GENERAL CODE OF SAUK COUNTY, WISCONSIN

**ORDINANCE AMENDMENT #**

Ordinance Amendment to ordinance section 15.008 to include regulations for ATV trails

**Ordinance Amendment offered by the Public Works and Infrastructure Committee.**

BACKGROUND: Sauk County has contracted with the Baraboo Bluffs ATV UTV Club to allow the Club to develop an ATV trail system at the former Sauk County Landfill Property. The trail is now complete and open for the public. To ensure proper and orderly use of the trail system the County needs to enact ordinances that regulate the use of the property.

 NOW, THEREFORE, THE SAUK COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

 Section 4. Section **15.008** of the General Code of Sauk County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

**Sec. 15.008. - Operation on ATV/UTV routes, trails and crossings.**

[Sections (1) –(3) remain unchanged]

(4) The following restrictions apply to operation of ATVs and UTVs on all County trails designated as ATV/UTV routes:

1. No person shall operate a motorized vehicle other than a legally registered all-terrain vehicle (ATV) or utility terrain vehicle (UTV), as defined by Wisconsin §23.33(2)(a), on a County owned designated ATV trail without the written permission of the Sauk County Facilities Director or Assistant Facilities Director, except for motorized vehicles used for forest management, logging, emergency and law enforcement purposes or trail maintenance activities.
2. All operators at least age 12 years and born on or after January 1, 1988 must possess a valid ATV safety certificate issued by this state or any other state or province. It must be provided if requested by law enforcement upon request.
3. No person under the age 16 may operate an ATV or UTV on any Sauk County Trail or Trail System unless accompanied by a designated adult.
4. No person shall operate an ATV or UTV other than on designated marked ATV trail or shall be subject to penalty and fine under §23.33(3)(cm ), Wis. Stats.
5. No person shall operate an ATV or UTV at speeds in excess of posted speed limits on any portion of an approved all-terrain vehicle trail or operate at a speed that is unreasonable or improper under the circumstances, or in any careless way to endanger a person or property of another. §23.33(3)(a), Wis. Stats
6. No person shall deface, destroy or remove any ATV trail signs posted on a designated all-terrain vehicle trail. §23.33(8)(f), Wis. Stats
7. No person shall operate an ATV or UTV which has been mechanically or otherwise altered from the manufacturers specifications so as to generate additional noise greater than the 96 decibel limit in §23.33(3)(6m), Wis. Stats.
8. All ATVs and UTVs must slow to a speed of 10 MPH or less when riding within 100 feet of any animal or person who is not on a motorized vehicle. This includes but is not limited to wildlife and other ATV/UTV operators standing alongside the trail. As per §23.33(3)(gm), Wis. Stats.

Approved for presentation to the County Board by the Public Works and Infrastructure Committee, this \_\_\_\_\_ day of May, 2024.

Consent Agenda Item: [ ] YES [ X ] NO

Fiscal Impact: [ X ] None [ ] Budgeted Expenditure [ ] Not Budgeted

Vote Required: Majority = \_\_X\_\_ 2/3 Majority = \_\_\_\_\_\_\_\_\_ ¾ Majority = \_\_\_\_\_\_\_\_\_

The County Board has the legal authority to adopt: Yes \_\_\_X\_\_\_ No \_\_\_\_\_\_\_\_ as reviewed by the Corporation Counsel, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .

Offered and passage moved by:

Offered and passage moved by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ □ Aye □ Nay □ Abstain □ Absent

Supervisor Brian Peper

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ □ Aye □ Nay □ Abstain □ Absent

 Supervisor Kevin Schell

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ □ Aye □ Nay □ Abstain □ Absent

 Supervisor Tom Dorner

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ □ Aye □ Nay □ Abstain □ Absent

 Supervisor Bryant Hazard

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ □ Aye □ Nay □ Abstain □ Absent

 Supervisor Robert Spencer

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ □ Aye □ Nay □ Abstain □ Absent

 Supervisor Terry Spencer

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ □ Aye □ Nay □ Abstain □ Absent

 Supervisor Smooth Detter

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ □ Aye □ Nay □ Abstain □ Absent

 Supervisor Valerie McAuliffe

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ □ Aye □ Nay □ Abstain □ Absent

 VACANT

Fiscal Note: None

MIS Note: None