

CHAPTER 7

TRAFFIC CODE

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7.01 STATE TRAFFIC, SNOWMOBILE AND ALL TERRAIN/UTILITY VEHICLE(ATV/UTV) LAWS ADOPTED

Except as otherwise specifically provided in this chapter, the statutory provisions in §23, §59, §340 to §348 and §350, Wis. Stats., and WI Admin Code NR 64 describing and defining traffic regulations with respect to traffic, snowmobiles, and all terrain/utility vehicles, exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are adopted and by reference made a part of this chapter. Any act required to be performed or prohibited by any statute incorporated herein by reference is required to be performed or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulation of traffic, ATV/UTV, and snowmobiles on the highways, streets and alleys of the State.

(Ord #395-18 1/30/18)

7.02 OFFICIAL TRAFFIC CONTROL DEVICES

- (1) Duty of County Highway Commission to Erect and Install Uniform Traffic Control Devices.** Whenever traffic regulations created by this chapter, including State traffic regulations adopted by reference in §7.01, require the erection of traffic control devices for enforcement, the County Highway Commission shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever State law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such manner as in the judgment of the County Highway Commission will carry out the purposes of this section and give adequate warning to users of the streets and highways of the County.
- (2) Code Numbers to be Affixed to Official Traffic Control Devices.** The County Highway Commission shall cause to be placed on each official traffic control sign, guide board, mile post, signal or marker erected under (1) a code number assigned by the Wisconsin Department of Transportation and shall also place or direct the placing of code numbers on all existing official traffic control devices as required by the laws of the State.
- (3) Prohibited Signs and Markers on Highways.** No person other than a person authorized by this chapter to erect and maintain official traffic control devices or his designee shall place within the limits of any street or highway maintained by the County any sign, signal, marker, mark or monument unless permission is first obtained from the County Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal as provide in sub. (4).
- (4) Removal of Unofficial Signs, Markers, Signals, and Traffic Control Devices.** The County Highway Commission may remove any sign, signal, marking or other device, which is placed, maintained or displayed in violation

of this chapter or State law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marking or device shall be reported to the County Highway Commission at its next regular meeting following the imposition of the charge for review and certification. Any charge not paid on or before the next succeeding November 15 shall be placed upon the tax roll for collection as other special County taxes.

7.03 NO PASSING ZONES

The County Highway Commission is directed to designate and mark no passing zones on all County trunk highways in accordance with the Wisconsin Uniform Traffic Control Device Manual.

7.04 SPEED LIMITS

No person shall drive a vehicle at a speed in excess of the speed limit established in this section on the following county highways:

(1) 25 m.p.h.

- (a) CTH 'E'. Twenty-five (25) miles per hour from four hundred (400) feet south of the South Junction of Church Street, easterly and northerly through the place known as Porterfield to a point 0.17 of a mile north of the Escanaba and Lake Superior Railroad Crossing.
- (b) CTH 'Q'. From the West Village Limits located at North 17th Road, easterly to a point 0.31 of a mile east of its junction with USH 141 within the Village of Pound.
- (c) CTH 'V'. From a point 0.61 miles west of the junction of USH 141, in the unincorporated place known as Amberg, easterly to its intersection with such highway.
- (d) CTH 'I'. From CTH 'C' to 0.30 miles north.

(2) 30 m.p.h.

- (a) CTH 'A'. Thirty miles per hour from its North Junction with County Trunk Highway 'C' in the unincorporated place known as Athelstane, westerly for a distance of 0.15 of a mile.
- (b) CTH 'C'. Thirty miles per hour from a point 0.15 of a mile south of its North Junction with County Trunk Highway 'A' in the unincorporated place known as Athelstane, north and easterly for a distance of 0.55 of a mile.
- (c) CTH 'X'. On County Highway 'X' in the Town of Stephenson from Parkway Road to 2500' East in Section 25, Township 33 North, Range 18 East, Marinette County, Wisconsin.

(3) 35 m.p.h.

- (a) CTH 'B'. Town of Peshtigo, Marinette County, Wisconsin, from the West Corporate Limits of the City of Peshtigo, westerly to a point 1,000 feet west is here and hereby established 35 MPH.
- (b) CTH 'BB'. From the South Corporate Limits of the City of Marinette, southerly for a distance of 0.30 miles.
- (c) CTH 'OO'. From a point 0.63 of a mile west of USH 141, easterly to the Junction of USH 141 in the unincorporated place known as Pembine.

- (d) CTH 'P'. From a point 0.50 of a mile west of USH 141 in the unincorporated place known as Beaver, easterly to its intersection with such highway.
 - (e) CTH 'W'. From a point 1.10 of a mile west of the intersection of Sikowski Lane, easterly to the West Village at Cox Street.
 - (f) CTH 'T'. Between USH 41 south and easterly to a point .15 miles east of the Junction of Roosevelt Road South and from a point 2000 feet west of the junction of CTH 'B' easterly to the junction of CTH 'B'.
 - (g) CTH 'B'. From a point 0.96 miles west of CTH 'CP' to CTH 'CP' traveling through the Town of Pound and the Village of Coleman.
 - (h) CTH 'CP'. From CTH 'B' to 0.64 miles north all in the Village of Coleman.
 - (i) CTH 'CP'. From a point 0.39 miles south of CTH 'Q' to STH '64' in the Village of Pound.
- (4) 40 m.p.h.**
- (a) CTH 'BB'. From a point 0.30 miles south of the South Corporate Limits of the City of Marinette, southerly and westerly along such highway to a point 500 feet west of the Junction of Dura Road (North).
 - (b) CTH 'GG'. From a point 500 feet west of its intersection with Pioneer Road, northerly and easterly to a point 500 feet south of its intersection with School Forest Lane in the Town of Lake.
 - (c) CTH 'E'. Forty miles per hour from a point 0.17 of a mile north of the Escanaba and Lake Superior Railroad Crossing, northerly and easterly to a point 0.16 of a mile east of the Junction with Porterfield Lake Road.
 - (d) CTH 'JJ'. On County Highway 'JJ': in the Town of Wagner from STH 180 to 0.66 miles east, Marinette County, Wisconsin.
- (5) 45 m.p.h.**
- (a) CTH 'B'. On County Highway 'B': in the Town of Peshtigo from CTH 'T' to the south city limits, City of Peshtigo, Marinette County, Wisconsin.
 - (b) CTH 'BB'. From its Junction with CTH 'B' southeasterly for a distance of 1.96 miles.
 - (c) CTH 'DD'. From its intersection with CTH 'D' in the unincorporated place known as Harmony, northerly to its intersection with STH 64.
 - (d) CTH 'G'. From a point 0.15 of a mile west of LaPlant Road easterly through the place known as Walsh, to a point 0.04 miles east of Bagley Road South and Twin Creek Road North.
 - (e) CTH 'H'. On County Highway 'H' in the Town of Goodman from South Hilbert Lake Drive to the West County Line in Township 37 North, Range 17 East, Marinette County, Wisconsin.
 - (f) CTH 'M'. On County Highway 'M' in the Towns of Grover and Pound within one thousand (1,000) feet on both sides of the intersection of County Highway 'M' with Town Line Road in Township 30 North, Range 21 East, Marinette County, Wisconsin.
 - (g) CTH 'RW'. Situated in the Town of Peshtigo between the North City Limits of the City of Peshtigo (at Jopek Road) northerly to its Junction with STH 64.
 - (h) CTH 'T'. Between USH 41 to STH 180 and STH 64.

- (i) CTH 'T'. From a point .15 miles east of the junction of Roosevelt Road South, easterly to a point two thousand (2,000) feet west of the junction of CTH 'B'.
 - (j) CTH 'I'. On County Highway "I" (formerly known as Parkway Road) from 0.3 miles north of CTH 'C' to USH 8.
 - (k) CTH 'L'. On County Highway "L" (formerly known as Beecher Lake Road and Pike River Road) from USH 141 to Pike Plains Road.
 - (l) CTH 'X'. Located in the Town of Stephenson from two thousand five hundred (2500) feet east of the Junction of Parkway Road easterly to its Junction with CTH 'A'.
 - (m) CTH 'C'. On County Highway 'C' in the Town of Silver Cliff from one mile east of the Peshtigo River to one quarter mile west of the Peshtigo River in Section 31, Township 34 North, Range 18 East, Marinette County, Wisconsin.
 - (n) CTH 'CP'. From a point 0.64 miles north of CTH 'B' to 1.72 miles north of CTH 'B' in the Town of Pound.
 - (o) CTH 'B'. From a point .80 miles west of CTH 'CP' to 2.08 miles west of CTH 'CP' in the Town of Pound.
 - (p) CTH W. On CTH W in the Town of Stephenson from the intersection of CTH W and Waboose Lane west 1,330 feet to the Marinette County/Oconto County line.
 - (q) CTH 'N', From the City of Niagara limits to the Marinette County/Florence County Line.
- (Ord #145 12/20/94, Ord #179 7/22/97, Ord#195 3/24/98, Ord #208 12/21/99, Ord #213 2/22/00, Ord #239 8/28/01, Ord #245 12/18/01, Ord #246 12/18/01, Ord #256 7/30/02, Ord #264 3/25/03, Ord #272 2/24/04, Ord 294 12/20/05, Ord #309 2/27/07, Ord #313 9/25/07, Ord #332 10/27/09, Ord #413 10/30/18, Ord #435 6/30/2020)

7.05 POSTING TEMPORARY SPEED LIMITS

- (1) The Marinette County Highway Commissioner is authorized, at his or her discretion, to impose mandatory temporary speed limits under the continuing authority of this ordinance and without need of further approval.**
- (a) Temporary speed limits shall be in accord with this ordinance and shall be imposed by the posting of either portable or fixed temporary regulatory speed limit signs of the same face size and design as permanent regulatory speed limit signs, type R2-1, as described in the Manual on Uniform Traffic Control Devices as adopted by the Wisconsin Department of Transportation.
 - (b) Signs may be posted on any highway under the jurisdiction of this authority or any state trunk highway upon which this county performs maintenance under §84.07, Wis. Stats. When such highway is being constructed, reconstructed, maintained or repaired by Marinette County but only in the immediate area of such work and of those persons engaged in performing such work.
 - (c) Any speed limits imposed under the authority of this ordinance are temporary, and the signs imposing such limits shall be removed, covered

or otherwise obscured when the highway construction or maintenance workers performing construction, reconstruction, maintenance of repairs and their equipment are not present on the shoulders or traveled portion of the highway.

- (d) The area in which any temporary speed limit is imposed shall be terminated by posting regulatory speed limit signs informing the public of the specific speed limit outside of the area where construction, reconstruction, maintenance or repair work is being performed.
- (e) Nothing herein shall prohibit the County Highway Commissioner from posting advisory speed limit signs, of the type W13-1 as described in the Manual of Uniform Traffic Control Devices, in areas of highway construction, reconstruction, maintenance or repairs suggesting such speed as he or she deems appropriate to promote the safety of highway users and that such advisory signs may also be posted in conjunction with the temporary mandatory speed limit signs, as described and authorized above. (Ord #236 6/26/01)

7.06 BICYCLE ROUTES

Pursuant to §§340.01 (5)(m) and 349.23(1), Wis. Stats., the following route shall be officially designated as a bicycle route and the proper signs installed: Beginning at a point where CTH 'B' enters the south city limits of the City of Peshtigo; through the City of Marinette to the intersection of CTH 'BB'; thence south on CTH 'BB' through the Town of Peshtigo to where CTH 'BB' intersects with CTH 'B' just south of the City of Peshtigo; thence to the place of beginning.

7.07 DISORDERLY CONDUCT WITH A MOTOR VEHICLE

- (1) **Definitions.** The following terms are defined for the purpose of this ordinance.
 - (a) **MOTOR VEHICLE.** Has the meaning recited in §340.01(35) Wis. Stats.
 - (b) **VEHICLE.** Has the meaning recited in §340.01(74) Wis. Stats.
 - (c) **HIGHWAY.** Has the meaning recited in §340.01(22) Wis. Stats.
 - (d) **DISORDERLY CONDUCT WITH A MOTOR VEHICLE.** Means the deliberate operation of a motor vehicle in a manner that is unnecessarily and unreasonably violent, abusive, loud, maneuvered, or accelerated in such a manner so as to disturb, annoy or endanger any person or property in any public or private area in Marinette County. It includes, but is not limited to the unnecessary and unreasonable spinning of wheels, squealing of tires, accelerating the engine or vehicle or both, raising one or more wheels off the surface, use of the horn, loud playing of radios or audio entertainment, emission of smoke, gases, or other foul odors that are disagreeable, leaving the highway to travel across property to avoid an intersection, official traffic control sign, signal or other device, and deliberately causing the engine to backfire. For the purpose of this definition, the motor vehicle is not required to be moving at the time of commission of the disorderly conduct.
- (2) No person shall operate a Motor Vehicle in Marinette County in such a manner that constitutes Disorderly Conduct with a Motor Vehicle.

- (3) This Ordinance shall be enforced by the Citation Method of Enforcement prescribed in §25.01(4) of the Marinette County Code of Ordinances. (Ord #204 7/27/99)

7.08 SNOWMOBILES

(1) Snowmobile Routes are to be so designated. The following roads in the County of Marinette, Wisconsin, are hereby described as snowmobile routes:

- (a) County Highway A.
 - (1) County Highway A/W from the easternmost Escanaba & Lake Superior Railroad tracks to Sarah Street and County Highway W from F.J. Street to Left Foot Lake Road.(Ord #116 12/17/92, Ord #126 1/20/94, Ord #429 11/12/19)
 - (2) County Highway A beginning at the junction of County Highway A and County Highway C and ending 0.21 miles west of said junction. (Ord #87 11/28/89)
 - (3) County Highway A beginning at the junction of County Highway A and White Road and ending at a point one-half (0.5) mile east of the junction of County Highway A and Benson Lake Road. (Ord #298 2/28/06)
- (b) County Highway B
 - (1) County Highway B beginning at County Highway T and ending one thousand (1000) feet southwest of the point of beginning. (Ord #129 2/24/94)
 - (2) County Highway B from the West Village limits of Coleman to State Trunk Highway 141. (Ord #298 2/28/06)
- (c) County Highway C
 - (1) County Highway C from Flom road to a point in the right-of-way of County Highway C that is 300 feet West of the Point of Beginning. (Ord #174 12/17/96)
 - (2) County Highway C beginning at the junction of County Highway C and County Highway A and ending at the west end of Davis Road. (Ord #298 2/28/06)
 - (3) County Highway C beginning at Walesh Lane and ending at Tower Road. (Ord #119 1/26/93)
 - (4) County Highway C beginning at the junction of Highway C and Kosir Lane and ending at a point two hundred (200) feet east of the highway bridge crossing the Peshtigo River. (Ord #298 2/28/06)
- (d) Reserved for future use
- (e) Reserved for future use
- (f) Reserved for future use
- (g) Reserved for future use
- (h) Reserved for future use
- (i) County Highway O
 - (1) County Highway O beginning at Barlow Lake Road and ending approximately 5,673' north of Barlow Lake Road all in the Town of Niagara. (Ord 428 9/17/19)
- (j) County Highway P

- (1) County Highway P beginning at the 17th Road and ending one thousand three hundred (1300) feet west of the point of beginning. (Ord #125 1/20/94)
 - (k) Reserved for future use
 - (l) Reserved for future use
 - (m) Reserved for future use
 - (n) Reserved for future use
 - (o) Reserved for future use
 - (p) Reserved for future use
 - (q) County Highway X
 - (1) County Highway X beginning at the junction of County Highway X and Deer Lake Road and ending at a point one-half (0.5) mile south at the junction of County Highway X and Kottke Road. (Ord #115 10/27/92)
 - (r) Reserved for future use
 - (s) Reserved for future use
 - (t) Reserved for future use
 - (u) County Highway JJ
 - (1) County Highway JJ beginning at the middle of the Koss Bridge and ending eight hundred (800) feet south of the middle of the Koss Bridge. (Ord #298 2/28/06)
- (Ord 427-19 08/27/19)

7.09 ALL TERRAIN VEHICLES UTILITY TERRAIN VEHICLES.

(1) Application for ATV/UTV Highway Routes.

- (a) Prior to considering designation of a highway segment as an ATV/UTV route, the requesting ATV club or municipality shall demonstrate to the Infrastructure Committee that no other practical alternative trail option exists. The single most important route consideration is safety.
- (b) When considering designation of ATV/UTV routes on a County highway, the following procedure/criteria shall be followed:
 - (1) Requests submitted to the Highway Department shall be submitted by a recognized ATV Club or a local municipality. The request shall include a proposed ATV/UTV speed limit for the proposed highway route.
 - (2) Requests for routes will be considered only for the following reasons:
 - a. To connect a trail to a trail or a trail to route with no alternate options.
 - b. To resolve safety issues.
 - c. To provide access to businesses or services
 - d. Provide the minimum necessary for a local municipality to connect local routes within the community or to an adjoining community.
- (c) The County Highway Department, as the maintaining authority of a highway segment designated as an ATV/UTV route, shall install, and maintain the proper identifying signs. The requesting ATV Club or local

municipality shall provide the required signage upon written request of the Highway Department within fourteen (14) calendar days. Failure to provide the required signage may result in the route not being established, the temporary closure of the route, or the permanent termination of the route by the County Board.

(2) Designation of ATV/UTV Highway Routes

- (a) County trunk highway segments designated as ATV/UTV routes shall be established by the Infrastructure Committee with approval of the Marinette County Board of Supervisors. Any requested modification to a designated ATV/UTV highway route shall be submitted to the Highway Department and recommended by the Infrastructure Committee for approval or denial by the Marinette County Board of Supervisors. A copy of ATV/UTV routes with a map showing locations shall be kept on file at the Marinette County Highway Department and the Marinette County Office of the Sheriff. The Marinette County Highway Department and/or the Marinette County Sheriff shall have the authority to temporarily close any County highway ATV/UTV route if warranted.
- (b) The following roads in the County of Marinette, Wisconsin, are hereby designated as daylight ATV/UTV routes during the period commencing May 1 and ending December 1 unless designated otherwise:
 - (1) County Highway A
 - (a) County Highway A beginning at Perch Lake Road and ending at Northway Drive all in the Town of Athelstane. (Ord 428 9/17/19)
 - (2) Reserved for future use
 - (3) County Highway C
 - (a) County Highway C beginning at Palmer Road and ending at Northway Road all in the Town of Athelstane. (Ord #404 4/17/18)
 - (b) County Highway C beginning at Fire Lane Road and ending at Tower Road all in the Town of Athelstane. (Ord #397 2/27/18, Ord 428 9/17/19)
 - (c) County Highway C beginning at Tower Road and ending approximately 1,065' west of Tower Road all in the Town of Silver Cliff. (Ord #397 2/27/18)
 - (d) County Highway C Beginning at County Highway I and ending at Parkway Road all in the Town of Silver Cliff. (Ord #397 2/27/18)
 - (e) County Highway C beginning at Basswood Lane and ending at Boat Landing 11 Road all in the Town of Silver Cliff. (Ord #404 4/17/18)
 - (4) County Highway D
 - (a) County Highway D beginning at Loucks Road ending at State Highway 64 all in the Town of Grover (Ord #436 7/28/2020)
 - (5) Reserved for future use
 - (6) County Highway F
 - (a) County Highway F beginning at Marinette/Oconto County line and ending at Chickadee Road all in the Town of Silver Cliff. (Ord #426 6/25/19)
 - (7) County Highway G

- (a) County Highway G beginning at Loomis Road North and ending at Right of Way Road all in the Town of Lake. (Ord #404 4/17/18)
- (8) County Highway H
 - (a) County Highway H beginning at South Hilbert Drive and ending at State Trunk Highway 8 all in the Town of Goodman. (Ord #404 4/17/18)
 - (b) County Highway H beginning at the West County Line and ending at Town Park Drive all in the Town of Goodman. (Ord #404 4/17/18)
- (9) County Highway I
 - (a) During the period commencing the second Saturday of September and ending December 1 County Highway I beginning at County Highway C north for approximately 1.75 miles and ending at the designated Iron Snowshoe Club ATV cross trail all in the Town of Silver Cliff. (Ord #395 1/30/18)
 - (b) County Highway I beginning at Homestead Lake Road and ending at Camp 5 Road all in the Town of Silver Cliff. (Ord #426 6/25/19)
 - (c) County Highway I beginning at 2,220' south of USH 8 and ending at 3,480' south of USH 8 all in the Town of Goodman. (Ord #360 8/28/12)
- (10) Reserved for future use
- (11) County Highway K
 - (a) County Highway K beginning at Pike River Road and ending at White Rapids Loop West Road all in the Town of Amberg. (Ord #404 4/17/18)
- (12) County Highway L
 - (a) County Highway L beginning at Cliff Lane and ending at Peterson Road all in the Town of Beecher (Ord #429 11/12/19)
- (13) County Highway M
 - (a) County Highway M beginning at Drees Road and ending at Vernon Hills Drive all in the Town of Grover (Ord #436 7/28/20)
- (14) Reserved for future use
- (15) County Highway O
 - (a) County Highway O beginning at US HWY 8 and ending approximately 50 feet north at the Dunbar Veteran's Memorial Park all in the Town of Dunbar (Ord #395 1/30/18)
 - (b) County Highway O beginning at Barlow Lake Road and ending at County Highway N all in the Town of Niagara. (Ord #404 4/17/18, Ord #436 7/28/2020)
- (16) County Highway P
 - (a) County Highway P beginning at 3rd Road and ending at USH 141 all in the Town of Beaver. (Ord #412 8/28/18, Ord #436 7/28/2020)

- (b) County Highway P beginning 200 feet west of USH 141 and ending at 37th Road all in the Town of Beaver. (Ord #405 5/29/18)
- (c) County Highway P beginning at County Highway W and ending at Williston Springs Road all in the Town of Stephenson. (Ord #426 6/25/19, Ord #434 6/30/2020)
- (17) Reserved for future use
- (18) County Highway R
 - (a) County Highway R beginning at the most easterly end of CTH R and continuing for 3,325' north and west to the existing southbound designated ATV trail all in the Town of Pembine (Ord #360 8/28/12).
 - (b) County Highway R beginning at 470' east of Timms Lake Road and ending at 1,280' west of Timms Lake Road all in the Town of Pembine. (Ord #360 8/28/12)
 - (c) County Highway R beginning at US HWY 141 and ending at Short Cut Road all in the Town of Pembine (Ord #395 1/30/18).
- (19) County Highway S
 - (a) County Highway S beginning at State Trunk Highway 64 and ending at 6th Road all in the Town of Beaver. (Ord #360 8/28/12, Ord #397 2/27/18)
- (20) Reserved for future use
- (21) Reserved for future use
- (22) County Highway V
 - (a) County Highway V beginning at Amberg Wausaukee Road and ending at County Highway C all in the Town of Wausaukee. (Ord #404 4/17/18)
 - (b) County Highway V beginning at Nutt Road and ending at Bear View Lane in the Town of Amberg (Ord #412 8/28/18)
 - (c) County Highway V beginning at Lanfear Road and ending at Grant Street all in the Town of Amberg. (Ord #358 5/29/12)
- (23) County Highway W
 - (a) County Highway W beginning at Riverview Road and ending at Loomis Road all in the Town of Lake. (Ord #404 4/17/18)
 - (b) County Highway W beginning at Airport Road and ending at County Highway P all in the Town of Stephenson. (Ord #426 6/25/19)
 - (c) County Highway W beginning at County Highway P and ending at Gravelly Brook Road all in the Town of Lake. (Ord 428 9/17/19)
- (24) County Highway X
 - (a) County Highway X beginning at Newton Lake Road and ending Parkway Road all in the Town of Stephenson (Ord #426 6/25/19, Ord #421 4/16/19, Ord #404 4/17/18)
- (25) Reserved for future use
- (26) Reserved for future use
- (27) Reserved for future use
- (28) Reserved for future use

(29) County Highway CP

- (a) County Highway CP beginning at County Highway B and ending approximately 8,375' North at the Village of Pound Line all in the Village of Coleman and Town of Pound. (Ord #397 2/27/18)

(30) Reserved for future use

(31) County Highway GG

- (a) County Highway GG beginning at Noquebay Road and ending at the east intersection of Pioneer Road all in the Town of Lake. (Ord #404 4/17/18)

(Ord 427-19 08/27/19)

(3) Limitations. Operation of ATVs/UTVs on the foregoing designated routes or trails shall be subject to the following limitations:

- (a) ATVs/UTVs shall be operated on the extreme right side of the roadway on the paved surface and in single file. Operation on the gravel shoulders, grassy slopes, ditches, or other highway right-of-way is prohibited and illegal.
- (b) ATVs/UTVs shall be operated in compliance with Wisconsin State Statutes and DNR rules and regulations.
- (c) ATVs/UTVs are authorized to be operated on County highways only during daylight hours.
- (d) All ATV/UTV operators shall observe posted roadway and trail speed limits for ATV/UTV operation.
- (e) All ATV/UTV operators shall have headlights and taillights illuminated while operating on County highways and if equipped with auxiliary flood or spot lights said lights shall be turned off or pointed directly at ground.
- (f) No trailers or campers may be pulled behind any ATV/UTV while operating on Marinette County highways.
- (g) ATV operators at least 12 years of age and born on or after January 1, 1988 and UTV operators at least 16 years of age and born on or after January 1, 1988 must possess a valid ATV Safety Certificate issued by this State or any other state or province to operate on a designated route. Children between the ages of 12-15 must be accompanied by an adult designated by the parent or guardian to operate an ATV on a designated route.
- (h) All ATV/UTV operators under 18 years old shall wear protective headgear while operating on County highways.

(4) Signage of ATV/UTV Routes.

Pursuant to Wis. Stat. §23.33(8)(d), the following restrictions are placed on the use of ATV/UTV routes designated by this ordinance:

- (a) Routes shall be marked with uniform all-terrain vehicle route signs at a minimum in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. The Marinette County Highway Department has sole responsibility for determining the number of signs needed and the placement of ATV/UTV signage on County highways. The ATV Club or local municipality shall provide the County Highway Department with the signage requested in accordance with sub section 1 (c).
- (b) The official route and trail opening and closing dates shall generally be May 1st and December 1 respectively, conditions permitting, as

determined by the Marinette County Forestry Administrator. Dates shall be published in the official County newspaper, announced on local radio and listed on the County website.

- (5) Enforcement.** This Ordinance will be enforced by the Marinette County Office of the Sheriff and/or Forestry or Facilities and Parks designated staff.
- (6) Violations/Penalty.** The penalty for ATV/UTV violations of any provision of this ordinance shall result in forfeiture as set forth in the Deposit Schedule below, plus court costs.
- (7) Penalty Schedule.** The penalty for violation of any provision of this chapter shall be a forfeiture as hereinafter provided, together with court costs:
- (a) Illegal Operation of an ATV/UTV off paved roadway surface or damage to roadway: \$250.00
 - (b) Speeding on or off of the roadway or trail in excess of posted or fixed speed limits:
 - (1). 1-10 miles per hour \$25.00
 - (2) 11-15 miles per hour \$50.00
 - (3) 16-19 miles per hour \$75.00
 - (4) 20-24 miles per hour \$100.00
 - (5) 25 miles per hour and over \$125.00
 - (c) Failure to operate single file: \$25.00
 - (d) Failure to illuminate headlight or taillights or inappropriate use of auxiliary lights: \$25.00
 - (e) Operating an ATV/UTV without safety certificate: \$25.00 1st offense; \$50.00 2nd and subsequent offenses
 - (f) Operating an ATV/UTV without protective headgear: \$25.00 1st offense; \$50.00 2nd and subsequent offenses
 - (g) Damage to route, right-of-way, trail or ATV/UTV sign or removal of ATV/UTV signage: \$250.00
 - (h) Illegal possession of ATV/UTV sign: \$250.00
- (Ord #395-18 1/30/18)

7.10 PENALTY

The penalty for violation of any provision of this chapter shall be forfeiture, as hereafter provided, together with costs and penalty assessment, where applicable.

- (1) State Forfeiture Statutes.** Forfeitures for violation of §7.01, shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.
- (2) State Fine Statutes.** The forfeiture for violation of any statute adopted by reference hereunder, for which the penalty is a fine shall not exceed the maximum fine permitted under such statute.
- (3) Local Regulations.** Except as otherwise provided, the penalty for a violation of this chapter shall be as provided in §25.01 of this Code.

7.11 ENFORCEMENT

- (1) Procedure.** This chapter shall be enforced according to §§66.12, 345.20 to 345.53, Wis. Stats.
- (2) Deposit.**

- (a) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the County Sheriff's office or the office of the Clerk of Courts, or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall comply with §343.27, Wis. Stats., or, if the deposit is mailed, the signed statement required under §343.27 shall be mailed with the deposit. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing that:
 - (1) if he fails to appear in court at the time fixed in the citation, he will be deemed to have tendered a plea of no contest and submitted to forfeiture plus costs not to exceed the amount of the deposit;
 - (2) if he fails to appear in court at the time fixed in the citation, and if the court does not accept the deposit as forfeiture, he will be summoned into court to answer the complaint.
- (b) The amount of the deposit shall be determined in accordance with the deposit schedule established by the Wisconsin Judicial Conference.
- (c) The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefore as required by §345.26(3)(b) Wis. Stats.
- (d) If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted under this chapter.

(3) Parking Tickets.

- (a) Law enforcement bodies of the County may place a parking ticket upon any vehicle, which is parked contrary to any nonmoving regulation adopted under §7.01 of this chapter.
- (b) Persons to whom a summons has been issued for violating par. (a) of this subsection may enter a stipulation of guilt by posting a sum of \$5 with the clerk of the circuit court within 72 hours after the issuance of a summons or citation. Violators who do not timely post the sum as forfeiture within 72 hours shall post the sum of \$10 plus penalty assessment and costs with the clerk of the circuit court.

(Ord #87 11/28/89, Ord #90 4/17/90, Ord #115 10/27/92, Ord #116 1/16/93, Ord #119 1/26/93, Ord #125 1/20/94, Ord #126 1993, Ord #129 2/24/94, Ord #174 12/17/96, Ord #298 2/28/06)