

VILLAGE OF IOLA

AMENDED ORDINANCE NO. 2019 – 1 AMENDED ORDINANCE 2024-05 (June 11, 2024, Resolution 2024-05)

ALL-TERRAIN/UTILITY TERRAIN VEHICLES TRAILS AND ROUTES VILLAGE OF IOLA, WAUPACA COUNTY, WISCONSIN

Section 1 – Intent

The Village of Iola, Waupaca County, Wisconsin hereby adopts the following all terrain vehicle (ATV) and utility terrain vehicle (UTV) upon roadways listed in Section 3. Following due consideration of recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and automobile traffic volume, this route(s) has been created. *Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules. All ATV/UTV rules of operation outlined in Wis. Stats. § 23.33 and Wis. Admin. Code ch. NR 64 are adopted and incorporated. (added to Intent on 6-11-24, Resolution 2024-05)*

Section 2 – Statutory Authority

This route is created to pursuant to Village authority as authorized by 23.33 (8) (b), Wis. Stats. The applicable provisions of 23.33 regulating ATV/UTV operations pursuant to routes and trails are adopted.

Section 3 – Routes and Trails

1. The Village of Iola reserves the right to close or modify routes and trails at anytime. Any restrictions of trails and routes shall be designated by a motion and by majority of the Village of Iola Board and shall be marked accordingly.
2. The Village of Iola or its designee shall maintain all routes and trail signs within the Village.
3. All ATV/UTV routes and trails should be signed in accordance with NR 64.12 and NR 64.12(7)(c).
4. All Village streets, sidewalks, alleyways and transportation marked corridors within the Village of Iola are hereby designated as ATV/UTV routes. Authorized private lands subject to public easement or leases are designated trails. All county roadways located in the Village of Iola are hereby declared as ATV/UTV routes if authorized by the County of

Waupaca. All state highways and county highways with a speed limit of 35 MPH or less are designated as routes.

5. The Village of lola will maintain a route and trail map.

Section 4 – Conditions

1. All ATV/UTV operators on routes shall observe posted roadway speed limits; not to exceed 35 MPH.
2. All ATV/UTV operators shall ride single file.
3. Operators of ATV/UTV shall observe all laws of this state pertaining to the use of an ATV/UTV.
4. ~~No ATV/UTV may be operated on any designated route between the hours of 10:00 P.M. to 7:00 A.M. daily.~~
5. A person operating an ATV/UTV within the Village limits of the Village of lola must be at least 16 years of age and have been issued a valid state driver's license.
6. A person operating an ATV/UTV must provide proof of insurance.

Section 5 – Enforcement

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

Section 6 – Penalties

Wisconsin State ATV/UTV penalties as found in s.23.33(13)(a) Wis. Stats., are adopted by a reference.

Section 7 – Severability

The provision of this ordinance shall be deemed severable, and it is expressly declared that the Village of lola would have passed the other provisions of this ordinance irrespective of whether or not one or more provision 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 the other person's circumstances shall not be deemed affected.

Section 8 – Effective Date

This ordinance becomes effective upon passage and publication.

Passed this 13th day of June 2022.

Number of members present: 7

Number of members voting yes: 7

Number of members voting no: 0

Jennifer Schustek, Village President

Attest: _____
Betty J. Aanstad, Village Clerk