

**TOWN OF NEWBOLD RESIDENTS**  
**NOTICE OF PUBLIC HEARING**  
**Saturday, May 19, 2018 at 10:00 a.m.**

Notice is hereby given that a public hearing will be held on **Saturday, May 19, 2018 at 10:00 a.m., at the Newbold Fire Department**, 4588 Hwy. 47, Rhinelander, Wisconsin, 54501, Oneida County.

The Town of Newbold Town Board will be in attendance to take public comment in consideration of amending **Town Ordinance CHAPTER 7.10, All Terrain Vehicles**, as it relates to **ATV/UTV use on ALL Town Road**. The proposed revision reads as follows:

**7.10 ALL TERRAIN VEHICLES.**

- (1) Intent. Following due consideration of recreational purpose/value, public safety liability aspects, the Town may designate ATV/UTV routes on certain town roads.
- (2) Statutory Authority. The Town is authorized to create ATV/UTV routes pursuant to section 23.33 (8) (b), Wisconsin Statutes.
- (3) General. **Except as provided in this chapter, it shall be unlawful to operate any ATV/UTV on the Town parks, parking lots, or on any public lands, roads or parking lots held open to the public unless designated as an ATV/UTV route. The operator shall at all times have the consent of the owner before operation of an ATV/UTV on private lands unless the owner has agreed, in writing, with an ATV/UTV club to establish an ATV/UTV trail.**
- (4) Conditions. Operation of ATV/UTV vehicles on designated highways of the Town shall be subject to the following conditions:
  - (a) Routes must be signed in accordance with NR 64.12 and NR 64.12(7)(c)
  - (b) In addition to (a), all designated routes shall have signs posted advising operators of the conditions required by (c), (d), (f), (g), (h) and (i) below. Such signs shall be posted immediately beneath route designation signs at each end of such routes.
  - (c) ATV/UTV operation shall not exceed 25mph
  - (d) All ATV/UTV operations shall be single file
  - (e) All ATV/UTV operators shall slow to 10mph or less when operating within 150 feet of a dwelling.
  - (f) All operators must possess a valid driver's license.
  - (g) All operators under the age of 18 must wear a helmet
  - (h) All ATVs/UTVs must operate with headlights and taillights on at all times.
  - (i) All ATVs/UTVs must operate on the paved portion of the roadway.
- (5) ~~The following town roads are designated as ATV routes:~~
  - (a) ~~Rainbow Lake Road from November 1 through March 31~~  
**Subject to the provisions of Wisconsin Statutes and the conditions of sub 4 of this ordinance, all Newbold town roads are open to ATV/UTV operations.**
    - (a) **ATV/UTV access to Town Parks is restricted to parking lot areas only and only for the sole purpose of parking ATVs/UTVs while riders utilize park facilities.**
    - (b) **ATV/UTV operation on the Hiking/Biking trail adjacent to State Highway 47 is prohibited.**
    - (c) **The Town Board shall continue to receive public input related to this chapter and shall, upon due consideration, make a determination to continue, discontinue or amend the authorization of ATV/UTV operation on town roads in in the third or fourth quarter of the 2020 calendar year. If the Town Board fails to take such action, Section 7.10(5) will expire and be considered repealed, effective December 31, 2020.**
- (6) Enforcement. This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

- (7) Penalties. Wisconsin state All-Terrain Vehicle penalties as found in section 23.33(13) (a), Wisconsin Statutes, are adopted by reference.
- (8) Severability. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.
- (9) Effective Date. This ordinance become effective upon passage and publication.

The complete ordinance in its entirety is available for inspection on the town website at: [www.newboldtown.com](http://www.newboldtown.com) or by contacting the Town Clerk, Kim Gauthier at 715-362-1092. The purpose of this hearing is to receive Newbold Resident comment on the proposed revision. Dave Kroll, Town of Newbold Chairman [dkroll@newboldtown.com](mailto:dkroll@newboldtown.com), phone: 715-277-4441.

Posted this 20<sup>th</sup> day of April, 2018 by Kim Gauthier, Newbold Town Clerk