

**ORDINANCE # 01-2014 .**

**AN ORDINANCE TO APPROVE AND REGULATE ALL-TERRAIN VEHICLE (ATV/UTV) and UTILITY VEHICLES (UTVS) TRAVEL ON ROADS IN THE TOWN OF MECAN, MARQUETTE COUNTY, WISCONSIN, AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.**

**SECTION I. Intent**

The Town of Mecan, Marquette County, Wisconsin, adopts the following ordinance for the operation of All-Terrain Vehicles and Utility Vehicles upon the roadways listed in Section III.

Following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this ordinance has been created.

**SECTION II. Statutory Authority**

This route is created pursuant to town authorized as authorized by Sec. 23.33(8)(b), Wisconsin Statutes.

The applicable provisions of Section 23.33, Wisconsin Statutes, regulating ATV / UTV operation pursuant to routes are adopted.

**SECTION III. Routes**

Roads to be open for ATV / UTV routes are as follows:

From Town of Shield townline east on Eagle Road, north on 19<sup>th</sup> Rd to Neshkoro town line, south on Soda Rd to County Rd J., east on County Rd. J to Green Lake County line, west on County Rd J to Town of Shields town line. East on Eagle Lane to Green Lake County Line, south on Soda Rd to County Rd. J. From Town of Shields on County Rd. N., east on Elk Rd to Green Lake county Line. County Rd. N south to state Hwy 23. From Town of Montello line on County Rd C east then north on 19<sup>th</sup> Ct. then east onto Fern Dr., Fern Drive to 22<sup>nd</sup> Ln south, to Lotus Dr. From Fern Dr. north on 22<sup>nd</sup> Ct. to River View Rd. East to Green Lake County Line, and west to County Rd C. From 22 Ln. west on Fox Ct. to south on E. Tomahawk Trail then W. Tomahawk trail back to Fox Ct. West then south on DNR, Apauckawu Park / Launch. Back to Fox Ct. west to S 21<sup>st</sup> Drive then south to N. Shore Dr. to Good Old Days. N Shore Dr. to County Rd. C. West on County Rd C to Town of Montello line. From County Rd C to 20<sup>th</sup> Ct. north to Fern Drive. All roads in Dirndauers Lake View Subdivision, Puckaway Shores Subdivision, and Wood Dale Subdivision.

#### **SECTION IV. Conditions**

As a condition for the use of this route, the following conditions shall apply to all operators, and passengers:

- A. All ATV / UTV operators shall observe posted roadway speed limits.
- B. All ATV / UTV operators shall ride single file.
- C. All ATV / UTV operators shall slow the vehicle to 25 MPH or less when operating within 150 feet of a dwelling.
- D. Routes must be signed in accordance with NR 64.12, and NR. 64.12(7)c.
- E. Routes will be open for public ATV / UTV usage during the following time periods:
  - Dates: Year Round; Time: No ATV / UTVs between midnight and 0500
- F. All operators of ATVs/UTVs must have a valid driver's license.

#### **SECTION V. Enforcement**

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

#### **SECTION VI. Penalties**

Wisconsin state All-Terrain Vehicle penalties as found in Sec. 23.33(13)(a), Wisconsin Statutes, are adopted by reference.

#### **SECTION VII. Severability**

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

#### **SECTION VIII. Effective Date**

This ordinance will become effective on February 11, 2014 and Publication in the Marquette County Tribune .

This ordinance will be reviewed in one year for further discussion to determine if ordinance will be allowed to continue.

Passed this - 11 - Day of - February, 2014.

*Michael L. Baugh*  
Chairman

*Clayton Masters*  
Supervisor

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Supervisor

Attested to:

*Caroline Gemoll*  
Clerk

Town of Mekan

Marquette County, Wisconsin

Amendment To Ordinance No. 01-2014, An Ordinance To Regulate  
ATV/UTV Traffic In The Town Of Mekan, Wisconsin.

**AMENDMENT NO. 01-2014**

**WHEREAS:** The Town of Mekan at a duly noted town meeting, testimony was given from town citizens in regards to ATV use on town roads.

**WHEREAS:** The Town of Mekan residents with a signed petition asked and demanded that the roads here in be added to roads that are already open for ATV/UTV use in the Town of Mekan.

**NOW THEREFORE LET IT BE KNOWN:** That the Town of Mekan, Marquette County Wisconsin does ordain the use of ATV, UTV traffic on Eagle Road, Eagle Lane, and Soda Road.

**ROLL CALL ON AMENDMENT NO. 01-2014**

**AYES\_3\_, NAYS\_0\_, ABSENT,\_0\_, ABSTAIN\_0\_.**

Passed and Adopted this 5th Day Of August 2014

**Town Board Of Supervisors**

, Town Chairman

, Supervisor # 1

, Supervisor # 2

**ATTEST:** , Town Clerk

**Town of Mekan, Marquette County Amendment No. 01-2015  
Amendment To Ordinance No. 01-2014 and Amendment No.  
01-2014**

**AMENDMENT NO. 01-2015**

**WHEREAS:** The Town Board Of Mekan, at a duly noted town meeting, as requested by the towns citizens, has had ATV/UTV travel on said roads for a period of one year and,

**WHEREAS:** Seeing no major issues, The Town Of Mekan residents have petitioned members of the town board to open all TOWN OF MECAN ROADS to ATV/UTV traffic and,

**WHEREAS:** Marquette County's Sheriff Department would rather see all town roads open and accessible to ATV/UTV travel to alleviate any confusion for the officer on duty as to what roads are open to ATV/UTV travel and what roads aren't open to ATV/UTV travel and


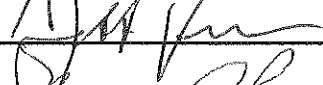
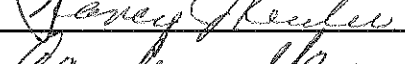

**WHEREAS:** Per, The Town Of Mekan citizens/residents and the Marquette County's Sheriff's Office, in a effort to eliminate confusion, Does here by Open All Town Of Mekan Roads to ATV/UTV travel to axis any and all established ATV/UTV routes.

**NOW THEREFORE LET IT BE KNOW:** That the Town OF Mekan, Marquette County Wisconsin, does ordain the use of ATV/UTV traffic on all Town Of Mekan Roads.

**DATED: MAY 12, 2015**

**ROLL CALL VOTE ON AMENDMENT NO. 01-2015...**

**AYES** 3 , **NAYS** 0 , **ABSENT** 0 , **ABSTAIN** 0

**SIGNED:**  **TOWN CHAIRMAN**  
**SIGNED:**  **SUPERVISOR # 1**  
**SIGNED:**  **SUPERVISOR # 2**  
**ATTEST:**  **TOWN CLERK**