

OSCEOLA CODE
ORDINANCE # 20-01

To Establish the Code of the Village of Osceola Chapter 179 ATV and UTV Operation and Routes

The Village Board of the Village of Osceola do ordain as follows:

SECTION I: PURPOSE.

After an agreed upon review of current regulations, the Village of Osceola finds that it is in the public interest to approve Chapter 179 ATV and UTV Operation and Routes in order to better align Village regulations with local, regional and state trends and regulations. This ordinance is in response to the expiration of Osceola Ordinance 19-01.

SECTION II: ORDINANCE AMENDED.

Osceola Ordinance 20-01 and corresponding regulations within proposed Chapter 179 ATV and UTV Operation and Routes hereby states:

Chapter 179 - Sections:

- 179-1 Intent
- 179-2 Statutory Authority
- 179-3 Routes
- 179-4 Conditions
- 179-5 Signage
- 179-6 Enforcement
- 179-7 Penalties
- 179-8 Severability

179-1 Intent

The Village Board of the Village of Osceola hereby adopts the following all-terrain vehicle (ATV) and utility terrain vehicle (UTV) ordinance and routes for the operation of all-terrain vehicles and utility terrain vehicles as those terms are defined in Wis. Statute Sec. 23.33(1) upon the roadways listed in Chapter 179.

Following due consideration of the recreational value to connect trail opportunities and promoting various forms of transportation and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, the routes have been created.

179-2 Statutory Authority

These routes are created pursuant to Village authority as authorized by 23.33 (8) (b), and 23.33(11) Wis. Stats.

Further, Stat 23.33 (11) authorizes the Village to create ordinances to regulate ATV's and UTV's on trails or routes that are designated by the Village.

179-3 Routes

This ordinance designates that all roads within jurisdiction and corporate limits of the Village of Osceola with a posted speed limit of 35 mph or less, except as set forth below, as ATV and UTV vehicle routes:

- 1) Education Drive

179-4 Conditions

As a Condition for the use of these route(s), the following shall apply to all operators:

- A. Those provisions and requirements set forth in Wisconsin Statute Sec 23.33 are hereby adopted by reference and in addition the conditions listed below are adopted.
- B. Speed limits: 35 MPH, or as otherwise posted for automobile traffic whichever is lower. 10 MPH when pedestrians are present.
- C. All ATVs and UTVs and their operators must be covered by liability insurance.
- D. All ATV and UTV operators shall ride single file on the right side of the road unless making a left turn.
- E. No person may operate an ATV or UTV on any route in the Village without a valid Class D (or equivalent if issued by a jurisdiction other than Wisconsin) driver's license.
- F. No person under the age of 18 may operate or ride on an ATV or UTV without wearing a helmet approved by the State of Wisconsin for that purpose.
- G. All ATV's and UTV's shall operate in the Village only during daylight hours. Daylight hours means from ½ hour before sunrise to ½ hour after sunset.
- H. All operators are required to have headlamps (white light) and tail lamps (red light) turned on at all times.
- I. Travel to and from places of residence and designated routes. ATV/UTV operators who desire to operate from their places of residence in the Village to a designated route shall use the most direct route to access the nearest designated route and shall be subject to all rules of the road in the process.

179-5 Signage

All required designated route signs shall be paid for and installed by an ATV/UTV club approved & under the direction of the Village of Osceola.

179-6 Enforcement

This ordinance shall be enforced by any law enforcement officer of the Village or any other officer authorized to enforce the laws of the State of Wisconsin.

179-7 Penalties

Wisconsin state all-terrain and utility terrain vehicle penalties as found in s. 23.33 (13) (a) Wis. Stats., are adopted by reference and may be enforced through the issuance of municipal citations as provided elsewhere in the code.

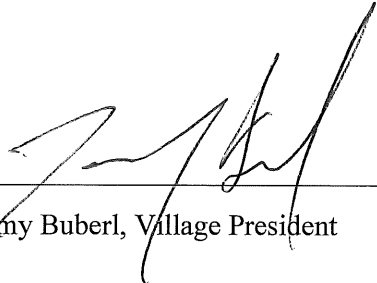
179-8 Severability

The provisions of the ordinance shall be deemed severable and it is expressly declared that the Village of Osceola 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 person's circumstances shall not be deemed affected.

SECTION III: EFFECTIVE DATE.

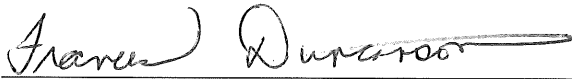
This ordinance shall be in force after its introduction and publication as provided by statute.

Adopted the 14th day of January, 2020



Jeremy Buberl, Village President

ATTEST: I hereby certify that the foregoing Ordinance was duly adopted by the Village of Osceola at a legal meeting held on this 14th day of January, 2020.



Frances Duncanson, Clerk

Published for electorate review on January 17th, 2020