

TOWN OF OSCEOLA

Polk County, Wisconsin

CHAPTER 19

ALL-TERRAIN VEHICLE ROUTE

ORDINANCE No. 12-01-01

SECTION 1 – PURPOSE

The purpose of this ordinance is to establish all-terrain vehicle routes in the town and to regulate the operation of all-terrain vehicles in the town.

SECTION II – AUTHORITY

The Town Board of the Town of Osceola, Polk County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under Wisconsin Statutes 23.33 (8) (b) and (11).

SECTION III – ADOPTION OF ORDINANCE

The Town Board of the Town of Osceola, Polk County, Wisconsin, by this ordinance adopted on proper notice with a quorum and roll call vote by a majority of the town board present and voting, provides the authority for the town to designate all-terrain vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles in the town.

SECTION IV – OPERATION OF ALL-TERRAIN VEHICLE ROUTES

Pursuant to Wisconsin Statutes 23.33 (4) (d) 4, except as otherwise provided in Wisconsin Statutes 23.33 (4), no person may operate an all-terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle routes by this ordinance. Operation of all-terrain vehicles on a roadway in the town that is an all-terrain vehicle 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. Except on roadways that are designated as all-terrain vehicle routes and except for authorized maintenance vehicles and snowmobiles, it shall be unlawful to operate any all-terrain vehicle on any Town road, or on any public lands and private lands or parking lots held open to the public. The operator shall at all times have written consent of the land owner before operation of such craft or vehicle on private lands.

SECTION V – DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES

All Town roads in the Town of Osceola limits are designated all-terrain vehicle routes, with the exclusion of all roads which border other towns/villages bordering the Town of Osceola, and the following roads listed:

1. 240th Street from CTH M north to State HWY 35
2. 248th Street from Education Avenue south to CTH M
3. Education Avenue from 248th Street west to Town line

4. 210th Street from 90th Avenue north to Town Line
5. Poplar Lane from 210th Street north and west to end of road
6. Oak Drive from 233rd Street south to CTH M
7. 215th Street from 70th Avenue south to end of road
8. 60th Avenue from CTH M west 2 1/2 miles

SECTION VI – CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE ROUTES

Pursuant to Wisconsin Statutes 23.33 (8) (d), the following restrictions are placed on the use of the town all-terrain vehicle routes designated by this resolution:

1. Routes shall be marked by the Lotus Lake ATV Club with uniform all-terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. Signage will be inspected and maintained annually by the Lotus Lake ATV Club. No person may do any of the following in regard to signs marking town all-terrain vehicle routes:
 - a. Intentionally remove, damage deface, move, or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route or trail sign or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.
 - b. Possess any uniform all-terrain vehicle route or trail sign or standard of the type established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.
2. Operation shall be subject to all provisions of Wisconsin Statutes 23.33, which is adopted as a part of this ordinance by reference, pursuant to Wisconsin Statutes 23.33.
3. A copy of this ordinance and map shall be sent by the town clerk to the Polk county Sheriff's Department.
4. Other conditions to apply to all operators (and passengers where applicable):
 - a. No person shall operate any all-terrain vehicle within the Town of Osceola at a speed in excess of thirty five (35) miles per hour.
 - b. Must be at least 16 years of age and possess a driver's license or an ATV Safety Certificate.
 - c. All ATV operators shall ride single file and to the extreme right hand side of the road except when making a left hand turn.
 - d. Allowable hours of operation of designated ATV routes shall be from six (6:00) a.m. to ten (10:00) p.m.

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 Wisconsin Statutes 23.33 (13) (a) are adopted by reference.

SECTION IX – 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 the ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

SECTION X – EFFECTIVE DATE

This Ordinance is effective May 1, 2012 and upon publication or posting.

The town clerk shall properly publish or post this ordinance and attached map as required under s.60.80, Wis. Stats.

Adopted this 15th Day of March, 2012

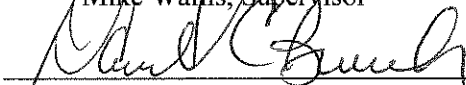
By the Town Board of the Town of Osceola



Doug Schmidt, Chairman



Mike Wallis, Supervisor



Daniel Burch, Supervisor

ATTEST:



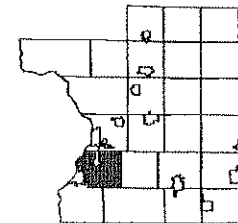
Lorraine Rugroden, Clerk-Treasurer

 Voice Vote
 X Roll Call Vote
 3 Yeas: 0 Nays: Absent/Abstain

TOWN OF OSCEOLA

POLK COUNTY
WISCONSIN

GENERAL ROAD MAP



Polk County

- STATE HIGHWAY
- COUNTY ROAD
- TOWN ROAD
- VILLAGE ROAD
- PRIVATE ROAD
- RAILROAD
- TRAILS
- HYDRO STREAM
- HYDRO BODY
- VILLAGE BOUNDARY
- TOWN BOUNDARY
- UNINCORPORATED VILLAGE

0 0.25 0.5 1
Mile



Created by:
Polk County Land Information Department
Geographic Information Systems Division
100 Polk County Plaza, Suite 130
Balsam Lake, WI 54810
Ph: 715.485.9279
Fax: 715.485.9246
www.co.polk.wi.us

5/15/08



This drawing is the result of a compilation and reproduction of land records as they appear in various Polk County Offices. The drawing should be used for reference purposes only. Polk County is not responsible for any inaccuracies herein contained.

