

## Chapter 368

### VEHICLES, ALL-TERRAIN AND UTILITY TERRAIN

[History: Adopted by the Village Board of the Village of Lyndon Station 9-11-2000 by Ord. No. 98 amended in its entirety at time of adoption of Code (see Ch.1, General Provisions, Art. II). Subsequent amendments noted where applicable.]

#### GENERAL REFERENCES

Vehicles and Traffic – See Ch. 373.

#### § 368-1. Purpose

The purpose of this chapter is to give all-terrain vehicles and utility terrain vehicles a legal means for passage of all-terrain vehicles and utility terrain vehicles through the Village of Lyndon Station to and from the countryside.

#### § 368-2. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

ALL TERRAIN VEHICLES (ATV) AND UTILITY TERRAIN VEHICLES (UTV)

**A.** the definitions of Section 23.33 (1), Wisconsin Statutes, on all-terrain vehicles (ATVs) and Light Utility Vehicles (UTVs) are adopted and incorporated herein as reference.

**B.** Golf carts and low-speed vehicles do not qualify as utility terrain vehicles.

### **§ 368-3. Adoption of Statutory Provisions**

All provisions listed in s. 23.33 (1) through (13), Wisconsin Statutes, and subsequent amendments thereto are hereby incorporated by reference as part of this chapter, except for those provisions therein which conflict with this chapter.

### **§ 368-4. Designated Routes**

- A.** Except as provided in Section 23.33, Wisconsin Statutes, no person shall operate an all-terrain vehicle or utility terrain vehicle upon any public right-of-way, in any public park, or on any other public property in the Village of Lyndon Station except as hereinafter designated.
- B.** ATV's and UTV's are restricted to designated routes per the Village of Lyndon Station ATV Route Map.
- C.** All-terrain vehicles and utility terrain vehicles may only cross (Flint Street) also known as Highway 12/16 at the following marked ATV intersections.
  - (1) Lacrosse Street and (Flint Street) Highway 12/16
  - (2) Washington Street and (Flint Street) Highway 12/16
- D.** Only residents of the Village of Lyndon Station may use undesignated streets from their residence to gain access to the nearest designated all-terrain vehicle or light utility vehicles route. Residents shall take the most direct route to and from their residence. Any other use of the streets can and will result in a fine.
- E.** ATV's and UTV's are not allowed to park in or along any alleyways within the Village, unless otherwise posted.

### **§ 368-5. Operational Limitations for All-Terrain Vehicles (ATV)**

It shall be unlawful to operate an all-terrain vehicle pursuant to § 368-4 of this chapter unless the operator thereof meets all of the following qualifications and requirements:

- A.** The operator shall meet all age requirements as set by Wisconsin Statutes.
- B.** All-terrain vehicles and Utility terrain vehicles shall be operated with the headlights and taillights on at all times while operated in the Village.
- C.** ATV's shall not exceed 10 miles per hour within the Village Limits.
- D.** ATV's shall not be operated between the hours of 11:00 p.m. and 7:00 a.m. within the Village limits of Lyndon Station.
- E.** ATV operators under the age of 16 years of age may operate only (1) one hour after sunrise to (1) one hour before sunset with the Village Limits.
- F.** It shall be unlawful for any ATV or UTV to cross any intersection within the Village of Lyndon Station without first stopping and thereafter proceeding with caution only when the street to be crossed is clear of traffic.
- G.** ATV's operated on the Village streets shall operate in single file and as close to the right-hand side of the street as possible.
- H.** ATV's shall yield the right-of-way to all other motor vehicles, bicycles, and pedestrians in every instance.
- I.** ATV and UTV owners and / or operators shall assume full liability.
- J.** No person shall operate an ATV or UTV on any private property not owned or controlled by himself without the express consent or permission of the landowner.
- K.** ATV or UTV operators under the age of 18 years of age must wear a helmet.
- L.** Operators must obey all related laws, including all regulations of the Department of Natural Resources (DNR) and Section 23.33, Wisconsin Statutes.

**M.** No ATV or UTV can be operated in a way that causes damage to the street, roadway or right-of-way.

**§ 368-6. Operation Limitations for Utility Terrain Vehicles (UTV)**

**A.** The operator must possess a valid vehicle operator license.

**B.** The number of passengers carried on a side-by-side light utility vehicle shall be limited by the number of manufacturer seat belts.

**C.** The driver and the passengers of a UTV must wear seat belts at all times.

**D.** The driver and passengers of a UTV shall keep their hands, arms, feet and legs inside the vehicle at all times during operation.

**E.** The driver of a UTV shall obey all signs, gates and barriers and posted roadway signage.

**F.** UTV's shall not exceed 10 miles per hour within the Village Limits.

**G.** UTV's shall not be operated between the hours of 11:00 p.m. and 7:00 a.m. within the Village limits of Lyndon Station.

**H.** UTV's operated on the Village streets shall operate in single file and as close to the right-hand side of the street as possible.

**I.** UTV's shall yield the right-of-way to all other motor vehicles, bicycles, and pedestrians in every instance.

**J.** For the purpose of this chapter a UTV will be governed by all ordinances and laws applicable to ATV's unless otherwise indicated.

### **§ 368-7. Accidents and Accident Reports**

If the operator can do so without serious danger to themselves or persons on board, the operator of an ATV or UTV involved in an accident within the Village of Lyndon Station shall stop and render aid to all other ATV or UTV operators or persons affected thereby as may be practicable and necessary to save them from or minimize any danger caused by the accident and shall give their names and addresses and the identification of their ATV or UTV to any person injured and to the owner of any property damaged in any accident.

### **§ 368-8. Violations and Penalties**

Any person who shall violate any provisions of this chapter shall, upon conviction thereof, be subject to a forfeiture of not less than \$50.00 nor more than \$300.00 together with the costs of said proceedings and upon failure to pay said forfeiture and costs shall be confined to the county jail of Juneau County for a period not to exceed (10) ten days or until such forfeiture and costs are paid.

Any person who, within the last (2) two years prior to the arrest for the current violation, was (2) two or more times previously convicted for violating provisions of this chapter, shall be subject to forfeiture of not less than \$300.00 nor more than \$500.00 for each offense together with the costs of said proceedings.

As additional penalties, this ordinance adopts the penalties of Section 23.33(13), Wisconsin Statutes, to the extent they are greater than those stated above.