

Ordinance #5162018  
Amended 2/19/2020

All-Terrain/Utility Terrain Vehicles and Routes  
Town of Poygan, Winnebago County, Wisconsin

**Section I - Intent**

The Town of Poygan, Winnebago County adopts the following all-terrain vehicle (ATV) and Utility Terrain Vehicle (UTV) Route Ordinance upon the roadways listed herein. Following due consideration of the recreational value to connect trail opportunities and weighed against possible dangers, public health, liability aspects, terrain involved, traffic density and automobile traffic volume, this route has been created.

**Section II - Statutory Authority**

This route is created pursuant to Township authority as authorized by 23.33 (8) (b), Wis. Stats. The applicable provisions of 23.33 regulating ATV/UTV operations pursuant to routes are adopted.

**Section III – Routes**

1. The Town of Poygan reserves the right to close or modify routes at any time.
2. The Town of Poygan, or its designee, shall maintain all route signs within the township.
3. All ATV/UTV routes shall be signed in accordance with NR 64.12, and NR 64.12(7). If a route is not signed it is not open for use.
4. ROUTES DESIGNATED. The following roads are designated ATV/UTV Routes in the Town of Poygan:
  - a. Lake Poygan Road from CTH B to Jacquis Road
  - b. Jacquis road from Lake Poygan Road to Quigley Road
  - c. Quigley Road from County Road B to Town of Winneconne town line
  - d. Church Road from Jacquis Road to County Road D
  - e. Haase from 37<sup>th</sup> Avenue to Eureka Road
  - f. Lee Road from Jacquis Road to Rushford Avenue
  - g. Rushford Avenue from Lee Road to Oak Hill Road
  - h. Oak Hill Road from Rushford Avenue to Eureka Road
  - i. Eureka Road from Haase Road to Town of Rushford town line
  - j. 37<sup>th</sup> Avenue
  - k. Welsch Road from CTH B to Town of Poy Sippi town line.
- l. SPECIAL CONDITION FOR TOWN RESIDENTS. Town of Poygan residents may use town roads that are not designated as part of the ATV route to access the route provided that residents use the most direct path. Non-residents may not use any Town Road that is not designated as an ATV route for any reason.
5. The Town clerk of the Town of Poygan shall maintain a Route map.

**Section IV - Conditions**

1. All ATV/UTV operators shall wear eye protection.
2. All UTV operators and passengers shall wear a seat belt.

3. All ATV/UTV operators on routes shall observe posted roadway speed limits but shall not exceed 35 mph regardless whether a higher speed limit is posted.
4. All ATV operators shall ride single file.
5. No ATV may be operated on any designated route between the hours of 10:00 P.M. to 6:00 A.M. daily.
6. No person may operate an ATV on any designated route, without a valid driver's license.
7. No person under the age of eighteen (18) may operate an ATV on any designated route unless wearing approved protective head gear.
8. No ATV may be operated on any designated route which ATV does not meet all applicable Federal noise and air pollution standards.
9. Operators of ATV/UTV shall observe all laws of this state pertaining to the use of an ATV/UTV.

#### **Section V - Enforcement**

The town board authorizes the Winnebago County Sheriff to enforce this ordinance as well as any other law enforcement officer authorized to enforce the laws of the state of Wisconsin. This ordinance may be enforced by any town board member or a designee of the town.

#### **Section VI - Penalties**

Wisconsin state All-Terrain Vehicle penalties as found in s. 23.33 (13) (a) Wis. Stats., are adopted by reference. Except for S. 23.33(am) to (e) a person who violates this ordinance shall forfeit not more than \$250.00 and not less than \$50.00

#### **Section VII - Severability**

The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Poygan 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 or circumstances shall not be deemed affected.

#### **Section VIII - Effective Date**

This ordinance becomes effective upon passage and publication.

Passed this 16<sup>th</sup> day of May, 2018.

  
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Martin Johnson  
Town Chairman

  
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Julia Reinert  
Town Clerk

Amended: February 19, 2020

Adopted: May 16, 2018

Published: May 27, 2018

Effective: PENDING- placement of signage