

## CHAPTER 7 - TRAFFIC CODE

### OFFICIAL TRAFFIC SIGNS AND SIGNALS

7.01 TOWN BOARD RESPONSIBLE: (1) The Town Board shall procure, erect and maintain appropriate stand traffic signs, signals and markings conforming to the rules of the State Department of Transportation giving notice of the provisions of this chapter as required by State law. Signs shall be erected in such locations and in such manner as the Town Board determines will best effect the purposes of this chapter and give adequate warning to users of the streets and highways.

(2) REMOVAL OF UNOFFICIAL SIGNS AND SIGNALS: The Town Board shall have the authority granted by WS 349.09 and shall order the removal of a sign, signal, marking or device placed, maintained or displayed in violation of this chapter or WS 346.41. Any charge imposed on any premises for removal of an illegal sign, signal or device shall be reported to the Town Board at its next regular meeting for review and certification.

### SNOWMOBILES

7.02 STATE SNOWMOBILE LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin Statutes 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 or prohibited by this section.

|                   |   |
|-------------------|---|
| 350.01            | Definitions   |
| 350.02            | Operation of Snowmobiles on or in Vicinity of Highway |
| 350.03            | Right-of-way  |
| 350.04            | Snowmobile Races, Derbies and Routes                  |
| 350.045           | Public Utility Exemption                              |
| 350.047           | Local Ordinance to be filed                           |
| 350.05            | Operation by Youthful Operators Established           |
| 350.055           | Safety Certification Program Established              |
| 350.06            | Firearms and Bows                                     |
| 350.07            | Driving Animals                                       |
| 350.08            | Owner Permitting Operation                            |
| 350.09            | Head Lamps, Tail Lamps and Brakes                     |
| 350.10            | Miscellaneous Provisions for Snowmobile Operation     |
| 350.101 - 350.105 | Intoxicated snowmobiling                              |
| 350.12            | Registration of Snowmobiles                           |
| 350.13            | Uniform Trail Signs and Standards                     |
| 350.15            | Accidents and Accident Reports                        |
| 350.17            | Enforcement   |
| 350.18            | Local Ordinances                                      |
| 350.18(3a)        | Snowmobile Access                                     |
| 350.19            | Liability of Landowners                               |

(2) APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES: The operator of a snowmobile upon a roadway shall, in addition to the provisions of Chapter 350, be subject to: 346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52,

346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1), (6), (6m) and (9) of the Wisconsin Statutes.

(3) PERMITTING OPERATIONS BY IMPROPER PERSONS PROHIBITED. No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is not permitted under State law to operate such snowmobile or who is under the influence of an intoxicant or a dangerous or narcotic drug.

(4) OPERATION WHILE UNDER INFLUENCE PROHIBITED: Section 346.63 of the Wisconsin Statutes, shall apply to the operation of a snowmobile anywhere within the Town.

(5) WRITTEN CONSENT OF OWNER REQUIRED. The consent required under WS 350.16(6), (11), (12) and (13), shall be written consent dated and limited to the year in which the consent is given. If the property is owned or leased by more than one person, the consent of each shall be obtained.

(6) ROUTES DESIGNATED. The following are designated as snowmobile routes:

...Chicago Avenue from a point just off Highway 45 to Pioneer Landing Road and to point of entering onto Pioneer Lake

...East Buckatabon Rd., ~~from Bauer's Dam~~ to trail entrance, approximately 100 yards past Rush Road.

...Firelane Rd., from the intersection of Old Highway 45 for a distance of 1.75 miles.

...Lakota Road from Twin Lake Road trail to North Twin Lake

...Monheim Road from intersection of Twin Lake Road and Monheim Road .10 miles South to picking up club trail.

...Old Highway 45 Road from the Fire Lane Road South on Old Highway 45 Road to that entrance which will access the railroad bed for traffic to downtown businesses in Conover (Amended – Resolution 144-14, July 2014)

...Rush Road, 3/10 of a mile from E. Buckatabon Road to Buckatabon Lodge

...Town Road from County Highway K East to Highway 45

...Twin Lake Road from point of intersecting County K East by the power substation to point of intersecting Monheim Road.

...Twin Lake Road 4/10 of a mile West from South Twin Landing past the Sundown Tavern.

(7) SPEED RESTRICTIONS: The operator of a snowmobile shall slow his vehicle to a speed not to exceed 20 mph and yield the right-of-way when traveling with 100 feet of a person who is not in or on a snowmobile, except as provided in Chapter 346 of the Wisconsin Statutes.

(8) OPERATION ON LOWER BUCKATABON LAKE. (a) No person shall operate a snowmobile or other motorized vehicle designed for use on snow or ice on the surface of Lower Buckatabon Lake within 250 feet of the shoreline surrounding the WVI (Wisconsin Valley Improvement) dam.

(b) Notwithstanding any provision herein to the contrary, snowmobiles may be operated on the designated snowmobile route crossing the top of the dam using E. Buckatabon Road. No snowmobile shall exceed the speed of 20 mph while crossing the dam on the authorized snowmobile route.

7.05 PENALTIES: Except as otherwise provided, the penalty for violation of any provision of this chapter shall be a forfeiture as provided in Section 25.04 of this General Code.

### **7.18 ATV-UTV Operation.**

1. Pursuant to s.23.33 (4) (d) 4., Wis. Stats., except as otherwise provided in s.23.33 (4), Wis. Stats., no person may operate an all-terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle routes by the ordinance.

2. Operation of all-terrain vehicles on a roadway in the Town of Conover that is an all-terrain vehicle route is authorized at 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.

3. Below is a listing of roads which are not under the Town's authority and operation of an ATV or UTV is Strictly Prohibited unless portions are authorized and so indicated in accordance with 7.20(1) and by signage:

- a. US Highway 45
- b. County Highway K East
- c. County Highway K West
- d. County Road S
- e. State Highway 17
- f. All private or easement roads that are not maintained by the town of Conover (therefore, Town has no control over use by property owners on these).
- g. Columbus Rd. (Maintained & Plowed by Town of Washington)

4. No operation of any all-terrain vehicle is permitted on the shoulder of any public roadway.

5. No person shall operate an all-terrain vehicle with tire chains or studded tires on any town road or designated route.

6. No person shall operate an all-terrain vehicle which has been mechanically or otherwise altered from the manufacturer's specification so as to generate additional speed, traction or noise.

7. No person shall operate an all-terrain vehicle at a rate of speed that is unreasonable or imprudent under the circumstances or in any careless or reckless manner so as to endanger any person or property of another.

8. The operator must not exceed the route speed limit or 35 mph, whichever is less except that it shall slow to 10 mph when operated within 150 ft. of a dwelling or within 100 ft. of a pedestrian or someone not on a motorized vehicle.

9. All-terrain vehicles must be operated in single file and must have both head lamps and tail lamps on during all times of operation.

10. All-terrain vehicles shall yield right-of-way to other and all vehicular traffic and pedestrians.

11. No person shall operate an all-terrain vehicle who is under the age of 18 years of age without wearing protective head gear of the type required under s. 347.485 of the Wisconsin Statutes and with the chin strap properly fastened unless the statutory exception in s. 23.33(3g) applies [ (a.) person is 18 years of age; (b.) is traveling for the purposes of hunting or fishing and is at least 12 years of age; (c.) the all-terrain vehicle is being operated for an agricultural purpose or (d.) vehicle is being operated on land under control of the person's immediate family]

12. Any person born after January 1, 1988 is required to have a valid Safety Certificate.

13. All operators of all-terrain vehicles travel at their own risk. The Town of Conover will not be liable for any damages, injuries or any liability caused by or to such operations within the Town.

14. Landover ATV Club Insurance will name Conover and Vilas County as co-insured.

#### **7.20 Designation of All-Terrain Vehicle Routes.**

1. All town of Conover roads (Attachment A) may be used for Ingress/Egress to the nearest PREFERRED ATV/UTV/ Route, with the exception of any road unsuitable at the discretion of the Town Board. Certain roads will be designated (and signed by Landover ATV Club) as PREFERRED ATV/UTV ROUTE. These Preferred Routes will be listed/posted on the plat map maintained in the Office of the Town Clerk for the Town Of Conover.

2. All ATV/UTV trails/routes are open from May 1- November 15. **Travel on a town road to access a lake for ice fishing and local travel is permitted outside of those dates (except prohibited from March 15 – April 30).** Equestrian routes are open year-round.
3. The Town Board will periodically change/amend/close these routes as necessary.
4. Landover ATV Club will install, inspect and maintain signage and trails.
5. Landover ATV Club will provide WATVA trained Trail Patrol Ambassadors to patrol trails / routes.
6. All ATV/UTV Trails shall be designated by simple motion of the town board of Conover.
7. Operation in the Hildegard Cemetery and on Cemetery Road is **Strictly Prohibited.**

#### **7.22 Conditions Applicable to All-Terrain Vehicle & Equestrian Routes.**

Pursuant to s. 23.33 (8) (d), Wis. Stats. the following restrictions are placed on the use of the all-terrain vehicle routes/trails designated by this ordinance:

A. Preferred Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking all-terrain vehicle routes:

1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route or trail sign or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.

2. Possess any uniform all-terrain vehicle route or trail sign or standard of the type established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform all-terrain route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain route or trail sign or standard creates a reputable presumption of illegal possession.

B. Operation shall be subject to all provisions of s.23.33, Wis. Stats., which is adopted as a part of this ordinance by reference, pursuant to s. 23.33 (11), Wis. Stats. to include 23.33 (11) (am) 3 allowing the town to authorize the operation of ATVs/UTVs on a highway bridge that is 1,000 feet in length or less.

C. A copy of this ordinance shall be sent by the town clerk to all Law Enforcement Agencies affected and the Department of Natural Resources.

D. All ATV/UTV operators shall follow Preferred Routes as approved by the Conover Town Board as well as any restrictions placed on the route by the Conover Town Board.

E. All equestrian riders are responsible for their animal's manure. It must be moved into the woods or off to the side of any public road.

**7.24 Definitions.** For the purpose of this ordinance:

- (1) "All-terrain Vehicle" has the meaning specified under s. 340.01(2g) of the Wisconsin Statutes, and as it may be amended.

- (2) "All-terrain Vehicle (ATV)" – a commercially designed and manufactured motor-, driven device that has a weight without fluids, of 900 pounds or less, has a width of 50 inches or less and is equipped with a seat designed to be straddled by the operator and on 3 or more low-pressure or non-pneumatic tires.

- (3) "Utility Terrain Vehicle (UTV)" – a commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck or tracked vehicle, that is designed to be used primarily off a highway, and that has and was originally manufactured with all of the following:

- (a) a net weight, without fluids, of 2,000 or less
- (b) four or more low pressure or non-pneumatic tires
- (c) a cargo box installed by the manufacturer and a steering wheel.

(4) "All-terrain Vehicle Route" means a highway or public road or easement designated for its use by the Town Board as authorized under this ordinance.

(5) "All-Terrain Vehicle Trail" means an authorized trail over county/private land that has been authorized by the proper authorities or private land owner.

(6) "Town Road" means any road (Attachment A) for public vehicular travel that is maintained by the Town of Conover.

**7.25 Informational Links:**

(1) [www.dnr.wi.gov/topic/atv/](http://www.dnr.wi.gov/topic/atv/)

**7.26 Enforcement.** This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin and the regulations and ordinances of the Town of Conover, Vilas County.

**7.28 Penalties.** The penalties under Wis. Stats. 23.33 (13) (a), are adopted by reference.

**7.30 Severability.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

The provisions of this ordinance shall be deemed severable and it is expressly declared that the County/Town would have passed the other provisions of whether or not one or more provisions may be declared invalid.

This ordinance will be reviewed as deemed necessary.

This ordinance can be modified and/or repealed at any time should just cause be found for excessive violation and issues of harm and safety to the public or the environment.

(Ord 115-15 3/2015)

Official Town Roads List (7.20)(1)  
Authorized for ATV/UTV Use (Attachment A)

|                       |                          |
|-----------------------|--------------------------|
| Baker Lake Road       | Old 45 Road              |
| Bay Road              | Old Farm Road            |
| Birch Point Road      | Petes Point Road         |
| Blong Road            | Pioneer Church Road      |
| Camp 12 Road          | Pioneer Creek Road       |
| Chicago Avenue        | Pioneer Landing Road     |
| Church Road           | Pioneer Road             |
| Deep Lake Road        | Razorback Road           |
| Deer Lake Road        | River Road               |
| Denton Road           | Ross Road                |
| East Buckatabon Road  | Rummels Road             |
| East Flowage Road     | Rush Road                |
| East Huner Lake Road  | South Pioneer Road       |
| East Pioneer Road     | School Street            |
| East Stormy Lake Road | Shooting Range Road      |
| Eller Drive           | Silver Birch Road        |
| Elrose Court          | Ski Hill Road            |
| Fire Lane Road        | Spruce Road              |
| Flowage Landing Road  | Star Lake Road           |
| Gellings Road         | Starwood Drive           |
| Hanson Road           | Stormy Lake Landing Road |
| Heart Lake Road       | Stormy Point Road        |
| Hegemann Road         | Struck Road              |

Hibanks Road  
Jacoby Road  
Kohn Road  
Kroon Road  
Lake Hills Landing  
Lakota Road  
Lindberg Road  
Marshall Lake Road  
Mathwig Road  
McCarthy Lane  
McPeak Road  
Monheim Road  
Muskrat Creek Road  
North Flowage Road  
North Hunter Lake Road  
Oak Road  
Old 26 Road

Tamarack Road  
Three Springs Road  
Torch Lake Road  
Town Road  
Twin Hill Road  
Twin Lake Road  
West Buckatabon Road  
West Huner Lake Road  
West Stormy Lake Road  
Wilsch Road