ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND RECREATE SECTION 3.055 OF THE MUNICIPAL CODE OF THE VILLAGE OF MONTFORT, GRANT AND IOWA COUNTIES, WISCONSIN, RELATING TO ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE OPERATION AND ROUTES AND ESTABLISHING PENALTIES FOR VIOLATION THEREOF.

THE VILLAGE BOARD OF THE VILLAGE OF MONTFORT, GRANT AND IOWA COUNTIES, WISCONSIN, DO HEREBY ORDAIN AS FOLLOWS:

Section I: Section 3.055 of the Municipal Code of the Village of Montfort shall be and hereby is repealed and recreated to read as follows:

§ 3.055 ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES AND ROUTES

(1) **Purpose.** The purpose of this ordinance is to establish all-terrain vehicle ("ATV") and utility terrain vehicle ("UTV") routes in the Village of Linden and regulate the operation of all-terrain and utility terrain vehicles in the village.

(2) **Operation and Equipment of All-Terrain Vehicles and Utility Terrain Vehicles.** Operation and equipment of ATVs and UTVs shall be subject to all provisions of Wis. Stat. section 23.33, as the same may be amended from time to time.

(3) **Designation of All-Terrain Vehicle and Utility Terrain Vehicle Routes.** The designated all-terrain vehicle and utility terrain vehicle route in the Village of Montfort shall be as follows:

    (a)   Stockyard Road from the South Village limit to Highway 18
    (b)   Dale Drive
    (c)   Johnson Street from Highway 18 to Grant Street
    (d)   Grant Street from Johnson Street to County Road I
    (e)   Badger Hollow Road
    (f)   Fountain Street from Highway 18 to Main Street
    (g)   Main Street from County Road I to Route 66
    (h)   Route 66 from the West Village limit to Main Street

(4) **Conditions Applicable to All-Terrain Vehicle and Utility Terrain Vehicle Route.** In addition to the requirements of Wis. Stat. sec. 23.33, pursuant to Wis. Stat. sec. 23.33(8)(d), the following restrictions are placed on the use of ATVs and UTVs on the village route:

    (a)   All ATV/UTV operators shall observe a speed limit of 10 mph or the posted roadway speed limit, whichever is lower.
    (b)   All ATV/UTV operators shall ride single file.
    (c)   All ATV/UTV routes shall be closed from 1:00am – 5:00am.

(5)   **Route Signage.** The route shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12(7), Wisconsin Administrative Code. No person may interfere with a sign or standard as provided under Wis. Stat. sec. 23.33(8)(f).

(6)   **Filing.** A copy of this ordinance shall be sent by the Village Clerk to the Grant and Iowa Counties Sheriffs' Departments and the Department of Natural Resources, PO Box 7921 Madison, WI 53707.

(7)   **Enforcement.** The penalties under Wis. Stat. sec. 23.33(13)(a), as the same may be amended from time to time, are adopted by reference. This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

(8)   **Severability.** If any provision of this ordinance or its application to any person or circumstance if held invalid, the invalidity does not affect other provision or application of this ordinance that can be given effect without the invalid provision or application, and to this end, the provision of this ordinance are severable."

     Section II: This ordinance shall become effective upon its passage and posting as required by law.

     Adopted and approved this ___ day of _____ 2017.

     _____
     James Schmitz, Village President

COUNTERSIGNED:

_____
Shelly Kazda, Village Clerk
                         Date Adopted: _____
                         Date Posted: _____
                         Date Affidavit Filed: _____
                         Effective Date: _____

The Village Board of the Village of Montfort, Grant and Iowa Counties, Wisconsin, by this ordinance, adopted on proper notice with a quorum and roll call vote by a majority of the Village Board present and voting, provides the authority for the village to designate all-terrain vehicle and utility terrain vehicle routes in the village, and to regulate the use of those routes and all-terrain vehicles and utility terrain vehicles in the village.

     _____
     James Schmitz, Village President

     _____
COUNTERSIGNED: Shelly Kazda, Village Clerk