

ORDINANCE # 7.13

ORDINANCE REPEALING AND RECREATING § 7.13 OF THE CODE OF THE VILLAGE OF GRESHAM, SHAWANO COUNTY, WISCONSIN

BE IT ORDAINED, by the Village Board of the Village of Gresham, Shawano, County, Wisconsin, that 7.13 of the Municipal code of the Village of Gresham are here by repealed and recreated to read as follows:

7.13 ALL-TERRAIN VEHICLES REGULATED. (1) **INTENT.** The Village of Gresham, Shawano County adopts the following, all- terrain vehicle ordinance for the operation of all-terrain (ATV) and utility terrain (UTV) vehicles upon all designated roadways of the Village.

(2) **STATUTORY AUTHORITY.** This ordinance is created pursuant to village authority under section 7.13 as authorized by 23.33 (8) (b), Wis. Stats.

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

(3) **ROUTES.** The following roads are designated as routes

(A) All signed Village streets.

(4) **CONDITIONS.**

As a condition for the use of these designated routes, 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 10 – 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. All ATV/UTV operators must stay on the paved portion of streets/roads. No riding on the shoulder of the roads or sidewalks.
- F. All ATV/UTV operators must be 16 years of age or older.
- G. ATV/UTV can only be operated from 8:00 a.m. to 10:00 p.m. on designated Village streets/roads. *4-1- then 11:30.*

(5) **ENFORCEMENT.**

The Village of Gresham, Village Board gives the authority to enforce the ordinance to the State of Wisconsin Highway Patrol, Shawano County Sheriff's Department, Stockbridge

Munsee Tribal Police, Village President or his designee, and/or the Village Board of Trustees or their designee, and any other enforcement authority as allowed by Wisconsin Statutes.

(6) **PENALTIES.**

Wisconsin state All-Terrain and Utility Terrain Vehicle penalties as found in s. 23.33 (13) (a) Wis. Stats., are adopted by reference.

(7) **LAWS.**

The Village of Gresham accepts no liability for the operation of ATV/UTV's on any Village streets/roads under the provisions of this Ordinance.

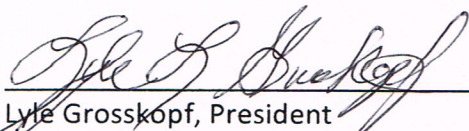
(8) **SEVERABILITY.**

The provision of this ordinance shall be deemed severable and it is expressly declared that the Village 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 person's circumstances shall not be deemed affected.

(9) **EFFECTIVE DATE.**

This Ordinance shall take effect upon passage and publication and can be reviewed by the Board at their discretion. A copy of this Ordinance and any revisions thereto, shall be sent by the Village Clerk to the Department of Natural Resources, the Shawano County Sheriff's Department and any other law enforcement agency serving in the Village of Gresham jurisdiction.

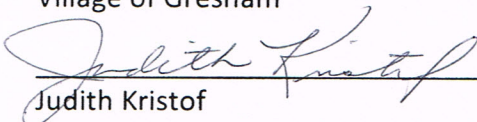
ADOPTED BY THE VILLAGE OF GRESHAM, VILLAGE BOARD THIS 14th Day of November, 2017.



Lyle Grosskopf, President
Village of Gresham

11-14-17

Date



Judith Kristof
Village of Gresham Clerk/Treasurer

11/14/17

Date