

VILLAGE OF STRATFORD, MARATHON COUNTY, WISCONSIN
AN ORDINANCE AMENING SECTION 495-35B ENTITLED *GENERAL ATV/UTV*
ROUTE AND USE REGULATIONS

The Village Board of the Village of Stratford, Marathon County, Wisconsin, do ordain as follows:

Section 1: Section 495-35(B)1-3 entitled “General ATV/UTV Route and Use Regulations” of the Code of Ordinance of the Village of Stratford is hereby amended with the new language underlined and the deleted language ~~stricken~~ to provide as follows:

A. Operation of all-terrain vehicles.

(1) Operation on designated routes only.

- (a) Pursuant to § 23.33(4)(d)4, Wis. Stats., except as otherwise provided in § 23.33(4), Wis. Stats., no person may operate an all-terrain or utility terrain vehicle on the roadway portion of any highway or street, public park, cemetery, or on any other public property in the Village of Stratford except on roadways, alleys and trails that are designated as all-terrain and utility terrain vehicle routes by this section. Unless authorized by the Village Board, no ATV/UTV shall be operated on any walking, bicycle, equestrian or other special use trail or path.
- (b) No person shall operate an all-terrain or utility terrain vehicle upon private property without the owner's express permission, except upon routes and trails designated by the Village Board as all- terrain or utility terrain vehicle routes/trails.
- (c) Municipal or other governmental all-terrain or utility terrain vehicles used for governmental purposes are authorized to operate on streets, alleys and rights-of-way. As part of a designated route system, the Village Board may also designate limited access for the sole purpose of access to main designated routes.

(2) Permissible operation on designated roadways. Operation of all-terrain vehicles on a roadway or alley in the Village of Stratford that is an all-terrain or utility terrain vehicle route is authorized only for the extreme right side of the roadway, except that left turns may be made from any part of the roadway that is safe given prevailing conditions. On paved roadways, all-terrain and utility terrain vehicles shall be operated on the paved portion of the roadway and not on the gravel shoulder, except when necessary to avoid other vehicles.

B. Designation of all-terrain and utility terrain vehicle roadway routes.

~~(1) The Village of Stratford Village Board designates as authorized all-terrain vehicle and utility terrain vehicle routes: all Village streets and alleys except the following:~~

- ~~(a) State Highway 153.~~
- ~~(b) State Highway 97.~~

~~(2) ATV/UTV operation on State Highway 153 and State Highway 97 is allowed only for the sole purpose of crossing such street at a perpendicular crossing at a through intersection, or where a designated trail/route crosses either roadway.~~

- 1) Under Wis. Stat. § 23.33(8)(b)2, the Village of Stratford designates all village-maintained roads, streets and alleys as ATV and UTV routes, except as posted.
 - 2) Under Wis. Stat. § 23.33(11)(am)4., the Village of Stratford authorizes the operation of ATVs and UTVs on state trunk highways with a posted speed limit of 35 mph or less that are within the territorial boundaries of the village, except as posted.
 - 3) The Village of Stratford reserves the right to close or modify routes and trails at any time.
- C. Conditions applicable to all-terrain and utility terrain vehicle roadway routes. Pursuant to § 23.33(8)(d), Wis. Stats., the following restrictions are placed on the use of the Village of Stratford all-terrain and utility terrain vehicle roadway and alley routes designated in Subsection **B** above:
- (1) Signage. All-terrain and utility terrain vehicle roadway routes shall be marked with uniform ATV/UTV signs as prescribed in § NR 64.12(7), Wis. Adm. Code. No person may do any of the following in regard to signs marking Village of Stratford all-terrain and utility vehicle routes:
 - (a) Intentionally remove, damage, deface, move, or obstruct any uniform ATV/UTV route or trail sign or standard, or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign or standard, if the sign or standard is legally placed by the State of Wisconsin, any local government or any authorized individual or organization.
 - (b) Possess any uniform all-terrain or utility terrain vehicle route or trail sign or standard of the type established by the Wisconsin Department of Natural Resources for the warning, instruction or information of the public, unless he/she obtained the uniform all-terrain or utility terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform ATV/UTV route or trail sign or standard creates a rebuttable presumption of illegal possession.
 - (2) Route use regulations. In addition to the requirements of this section and applicable provisions of the Wisconsin Statutes adopted by reference, operators utilizing a designated trail shall comply with the requirements of § **495-36**.
- D. Snow removal exception. For the purpose of snow removal, an all-terrain or utility terrain vehicle with a snow removal device attached may be operated on any Village of Stratford street, sidewalk, or alley, or adjacent to a street, alley or public sidewalk, when all of the following provisions are complied with:
- (1) The operator is actively engaged in snow removal activity on the property, or is en route to or from the property, and not exceeding 5 mph while on the sidewalk, street, or alley. The travel necessary to or from the snow removal site shall not exceed two miles.
 - (2) The operator shall follow the shortest and most-direct route to the property at which snow removal activities will be conducted when a snowplow blade is attached.
 - (3) The operator of the all-terrain or utility terrain vehicle is 16 years of age or older and has a valid driver's license.
 - (4) The ATV's/UTV's headlights are on at all times and not obstructed by the attached snow removal device.

- (5) The operator of the all-terrain or utility terrain vehicle yields the right of way to any pedestrian, bicyclist or motor vehicle approaching on a street, sidewalk, or alley.
- (6) The manner of snow removal is consistent with Village of Stratford ordinances.
- E. Rules of the road. Except as otherwise provided in § 23.33, Wis. Stats., and herein, all-terrain vehicles and utility terrain vehicles shall follow the State of Wisconsin rules of the road that are applicable to automobiles.
- F. Yield to traffic and pedestrians. All all-terrain and utility terrain vehicles shall yield to all vehicular traffic and pedestrian movement.

Section 2: If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is found invalid or unconstitutionality by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

Section 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 4: This Ordinance shall be in full force and effect from and after its date of passage and publication as required by law.

Adopted this 11th day of July 2023.

VILLAGE BOARD, VILLAGE OF STRATFORD

BY: _____

Keith Grell, President

ATTEST:

Jamie Heindl, Clerk

Adopted: 07/11/2023

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