



Legislative Committee Meeting Notice July 27, 2023

Legislative Committee

Jay Bemke, Chair

Tom Rayome, Vice-Chair

Matt Zacher

Notice is hereby given of a meeting of the Legislative Committee to be held on Thursday, July 27, 2023, at 4:00 p.m. in the Council Chambers of City Hall, 444 West Grand Avenue, Wisconsin Rapids. The meeting will be streamed live on the City of Wisconsin Rapids Facebook page and will also be broadcast live on Charter Cable Channel 985 and Solarus HD Cable Channel 3. If a member of the public wishes to access this meeting live via Zoom audio conferencing, you must contact the City Clerk at least 24 hours prior to the start of the meeting to coordinate your access.

Agenda

1. Call to Order
2. Discussion regarding consideration of an ordinance to allow ATV/UTV routes in the City.
3. Consider a request by the Community Development Department to adopt an ordinance amending Chapter 14 – Building Code, adding language regarding delegated agent status, plan examination, and plan submission procedures.
4. Consider a request by the Community Development Department to adopt an ordinance amending Chapter 18 – Fire Code, specifically related to fire code construction references.
5. Consider increasing the number of alderpersons on the Council.
6. Consider the adoption of an ordinance which requires only one reading of an ordinance before adoption.
7. Adjourn

Susan C. Schill
City Attorney

The City of Wisconsin Rapids encourages participation from all its citizens. If access to any public meeting is not possible, notification to the City Clerk's office at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. Call the Clerk at (715) 421-8200 to request accommodations.



ENGINEERING DEPARTMENT
444 West Grand Avenue
Wisconsin Rapids, WI 54495-2780
PHONE - 715.421.8205 FAX - 715.421.8291

MEMO

TO: Mayor Blaser, Legislative Committee , Common Council

FROM: Joe Eichsteadt, City Engineer

DATE: 7/21/2023

SUBJECT: ATV/UTVs in Wisconsin Rapids

It is my understanding that the Legislative Committee will be meeting on July 27th to discuss the usage of ATVs/UTVs on city streets. Unfortunately, I will be unable to attend that meeting. However, this memo will provide comments from a traffic, regulatory and engineering perspective.

Regulations

Prior to ATV/UTV operation, an ordinance needs to be enacted by the city regulating their usage.

Wis. Stat. s. 23.33 allows all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) to operate on a state highway in certain cases:

- A city may enact an ordinance to designate a highway not under its jurisdiction as an ATV/UTV route. This route also needs to be approved by the DOT. This would apply to a state highway or connecting highway with speeds over 35 mph.
- A city may enact an ordinance to authorize ATVs/UTVs on a highway that has a speed limit of 35 mph or less and is located within the city's corporate limits regardless of who has jurisdiction over the highway. The DOT's approval is not needed in this case.
- A city may enact an ordinance to authorize ATVs/UTVs to operate on a highway bridge 1,000 feet in length or less as long as it is within the city's corporate limits. The DOT's approval is not needed in this case. Please note that the Expressway bridge is over 1,000 feet long.

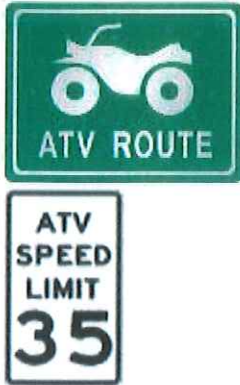
ATVs/UTVs may cross state highways at any location where crossing the roadway is legal. Operations at state highway crossings require that the ATVs/UTVs stop completely, yield to pedestrians and vehicles, and cross in the most direct manner.

Engineer's Note - If ATV/UTV operations are allowed, it is recommended that operations are not allowed on state highways/connecting highways regardless of speed limit unless a local alternative route doesn't exist.

Signage & Routes

Signage for ATV/UTV routes would need to follow the Wisconsin Manual on Uniform Traffic Control Devices (WMUTCD).

Signage would look like this:



Engineer's Note - Costs for signage would need to be allocated, either through the budget or other means. The City of Marshfield secured signage costs through Wood County's Economic Development grant. Furthermore, if ATV/UTV usage is allowed, it is generally preferred to open up all roadways that are appropriate versus a few through routes. The reason for this is that individual routes would require all side-streets to be signed for no ATV/UTVs. Additionally, through routes would only allow traffic through the city. Conversely, through routes alone wouldn't allow residents access to those routes or ATV/UTV users to certain businesses.

City of Marshfield

The City of Marshfield's ATV ordinance went into effect on April 1st of 2023. Their ordinance allows for residential and business access via the shortest distance possible. They also have prohibited routes, such as state highways, that can only be crossed. Their signage costs were roughly \$17,000. They also included a time restriction on operations from 10pm to 6am. I checked with the Director of Public Works in May about complaints and violations after their ATV ordinance went into effect and at that time not issues were known.

City of Marshfield ordinance and route map is attached.

ORDINANCE NO. 1486

An Ordinance creating section 8-50 of the City Code relating to permitting the use of UTV's and ATV's on certain roadways in the City of Marshfield.

The Common Council of the City of Marshfield desires to create an ordinance to allow for the use of UTV's and ATV's on specific Streets in the municipal limits.

Now therefore, the Common Council of the City of Marshfield do hereby ordain as follows:

SECTION 1. Section 8-50 of the Marshfield Municipal Code is hereby created so as to read as follows:

Section 8-50 City of Marshfield All-Terrain/Utility Terrain Vehicle Use Ordinance.

- (1) Purpose. The purpose of this Section is to establish all-terrain and utility terrain vehicle routes in the City of Marshfield and to regulate the operation of all-terrain and utility terrain vehicles in the City of Marshfield.
- (2) Authority. The City Council of the City of Marshfield, Wood & Marathon County, Wisconsin, has the specific authority to adopt this All-Terrain and Utility Vehicle Ordinance under Wis. Stats. § 23.33(8)(b) and (11).
- (3) Definitions. For this Section, the following definitions shall be used.
 - (a) All-terrain vehicle (ATV) means a commercially designed and manufactured motor driven device that has a weight, without fluids, of 900 pounds or less, has a width of 50 inches or less, is equipped with a seat designed to be straddled by the operator, and travels on three or more low-pressure tires or non-pneumatic tires.
 - (b) City means the City of Marshfield, the City Council, Common Council, or any other City of Marshfield official(s) or agent authorized by the City Council to act on behalf of the City of Marshfield.
 - (c) Utility terrain vehicle (UTV) means any of the following:
 - 1. A commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy mini-truck, or tracked vehicle, that is designed to be used primarily off a highway, and that has, and was originally manufactured with, all the following:
 - (a) A weight, without fluids, of 3,000 pounds or less.
 - (b) Four or more low-pressure tires or non-pneumatic tires.
 - (c) A steering wheel.
 - (d) A tail lights.
 - (e) A brake lights.
 - (f) Two headlights.
 - (g) A width of not more than 65 inches.
 - (h) A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.
 - (i) A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.
 - 2. A commercially designed and manufactured motor driven device to which all of the following applies:

- (a) It has a weight, without fluids, of less than 900 pounds.
- (b) It has a width of 50 inches or less.
- (c) It is equipped with a seat designed to be straddled by the operator.
- (d) It travels on three or more low-pressure tires or non-pneumatic tires.

(4) Designation of all-terrain and utility terrain vehicle routes. Pursuant to Wis. Stats. § 23.33(4)(d)4., except as otherwise provided in Wis. Stats. § 23.33(4), no person may operate an all-terrain or utility terrain vehicle on any road, freeway, or highway in the City, except on those roadways that are designated as all-terrain and utility terrain vehicle routes by this Section.

- (a) The following streets in the City of Marshfield are open to ATVs/UTVs as shown on the approved ATV/UTV map (Noted as ATV/UTV ROUTE)
- (b) The following locations may use the shortest route to an approved route (Closest Route to and from Home/Business)
- (c) The following streets are prohibited as follows: (ATV/UTV use Prohibited)

Veterans Parkway (STH 13) in its entirety.

Central Avenue (STH97) in its entirety (exception of a small section as noted on the official map).

Peach Avenue – McMillan St to 25th St

St Joseph Avenue – McMillan Street to Veterans Parkway.

Ives Street – Oak Avenue to Peach Avenue

Oak Avenue – 14th Street to Veterans Parkway

Oak Avenue / Doege Street - St Joseph Ave to McMillan St

14th Street – Lincoln Ave to Central Avenue

Adler Road – Oak Ave to Lincoln Avenue

Doege Street – Oak Ave to Becker Rd

Becker Rd – Doege St to Galvin Avenue

Upham Street – St Joseph's Avenue to Peach Avenue

McMillan Street – Lincoln Avenue (north) to Peach Avenue

4th Street – Central Avenue to Washington Avenue

Washington Avenue – 4th Street to 17th Street

4th Street - Veterans Parkway to Hume Avenue

8th Street – Washington Avenue to Veterans Parkway

- (d) The route(s) does not include public properties, City-owned parks, etc., except for those with designated parking areas where motorized vehicles normally park.
- (e) The routes do not include private roads or driveways nor any private property in the City. The City shall retain the right to close any City street to ATV/UTV operation for special events or street construction/repair without notice.
- (f) Route restrictions. Pursuant to Wis. Stats. § 23.33(8)(d), the following restrictions are placed on the use of the City all-terrain and utility terrain vehicle routes designated by this Section. Routes shall be marked with uniform all-terrain and utility terrain vehicle route signs in accordance with section NR 64.12(7), Wisconsin Administrative Code. No person may do any of the following regarding signs marking City ATV/UTV routes unless authorized to do so.
- (g) Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain and utility vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign or standards if the sign or standard is legally placed by the State, any municipality, or any authorized individual.
- (h) Possess any uniform ATV/UTV route or trail sign or standard of the type established by the City for the warning, instruction, or information of the public, unless he or she obtained the uniform ATV/UTV route or trail sign or standard in a lawful manner.

Possession of a uniform all-terrain and utility terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.

(5) Maintenance of all-terrain and utility terrain vehicle routes.

- (a) Designation of segments of the City road system as ATV/UTV routes does not impose upon the City a greater duty of care or responsibility for maintenance of those segments than for any other segment of City road.
- (b) Operators of ATV/UTVs on City roads assume all the usual and normal risks of ATV/UTV operation.
- (c) The City accepts no liability for the operation of ATVs/UTVs on any City streets under the provisions of this Section.

(6) Operation of all-terrain and utility terrain vehicles.

- (a) Operation shall be subject to all provisions of Wis. Stats. § 23.33, which is adopted as a part of this Section by reference, pursuant to Wis. Stats. § 23.33(11).
- (b) Operators must abide by all traffic laws unless further restricted by this Section.
- (c) Operators will be held to the same enforcement, expectations, permissions, penalties, restrictions, in addition to all other standards adopted by Wisconsin Statutes, which apply to the offense of driving a motorized vehicle under the influence of alcohol, drugs, and/or other chemical agents which impair an operator's safe use of a motorized vehicle.
- (d) The speed limit for ATVs and UTVs shall be established at not greater than 35 miles per hour or the speed limit for automobiles, whichever is lower, on all segments of City roads designated as ATV/UTV route.
- (e) ATVs/UTVs may be operated on paved surfaces only, unless yielding the right-of-way.
- (f) All ATV/UTV operators shall ride single file.
- (g) No ATV/UTV may be operated on any designated route(s) without fully functional headlights, tail-lights, and brake lights. Headlights and taillights shall be on at all times.
- (h) No ATV/UTV may be operated on any designated route(s) between the hours of 10:00 p.m. and 6:00 a.m. daily, unless a different restriction on hours of operation has been specified by the City and notice of the same is duly posted on the segment.
- (i) All ATV/UTV operators shall ride on the righthand side of the paved portion of the highway, unless making a left turn. Operation on the gravel shoulders, grassy in-slope, ditches, or other highway right-of-way is prohibited, unless yielding right-of-way.
- (j) No ATV/UTV may be operated on any designated ATV/UTV route if the ATV/UTV does not meet all applicable federal noise and air pollution standards.
- (k) No person under the age of 16 may operate an ATV/UTV on any segment of City road which is a designated ATV/UTV route.
- (l) No person under the age of 18 may operate an ATV/UTV on any designated route unless wearing approved protective head gear.

(7) Licensing, insurance, and registration.

- (a) Driver's license. Every person who operates an ATV/UTV on a segment of City 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 law enforcement officer or official described in Wis. Stats. § 23.33(12).
- (b) Insurance. Every person who operates an ATV/UTV on a segment of City road which is designated as an ATV/UTV route, and/or every ATV/UTV operated on a segment of City road which is designated as an ATV/UTV route, shall carry liability, and/or other insurances consistent with Wisconsin state law for the operation of a motorized vehicle.

(8) Disturbing of the peace, and nuisance activities.

- (a) Cruising prohibited. No person shall, while operating an ATV or UTV, engage in the practice of cruising on any authorized road. Cruising is defined as running all or part of the length of a roadway multiple times, per day, back and forth, for any purpose other than departing or arriving at their residence, or place of lodging, or departing or arriving, at a public boat landing.
- (b) Exhaust system/muffler modifications prohibited. No person shall operate on a City route any ATV/UTV unless such ATV/UTV is equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise or annoying smoke.
- (c) Radios or the electric sound amplification devices. No person may operate or park, stop or leave standing an ATV/UTV vehicle while using a radio or other electric sound amplification device emitting sound from the vehicle that is audible under normal conditions from 75 feet or more, unless the electric sound amplification device is being used to request assistance or warn against an unsafe condition.

(9) Enforcement.

- (a) This Section may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin. A copy of the ordinance from which this Section was derived shall be sent by the City Clerk to the Marshfield Police Department, the Wood & Marathon County Sheriff's Department, and the Department of Natural Resources, and any other law enforcement agency serving the City of Marshfield's jurisdiction.
- (b) As a substitute for or in addition to forfeiture actions, the City Attorney may, on behalf of the City, seek enforcement of any and all parts of this Section by court actions seeking injunction orders or restraining orders and/or pursuing nuisance actions against the violator.

(10) Penalties. The penalties under Wis. Stats. § 23.33(13)(a) are adopted by reference.

(11) Severability. Should any portion of this Section be declared unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this Section shall not be affected.

SECTION 2. Savings Clause. If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

SECTION 3. Severability. If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

SECTION 4. This ordinance shall take effect and be in force from and after April 1st, 2023 following its passage and publication as provided by law.

ADOPTED: _____

Lois TeStrake, Mayor

APPROVED: _____

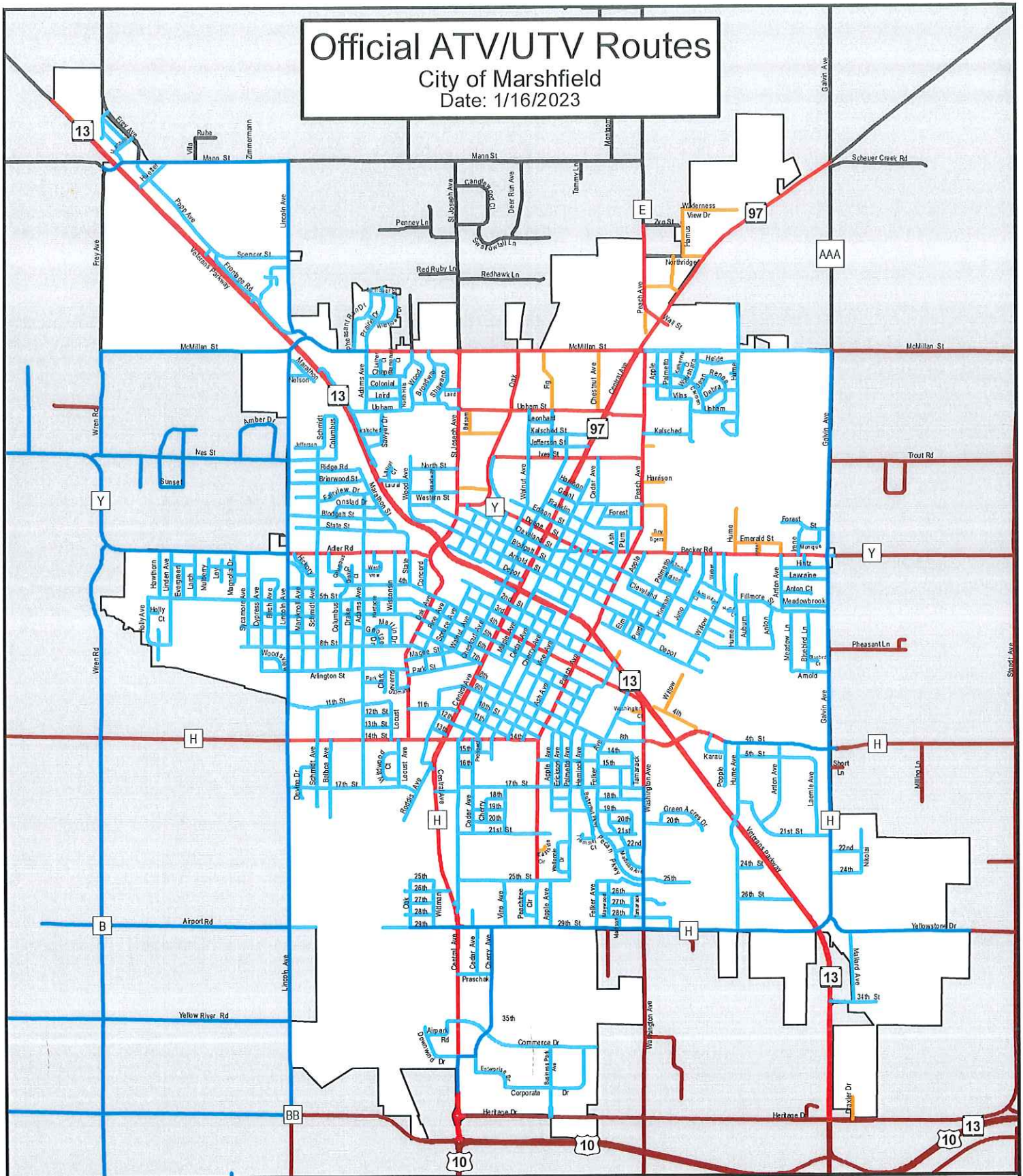
ATTEST: _____

PUBLISHED: _____

Jessica Schiferl, City Clerk

Official ATV/UTV Routes

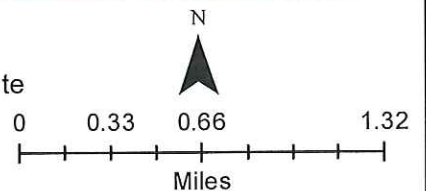
City of Marshfield
Date: 1/16/2023



ATV Route Type

- ATV/UTV Route
- Closest route to and from home
- ATV/UTV or Business Use Prohibited

- Wood County ATVs Prohibited
- City prohibited by no closest route
- Marathon County - Unknown



Hello all,

This letter is to help better articulate what we are hoping to achieve with opening the Wisconsin Rapids roads for ATV & UTV travel.

The maps provided offer a few different options from:

- Opening all the roads except the major number highways and having marked "preferred" routes if requested.
- Having a minimum route that would connect to the current trails that are open outside of Wisconsin Rapids for pass through access. (This route was designed to be able to connect the trails while having a minimal amount of residential disturbance while still allowing access to some local businesses)

We are completely open to any and all options for opening roads up in the Wisconsin Rapids area and really appreciate the time and opportunity you have provided us to discuss this.

With that being said I would like to convey what we are hoping to achieve and why we think it is the best option for Wisconsin Rapids as a whole.

Our goal is to be able to open all of the roads in Wisconsin Rapids with the exception of the major numbered highways and a few other roads.

The reasons that we are wanting to open all of the roads is from all of the research I have done from the economic impact opportunities it would provide to the city and businesses as well as the local resident opportunities that would allow the residents to more easily enjoy this ever-expanding sport.

Additionally, in my research and discussions with residents, police chiefs/officers, and county/town/city officials in other major locations that have opened their roads for ATV and UTV travel, the general recommendation was to open all of the roads for the reasons of:

- Signage is far less costly.
- Almost all of the residents have an equal opportunity to have easy access to the road routes.
- Almost all of the local businesses can receive the benefits of the extra tourism and revenue.
- The machines accessing the road routes are not concentrated down any one specific route. This causes far less noticeable traffic from ATV or UTV's in the area according to residents, with most stating they rarely see one.
- Almost every location I spoke with that has opened a small part of their roads for ATV and UTV travel has opened most or all of the roads within the first 2 years of having roads open. (I was also unable to locate any place that has closed their roads to ATV and UTV traffic since they have opened them.)
- It is strongly supported by the State of Wisconsin with an entire Department that works with local governments for support, grants, information, and legislature.

The proof really is in the statistics and information that is out and available for what the sport does to help not only local communities but the state of Wisconsin as a whole. Wisconsin is one of the biggest states for trails and routes in the entire country and it is growing exponentially bigger every year.

I estimate that there are approximately 2422 registered machines within Wisconsin Rapids city limits based on 2021 census data and current registered machines within wood county.

I sincerely hope that we can add Wisconsin Rapids to the list of ever-expanding cities that open their roads for ATV and UTV travel so that the local businesses can receive the extra business and local residents can make memories and enjoy the sport with their families.

Again, I want to thank you for the time and opportunity you have provided us to discuss this.

I would also like to put out an invitation to take any of you on a UTV ride if interested, so that you can see firsthand just how great this sport is and why we are so passionate about being able to provide this for our community.

With appreciation

-Bryan Marsch

FAQs

ATV/UTV registrations in Wisconsin have grown from 376,611 in 2017 to an estimated 500,000 registrations coming in 2023, that is an increase of over 123,000 machines registered in a 6 year time frame, and an increase of over 307,000 machines since 2003. Additionally, Wisconsin is the #1 state for atv/utv registrations in the country and is looked to as a leader in atv/utv industry with having over 1800 miles of offroad trails open in the summer and over 4200 miles of open offroad trails in the winter months. This is also accompanied by over 50,000 miles of road routes that are open to atv/utv travel.

Now one question that comes up is why doesn't any money from registrations go to take care of the roads if atv/utv's are allowed on roads? Well, there is a ton of money from atv/utv's that goes to all sorts of maintenance and programs for the state. Gas Tax alone is projected to be over 3.5 million dollars that goes to the DOT from atv/utv usage in the state of Wisconsin.

The economic impact to the state of Wisconsin in 2003 from atv/utv's was \$295 million dollars. Now moving into 2023 that number is well over 1 billion dollars with 2022 having an estimated impact of 1.126 billion dollars that have gone into the Wisconsin economy from the sport.

Now the biggest questions of all are about concerns of noise, drinking, speeding, traffic congestion, etc.

The fact of the matter is there are very few actual issues in any of the major populated areas that are open to atv/utv traffic. And for the most part people almost never even see or hear an atv or utv on a regular basis. This is especially true when all the roads are open to atv/utv's. and all of this is coming directly from the surrounding (open to atv/utv) cities, towns, DNR, Police Chiefs, and locals that I have talked to and gathered information from on what problems and concerns they have had.

Now you might be thinking, that all sounds great but how can I believe that there are not a whole bunch of problems and issues from these atv/utvs? Well let's talk about numbers. Statistics don't lie and they tend to paint a very clear picture when there is a major problem.

These statistics are pulled directly from the Wisconsin DNR website:

2022 Top 10 ATV/UTV Citations	
COUNT	STATUTE DESCRIPTION
384	Unauthorized operation of an all-terrain vehicle or utility terrain vehicle on or in the vicinity of highways
295	Operated or rode an all-terrain vehicle or utility terrain vehicle without required headgear
209	Gave permission to operate an all-terrain vehicle or utility terrain vehicle without valid registration
190	Operated an ATV/UTV while under the influence of an intoxicant
170	Operated an all-terrain vehicle without a valid safety certificate
115	Operated an all-terrain vehicle or utility terrain vehicle in a careless manner
88	Operated an all-terrain vehicle or utility terrain vehicle on public property posted closed or where otherwise prohibited by law
87	Operated a utility terrain vehicle without a valid safety certificate
79	Operated a UTV without passengers wearing safety belts
77	Failed to affix public use registration decals to each side of an ATV or UTV in a clearly visible location forward of the operator

Now in the grand scheme of things, these are pretty low numbers considering how many machines are registered and out on the trails and roads, and for the most part, the majority of citations are issued in more remote areas or on the offroad trail systems.

Wisconsin Rapids is not a go to destination for people to want to ride their machines all around town and cause havoc. But it is a perfect place to pass through or even to start at with all of the popular trail systems around us in every direction and with all the amenities that Wisconsin Rapids has to offer, it could really help support our local small business community.

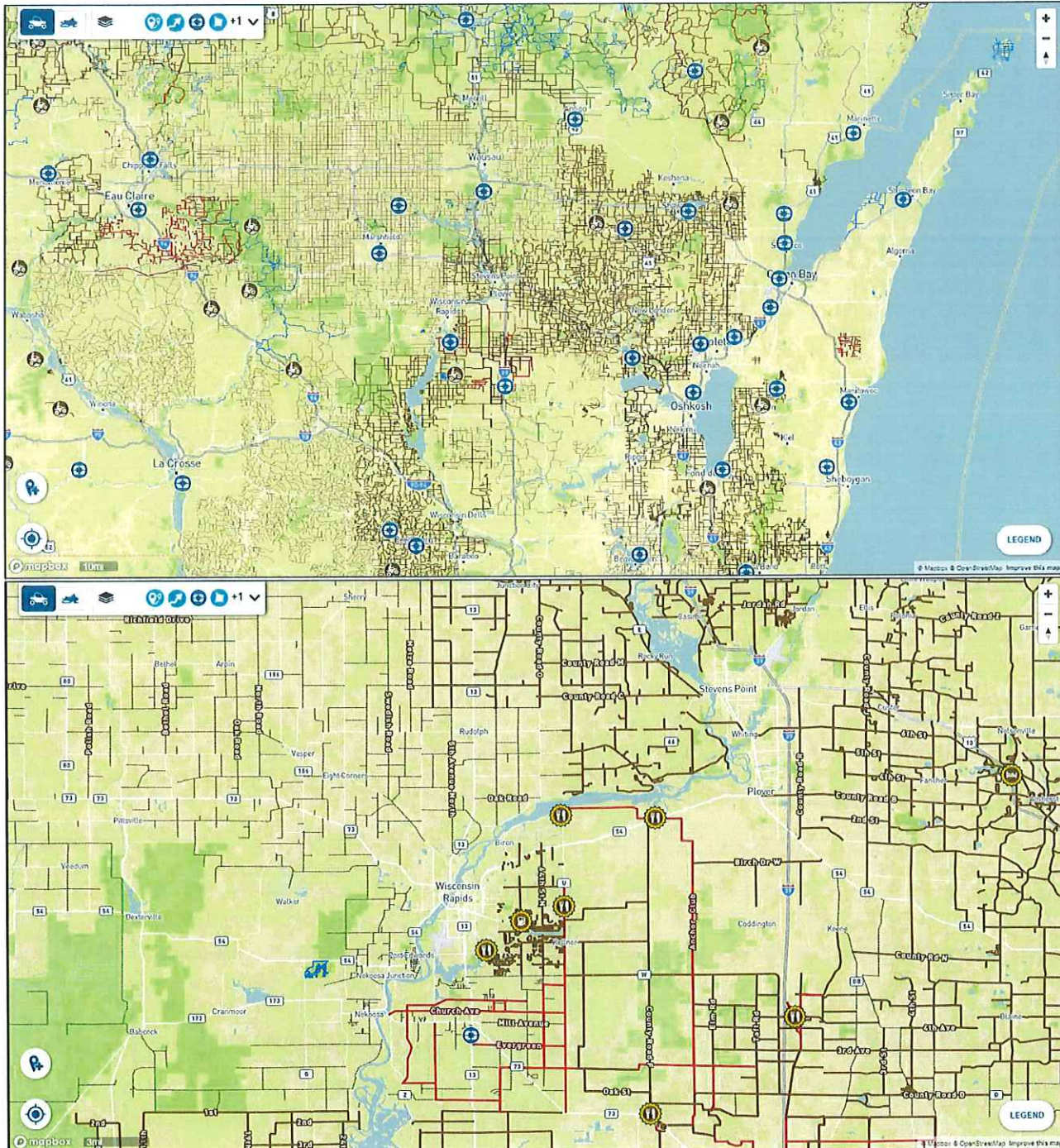
Now on a final note. This sport has grown exponentially over the last few years and the cities, towns, counties, etc. that open their roads to atv/utv traffic have seen the huge benefits that it offers with very few if any negative effects to the communities. I was unable to locate any locations that have opened their roads to atv/utv traffic and have since shut them back down. It's quite the opposite, most places open more roads within the first few years.

Wisconsin Rapids is one of the last places within wood county (and even surrounding counties) to open their roads to atv/utv traffic. If you look at a map of trails and routes there is a huge hole right where our city is.

atv/utv's have exploded into a huge family sport over the last several years especially with the utv market growing as it has. People can now easily take their family or friends on an adventure with them all over the state and even into other states starting right from their own homes.

Opening our roads will not only help bring in additional economic revenue, but it will also allow the people that live within the city to be able to enjoy the sport more easily and travel right to their favorite trail systems without having to take all the time to hook up a trailer, load and strap their machines down only to drive 5 minutes down the road where the roads are open.

Here are some route maps of our surrounding areas. White and Grey roads are not open routes, everything else is.



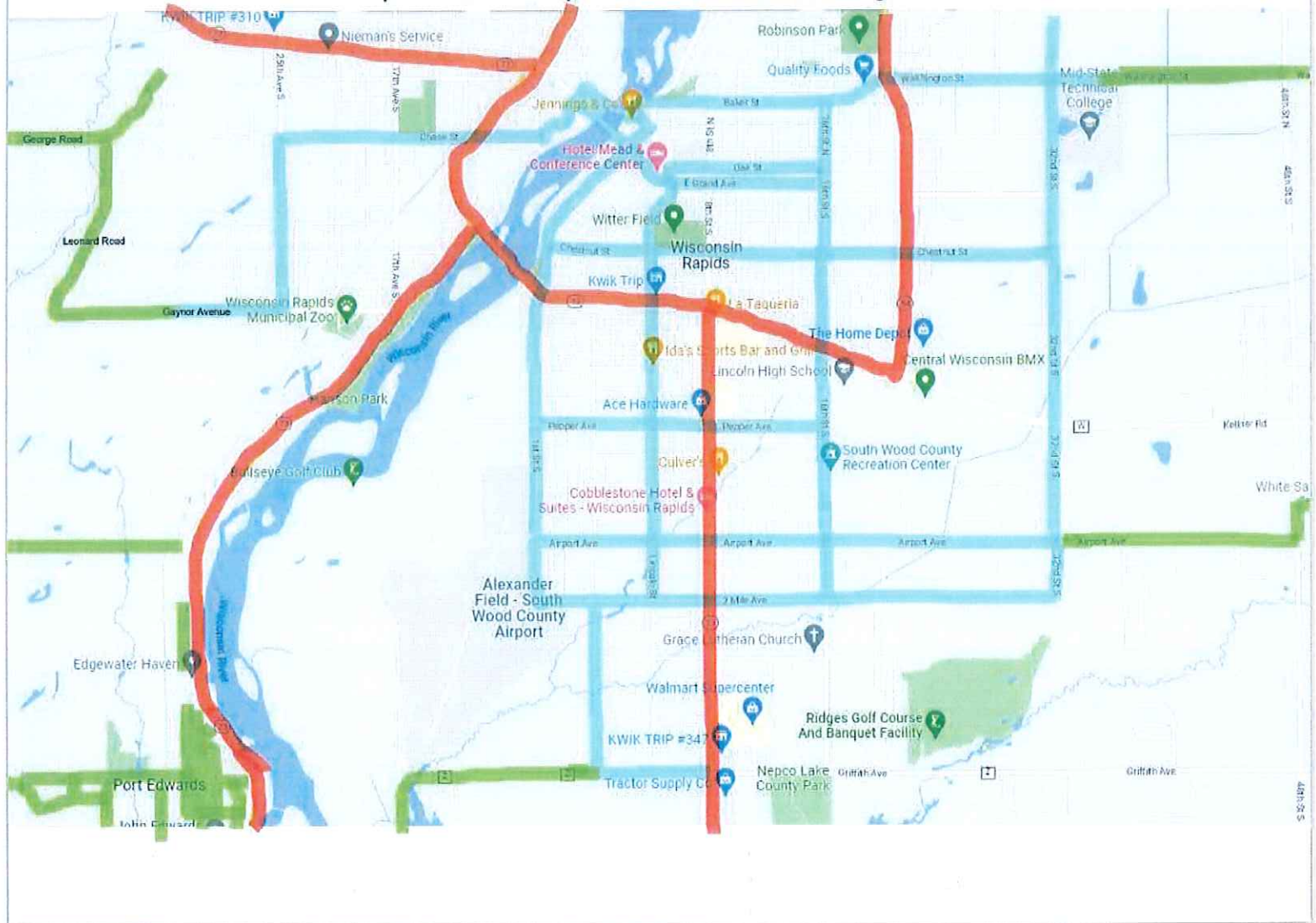
Existing Trails

Proposed Preferred Routes

No ATV/UTV Traffic

ALL STREETS

Proposal: All Roads Open with Preferred Routes Designated

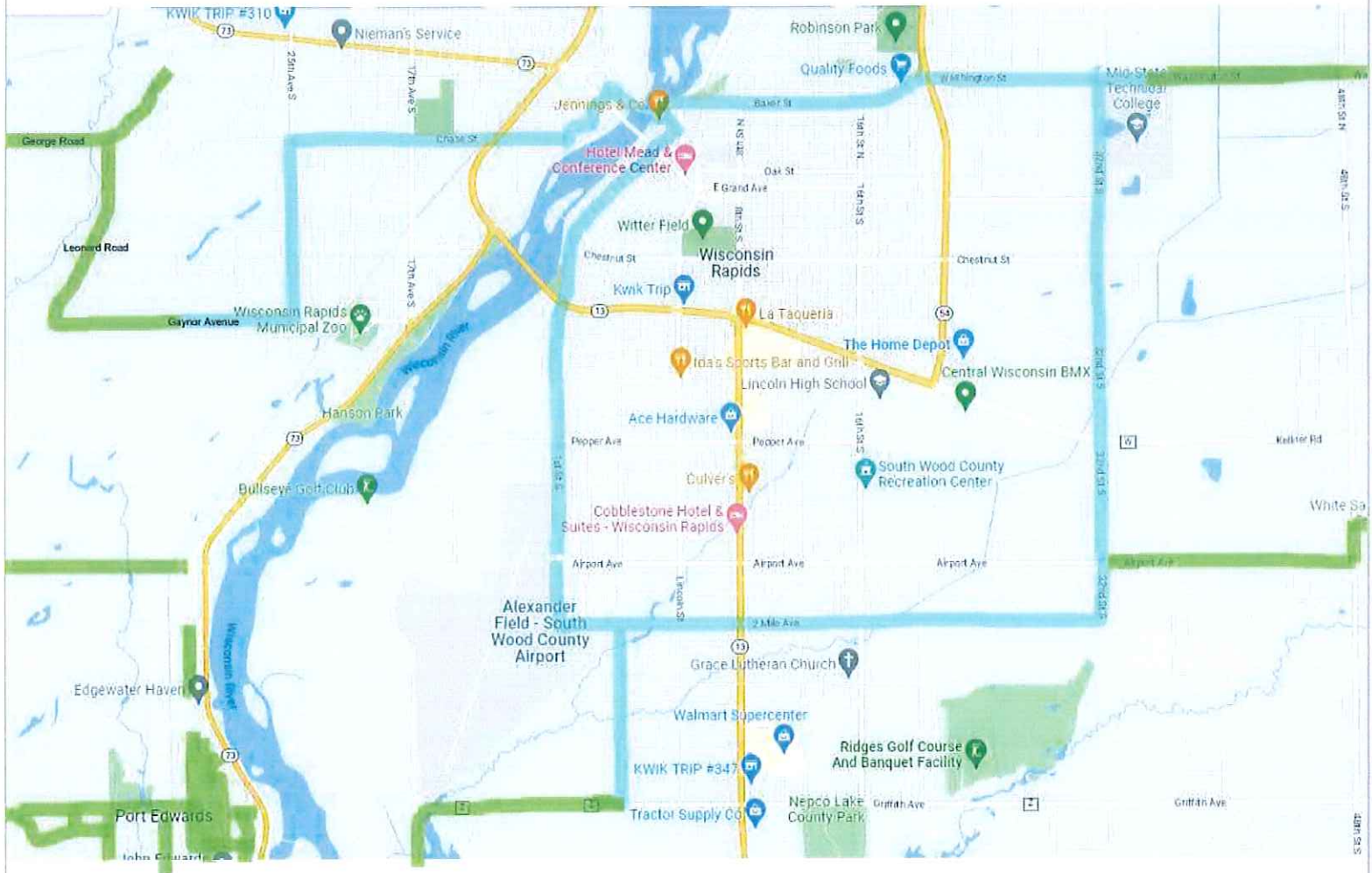


Existing Trails

Proposed Routes

MINIMAL ROUTE MAP

Minimal Proposed Route with No Additional Roads Open



ORDINANCE NO. 1486

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Central Avenue (STH97) in its entirety (exception of a small section as noted on the official map).

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St Joseph Avenue – McMillan Street to Veterans Parkway.

Ives Street – Oak Avenue to Peach Avenue

Oak Avenue – 14th Street to Veterans Parkway

Oak Avenue / Doege Street - St Joseph Ave to McMillan St

14th Street – Lincoln Ave to Central Avenue

Adler Road – Oak Ave to Lincoln Avenue

Doege Street – Oak Ave to Becker Rd

Becker Rd – Doege St to Galvin Avenue

Upham Street – St Joseph's Avenue to Peach Avenue

McMillan Street – Lincoln Avenue (north) to Peach Avenue

4th Street – Central Avenue to Washington Avenue

Washington Avenue – 4th Street to 17th Street

4th Street - Veterans Parkway to Hume Avenue

8th Street – Washington Avenue to Veterans Parkway

- (d) The route(s) does not include public properties, City-owned parks, etc., except for those with designated parking areas where motorized vehicles normally park.
- (e) The routes do not include private roads or driveways nor any private property in the City. The City shall retain the right to close any City street to ATV/UTV operation for special events or street construction/repair without notice.
- (f) Route restrictions. Pursuant to Wis. Stats. § 23.33(8)(d), the following restrictions are placed on the use of the City all-terrain and utility terrain vehicle routes designated by this Section. Routes shall be marked with uniform all-terrain and utility terrain vehicle route signs in accordance with section NR 64.12(7), Wisconsin Administrative Code. No person may do any of the following regarding signs marking City ATV/UTV routes unless authorized to do so.
- (g) Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain and utility vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign or standards if the sign or standard is legally placed by the State, any municipality, or any authorized individual.
- (h) Possess any uniform ATV/UTV route or trail sign or standard of the type established by the City for the warning, instruction, or information of the public, unless he or she obtained the uniform ATV/UTV route or trail sign or standard in a lawful manner.

Possession of a uniform all-terrain and utility terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.

(5) Maintenance of all-terrain and utility terrain vehicle routes.

- (a) Designation of segments of the City road system as ATV/UTV routes does not impose upon the City a greater duty of care or responsibility for maintenance of those segments than for any other segment of City road.
- (b) Operators of ATV/UTVs on City roads assume all the usual and normal risks of ATV/UTV operation.
- (c) The City accepts no liability for the operation of ATVs/UTVs on any City streets under the provisions of this Section.

(6) Operation of all-terrain and utility terrain vehicles.

- (a) Operation shall be subject to all provisions of Wis. Stats. § 23.33, which is adopted as a part of this Section by reference, pursuant to Wis. Stats. § 23.33(11).
- (b) Operators must abide by all traffic laws unless further restricted by this Section.
- (c) Operators will be held to the same enforcement, expectations, permissions, penalties, restrictions, in addition to all other standards adopted by Wisconsin Statutes, which apply to the offense of driving a motorized vehicle under the influence of alcohol, drugs, and/or other chemical agents which impair an operator's safe use of a motorized vehicle.
- (d) The speed limit for ATVs and UTVs shall be established at not greater than 35 miles per hour or the speed limit for automobiles, whichever is lower, on all segments of City roads designated as ATV/UTV route.
- (e) ATVs/UTVs may be operated on paved surfaces only, unless yielding the right-of-way.
- (f) All ATV/UTV operators shall ride single file.
- (g) No ATV/UTV may be operated on any designated route(s) without fully functional headlights, tail-lights, and brake lights. Headlights and taillights shall be on at all times.
- (h) No ATV/UTV may be operated on any designated route(s) between the hours of 10:00 p.m. and 6:00 a.m. daily, unless a different restriction on hours of operation has been specified by the City and notice of the same is duly posted on the segment.
- (i) All ATV/UTV operators shall ride on the righthand side of the paved portion of the highway, unless making a left turn. Operation on the gravel shoulders, grassy in-slope, ditches, or other highway right-of-way is prohibited, unless yielding right-of-way.
- (j) No ATV/UTV may be operated on any designated ATV/UTV route if the ATV/UTV does not meet all applicable federal noise and air pollution standards.
- (k) No person under the age of 16 may operate an ATV/UTV on any segment of City road which is a designated ATV/UTV route.
- (l) No person under the age of 18 may operate an ATV/UTV on any designated route unless wearing approved protective head gear.

(7) Licensing, insurance, and registration.

- (a) Driver's license. Every person who operates an ATV/UTV on a segment of City 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 law enforcement officer or official described in Wis. Stats. § 23.33(12).
- (b) Insurance. Every person who operates an ATV/UTV on a segment of City road which is designated as an ATV/UTV route, and/or every ATV/UTV operated on a segment of City road which is designated as an ATV/UTV route, shall carry liability, and/or other insurances consistent with Wisconsin state law for the operation of a motorized vehicle.

(8) Disturbing of the peace, and nuisance activities.

- (a) Cruising prohibited. No person shall, while operating an ATV or UTV, engage in the practice of cruising on any authorized road. Cruising is defined as running all or part of the length of a roadway multiple times, per day, back and forth, for any purpose other than departing or arriving at their residence, or place of lodging, or departing or arriving, at a public boat landing.
- (b) Exhaust system/muffler modifications prohibited. No person shall operate on a City route any ATV/UTV unless such ATV/UTV is equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise or annoying smoke.
- (c) Radios or the electric sound amplification devices. No person may operate or park, stop or leave standing an ATV/UTV vehicle while using a radio or other electric sound amplification device emitting sound from the vehicle that is audible under normal conditions from 75 feet or more, unless the electric sound amplification device is being used to request assistance or warn against an unsafe condition.

(9) Enforcement.

- (a) This Section may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin. A copy of the ordinance from which this Section was derived shall be sent by the City Clerk to the Marshfield Police Department, the Wood & Marathon County Sheriff's Department, and the Department of Natural Resources, and any other law enforcement agency serving the City of Marshfield's jurisdiction.
- (b) As a substitute for or in addition to forfeiture actions, the City Attorney may, on behalf of the City, seek enforcement of any and all parts of this Section by court actions seeking injunction orders or restraining orders and/or pursuing nuisance actions against the violator.

(10) Penalties. The penalties under Wis. Stats. § 23.33(13)(a) are adopted by reference.

(11) Severability. Should any portion of this Section be declared unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this Section shall not be affected.

SECTION 2. Savings Clause. If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

SECTION 3. Severability. If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

SECTION 4. This ordinance shall take effect and be in force from and after April 1st, 2023 following its passage and publication as provided by law.

ADOPTED: _____

Lois TeStrake, Mayor

APPROVED: _____

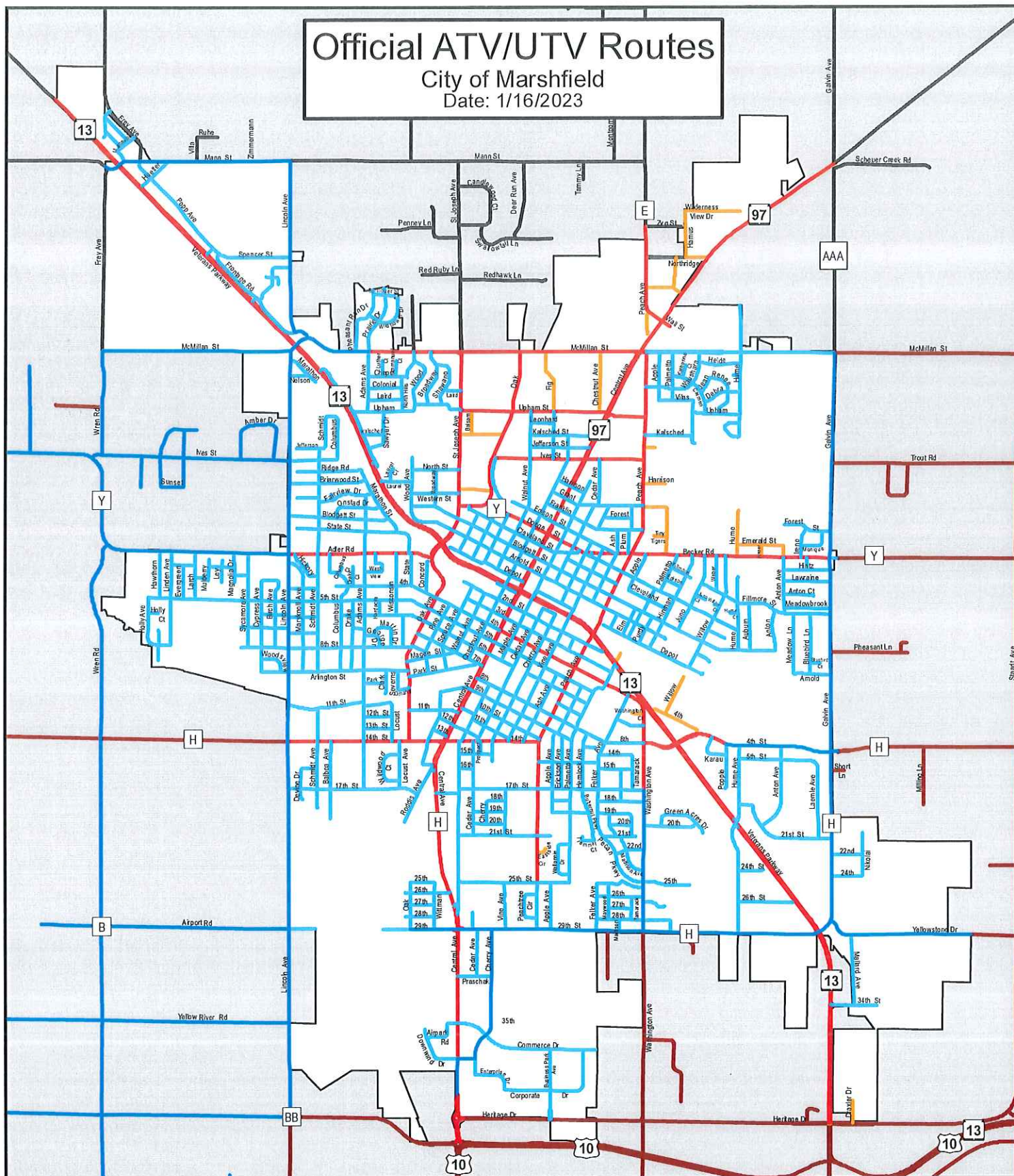
ATTEST: _____

PUBLISHED: _____

Jessica Schiferl, City Clerk

Official ATV/UTV Routes

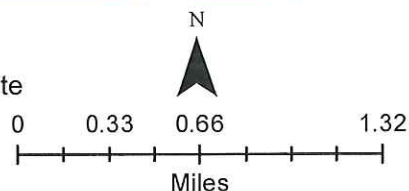
City of Marshfield
Date: 1/16/2023



ATV Route Type

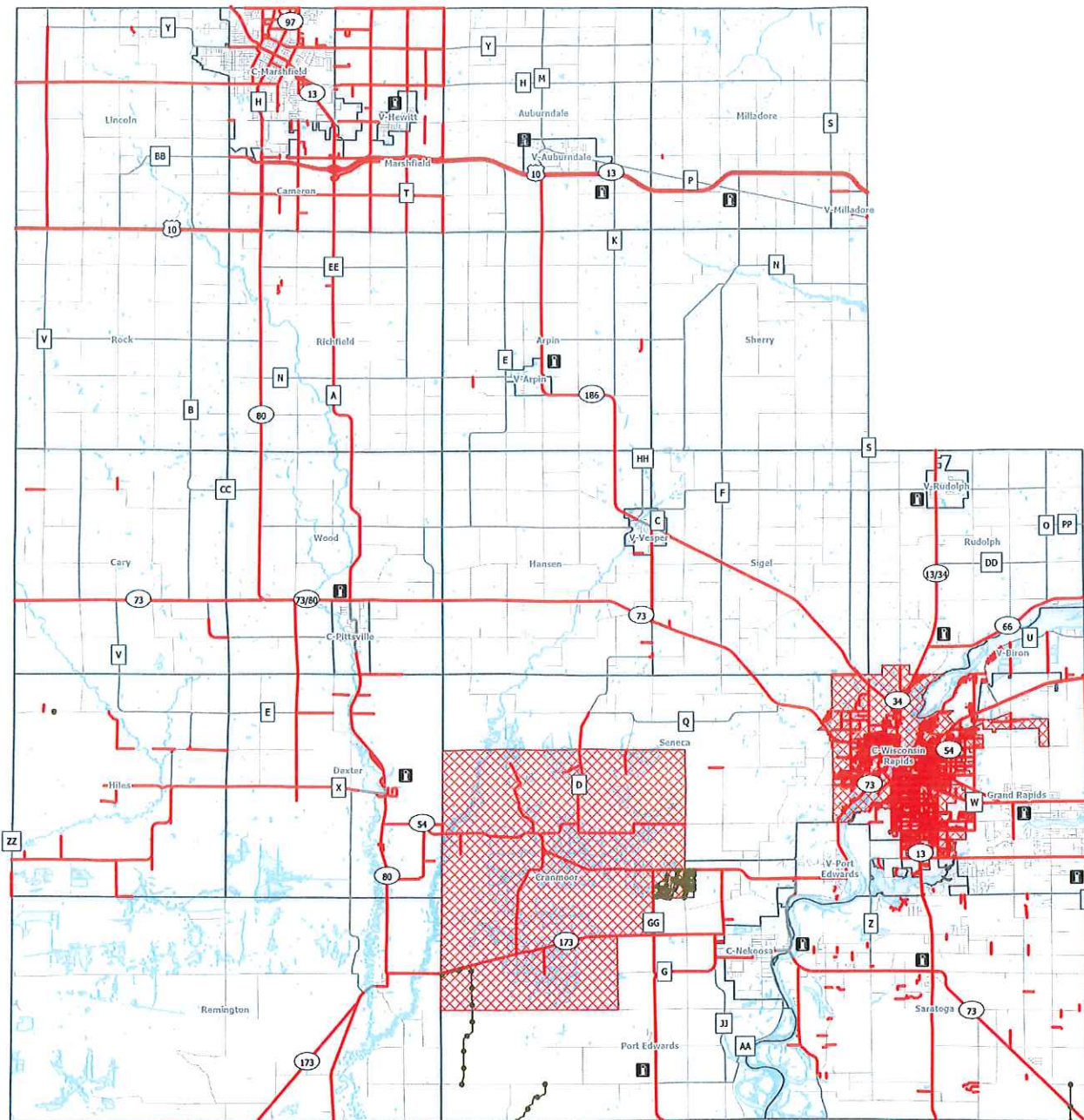
- ATV/UTV Route
- Closest route to and from home
- ATV/UTV or Business Use Prohibited

- Wood County ATVs Prohibited
- City prohibited by no closest route
- Marathon County - Unknown



WOOD COUNTY ATV/UTV ROUTE/TRAIL SYSTEM

LAST UPDATED 4/24/2023, WOOD COUNTY'S ATV/UTV ROUTE/TRAIL SYSTEM IS CONSTANTLY CHANGING. PLEASE CONTACT YOUR LOCAL MUNICIPALITY TO CONFIRM OPENING AND CLOSING DATES.



Scale: 1:180,000



GAS STATIONS



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ALSO AVAILABLE IS A
MOBILE WEB MAPPING
APPLICATION THAT SHOWS
ALL OF THE SAME
INFORMATION. SCAN THE
QR CODE TO THE RIGHT TO
ACCESS IT.



SCAN ME

ORDINANCE NO.: 59**Regulating All-Terrain Vehicles and Utility-Terrain Vehicles
In The Town of Grand Rapids**

The Town Board of the Town of Grand Rapids, Wisconsin, pursuant to Chapter 23 of the Wisconsin Statutes does ordain as follows with regard to its Town Ordinances:

59.1 Purpose, and Applicability.

The purpose of this ordinance is to establish an all-terrain vehicle/utility-terrain vehicle (ATV/UTV) routes in the Town and to regulate the operation of ATVs/UTVs in the Town to provide safe and enjoyable ATV/UTV recreation consistent with public rights and interests. The provisions of this Ordinance apply equally to ATVs and UTVs. The provisions of this Ordinance shall apply to the areas designated herein, including roadways within the jurisdiction of the Town of Grand Rapids.

59.2 Statutory Authority. The Town Board of Supervisors of the Town of Grand Rapids, Wood County, Wisconsin, pursuant to the specific authority given to Towns under §§ 23.33(4)(d), 23.33(8)(b) and 23.33(11) of the Wisconsin Statutes provides under this Ordinance regulations to ATV/UTV operations.

59.3 Routes.

A. Routes Designated. Pursuant to § 23.33(8), Wis. Stats., the following roads and portions of roads are designated all-terrain vehicle routes as defined in § NR 64.12, Routes, Wisconsin Administrative Code, within the Town of Grand Rapids:

- 1) All Town roads in the Town under the jurisdiction of the Town of Grand Rapids are designated ATV/UTV routes unless otherwise indicated in subsection 2, herein. This designation excludes all county and state highways and all private roads.
- 2) The following Town-roads are not designated as an ATV/UTV route (*all restricted areas are also depicted in shaded/outlined areas in Appendix A*):
 - i. 32nd Street South and North, extending from its intersection with Two-Mile Avenue Northerly to Wisconsin Rapids City Limits.
 - ii. Lake Avenue, extending from its intersection with 32nd Street South Southeasterly to its intersection with Kellner Road.
 - iii. 48th Street South, extending from its intersection with Whitrock Avenue Northerly to its intersection with Airport Avenue.
 - iv. 48th Street South, extending from its intersection with North Beach Road Northerly to its intersection with Kellner Road.
 - v. The entire length of Lakewood Lane.
 - vi. Nepco Lake Road, extending from its intersection with STH 13 Westerly to Port Edwards Village Limits.
 - vii. The entire length of Private Beach Trail.
 - viii. All that part of the Town of Grand Rapids lying West and North of the following described lines: Commencing at a point where the boundary of the Village of Biron intersects 32nd Street North; run thence South along 32nd Street to its intersection with Griffith Avenue; run thence West along Griffith Avenue to its intersection with the East boundary line of the Village of Port Edwards.

- 3) Operation of ATVs/UTVs shall be suspended on any road where hazard, construction or emergency conditions exist.
 - 4) The Town of Grand Rapids reserves the right to close or modify routes at any time.
- B. Pursuant to § 23.33(8)(e), Wis. Stats., a sign shall be erected on each highway that crosses the Town's territorial boundary alerting motorists that all highways under the jurisdiction of the Town have been designated as ATV/UTV routes unless otherwise indicated. Any highway under the jurisdiction of the Town which is not designated as an ATV/UTV route shall have signs erected at such locations as appropriate to indicate the highway is not designated as an ATV/UTV route. The Town of Grand Rapids, or its designee shall maintain all route signs within the township.
- C. Pursuant to § 23.33(4)(d)4., Wis. Stats., except as otherwise provided in § 23.33(4), Wis. Stats., no person may operate an ATV or UTV on the roadway portion of any highway in the Town except on roadways that are designated as ATV/UTV routes by this ordinance.
- 59.4 Conditions and Restrictions on Operation.** The following restrictions are placed on the use of ATV/UTV routes designated by this Ordinance:
- A. Operation of ATVs and UTVs shall be subject to all provisions of § 23.33, Wis. Stats., which are adopted as part of this ordinance by reference, pursuant to § 23.33(11), Wis. Stats. All ATV/UTV operators shall observe all applicable rules of the road governing motorized vehicles in accordance with Ch. 346, Wis. Stats.
- B. No person may operate an ATV/UTV upon any designated route or roadway in the Town unless:
- 1) Where a person is under 16 years of age. All ATV safety certified operators age 12-15 must have obtained a Wisconsin ATV Safety Certificate, must be in possession of the Certificate at all times while operating on any Town road, and be accompanied by a parent or guardian with continuous verbal direction and physical control. Anyone under age 12 shall not operate on Town roadways. No person under age 16 may operate a UTV on Town roadways.
 - 2) Where a person is 16 years of age or older. All ATV/UTV operators age 16 or older must have a valid driver's license and must carry their driver's license on their person at all times while operating an ATV/UTV on Town roadways. Additionally, riders 16 years of age or older and born after January 1, 1988 must also have obtained a Wisconsin ATV Safety Certificate, and be in possession of the Certificate at all times while operating on any Town road.
- C. All ATV/UTV operators shall observe the roadway speed limit for motor vehicle traffic. Lower speed limits for ATVs/UTVs may be designated by the Town Board on certain portions of roadway routes as deemed appropriate and indicated by signage. All ATVs/UTVs operated on designated routes shall maintain physical control, reasonable and prudent speed.
- D. No ATV/UTV may be operated on any designated route within the Town between the hours of 10:00 P.M. and 7:00 A.M. the following day.
- E. All ATV/UTV operation must be on paved, graveled or maintained road surfaces only. No ATV/UTVs may be operated on road shoulders or in road ditches. No straddling of the

shoulder or ditch is allowed.

- F. Insurance Requirements. No person shall operate an ATV/UTV upon any Town road where operation of an ATV/UTV is authorized unless the owner or operator of the ATV/UTV has in effect a liability policy covering the vehicle being operated and have minimum liability coverage amounts consistent with Wis. Stat. 344.62 (motor vehicle liability requirements). All operators shall have in his or her possession a certificate or proof of insurance covering such vehicle which shall be displayed upon demand from any law enforcement officer.
- G. It shall be unlawful for any person to possess an open intoxicant container while operating, or as a passenger on, an ATV/UTV on any route or street within the Town of Grand Rapids.

59.5 Enforcement and Penalties.

- A. This Ordinance shall be enforced by any law enforcement officer authorized to enforce the ordinances of the Town of Grand Rapids and the laws of Wood County and/or the State of Wisconsin.
- B. The penalties under § 23.33(13), Wis Stats. Are adopted by reference. Any person or organization who violates any provision of this ordinance shall upon conviction be subjected to a forfeiture per Ordinance 39 "Schedule of Fees and Forfeitures" for each offense, together with the costs of prosecution.

This ordinance shall take effect from and after the date of its passage and publication as provided by law.

HISTORY

Declaration/Ordinance/Resolution No

Dated

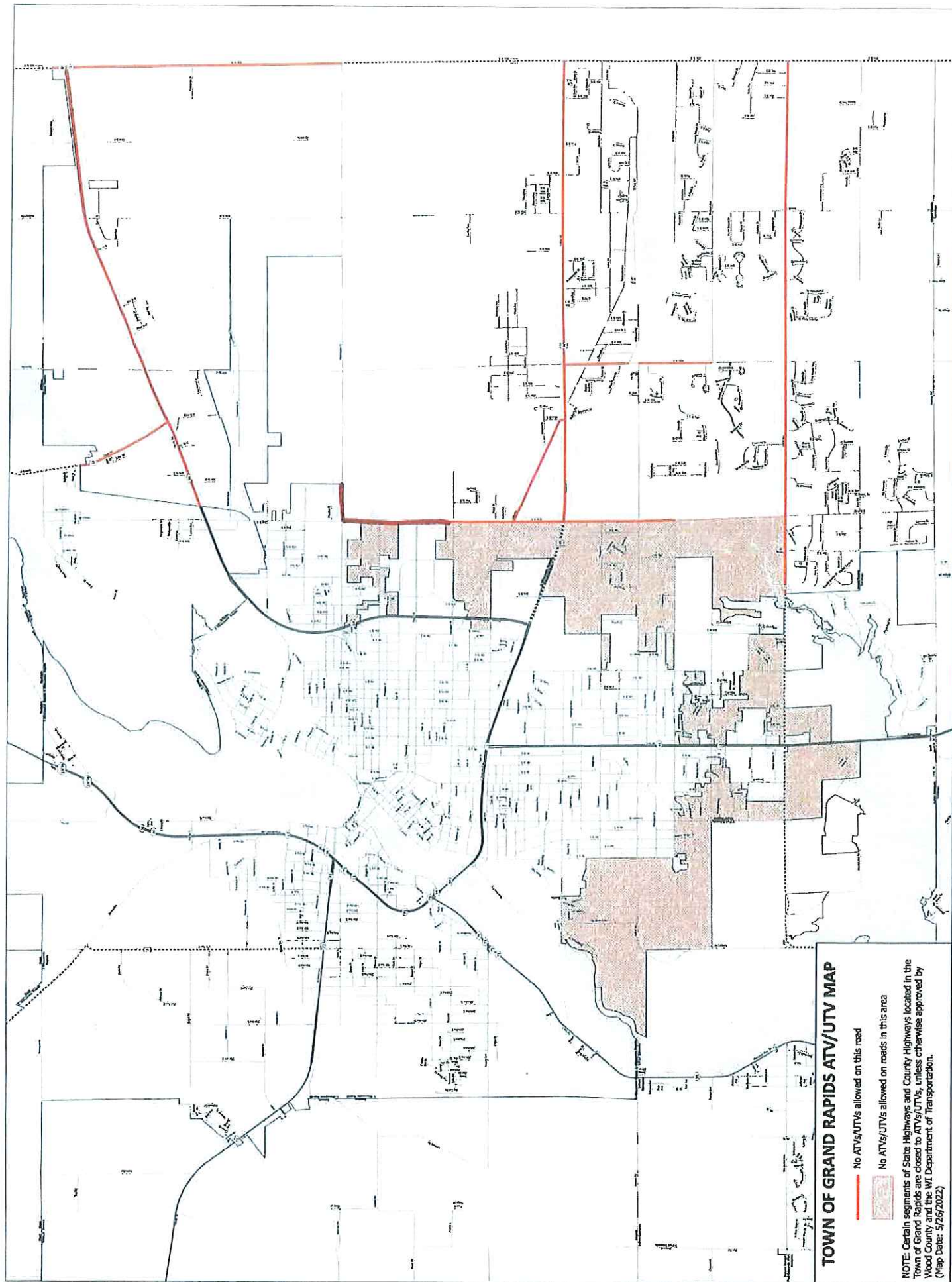
RESOLUTION NO:

2009-29

23-June-09

2022-

10-May-22



TOWN OF GRAND RAPIDS ATV/UTV MAP

-  No ATVs/UTVs allowed on this road
-  No ATVs/UTVs allowed on roads in this area

NOTE: Certain segments of State Highways and County Highways located in the Town of Grand Rapids are closed to ATVs/UTVs, unless otherwise approved by Wood County and the WI Department of Transportation.
(Map Date: 5/26/2022)



**Community Development
Department**

City of Wisconsin Rapids
444 West Grand Avenue
Wisconsin Rapids, WI 54495
Ph: (715) 421-8228

MEMO

To: Legislative Committee
From: Kyle Kearns, Director of Community Development
Date: July 20, 2023
RE: Chapter 14 Building Code & Chapter 18 Fire Code Ordinance Amendments

The Community Development Department recently partnered with a third party plan review agency, E-Plan Exam. This agency will perform all commercial plan review, including fire suppression and fire alarm reviews. Furthermore, as part of the partnership, the City has received a full delegation by the state to be authorized as a delegated agent to perform plan review on all sized buildings, through E-Plan Exam. As part of this process, E-Plan Exam has reviewed our local building codes and has suggested a change to Chapter 14 – Building Code and Chapter 18 – Fire Code, both of which have support from the Community Development Department and Fire Department. The changes have been identified below.

14.05 BUILDING PERMITS AND INSPECTION

- (1) Plans. With such application there shall be submitted a complete set of plans and specifications, including a plot plan showing the location of the proposed building with respect to adjoining roads, highways, streets, alleys, lot lines and buildings. Plans for buildings involving the Commercial State Building Code shall bear the stamp of conditionally approved by the State Department of Safety and Professional Services Division of Safety and Buildings **or by a licensed representative of the City of Wisconsin Rapids** ~~if~~ as required by SPS 361. One plan shall be submitted which shall remain on file in the office of the building inspector. When required by SPS 361 plans and calculations shall be signed and sealed by the licensed designer. Plans for all new one- and two-family dwellings shall comply with the provisions of Wisconsin Administrative Code SPS 320.09. An electronic copy of the plans shall be provided in the pdf format. If unable to provide an electronic file the Engineering Department will scan the plans into an electronic file. There will be charge as set by Engineering for the labor, equipment and administrative costs to scan the plans. (MC#1145)
- 1. Delegated Appointed Agent Municipality.** The municipality has adopted the Appointed Agent Municipality Status as described in SPS 361.60 of the Wisconsin Administrative Code.
- a) **Responsibilities.** The City shall assume the following responsibilities for the Department of Safety and Professional Services (Department):
1. Provide inspection of commercial buildings with certified commercial building inspectors.
 2. Provide plan examination of commercial buildings with certified commercial building inspectors.



**Community Development
Department**

City of Wisconsin Rapids
444 West Grand Avenue
Wisconsin Rapids, WI 54495
Ph: (715) 421-8228

- b) **Plan Examination.** Drawings, specifications and calculations for all the types of buildings and structures, except state-owned buildings and structures and other structures exempted in SPS 361.03(3), to be constructed within the limits of the municipality shall be submitted, if the plans are for any of the following:
1. A new building or structure.
 2. An addition to a building, structure, or building system such as fire alarm, sprinkler, plumbing, or HVAC system.
 3. An alteration of a building space, element, or structure. Including alteration of an existing fire alarm system, fire sprinkler system, plumbing system, HVAC system or replacement of equipment or fixtures within those systems.
 4. A certified or delegated municipality may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the Department of Safety and Professional Services for review and approval.
 5. The Department of Safety and Professional Services may waive its jurisdiction for the plan review of a specific project, where agreed to by a certified municipality, in which case plans and specifications shall be submitted to the certified or delegated municipality for review and approval.
- c) **Plan Submission Procedures.** All commercial buildings, structures and alterations, including new buildings and additions require plan submission as follows:
1. Building permit application
 2. Application for review – State of Wisconsin forms as applicable based on trade submitted or Municipal Equivalent.
 - a. Fees per municipal fee schedule
 - b. Fees apply to all commercial projectsAND one of the following options
 3. 4 sets of plans
 - a. Signed and sealed per SPS 361.31
 - b. (1) set of specifications
 - c. Component and system plans
 - d. Calculations showing code complianceOR
 4. 1 sets of plans with 3 Project cover sheets
 - a. Signed and sealed per SPS 361.31
 - b. (1) set of specifications
 - c. Component and system plans
 - d. Calculations showing code compliance

Note: Nothing in this code or chs. SPS 361 to 366 is intended to prohibit the submission and acceptance of plans and construction documents in an electronic or digital media. However, if plans are approved electronically, submitters are to coordinate with the community to provide approved documents bearing the approval stamp of the reviewer in an acceptable format to the department prior to permit issuance.



**Community Development
Department**

City of Wisconsin Rapids
444 West Grand Avenue
Wisconsin Rapids, WI 54495
Ph: (715) 421-8228

The existing code within Chapter 18, section 02 is below, as well as the proposed changes.

EXISTING FIRE CODE

18.02 ADOPTION OF ORDERS, CODES, RULES, AND SOGs

(1) The following orders and codes are hereby adopted by reference.

(a) For all construction after July 1, 2002, the following fire codes shall apply.

(1) NFPA 1 & NFPA 101

(b) For all construction prior to 7/1/02 the following fire codes shall apply.

(1) Comm 7 – Explosive Materials

(2) Comm 9 – Manufacturer of Fireworks

(3) Comm 10 – Flammable and Combustible Liquids

(4) Comm 11 – Liquefied Petroleum Gases

(5) Comm 12 – Liquefied Natural Gas

(6) Comm 13 – Compressed Natural Gas

(7) Comm 14 – Fire Prevention

(8) Comm 15 – Cleaning and Dying

(9) Comm 30 – Fire Department Safety and Health

(10) Comm 50-64 – Building, Heating Ventilating, and Air Conditioning

(11) Comm 66 – Uniform Multifamily Dwellings

(12) Comm 70 – Historic Buildings

(13) Comm 75-79 – Existing Buildings

(14) NFPA 10 – Portable Fire Extinguisher Code* (15) NFPA 13, 13D, & 13R – Sprinkler Codes*

PROPOSED FIRE CODE

18.02 ADOPTION OF ORDERS, CODES, RULES, AND SOGs

(1) The following orders and codes are hereby adopted by reference.

(a) The following fire codes shall apply to all structures within the City of Wisconsin Rapids including their applicable adopted reference standards and materials to the extent permitted by SPS 314.

(1) SPS 314

(2) NFPA 1

(3) SPS 361-366

ORDINANCE NO. MC _____
CITY OF WISCONSIN RAPIDS

A GENERAL ORDINANCE OF THE CITY OF WISCONSIN RAPIDS AMENDING CHAPTER 2 OF THE MUNICIPAL CODE PROVIDING THAT AN ORDINANCE MAY BE ADOPTED AT ITS FIRST READING

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF WISCONSIN RAPIDS DOES ORDAIN AS FOLLOWS:

SECTION I Section 2.04(3)(d) of the Wisconsin Rapids Municipal Code is hereby amended to read as follows:

(d) Reading and Passage of Ordinances. All ordinances shall have one reading. ~~No ordinance, except an ordinance relating to parking and traffic regulations, shall be passed at the meeting in which it is introduced, unless by a unanimous vote of all members voting.~~ An ordinance may be passed at the meeting in which it is introduced. A majority vote of all the members of the common council shall be necessary for the passage of an ordinance.

SECTION II All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION III This ordinance shall take effect upon passage and publication.

Shane E. Blaser, Mayor

Jennifer M. Gossick, City Clerk

ADOPTED:

APPROVED:

PUBLISHED: