rd
- 3) junction of Pair O Lakes Rd and County Trunk E
- 4) junction of Blackburn Rd and County Trunk E

Between the hours of 9:00pm and 10:00p.m.