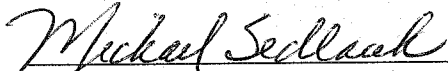


**TOWN OF EAGLE POINT
14802 STATE HWY. 124
CHIPPEWA FALLS, WI. 54729**


July 1, 2009

To Whom It May Concern,

The ATV Club is maintaining all ATV routes and signs in the Township of Eagle Point.



Michael Sedlacek, Town Chairman



Karen Knorn / Town Clerk

Revised

Resolution to Amend Chapter 32
All Terrain Vehicle Ordinance

WHEREAS, the Town Board, having reviewed the Town Ordinances for all terrain vehicles and wanted to amend and update the ordinance; and

NOW, THEREFORE, the Town Board of the Town of Eagle Point, State of Wisconsin, does ordain as follows: (Amendments in Bold and underlined)

TOWN OF EAGLE POINT
CHAPTER 32
ALL-TERRAIN VEHICLE OPERATION

THE TOWN BOARD OF THE TOWNS OF ANSON, EAGLE POINT AND LAFAYETTE, CHIPPEWA COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

That the following Ordinance is hereby adopted by the Town Board on behalf of the Town of Eagle Point:

**ALL-TERRAIN VEHICLE ROUTE(S) DESIGNATED AND
ALL-TERRAIN VEHICLE OPERATION REGULATED**

Section 1. Authority.

This Ordinance is adopted pursuant to the authority vested in the town of Eagle Point pursuant to §23.33 Wis. Stats. It is also enacted pursuant to the granting of Village Powers to the Town Board by the electors of the town which authorizes the enactment of ordinances under §61.34 Wis. Stats.

Section 2. Purpose.

The purpose of this Ordinance is to designate the following all-terrain vehicle routes identified in Section 4 and regulate the operation of such all-terrain vehicles on such routes within the corporate limits of the Town of Eagle Point. The enactment of this Ordinance is deemed to be in the best interests of the health, safety, and welfare of the general public after due consideration of the recreational opportunities as weighed against public dangers, public health, liability aspects, terrain involved, traffic density, and history of automobile traffic.

Section 3. Definitions.

As used in this Ordinance:

A. "All-terrain vehicle" means an engine-driven device which has a net weight of 900 pounds or less, which has a width of 48 inches or less, which is equipped with a seat designated to be straddled by the operator and which is designed to travel on three or more low-pressure tires. A low-pressure tire is a tire which has a minimum width of six inches, which is designed to be mounted on a rim with a maximum diameter of 12 inches and which is designed to be inflated with an operating pressure not to exceed six pounds per square inch as recommended by the manufacturer.

B. "All-terrain vehicle route" means a highway designated for use by all-terrain vehicle operators by the Town of Eagle Point.

C. "Operate" means to exercise physical control over the speed or direction of an all-terrain vehicle or to physically manipulate or activate any of the controls of an all-terrain vehicle necessary to put it in motion.

D. "Operation" means the exercise of physical control over the speed or direction of an all-terrain vehicle or the physical manipulation or activation of any of the controls of an all-terrain vehicle necessary to put it in motion.

E. "Operator" means a person who operates an all-terrain vehicle, who is responsible for the operation of an all-terrain vehicle or who is supervising the operation of an all-terrain vehicle.

Section 4. Routes.

The following are designated as all-terrain vehicle routes as authorized by §23.33(8)(b) Wis. Stats.:

A. All Town roads with the Town of Eagle Point **which are posted as ATV routes;**
and

B. Said route(s) is further described and identified by the attached map.

Section 5. Regulations of All-Terrain Vehicles on Designated Route(s).

The Town of Eagle Point, as authorized by §23.33(11)(a) Wis. Stats. regulates the operation of all-terrain vehicles on designated route(s) as follows:

A. All all-terrain vehicle operators shall observe posted roadway speed limits.

B. All all-terrain vehicle operators shall ride single file.

C. All four wheels of all-terrain vehicle must stay on paved surface.

D. Roads will be open one-half hour before sunrise and one-half hour after sunset.

E. All all-terrain vehicle operators shall slow the all-terrain vehicle to 10 m.p.h. or less when operating within one hundred fifty (150) feet of a residence.

F. All all-terrain vehicle operators shall have their headlights and taillights
turned on at all times.

G. All all-terrain vehicle operators and riders under age 18 must wear a
helmet.

H. All all-terrain vehicle operators under the age of 16 are required to have a
rider safety certificate to ride, and they must be accompanied by a parent
or guardian.

Section 6. Signage Designating Routes.

The Town of Eagle Point shall maintain the supervisory responsibility of ensuring that the all-terrain vehicle routes identified in Section 4 are signed in compliance with the standards, requirements, and regulations established by federal, state, and local governments and their respective departments and agencies, including, but not limited to the Wisconsin Department of Natural Resources. The actual installation and maintenance of signage is hereby delegated to, and now becomes the responsibility of , the all-terrain vehicle club known as Eagle Point ATV Club. And shall also be responsible for the purchase of, and associated costs related to, the necessary signage for the route(s). All signage and signage materials shall be subject to approval by the Town Board prior to installation.

Section 7. Enforcement.

- A. This Ordinance shall be enforced by the Eagle Point ATV Club and the Chippewa County Sheriff's Department, pursuant §23.33(12) Wis. Stats. **Only the Chippewa County Sheriff's Department, any DNR Conservation Warden or an authorized Town Official, pursuant to Chapter 13 of the Town Ordinances, may issue said citation for violation of this ordinance.**

Section 8. Penalties.

A. For a violation of any provision enacted by reference, the penalty shall be as set forth in a statute or regulation. If no statute or regulation has a bond or fine schedule, then said forfeiture shall be determined under sub section B., below.

B. Except where a penalty is provided for in subsection A. above, any person who shall violate any ordinance shall, upon conviction of such violation, forfeit not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00), together with the cost of prosecution.

That this Ordinance shall take effect upon its adoption and publication as required by law.

ADOPTED AND AMENDED this 17th day of November, 2008.

Michael Sedlacek

Michael Sedlacek - Town Board Chairperson

Posted this 26th day of November, 2008

Attest:

Karen Knorn
Karen Knorn - Town Clerk