



Town of Quincy ATV-UTV Proposal

PREPARED FOR: QUINCY TOWN BOARD

By: Rustic Ridge Riders, Inc. ATV/UTV Committee

Dennis Kulwicki | President Rustic Ridge Riders, Inc. 1-414-688-5053

Dennis Kulwicki | Committee Chairman 1-414-688-5053

Linda Yurkonis | Committee

Jim Schnolis | Committee

Steve McIntosh | Committee

D. KULWICKI

Overview

This report is a fact-finding document to get all the real facts and questions answered for getting an 'All Roads Unless Posted Ordinance' approved in the Town of Quincy allowing a legalized all-roads unless posted ordinance to all businesses and locations in the town. This would enhance and expand our town into the world of ATV/UTV's. This has been an issue in the past but was rejected due to the wrong approach and strategy to get an ATV/UTV 'ordinance' passed. We believe that all the facts and questions have really been reviewed, re-searched and answered. The town has already had a formal presentation on ATV/UTV's along with a formal town hearing at the Adams County Community Center. At the April 16, 2019 Annual meeting, a motion from the floor for an All-Roads ordinance was read and made by a citizen from the floor, voted on, and passed by town electors present. It still stands today with no action taken.

Today the ATV/UTV power sport activity is the fastest growing sport in the state of Wisconsin. Many of our town residents, and a number of our club members, are getting involved in the sport of ATV/UTV by riding and purchasing these PowerSport vehicles. The time to get involved and make the move is now.

Allowing the use of ATV/UTV's in Quincy for recreation, work, and transportation, this project and committee were formed to do all the fact finding and get the real scoop on all issues and items pertaining to the impact, legality, liability, and costs.

Within this project, we plan on writing and presenting an 'ordinance' to the town board for ATV/UTV's. This should be forwarded to the town's legal counsel so the ordinance will be reviewed, changed, enhanced, and developed into a legal and approved document. The scope of this project is to do things smartly, orderly, and responsibly.

Project Input/Findings and Facts

1. **State of Wisconsin** – It is legal to ride ATV/UTV's in the United States of America along with the state of Wisconsin. The state statutes for ATV/UTV's is 23.33 under conservation, pages (40-51). The entire statute is on the state website at www.wisconsin.gov
2. **Adams County** – Adams County will be updating its County ATV/UTV Ordinance on county roads as of April 20, 2021. ATV/UTV's are allowed on county roads. Adams County has over 40 miles of public ATV trails in Strongs Prairie, through Monroe, up to the town of Rome, that open May 19th to November 1st. Dyracuse Off-Road Park has over 12 miles of private ATV trails. It's open early April to the last weekend in October. At Petenwell County Park an additional 34 acres was developed as an ATV/UTV camping area with additional ATV trail access.

3. **Townships in Adams County** – In south Adams County (Adams City, Adams Township, Easton, Village of Friendship, Jackson, Lincoln, New Chester, New Haven) have all have approved ATV/UTV's (Dell Prairie, Springville, and Quincy) are the only 3 towns left not allowing.
4. **Wisconsin Department of Natural Resources** – Promotes and Supports ATV/UTVing in the State of Wisconsin. And is always looking to enhance & expand the use of State Lands for all types of outdoor activities.
5. **Rustic Ridge Riders, Inc.** – The Rustic Ridge Riders, Inc. Snowmobile Club has thrived and grown in the town since 1989 and belongs to the AWSC (Association Wisconsin Snowmobile Clubs) and the Adams County Snowmobile Association. In March of 2017 and is a member of the WATVA (Wisconsin ATV Association). The Ridge Riders are a viable and strong club with 86 memberships and close to 167 members. And all are in support of riding ATV/UTV's responsibly in the town of Quincy.
6. **Insurance/Liability** – Insurance for Adams County \$10 million, Town of Quincy \$10 million and Rustic Ridge Riders, Inc. \$1 million. The private registered owner of the ATV/UTV should carry their own liability insurance. The town's insurance agent has stated that in most cases the town's liability insurance premium would 'not' go up! State Statute 895.52 Recreation, Liability, Protection (Recreational Activities limitation of property owner's liability protects landowners.
7. **Quincy All Roads Unless Posted Map** – see attachment 1
8. **Signing** – Actual highway legal road signs (yellow back round with black lettering) must be installed only by the unit of government that maintains the highway or road and paid for by the town. The ATV/UTV (green back round with white lettering) the all-road route signs would be installed by the ATV/UTV club and paid for by the Rustic Ridge Riders, Inc. The costs for signing will be determined after the all road unless posted signing is finalized and approved by the town and county. The all roads unless posted route will not be open until all signings has been completed.
9. **Policing the Route** – The Adam County Sheriff's Department would be responsible for patrolling and enforcing the law. As of January 28, 2021, an additional police patrolling contract was approved and signed by the Town of Quincy town board. In conjunction with the Adams County Sheriff's Department the Wisconsin State Patrol and the Wisconsin Department of Natural Resources will also be enforcing the law.
10. **Already riding in Quincy** – Even though riding an ATV/UTV is illegal in the Town of Quincy it is pretty apparent that people are riding in the town on a daily basis, especially on weekends, and over the summer holidays.
11. **Proposed (Town of Quincy ATV/UTV Ordinance)** – see attachment 2

Recommendation

Administration – A town board member should be assigned and involved during the initial development and implementation of the ATV-UTV ordinance for guidance, input,

direction, along with town authority. They would also act as a liaison between our committee, the town chairman, and the rest of the town board. (We don't think that the added workload and responsibility would be substantial).

Legal Counsel – Town Attorney to draft final ordinance.

Highway Dept. – Department involved in signing the All-Roads Un-less Posted Ordinance

Communication – Rustic Ridge Riders, Inc. (website, Facebook, E-mail, newsletter)
Town of Quincy (bulletin board at town hall, town E-mail)

Timeline – A 'VOTE' for the ordinance at the Quincy Town board meeting on
Thursday, May 27, 2021 we need to get this thing approved and implemented quickly.

Conclusion

I believe we have pretty much covered everything that we thought would be pertinent to make a good sound decision with a 'YES' vote from the Town of Quincy board to move into the world of ATV/UTV's, while enhancing and expanding the town into the activity of outdoor year-round power sports. With the addition of ATV-UTV's it would be a big boost to our current businesses and would promote more new business to our area. This new ordinance would be instrumental for promoting recreation, tourism, retirement, and new development in the Town of Quincy, thus raising revenue and income for all for mentioned areas. This document is for your review. Much of the logistics and final details of an 'All Roads Unless Posted Ordinance' will have to be hashed out before approval, and legally drafted before implementation, roll out, and vote by the Town of Quincy Board of Directors. As a committee, we are all into making this happen. Along with the majority of citizens (elector's & taxpayers) in the Town of Quincy.

see attachment 1 (Proposed Road Map)

see attachment 2 (Proposed Town of Quincy ATV/UTV Ordinance)

Rustic Ridge Riders, Inc.
Snowmobile/ATV-UTV Club
P. O. Box 381
Adams, WI. 53910

ADAMS COUNTY, WI
(T.16N.-R.5E. & T.17N.-R.5E.)

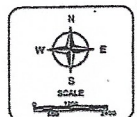
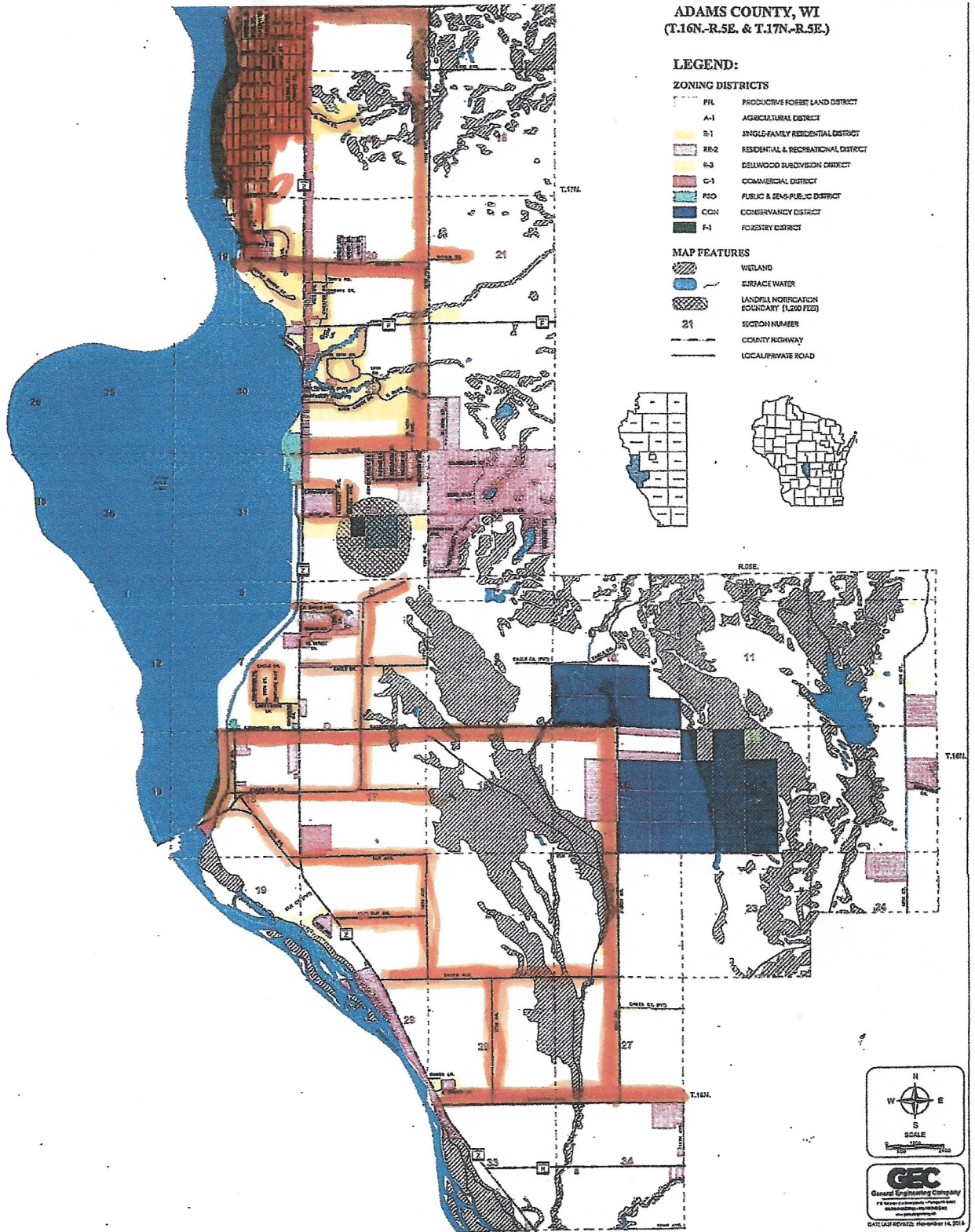
LEGEND:

ZONING DISTRICTS

PF	PRODUCTIVE FOREST LAND DISTRICT
A-1	AGRICULTURAL DISTRICT
R-1	SINGLE-FAMILY RESIDENTIAL DISTRICT
RR-2	RESIDENTIAL & RECREATIONAL DISTRICT
R-S	BELLWOOD SUBDIVISION DISTRICT
C-1	COMMERCIAL DISTRICT
P-20	PUBLIC & SEMI-PUBLIC DISTRICT
CON	CONSERVANCY DISTRICT
F-1	FORESTRY DISTRICT

MAP FEATURES

	WETLAND
	SURFACE WATER
	LANDFILL NOTIFICATION BOUNDARY (1,200 FEET)
21	SECTION NUMBER
	COUNTY HIGHWAY
	LOCAL/PRIVATE ROAD



ATV/UTV Vehicle All Town Roads Unless Posted

Town of Quincy, Adams County

Ordinance #4-20-21

AN ORDINANCE DESIGNATING ATV/UTV VEHICLE ALL TOWN ROADS UNLESS POSTED AND REGULATING THE OPERATION OF ATV/UTV VEHICLES

Section I – Intent

The Town of Quincy, Adams County adopts the following ATV/UTV vehicle all roads, unless posted, for the operation of ATV/UTV vehicles upon the roadways listed in Section III.

Following due considerations of recreational value to connect opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this all-roads ordinance unless posted has been created.

Section II – Statutory Authority

This all-town roads unless posted is created pursuant to town authority under section 1.1.01 as authorized by 23.33 (8) (b), Wis. Stats.

The applicable provisions of 23.33 regulating ATV/UTV operation pursuant to all town roads unless posted are adopted

Section III – All Town Roads Unless Posted

The following roads are designated as all town roads.

All Town of Quincy thoroughfares, town roads, North, South, East, and West. Along with all dead-end roads and cull-du-sacs within the confines of the Town of Quincy Zoning Map in Adams County, Wisconsin. (T.16N.-R.5E. & T.17N.-R.5E.)

Section IV – Conditions

As a condition for the use of all town roads unless posted, the following conditions shall apply to all operators (and passengers).

- A. This ordinance defines hours of ATV/UTV operation on all roads unless posted in the Town of Quincy as defined.

No individual shall operate an ATV/UTV within the town of Quincy during the time period of 12:00 am. to 6:00 am.

- B. Every person who operates an ATV/UTV in the Town of Quincy must have in their immediate possession a valid motor vehicle operator's license in

addition operators born after 1988 shall also have in their possession the ATV/UTV safety certificate.

- C. Every person who operates an ATV/UTV in the Town of Quincy shall carry liability and/or other insurance consistent with Wisconsin law for the operation of a motorized vehicle.
- D. Consistent with Wis. Stat. 23.33(4c), no person shall operate an ATV/UTV while under the influence of an intoxicant to a degree which renders him or her incapable of safe operation of the ATV/UTV. Notwithstanding the preceding sentence, under no circumstances shall an individual operate an ATV/UTV while the individual has a blood alcohol concentration (BAC) of 0.08 or more. No operator or passenger of an ATV/UTV under the age of 21 shall have a BAC higher than 0.0. No operator or passenger of an ATV/UTV shall have an open intoxicant within their immediate possession.
- E. Consistent with Wis. Stat. 23.33(4c), no operator or passenger of an ATV/UTV shall have a detectable amount of a restricted controlled substance in his or her blood.
- F. All ATV/UTV operators shall observe posted roadway speed limits.
- G. All ATV/UTV operators and passengers shall wear a seat belt if originally equipped.
- H. All ATV/UTV operators shall ride single file.
- I. Roads must be signed in accordance with NR 64.12 and NR 64.12(7)c.

Section V – Enforcement

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin.

Section VI – Penalties

Wisconsin state ATV/UTV Vehicle penalties as found in s. 23.33 (13) (a) Wis. Stats., are adopted by reference.

Section VII – Severability

The provision of this ordinance shall be deemed severable, and it is expressly declared that the Town of Quincy would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. 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 circumstances shall not be deemed affected.

Section VIII – Effective Date

This ordinance becomes effective upon passage and publication.

Passed this 20th Day of April 2021

Attest: _____

Clerk-Treasurer

Chairman

Supervisor 1

Supervisor 2