



DOOR COUNTY

AMENDATORY ORDINANCE 2016-04

**AMENDMENT OF CHAPTER 11.05 DOOR COUNTY CODE
ALL TERRAIN VEHICLES & UTILITY TERRAIN VEHICLES ROUTES**

**THE DOOR COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN
AS FOLLOWS:**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✗		
BRANN			✗
BUR	✓		
ENGLEBERT	✓		
ENIGL	✓		
FISHER			✗
GUNNLAUGSSON	✓		
HAINES	✓		
HALSTEAD	✗		
KOCH	✓		
KOHOUT			✗
KOK	✓		
LIENAU	✓		
MOELLER	✓		
NEINAS	✓		
SCHULTZ	✓		
SITTE			✗
SOHNS	✓		
VIRLEE	✗		
ZIPPERER			✗
	16	0	5

1 The Town of Nasewaupée Board has requested that the portion of County
2 Trunk Highways M, PD and SB located within the territorial boundaries of the
3 Town of Nasewaupée be designated as an all terrain vehicle route and utility
4 terrain vehicle route.

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6 The Door County Highway Committee has considered the Town of
7 Nasewaupée Board's request and recommends approval of, and amendment
8 of Chapter 11.05 Door County Code to effectuate, the same.

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10 The Door County Board of Supervisors does hereby ordain an amendment to
11 Chapter 11.05 Door County Code as follows:

**COUNTY HIGHWAYS, OR PORTIONS THEREOF, DESIGNATED
AS ATV AND/OR UTV ROUTES.**

- A. The following routes are designated as ATV / UTV routes:
1. The portion of County Highway(s) DK, N, D, Y situated within the Town of Union.
 2. The portion of County Trunk Highway W situated within the Town of Washington.
 3. The portion of County Trunk Highways M, PD and SB situated within the Town of Nasewaupée

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22 Chapter 11.05 Door County Code shall remain unchanged and shall continue
23 in full force and effect except as amended by this ordinance.

24 This ordinance shall become effective upon enactment and publication.

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26 The Door County Clerk shall transmit a certified copy of this ordinance to the
27 Wisconsin Department of Natural Resources and the Door County Sheriff's
28 Department.

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BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve Adopted

1st Neinas Defeated

2nd Gunnlaugsson

Yes: 16 No: 0 Exc: 5

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 23rd day of February, 2016 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

Countersigned

[Signature]
Chairman, Dan Austad
Door County Board of Supervisors

Effective Date Upon enactment and publication.

SUBMITTED BY: HIGHWAY COMMITTEE

[Signature]
John Neinas, Chairperson

[Signature]
Joel Gunnlaugsson

Kenneth Fisher

[Signature]
Roy Englebert

Leo Zipperer

**BACK-UP INFORMATION TO ORDINANCE 2016-04
DOOR COUNTY CODE - CHAPTER 11.05**

11.05 ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES

TITLE.

- A. This Ordinance shall be known as the Door County All Terrain Vehicles ("ATV") and Utility Terrain Vehicles ("UTV") Ordinance, and shall be codified as Chapter 11-05 Door County Code.

AUTHORITY.

- A. This ordinance is enacted under the authority granted by Sections 23.33(8)(b) & (11), and 59.02 Wisconsin Statutes.
- B. All references to the Wisconsin Statutes or Wisconsin Administrative Code include the Statute or Code in effect at the time of enactment of this Ordinance or as subsequently amended or revised.

PURPOSE.

- A. The purpose of this ordinance is to regulate the operation of ATV's (as defined in Section 23.33(1)(b) Wisconsin Statutes) and UTV's (as defined in Section 23.33(1)(ng) Wisconsin Statutes) under Sections 23.33(8)(b) and (11), Wisconsin Statutes.

OPERATION OF ATV's AND UTV's.

- A. Pursuant to Section 23.33(4)(b), Wisconsin Statutes, except as otherwise provided in Section 23.33(4), Wisconsin Statutes, no person may operate an ATV or UTV on any part of a Door County ("County") highway except those portions of County highways that are designated as ATV and/or UTV routes by this Ordinance.
- B. The operation of ATV's or UTV's on any portion of a County highway designated as an ATV and UTV route hereunder is authorized:
1. In strict conformance with and subject to all applicable laws, orders, regulations, restrictions and rules, including Section 23.33 Wisconsin Statutes and Chapter NR 64 Wisconsin Administrative Code.
 2. If, and only if, the highway is signed in accordance with Section 23.33(8) Wisconsin Statutes and rules promulgated by the DNR. The creation, placement, maintenance, repair, or replacement of ATV/UTV route signs may not require the expenditure of County funds or other County resources.
 3. Only during periods of the year designated, and is prohibited during all other periods of the year, consistent with Section 23.33(8)(d) Wisconsin Statutes and Section NR 64.12(4) Wisconsin Administrative Code.
 4. Subject to the following:
 - a. All ATV/UTV operators shall observe a speed limit of twenty five (25) miles per hour, or the applicable speed limit of the highway, or the speed limit(s) set forth in Section 23.33 Wisconsin Statutes, or the speed limit(s) set forth in Chapter 64 Wisconsin Administrative Code, whichever is lower.
 - b. ATV/ UTV operators are required, at all times, to display a lighted headlamp (white light) and tail lamp (red light) on the ATV or UTV.
 - c. ATV/UTV operators shall ride single file.
 - d. ATV's/UTV's shall be operated during daylight hours only.
 - e. No person under twelve (12) years of age can operate an ATV/UTV under any circumstances.

COUNTY HIGHWAYS, OR PORTIONS THEREOF, DESIGNATED AS ATV AND/OR UTV ROUTES.

- A. The following routes are designated as ATV / UTV routes:
1. The portion of County highway(s) DK, N, D, and Y situated within the Town of Union.
 2. The portion of County Trunk Highway W situated within the Town of Washington.

ADMINISTRATION.

- A. This Ordinance shall be administered by the Door County Highway Commissioner.

ENFORCEMENT.

- A. This Ordinance may be enforced in accordance with Section 23.33(12) Wisconsin Statutes, including the issuance of a citation under Section 66.0113 Wisconsin Statutes.

PENALTIES.

- A. Penalties for violation of this Ordinance shall be as set forth in Section 23.33(13) Wisconsin Statutes.

SEVERABILITY.

- A. If any section, paragraph, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

EFFECTIVE DATE.

- A. This ordinance shall become effective upon enactment and publication.
- B. The County Clerk shall transmit a certified copy of this Ordinance to the DNR and the Door County Sheriff's Department. (Ordinance 2012-26; 12/11/12) (Ordinance 2014-02; 02/25/14)