

ORDINANCE

SUBJECT: PUBLIC WORKS -7.08 "ALL TERRAIN VEHICLES"

COMMITTEE: PUBLIC WORKS AND INFRASTRUCTURE

FIRST CONSIDERATION: August 15, 2024

FINAL CONSIDERATION: October 17, 2024

ORDINANCE # 215 - 10/24 PUBLICATION DATE October 24, 2024

The County Board of Supervisors of La Crosse County does ordain as follows:

**AN ORDINANCE TO AMEND S. 7.08 OF CHAPTER 7 OF THE GENERAL CODE
OF LA CROSSE COUNTY, WISCONSIN
REGARDING ALL TERRAIN VEHICLES**

ANALYSIS

This amendment makes additional changes and clarifications to All-Terrain Vehicles Routes approval process.

Changes to the ordinance include:

1. Removal of requirements inconsistent with state law, specifically the requirement of driver's license and liability insurance.
2. Including the list of approved routes in the ordinance for clarity and to provide a clear avenue for future modifications.

INFORMATION:

County Board Rules: Governing Body s. 2.02(8) states, in part: Ordinances are drafted by the Corporation Counsel. After the ordinance has been reviewed by a standing committee, each Supervisor will be given a copy of the ordinance showing the deleted language (grayed) and the new language (underlined) and an analysis of the intent of the ordinance. After introduction to the County Board, the ordinance shall be referred to the next monthly meeting unless waived by a 2/3 vote of the Supervisors present and a public hearing may be held if requested by a Supervisor. An amendment may be introduced and debated at either the original or the referred meeting. Copies of the ordinances of the County of La Crosse in their entirety are available with Corporation Counsel, County Clerk, or www.co.la-crosse.wi.us/code/.
(rev. 3/03)

ORDINANCE #215 – 10/24

**AN ORDINANCE TO AMEND s. 7.08 ENTITLED "ALL-TERRAIN VEHICLES" OF THE
GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN**

The County Board of Supervisors of the County of La Crosse does ordain as follows:

Section 1. Section 7.08 entitled "All-terrain vehicles" is amended to read:

7.08 ALL-TERRAIN VEHICLES.

- (1) **STATE ALL-TERRAIN/UTILITY-TERRAIN LAWS ADOPTED.** For purposes of this ordinance, all references to all-terrain vehicles (ATV) shall include utility-terrain vehicles (UTV) as defined by statute. Except as otherwise specifically provided in this Chapter, the statutory provisions in section 23.33, 340 to 348, and 350 Wis. Stats., describing and defining regulations with respect to all-terrain vehicles, exclusive of any provisions therein for which the statutory penalty is a fine or term of imprisonment, are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required by this section.
- (2) **APPLICABILITY OF RULES OF THE ROAD TO ALL-TERRAIN VEHICLES.** Except as otherwise specifically provided in this Chapter, the operator of an all-terrain vehicle on an approved route or upon a roadway shall, in addition to the provisions of section 23.33, Wis. Stats., also be subject to the rules of the road as provided in s. 346.02(11), Wis. Stats.
- (3) **OPERATION ON COUNTY PROPERTY.** No person shall operate any all-terrain vehicle on lands owned by the County except where the use is authorized by posted notice or County permit.
- (4) **ATV ROUTES.** As authorized by sec. 23.33(8)(b), Wis. Stats. and 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, La Crosse County may establish ATV/UTV routes on County Highways under the following:

(a) Conditions and Requirements

1. Since La Crosse County has no public trail opportunities, any new routes must connect to other routes or route opportunities.
2. In approving new routes, the primary concern must be the safety of all members of the public and users of the Highway/route, including the density of the population along the proposed route, width of the Highway and shoulder, and current users of the road. Population density along any route should preferably not exceed 100 residents per square mile. The terrain of the proposed route, current speed limit, and road configuration should also be considered as well as liability of users and residents along the route. The ADT (Average Daily Traffic) count of the proposed route should preferably not exceed 1,500 vehicles per day.

(b) Creation of ATV/UTV Routes

1. New routes may be requested by any La Crosse County Town or Municipality or by any organized and established ATV/UTV club located in La Crosse County by applying. Applications are available from the La Crosse County Highway Department. (No applications from organizations or clubs located outside La Crosse County will be considered)
 2. The application contains 3 sections:
 - a. The first section is to be completed by the Municipality or Club requesting the application.
 - b. The second section is to be completed by the Highway Department
 - c. The third and final section is for use by the County Public Works and Infrastructure Committee.
 3. Application Review: Once the first and second parts of the application have been completed, the Highway Commissioner will request that the route application be placed on the next Public Works and Infrastructure Committee agenda. The application along with a proposed amendment to this ordinance adding the new route will be reviewed by the Committee and, if approved by the committee, will go to the full Board for final approval consistent with the full Board's approval of Ordinance revisions under County Board Rules. After full Board approval, the Highway Commissioner will add the route. All route lists and maps are to be maintained by the County Highway Department.
- (c) Discontinuation of Routes. This ordinance can be amended in the same manner as any other ordinance. A process shall be established by the Committee for the removal or modification of routes. Deletion or modification of existing routes must be introduced as an ordinance revision at the Committee level and then advanced to the full board pursuant to Board Rules.

(5) APPROVED ATV ROUTES

The following routes have been approved as ATV routes:

1. CTH A entire length from CTH C to STH 162
2. CTH AE entire length from CTH A to CTH TA
3. CTH B from Bangor Village Limit to CTH J & West Salem Village Limit to STH 162 & CTH M to CTH O
4. CTH C entire length from STH 108 north to south and West Salem Village Limit to CTH M
5. CTH D from CTH C to the Farmington Town Line
6. CTH DD entire length from CTH T to CTH D
7. CTH DE entire length from STH 16 to CTH C
8. CTH E entire length from STH 16 to CTH DE
9. CTH EE entire length from STH 162 to CTH T
10. CTH FO entire length from CTH OA to CTH F
11. CTH G entire length from STH 33 to CTH P
12. CTH H entire length from STH 33 to County Line
13. CTH I entire length from CTH M to STH 33

14. CTH II entire length from STH 162 to CTH I
15. CTH J from Rockland Village Limits to Monroe County Line
16. CTH JB entire length from STH 162 to STH 33
17. CTH JJ entire length from STH 162 to CTH J
18. CTH M from CTH D to CTH Q & CTH M (north end) Hamilton Town line to West Salem Village Limit and (south end) West Salem Village Limit to STH 14
19. CTH MH from CTH XX east to Holmen Village Limit
20. CTH N entire length from 162 to STH 14
21. CTH NN entire length from CTH M to STH 162
22. CTH O entire length from CTH B to CTH M
23. CTH OA entire length from CTH O to STH 33
24. CTH P entire length south and east to County Lines
25. CTH PI entire length STH 162 to County Line
26. CTH Q entire length from CTH V to STH 108
27. CTH T entire length from STH 162 to STH 53
28. CTH TA entire length from CTH T to CTH A
29. CTH TT entire length from CTH T to CTH V
30. CTH U from the eastern Bangor Village Limit to the western Rockland Village Limit
31. CTH V from CTH T to Holmen Village Limit
32. CTH VV entire length from CTH T to Jackson County Line
33. CTH X entire length CTH P to County Line
34. CTH XX from Holland Town limits north to STH 35
35. CTH Y entire length from CTH J to the Monroe County Line
36. CTH YY entire length from CTH M to STH 33 and STH 33 to STH 14

(6) CONDITIONS FOR THE PUBLIC USE OF ATV/UTV ROUTES

- (a) All ATV/UTV operators must obey and not exceed the posted speed limit.
- (b) All operators must ride single file.
- (c) All operators shall operate only on the extreme right side of the paved portion of the roadway. Operation on the shoulder, ditch, or right-of-way is prohibited and illegal.
- (d) No open containers of alcoholic beverages are allowed while the machine is in motion.
- (e) Headlights and taillights must be on at all times. Brake lights are required.
- (f) All machines must be registered with the DNR and display the proper decals.
- (g) All operators and passengers under the age of 18 must wear a DOT approved helmet.
- (h) All operators must follow the DNR regulations for safety certificates.
- (i) ATV/UTV's may only be operated on County routes between the hours of 5:00 a.m and 10:00 p.m.

(7) EXCEPTIONS. The following exceptions to this ordinance will be allowed and must maintain compliance with DNR registration and operational regulations:

- (a) Private use - agricultural only
- (b) Private use - on private lands owned by applicant or immediate family member only
- (c) Municipal and government use

(d) Commercial ATV/UTV dealer use


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

(9) PENALTIES. The Wisconsin ATV penalties as found in Wisconsin Statute 23.33(13) are adopted by reference.

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

LA CROSSE COUNTY

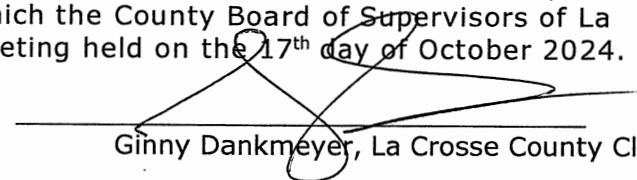
By: 
Tina Tryggstad, County Board Chair

By: 
Ginny Dankmeyer, County Clerk

PASSED: October 17, 2024
PUBLISHED: October 24, 2024

STATE OF WISCONSIN
COUNTY OF LA CROSSE

I, Ginny Dankmeyer, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original ordinance required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 17th day of October 2024.


Ginny Dankmeyer, La Crosse County Clerk