

**TOWN OF BEAR CREEK**  
**ALL-TERRAIN AND UTILITY VEHICLE**  
**ORDINANCE AUGUST2025-1**  
*SUPERSEDES ORDINANCE MAY2023-2*

STATE OF WISCONSIN  
Town of Bear Creek  
Sauk County

**SECTION I – TITLE AND PURPOSE**

The title of this ordinance is the Town of Bear Creek All-Terrain Vehicle [and Utility Terrain Vehicle] Route Ordinance. The purpose of this ordinance is to establish all-terrain vehicle [and utility terrain vehicle] routes in the town and to regulate the operation of all-terrain vehicles [and utility terrain vehicles] in the town.

**SECTION II – AUTHORITY**

The Town Board of the Town of Bear Creek, Sauk County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle [and Utility Terrain Vehicle] Ordinance under s. 23.33 (8) (b) and (11), Wis. stats.

**SECTION III – ADOPTION OF ORDINANCE**

This ordinance adopted on proper notice with a quorum and roll call vote by a majority of the town board present and voting, provides the authority for the town to designate all-terrain vehicle [and utility terrain vehicle] routes in the town and to regulate the use of those routes and all terrain vehicles [and utility terrain vehicles] in the town, designates all-terrain vehicle [and utility terrain vehicle] routes in the town and provides for the regulation of the use of those routes and of all-terrain vehicles [and utility terrain vehicles] in the town.

**SECTION IV – OPERATION OF ALL-TERRAIN VEHICLES [AND UTILITY TERRAIN VEHICLES]**

Pursuant to s. 23.33 (4) (d) 4., Wis. stats., except as otherwise provided in s. 23.33 (4), Wis. stats., no person may operate an all-terrain vehicle [and utility terrain vehicle] on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle [and utility terrain vehicle] routes by this ordinance. Operation of all-terrain vehicles [and utility terrain vehicles] on a roadway in the town that is an all-terrain vehicle [and utility terrain vehicle] route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions. Hours of trail use only allowed 6:00 a.m. to 10:00 p.m. and a speed limit of 45 MPH or as posted, whichever is lesser.

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**ALL-TERRAIN AND UTILITY VEHICLE**  
**ORDINANCE AUGUST2025-1**  
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**SECTION V – DESIGNATION OF ALL-TERRAIN VEHICLE [AND UTILITY TERRAIN VEHICLE] ROUTES**

The following routes are designated all-terrain vehicle [and utility terrain vehicle] routes in the town:

- A. Lake Road portion in Bear Creek Township in its entirety
- B. Prouty Road portion in Bear Creek Township in its entirety
- C. Sandusky Road portion in Bear Creek Township in its entirety
- D. Croal Road portion in Bear Creek Township from Highway 130 to Sandusky Road
- E. Kessinich Road portion in Bear Creek Township
- F. Rocky Circle Road portion in Bear Creek Township in its entirety
- G. Marble Quarry Road portion in Bear Creek Township in its entirety
- H. Weitzel Road portion in Bear Creek Township in its entirety
- H. Nachreiner Hollow Road portion in Bear Creek Township in its entirety
- I. Ridge Road portion in Bear Creek Township in its entirety
- J. Dawn Road portion in Bear Creek Township in its entirety
- K. Cummings Road in Bear Creek Township in its entirety

**SECTION VI – CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE [AND UTILITY TERRAIN VEHICLE] ROUTES**

Pursuant to s. 23.33 (8) (d), Wis. stats., the following restrictions are placed on the use of the town all-terrain vehicle [and utility terrain vehicle] routes designated by this resolution:

A. Routes shall be marked with uniform all-terrain vehicle [and utility terrain vehicle] route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain vehicle [and utility terrain vehicle] routes:

- 1. Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle [and utility terrain vehicle] route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle [and utility terrain vehicle] route or trail sign or standards if the sign or standard is legally placed by the state, any municipality, or any authorized individual.
- 2. Possess any uniform all-terrain vehicle [and utility terrain vehicle] route or trail sign or standard of the type established by the department for the warning, instruction, or information of the public, unless he or she obtained the uniform all-terrain vehicle [and utility terrain vehicle] route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle [and utility terrain vehicle] route or trail sign or standard creates a rebuttable presumption of illegal possession.

**TOWN OF BEAR CREEK**  
**ALL-TERRAIN AND UTILITY VEHICLE**  
**ORDINANCE AUGUST2025-1**  
*SUPERSEDES ORDINANCE MAY2023-2*

B. Operation shall be subject to all provisions of s. 23.33, Wis. stats., which is adopted as a part of this ordinance by reference, pursuant to s. 23.33 (11), Wis. stats.

C. A copy of this ordinance shall be sent by the town clerk to the Department of Natural Resources, the Sauk County Sheriff's Department and any other law enforcement agency serving the Town of Bear Creek's jurisdiction.

D. All all-terrain vehicle [and utility terrain vehicle] operators shall observe posted roadway speed limits. All all-terrain vehicle [and utility terrain vehicle] operators shall ride single file.

**SECTION VII - ENFORCEMENT**

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

**SECTION VIII – PENALTIES**

The penalties under s. 23.33 (13) (a), Wis. Stats., are adopted by reference.

**SECTION IX – SEVERABILITY**

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION X – LOCAL ACCESS TO ALL-TERRAIN VEHICLE [AND UTILITY TERRAIN VEHICLE] ROUTES**

Only residents and property owners of the Town of Bear Creek may use undesignated roads from their property to gain access to the nearest designated ATV and UTV routes. Residents and property owners shall take the most direct route to and from their property. Operators of any ATV or UTV shall not use undesignated roads to visit other residents or property owners in the Town.

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**ALL-TERRAIN AND UTILITY VEHICLE**  
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*SUPERSEDES ORDINANCE MAY2023-2*

**SECTION XI – EFFECTIVE DATE**

This ordinance is effective on publication or posting and will be in effect from passing at the August 12, 2025 board meeting. This ordinance will be automatically renewed per year unless issues are brought before the board which would cause them to rescind the ordinance. The town clerk shall properly publish this ordinance under s. 60.80, Wis stats.

Adopted this 12<sup>th</sup> day of August, 2025