

ORDINANCE NO. 2023-02

ORDINANCE AMEND NON-TRADITIONAL VEHICLE ORDINANCE

The Town Board of the Town of Lodi, Columbia County, Wisconsin, does hereby ordain as follows:

WHEREAS, the Town of Lodi has adopted Section 4.04 of the Town of Lodi Code of Ordinance regulating the use of non-traditional vehicles, including UTVs and ATVs on their roadways; and

WHEREAS, Columbia County Ordinance Section 9.13 also regulates and permits the use of UTVs and ATVs on certain public roadways in Columbia County, including some, but not all roadways within the Town of Lodi; and

WHEREAS, the Town of Lodi intended that operation of UTVs and ATVs be regulated in the same manner as permitted by Columbia County and that as such, certain changes to the Town of Lodi ordinance are necessary.

NOW, THEREFORE, BE IT RESOLVED, that Section 4.04(f) of Chapter 4, Public Safety, be amended as follows:

1) Section 4.04(f) regarding the General Rules of Operation is amended as follows:

(f) **GENERAL RULES OPERATION**

The following restrictions shall apply to all operators and passengers on all town roads designated as ATV or UTV routes.

- (1) Operators of ATVs and UTVs shall abide by all federal, state, and local ordinances, laws, orders, regulations, restrictions, and rules including the rules of operation and equipment requirements in Wisconsin Statute §23.33 and Wisconsin Administrative Code Chapter NR64, unless further restricted by this ordinance.
- (2) ATVs/UTVs shall have their Wisconsin DNR registration number clearly visible and in legible letters from the rear of the vehicle. A copy of the current, valid registration certificate shall be present on the vehicle and shall be presented to law enforcement when requested.
- (3) No person may operate an ATV or UTV on a town road unless it has been designated as an ATV or UTV route by the Lodi Town Board, except for operation that is allowed by state statute or administration code.
- (4) ATVs and UTVs may only operate on designated ATV and UTV routes between 5:00 a.m. and 10:00 p.m.

- (5) ATVs and UTVs may not be operated on designated ATV and UTV routes at a speed exceeding 35 miles per hour, unless a reduced speed is otherwise required by law or roadway conditions.
- (6) No person shall operate an ATV or UTV on a town road if the town road is closed for any reason.
- (7) All ATV and UTV operators shall ride single file on the extreme right-hand side of the paved parts of the road. Operation on shoulders, ditches or other portions of the road right-of-way is prohibited. Left turns may be made from any portion of the road when safe, given prevailing conditions.
- (8) All ATV and UTV operators shall slow to a safe and prudent speed when there are animals, pedestrians, or cyclists, on or near the roadway.
- (9) All ATVs and UTVs must operate with fully functional headlights, taillights, and brake lights.
- (10) Crossings of other highways shall be made only at places where no obstructions prevent a quick and safe crossing. "Obstructions" include, but are not limited to, impairment of new and potentially hazardous roadway conditions.
- (11) No person between the age of 12 and 16 may operate an ATV on any segment of a town road designated unless the person is accompanied by either the person's parent, guardian, or by a person designated by the parent or guardian who is at least 18 years old.
- (12) No person under the age of 16 may operate an UTV on any town road and no person under the age of 12 may operate a ATV on any town road.
- (13) All individuals under the age of 18, either operating or riding on an ATV/UTV must wear a helmet.
- (14) All persons who are at least 12 years old and who is born on or after January 1, 1988 who operates an ATV on any segment of any designated ATV route shall carry a valid ATV safety certificate issued by Wisconsin or another jurisdiction, and shall display the certificate upon demand by any law enforcement officer.
- (15) No person shall ride in or on any part of an ATV or UTV that is not designed as intended to be used by passengers.
- (16) No operator or passenger of an ATV or UTV may possess any opened bottle or receptacle containing alcohol beverages.
- (17) No person may operate an ATV or UTV while under the influence of an intoxicant to a degree which renders him/her incapable of safe operation, or which may result in injury to another.

- (18) No person may engage in the operation of an ATV or a UTV while the person has an alcohol concentration of 0.08 or more.
- (19) No person may engage in the operation of an ATV or a UTV while the person has a detectable amount of a restricted controlled substance in his or her blood.
- 2) All other provisions of Section 4.04 regarding All-Terrain Vehicles and Utility Terrain Vehicle Routes And Regulations remain as adopted and are not intended to be changed.

The above and foregoing Ordinance was duly adopted at a regular meeting of the Town Board of the Town of Lodi held on the 1st day of June, 2023.

TOWN OF LODI

Steve Neander
 Steve Neander, Town Chairperson

Buck Kurt
 Buck Kurt, Supervisor 1

Michael Keller
 Michael Keller, Supervisor 2

Nicholas Eberle
 Nicholas Eberle, Supervisor 3

Bill Pfeil
 Bill Pfeil, Supervisor 4

ATTEST:

Shellie Benish
 Shellie Benish, Town Clerk

VOTE:

AYES: 4

NOES: 0

ADOPTED: 6-2-2023

PUBLISHED: 8-9-2023

Date this ordinance was sent by the Town to the Columbia County Sheriff and Wisconsin Department of Natural Resources Aug. 9, 2023.

