

VILLAGE OF HEWITT
Hewitt, Wisconsin 54441

Ordinance 1992.10

ALL TERRAIN VEHICLES

The Village Board of the Village of Hewitt, Wood County, Wisconsin, does ordain as follows:

SECTION 1 - PURPOSE

1. To regulate the usage of "all terrain vehicles" within the Village of Hewitt.

SECTION 2 - DEFINITIONS

1. **ALL TERRAIN VEHICLE**
Means an engine drive device which has a net weight of 500 pounds or less, which has a width of 46 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on 3 or more low pressure tires. A low pressure tire is a tire which has a minimum width of 6 inches, which is designed to be mounted on a rim with a maximum diameter of 12 inches and which is designed to be inflated with an operating pressure not to exceed 6 pounds per square inch as recommended by the manufacturer.
2. **IMMEDIATE FAMILY**
Means person who are related as spouses, as siblings or as parent and child.
3. **OWNER**
Means a person who has lawful possession of an "all terrain vehicle" by virtue of legal title or equitable interest which entitles the person to possession of the "all terrain vehicle".
4. **USED EXCLUSIVELY FOR AGRICULTURAL PURPOSES**
Means used exclusively for an agricultural use as defined under State Statute 91.01 (1).
5. **USED EXCLUSIVELY ON LAND UNDER THE MANAGEMENT AND CONTROL OF A PERSON'S IMMEDIATE FAMILY**
Means use of an "all terrain vehicle" only on land owned or leased by the person or a member of the person's immediate family over which the owner or lessee has management and control. This term excludes use of an "all terrain vehicle" on land

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owned or leased by an organization of which the person or a member of the person's immediate family is a member.

6. USED EXCLUSIVELY ON PRIVATE PROPERTY

Means use of an "all terrain vehicle" by the owner or a member of his/her immediate family only on land owned or leased by the "all terrain vehicle" owner or a member of his/her immediate family.

SECTION 3 - REGISTRATION

1. **REQUIREMENT** - No person may operate and no owner may give permission for the operation of any "all terrain vehicle" within the State of Wisconsin or the Village of Hewitt unless the "all terrain vehicle" is registered for public use or for private use with the Department of Transportation unless it is exempt from registration as provided in section 3.2 of this ordinance.
2. **EXEMPTIONS** - The Village of Hewitt does hereby adopt State Statutes of exemptions for "all terrain vehicles" as stated in Chapter 23.33 (2)(b).

For the purpose of this ordinance, any owner of an "all terrain vehicle" stored or maintained within the Village of Hewitt boundaries shall register said vehicle with the State Department of Transportation.

SECTION 4 - RULES OF OPERATION

1. No person shall operate an "all terrain vehicle" within the Village of Hewitt:
 - A. In any careless way as to endanger the person or property on another.
 - B. While under the influence of alcoholic beverages or controlled substances or a combination thereof, which renders him/her incapable of safely operating a snowmobile.
 - C. On the private property of another without the consent/permission of the property owner. Failure to post private property does not imply consent for "all terrain vehicle" use.
 - D. With any firearm in his/her possession unless it is unloaded and enclosed in a carrying case or any bow unless it is unstrung or enclosed in a carrying case.

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- E. When within 100 feet of a dwelling at a speed exceeding 10 miles per hour.

SECTION 5 - OPERATION ON OR NEAR STREETS WITHIN THE VILLAGE OF HEWITT BOUNDARIES

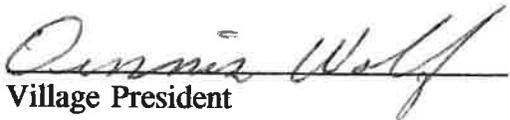
1. No person may operate an "all terrain vehicle" upon any part of any street located within the Village of Hewitt boundaries.
2. No person may operate an "all terrain vehicle" upon any public Village of Hewitt property.

SECTION 6 - STATE STATUTES

The Village of Hewitt hereby, adopts all of Wisconsin State Statutes, Chapter 23.33 (All Terrain Vehicles) in their entirety.

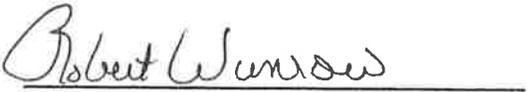
SECTION 7 - ENFORCEMENT / PENALTIES

1. An officer of the state traffic patrol, under SS 110.07 (1); a county sheriff or municipal peace officer has the authority and jurisdiction to enforce this ordinance.
2. No person operating an "all terrain vehicle" may refuse to stop after being requested or signaled to do so by a law enforcement officer (Section 7.1).
3. Any person who violates any provisions of this ordinance shall forfeit not more than \$250.00 but not less than \$25.00 per occurrence.


Village President

Date

7-14-92


Village Clerk

Date

7-14-92