

ORDINANCE NO. 6 -2017
ADAMS COUNTY ORDINANCE ESTABLISHING
ATV/UTV HIGHWAY CROSSING/ROUTES

1 The County Board of Supervisors of the County of Adams does ordain as follows:

- 2
- 3 1. Authority and General. Except as otherwise specifically provided in this Ordinance,
- 4 the statutory provisions of Wis. Admin. Code NR64 (ATV), Wis. Stats. chs. 340 to
- 5 348 (vehicles, registration, title and anti-theft, operators' licenses, financial
- 6 responsibility, civil and criminal liability, rules of the road, equipment of vehicles,
- 7 vehicles size weight and load) and ch. 350 (Snowmobiles), and as they may be
- 8 modified from time to time, are incorporated herein by reference.
- 9 2. Policy. The "Adams County Highway Committee Policy for ATV/UTV Routes and
- 10 Trails" is attached hereto and incorporated herein as if stated in full.
- 11 3. Prior Ordinance Rescinded. This Ordinance rescinds Adams County Ordinance 57-
- 12 2004 in its entirety.
- 13

14 **NOW THEREFORE, the Adams County Board of Supervisors does hereby**

15 **ordain** that the foregoing ordinance is adopted, and further that Adams County Ordinance

16 No. 57-2004 is rescinded in its entirety.

17

18 Recommended for enactment by the Highway Committee this 9th day of March, 2017.

19 Dan Wyszocky Mark Hamburg

20 Larry Board _____

21 Gordon Carlson _____

22 Enacted Defeated _____ Tabled _____

23 by the Adams County Board of Supervisors this 21 day of March, 2017.

24 John West _____ Cindy Phillippe

25 Chairman County Clerk

26 Published in the Times-Reporter, the official newspaper of Adams County, on the 21st day of

27 March, 2017

28 Reviewed by Corporation Counsel

29

**ADAMS COUNTY HIGHWAY COMMITTEE POLICY FOR
ALL-TERRAIN VEHICLE (ATV) AND UTILITY TERRAIN VEHICLE (UTV) ROUTE
DESIGNATION ON THE COUNTY TRUNK HIGHWAY SYSTEM**

The Adams County Highway Committee recognizes that ATV/UTV use within the County is on the increase and has been increasing despite the lack of ATV/UTV routes on the Adams County Trunk Highway System. An ATV/UTV route is a highway, or section of highway, designated for the use of ATV/UTVs by the governmental agency having jurisdiction.

A route is generally recognized as a means to connect municipal routes and the terminal ends of a trail when they are obstructed by impediment. The Wisconsin state statutes give the Counties the authority to accommodate ATV/UTVs on County Trunk Highways designated as routes. The single most important route consideration is the safety of all users.

NEW ATV/UTV ROUTE APPLICATIONS

The application form for a new route must be completed and approved by a municipality within Adams County and shall be forwarded to the Adams County Highway Department for consideration. Applications may be for multiple routes within a municipality and may be submitted at any time. Any change in an existing approved route will cause that route to be considered as new and cause a new route application to be submitted. The New Route Application fee is \$150 and shall be included with the application.

To determine if an application qualifies for further consideration, the Highway Department will evaluate it based upon the following criteria:

- Was the application submitted complete with a route map?
- Has the applicant notified all property owners by US Mail, published the proposal as a Class 2 Notice and held a public meeting concerning the proposed route?
- Have alternative routes been investigated leaving no other practical options other than the use of the GTH?
- Is the route being requested for one of the following reasons:
 - Connects trails or municipal road route networks
 - Safety issues
 - Access to business or services
- Length of segment requested
- Posted speed limit of the roadway
- Traffic volume on requested segment
- Vertical or horizontal alignment safety concerns

ACCEPTED APPLICATIONS

If the application is qualified, the Highway Department shall request input and approval from the Sheriff's Office.

The application will be reviewed with the applicant so that all needed information can be exchanged, and, all requirements and restrictions can be explained. Additionally, signage requirements and other costs to execute the project will be identified. Once the applicant has met all requirements of this policy, the Highway Department shall notify the Highway Committee of its findings

Following due consideration of public input, economic and recreational value of connecting trails and municipal routes, weighted against public dangers, public health, liability aspects, terrain involved, traffic density and history of automobile and truck traffic; the Adams County Highway Committee is authorized to establish necessary and reasonable ATV/UTV routes on the County Trunk Highway System. New route approvals are valid until March 31st of the following year.

After Highway Department approval, an ordinance amendment must be drafted and submitted to the Adams County Board of Supervisors for approval. If approved by the Board, the County Clerk must send a copy of the route ordinance to the DNR and to law enforcement agencies having jurisdiction.

The County Highway Department, as the maintaining authority for highways designated as ATV/UTV routes, shall have oversight of the installation of signage in compliance with Wisconsin Statute Chapter NR 64. All costs for signage, installation, maintenance and removal shall be borne by the requesting municipality. Additionally, all maintenance costs that arise for the highways due to ATV/UTV traffic or damage shall be charged to the requesting municipality. The municipality may assist the department in the installation of signs under the direction of department staff to help defer costs of installation.

ROUTE RENEWAL APPLICATIONS

The municipality must renew all routes annually by submitting them with a \$50 renewal fee to the Highway Department on or before January 1st.

To determine if a renewal application is approved, the Highway Department will evaluate it based upon the following criteria:

- Was the application submitted on time and complete?
- Is the route exactly as previously approved?
- Were there any incidents or complaints reported to the DNR or other law enforcement?
- Is there any significant negative public input?
- Is there signage or route maintenance needed?
- Have all previous costs been paid?

Route renewals may be approved or denied by the Highway Commissioner. If they are approved, they are valid until March 31st of the following year.

APPLICATION DENIAL OR ROUTE CLOSURE

If an application is denied, the Highway Commissioner shall notify the applicant in writing and explain the reason for the action.

Additionally, the Highway Commissioner shall have the authority to suspend or close a route subject to review and final determination by the Highway Committee. Temporary signs indicating the route closure will be erected. Should the designated route be permanently closed, the route signage will be entirely removed.

If an application is denied, or a route revoked, the applicant may request a review of the decision. The request must be in writing and received by the Highway Department within 30 days of the action. The Highway Committee shall then schedule a hearing within 60 days of receipt. The person making the request shall be given written notice of the hearing and at the hearing shall have the opportunity to present evidence to the committee concerning the reasons for the request.

Within 30 days of the hearing, the Adams County Highway Committee shall make its decision regarding the request. The Highway Committee may reverse, confirm, or modify the previous decision. The Highway Department shall take action in conformance with the committee's decision.

This policy shall become effective upon passage by the Adams County Board of Supervisors of an ordinance designating ATV/UTVs routes and their regulation on the County Trunk Highway System.

Adopted this 9th day of March, 2017 by the Adams County Highway Committee.

 Dan Wyszocki
 Larry Bassel
 Gordon Casler

 Mark Hamburg

ATV/UTV Route Designate Application for the Adams County Trunk Highway System

ALL APPLICATIONS	Municipality _____	Date of Application _____
	Please complete for the person that is authorized to represent the Municipality.	
	Contact Name _____	Contact Phone _____
	Street Address _____ City _____ State _____ Zip _____	
	Application Type and Fee	
	New \$150 <input type="checkbox"/>	Renewal \$50 <input type="checkbox"/>
		Attached? <input type="checkbox"/>
**NEW APPLICATIONS	1) Attach a map of the requested Route. Indicate the trail-ends and approved municipal routes to be connected. Additionally, highlight and list businesses that will be served.	Attached? <input type="checkbox"/>
	2) Attach a list of all property owners on the proposed route and the notice mailed to them.	<input type="checkbox"/>
	3) Indicate the date that the Public Meeting was held to discuss the route.	_____
	4) Attach the municipal resolution authorizing the Route.	<input type="checkbox"/>
	*Route on County Trunk Highway _____	Length of Route _____ Miles
	Starting _____	GPS _____
	Ending _____	GPS _____
	*Reason Route is needed:	

*Are there any "Use" restrictions recommended by the Municipality?		

Renewal	1) Attach map of route. <input type="checkbox"/>	2) Are there ANY changes from last year's approved route? (Yes / No)
	Note: if any change has been made from last year's approved route the application must be submitted as "New"	
ALL APPS	_____	_____
	Applicant Signature (Municipality)	Date

FOR HIGHWAY DEPARTMENT USE ONLY

Comments/restrictions applying to this application:

****New Applications**

# of Signs Needed:	ATV/UTV Silhouette	_____	Route Arrows	_____	Start/End	_____
Purchase \$	_____	Installation \$	_____	Annual Mainten. \$	_____	Total \$

Reviewed with Applicant on _____ By _____

Highway Department:	Approved	<input type="checkbox"/>	Disapproved	<input type="checkbox"/>	By	_____
Sheriff's Department	Approved	<input type="checkbox"/>	Disapproved	<input type="checkbox"/>	By	_____

Adams County Highway Committee:

Approved	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Date	_____
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Application Renewal

Were there any incidents in the prior year?	Yes / No	Count	_____
Were there significant complaints?	Yes / No	Count	_____

Comments:

Highway Department:	Approved	<input type="checkbox"/>	Denied	<input type="checkbox"/>	By	_____
Sheriff's Department:	Approved	<input type="checkbox"/>	Denied	<input type="checkbox"/>	By	_____

Is there any required signage or route maintenance needed?	Yes / No
Have all previous costs been paid?	Yes / No

Comments:

Highway Commissioner

Approved	<input type="checkbox"/>	Denied	<input type="checkbox"/>
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By _____ Date _____

****ALL New Applications are subject to the approval of the DNR**

**ORDINANCE 23 - 2018 AMENDMENT TO
ATV/UTV HIGHWAY CROSSING/ROUTES ORDINANCE NO. 6-2017 LAST
AMENDED FEBRUARY 20, 2018 ORDINANCE 8-2018**

1 The County Board of Supervisors of the County of Adams does ordain as follows:

2
3 **WHEREAS:** Ordinance No. 6-2017 (Adams County Code, Article II, Ch. 347)
4 incorporates the Adams County Highway Committee Policy for ATV/UTV Routes
5 and Trails (the "Policy"); and

6
7 **WHEREAS:** A current list of approved ATV/UTV routes is attached hereto and
8 incorporated herein; and

9
10 **WHEREAS:** The list of said routes may be modified from time to time, to
11 include new or amended routes once a year pursuant to the Policy.

12
13 **NOW THEREFORE, the Adams County Board of Supervisors does hereby**
14 **Ordain that:**

- 15
16 **1.** The attached list of routes shall be filed with the County Clerk, and shall
17 be incorporated by reference into the Code of Adams County, Chapter
18 347, §347-7.
19 **2.** The rest and remainder of Ordinance No. 6-2017 is unchanged by this
20 Amendment shall remain in full force and effect.

21
22 Recommended for enactment by the Highway Committee this 14th day of June,
23 2018.

24 Gordon Carlson

25 Ken Bosh

26 Larry Boud

27 Mark Somburg

28 Enacted

29 Defeated by the Adams County Board of Supervisors

30 Tabled this 17 day of July, 2018.

31 Alan West

32 Andy Phillippe

33 Chairman

34 County Clerk

35 Reviewed by Corporation Counsel Reviewed by County Manager/
36 Administrative Coordinator
37

State of Wisconsin
County of Adams

This document is a full, true and correct copy
of the original on file and of record in my
office and has been compared by me

August 17, 2018
Cheryl Bredening Deputy
County Clerk

LIST OF ADAMS COUNTY TRUNK HIGHWAYS OPEN TO ATV/UTV

1. CTH D, 10th Avenue to 9th Avenue (9/19/17)
2. CTH G, Golden Avenue to Golden Avenue (9/19/17)
3. CTH P, 3rd Lane to 1st Lane (9/19/17)
4. CTH Z, Bighorn Drive to Beaver Lane (11/21/17)
5. CTH J, 18th Avenue to 17th Court (1/16/18)
6. CTH Z, Cumberland Avenue to Cottonville Drive (1/16/18)
7. CTH G, Blackhawk Lane to Blackhawk Drive (2/20/18)
8. CTH G, Badger Lane to Badger Drive (2/20/18)
9. CTH I, CTH G to Marquette County Line / 35 MPH (July 17, 2018)
10. CTH I, 6th Court to 5th Lane / 35 MPH (July 17, 2018)
11. CTH G, Fur Drive to Freedom Lane / 35 MPH (July 17, 2018)
12. CTH EE, CTH A to 2nd Avenue / 35 MPH (July 17, 2018)
13. CTH A, CTH EE to Fern Avenue / 35 MPH (July 17, 2018)