

**Town of Springfield Ordinance #2024-02; Ch. 4.21 Town Road Ordinance
Designating All-Terrain Vehicle Routes & Regulating the Operation of
All-Terrain Vehicles**

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SECTION I – INTENT

The Town of Springfield, Dane County, adopts the all-terrain route listed in Section III for the operation of all-terrain vehicles. In designating the route, the Town has exercised its discretion to weight the recreational value of particular routes against possible dangers, public health, liability aspects, terrain involved, traffic density and automobile traffic. This route has been designated in the Town’s discretion. Designation of the route does not constitute an endorsement of activity authorized by this ordinance nor any assurance that the route is safe. The Town expressly finds that all ATV/UTV operation is at the risk of the operator.

SECTION II – STATUTORY AUTHORITY

The Town Board of the Town of Springfield, Dane County, Wisconsin has authority to adopt this ATV/UTV Route Ordinance under Wisconsin Statute 23.33(8)(b) and 23.33(11).

SECTION III – ROUTES

The following roads are designated as routes:

- A. All Springfield town roads, excluding Greenbriar Road; Pheasant Branch Road, south of Highway K; High Road; and Balzer Road, as well as the dead-end streets in the area: Foxfire Trail, Shamrock Glen Circle, Greenbriar Lane, and Wild Rose Court.

SECTION IV – CONDITIONS

As a condition for use of this route, the following conditions shall apply to all operators and passengers.

- A. No person shall operate an ATV or UTV on a town road unless the town road has been designated as an ATV/UTV route by the Town of Springfield Town Board, except for operation that is allowed under state or county statute.
- B. No person shall operate an ATV or UTV on a town road designated as an ATV/UTV route if the town road is closed for any reason.
- C. Operators of ATV or UTV vehicles shall abide by all traffic laws, including the rules and operation and equipment requirements contained in Wisconsin Statute 23.33 and Dane County Ordinance Chapter 79, unless further restricted by this ordinance.
- D. ATV and UTV vehicles may only operate on an approved ATV/UTV route between the hours of 5:00 a.m. and 10:00 p.m.

- E. ATV and UTV vehicles shall operate at a safe and prudent speed, not to exceed 35 miles per hour, or at such lesser speed limit as is otherwise adopted by this ordinance, by law or roadway conditions.
- F. All ATV/UTV operators shall slow to a safe and prudent speed when there are pedestrians, cyclists or animals on or near the roadway.
- G. All ATV/UTV vehicles must operate with fully functional headlights, taillights and brake lights.
- H. All ATV or UTV operators shall ride in single file on the extreme right-hand side of the paved portion of the road. Operation on the gravel shoulders, grassy in-slope, ditches or other road right-of-way is prohibited. Left turns may be made from any part of the road when it is safe given prevailing conditions.
- I. Crossing should be made only at a place where no obstruction prevents a quick and safe crossing. Obstruction includes, but is not limited to, impairment of view and potentially hazardous roadway conditions.
- J. No person under the age of 16 may operate an ATV or UTV on any segment of a town road, whether or not it is designated as an ATV/UTV route.
- K. Every person who operates an ATV or UTV on any segment of a town road which is designated as an ATV/UTV route shall have in his or her immediate possession a valid motor vehicle operator's license, and shall display the license document upon demand from any enforcement officer, state patrol officer, inspector under State Statute 110.07(1), conservation warden or municipal peace officer.
- L. All ATV and UTV equipment is required to have applicable liability insurance and proof of insurance with them when on a town road designated as an ATV/UTV route.
- M. Routes must be signed in accordance with NR 64.12 and NR 64.12(7)c. All required designated route signs and posts, and their installation and maintenance shall be paid for and provided by the ATV/UTV Club, with the approval of the Town of Springfield. Repair of any damaged or vandalized signs shall be completed and paid for by the ATV/UTV Club. No ATV/UTV designated route will be open for use until proper signage has been erected.
- N. The Town of Springfield Chairperson shall have the authority to temporarily close or terminate any ATV/UTV route enacted by the ordinance for a period of 30 days or less due to an emergency situation or condition, as designated by the Chairperson. Closures for duration of greater than 30 days shall be reviewed by the Town Board.

SECTION V – ENFORCEMENT

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin. Pursuant to Wisconsin Statute 23.33(1)(b), if a town adopts an ordinance regulating all-terrain vehicles, utility terrain vehicles, or both, its clerk shall immediately send a copy of the ordinance to the Department of Natural Resources, the State Patrol and to the office of any law enforcement agency having jurisdiction over any of the roads or highways to which the ordinance applies

SECTION VI – PENALTIES

Wisconsin State All-Terrain Vehicle penalties as found in Wisconsin Statute 23.33(13)(a) are adopted by reference.


SECTION VII – SEVERABILITY AND INTERPRETATION

The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Springfield 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 persons' circumstances shall not be deemed affected. This ordinance shall be interpreted in a manner which strictly conforms to Wisconsin state statutes and administrative rules related to ATV/UTV operation.

SECTION VIII – EFFECTIVE DATE

This ordinance shall take effect and be in force from and after the day after passage and publication as required by law.

Dated this 20th day of August, 2024

Attest: 
Dianah Fayas, Clerk/Treasurer

Posted/Published: 8/22/24