

**TOWN OF COTTAGE GROVE
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Town Board of the Town of Cottage Grove will hold a public hearing at 7:00 p.m.* on Monday, June 2, 2025, at the Cottage Grove Town Hall, 4058 County Road N, to receive public comments on proposed amendments to the following sections of the Town's Code of Ordinances.

- Amending Section 09.097 to include ALL Town roads, as posted, as all-terrain vehicle (“ATV”) and utility terrain vehicle (“UTV”) routes in the Town of Cottage Grove

All interested parties are invited to attend said hearing and be heard. The proposed amendment are attached or available for viewing at the Town Hall, 4058 County Road N, Cottage Grove, WI. Any person who has a qualifying disability, as defined by the Americans With Disabilities Act, who requires the meeting or materials at the meeting to be in an accessible location or format must contact the Town Clerk-Treasurer at (608) 839-5021 or clerk@tn.cottagegrove.wi.gov at least 24 hours prior to the commencement of the meeting so that any necessary arrangements can be made to accommodate each request.

After the public hearing, the Town Board will consider adoption of the proposed amendments.

Kim Banigan, Clerk-Treasurer
Town of Cottage Grove
Posted 05-28-2025

*Note that there are 3 public hearings scheduled for 7:00 p.m., which will be held back-to-back.

TOWN OF COTTAGE GROVE - CODE OF ORDINANCES

ORDINANCE OF THE TOWN OF COTTAGE GROVE, WISCONSIN

Adopted pursuant to Sec. 25.01 of the Town of Cottage Grove Code

Title: Ordinance 2025-06-02 adopting revisions to the Town Code of Ordinances

Code Section(s) created, amended, or repealed	<u>09.097 All-Terrain Vehicles and Utility Terrain Vehicles</u>
Presented to Board by	<u>Clerk-Treasurer</u>
Committee Review by	<u>None</u>
Attorney Review by	<u>William Cole</u>
Date(s) Public Hearing(s) held (if required)	<u>June 2, 2025</u>
Date adopted	<u></u>
Vote	<u></u>
Date of posting of adoption of ordinance	<u></u>
Date of publication of adoption of ordinance	<u></u>

The Town Board of the Town of Cottage Grove does ordain as follows:

TCG Ord. Section 09.097 is hereby created/amended to read as follows:

09.097 ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES

(1) STATEMENT OF PURPOSE

This ordinance is intended to establish and maintain all-terrain vehicle (“ATV”) and utility terrain vehicle (“UTV”) routes in the Town of Cottage Grove and to regulate the operation of same upon such routes.

(2) AUTHORITY

The Town Board of the Town of Cottage Grove, Dane County, Wisconsin, has the specific authority to adopt this ordinance under § 23.33(8), Wis. Stats.

(3) STATE STATUTES ADOPTED BY REFERENCE

The provisions of § 23.33, Wis. Stats. and Ch. NR 64, Wis. Admin. Code are hereby adopted and by reference made a part of this ordinance as if fully set forth herein. Unless otherwise provided in this ordinance, any act required to be performed or prohibited by any statute or regulation incorporated herein by reference is required or prohibited by this ordinance. Any future amendments, revisions, or modifications of the statutes or regulations herein are made a part of this ordinance. Any terms used in this ordinance that are defined in § 23.33(1), Wis. Stats., shall have the meaning prescribed by statute.

(4) ATV/UTV ROUTES DESIGNATED

(a) Pursuant to § 23.33(8)(b)(1), Wis. Stats., the Town of Cottage Grove designates the following as ATV/UTV routes:

~~(a) All Town roads as posted east of County Highway N and north of U.S. Highway 12/18; and~~

~~(b)(a) Deerfield Road south of U.S. Highway 12/18 to its intersection with Schadel Road.~~

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(5) ROUTE SIGNS

Under the direction of the Town, all authorized ATV/UTV routes shall be designated by route signs. The route signs shall be provided by the local ATV Club, or its successor at their cost, and shall be installed by the ATV Club in accordance with Ch. NR 64.12, Wis. Admin. Code, under the supervision of the Town. The route signs shall be inspected by the Town annually and shall be maintained by the ATV Club, or its successor. The Town shall be promptly notified by the ATV Club of any change in responsibility for maintenance of ATV/UTV route signs.

(6) CONDITIONS

In addition to the provisions of § 23.33, Wis. Stats., and Ch. NR 64.07, Wis. Admin. Code, the following restrictions are placed on the use of the ATV/UTV routes permitted under this section:

- (a) All ATV and UTV operators shall be at least 16 years of age and possess a valid operator's license as defined in § 340.01(41g), Wis. Stats., as may be amended from time to time, including a safety certificate if required by State law. A learner's permit shall not be considered as a valid driver's license nor shall any license that has been revoked, temporarily or otherwise, or suspended for any reason, be considered as a valid driver's license during the period of suspension or revocation.
- (b) All ATV and UTV operators shall observe the posted speed limits and all other applicable traffic regulations.
- (c) The operators of ATVs/UTVs shall ride in single file.
- (d) ATV/UTV headlamps and tail lamps must be turned on at all times and ATV/UTVs must have operational brake lights.
- (e) All UTV operators and passengers must wear seat belts at all times.
- (f) All Town designated ATV/UTV routes are closed between 11:00 p.m. and 5:00 a.m. every day of the year.

(7) ENFORCEMENT

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

(8) PENALTY FOR VIOLATION

Any person who shall violate any provision of this ordinance shall, upon conviction thereof, forfeit not more than \$250, together with the costs of prosecution.

(9) SEVERABILITY

If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected.

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Adopted this ____ day of _____, 2025, by a vote of ____ for, ____ against,
with ____ abstentions.

TOWN OF COTTAGE GROVE

ATTEST:

Steven Anders, Town Chair

Kim Banigan, Town Clerk-Treasurer