

**Village of Bonduel**  
**Shawano County**  
**117 W. Green Bay Street**  
**Bonduel, WI 54107**

**ORDINANCE NO.:** 2020-01

**SPONSORED BY:** Public Safety Committee

**INTRODUCED BY:** Tim Kelley

**SECONDED BY:** Brenda Staszak

**THE VILLAGE BOARD OF THE VILLAGE OF BONDUEL, SHAWANO COUNTY, WISCONSIN, DO ORDAIN that CHAPTER 28, TRAFFIC CODE, §28-15, ALL-TERRAIN/UTILITY-TERRAIN VEHICLE ROUTES, is hereby repealed and recreated as follows:**

**Sec. 28-15. – All-Terrain/Utility-Terrain Vehicle Routes**

- (a) *Intent.* The Village of Bonduel, Shawano County, Wisconsin hereby adopts the following all-terrain vehicle (ATV) and utility-terrain vehicle (UTV) upon roadways listed in subsection (c) of this section. 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 route has been created. The establishment of this ordinance is for the convenience of the ATV/UTV riding public only and the Village of Bonduel makes no warranty expressed or implied that the aforementioned routes are safe for ATV/UTV operations.
- (b) *Statutory Authority.* This route is created pursuant to village authority as authorized by Wis. Stats. § 23.33(8)(b). The applicable provisions of Wis. Stats. § 23.33 regulating ATV operation are adopted. The Village hereby adopts except as otherwise specifically provided for in this ordinance, and pursuant to the authority granted in Chapter 23 and Chapter NR64 of the Wisconsin Statutes. The Village of Bonduel does hereby adopt Chapter 23 and Chapter NR64 of the Wisconsin State Statutes which deal with all-terrain and utility terrain vehicles to be applied on all Village roads designated ATV/UTV routes within the Village of Bonduel.
- (c) *Routes designated. Routes and Trails.*
  - (1) **Definitions:** ATV route: means a highway designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction as authorized under this ordinance. ATV trail: means a large corridor on public property or on private lands subject to public easement or lease designated for use by ATV operators by the governmental agency

having jurisdiction but excluding roadways except those roadways that are seasonally not maintained for motor vehicle traffic.

- (2) The Village of Bonduel reserves the right to close or modify routes and trails at any time. Any restrictions of trails and routes shall be designated by a motion and by majority of the Village of Bonduel board and shall be marked accordingly.
- (3) The Village of Bonduel or its designee shall maintain all routes and trail signs within the village.
- (4) All ATV/UTV routes and trails should be signed in accordance with NR64.12, and NR64.12(7)(c).
- (5) All Village roads, alleyways and transportation marked corridors within the Village of Bonduel are hereby designated as ATV/UTV routes. Authorized private lands subject to public easement or leases are designated trails. Designated county roadways located in the Village are hereby declared ATV/UTV routes if authorized by the County of Shawano.
- (6) The Village of Bonduel will maintain a route and trail map.

(d) *Conditions.* As a condition for the use of this route, the following conditions shall apply to all operators (and passengers):

- (1) All ATV operators shall slow the vehicle to ten mph or less when operating within 150 feet of a dwelling.
- (2) No person shall operate an ATV anywhere within the village between the hours of 2:00 a.m. and 6:00 a.m. With the exception of snow removal operations.
- (3) All ATV/UTV operators on routes shall observe posted roadway speed limits; not to exceed 35 MPH.
- (4) All ATV/UTV operators shall ride single file.
- (5) Operators of ATV/UTV shall observe all laws of this state pertaining to the use of an ATV/UTV.
- (6) The Village of Bonduel accepts no liability for the operation of ATV/UTVs on any village roads, alleyways and/or transportation marked corridors under the provisions of this ordinance and also that ATV/UTV operators must remain on an approved and marked trail or route.
- (7) All operators are required to have a valid driver's license. Operators' under the age of 16 are required to complete an approved ATV/UTV safety course and carry a safety certificate with them while riding on public roads.

(e) *Enforcement.* This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the state.

- (f) *Penalties.* Wisconsin state ATV penalties as found in Wis. Stats. §23.33(13)(a) are adopted by reference.
- (g) *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 persons circumstances shall not be deemed affected.

This Ordinance shall take effect upon passage and posting as provided by law.

Adopted: February 12, 2020  
Published: February 22, 2020

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Russ Gehm  
Village President

Attest:

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Michelle Maroszek  
Village Clerk