WHEREAS, the Highway Committee has received a request from the Town of Cedar Lake to amend the County Parks and Recreation Ordinance as it relates to ATV trails and routes to allow the crossing of the STH 48 Bridge in Mikana and to designate a route on a portion of STH 48 between 26 ½ Avenue and 26 5/8 Avenue; and

WHEREAS, Section 23.33(4)(d)3.b. and 11(am)3 allow for local ordinances to authorize the operation of all-terrain vehicles and utility terrain vehicles on a highway bridge that is not part of the national system of interstate and defense highways, that is, 1000 feet in length or less, and is located within the territorial boundaries of the County, City, Village or Town regardless of whether those municipalities have jurisdiction over the highway; and

WHEREAS, the ordinance shall require the person crossing a bridge to do all of the following:

a) Cross the bridge in the most direct manner practicable, and at a place where no obstruction prevents a quick and safe crossing.

b) Stay as far to the right of the roadway or shoulder as practicable.

c) Stop the vehicle prior to the crossing.

d) Yield the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway or shoulder.

e) Exit the highway as quickly and safely as practicable after crossing the bridge; and

WHEREAS, the Town of Cedar Lake has passed an ordinance designating a portion of STH 48 between 26 ½ Avenue and 26 5/8 Avenue as a route and have incorporated the requirements listed above; and

WHEREAS, the Highway Committee approved the request by motion to amend the County Ordinance to allow ATV traffic over the STH 48 bridge on the south side of Mikana and forwarded the action on to the Property Committee for consideration; and

WHEREAS, this ordinance was approved by the Highway Committee on March 1, 2018, on a vote of 3-1, with Okey, Henck and Heinecke voting in favor and Horstman voting against. Thompson was absent; and

WHEREAS, this ordinance was approved by the Property Committee on March 7, 2018, on a vote of 6 - 0, with Schradle, McRoberts, Rindsig, Hanson, Rogers and Heller voting in favor and no members voting against. Henck was absent.

NOW, THEREFORE, BE IT ORDAINED, the Barron County Board of Supervisors does ordain that the Parks & Recreation Ordinance be amended to create Section 19.60(4) as follows:

“Designates a portion of STH 48 between 26 ½ Avenue and 26 5/8 Avenue, which includes the Red Cedar River Bridge, as an ATV Route pursuant to Wis. Stat.
Ordinance to Amend Barron County Parks & Recreation Ordinance Relating to Allowing ATV Traffic Over the STH 48 Bridge in Mikana

§23.33(4)(d)3.b. and Wis. Stat. §23.33(11)(am)3. Subject to the following requirements:

1) Any person crossing the bridge using an ATV or UTV shall do all of the following:
   a) Cross the bridge in the most direct manner practicable, and at a place where no obstruction prevents a quick and safe crossing.
   b) Stay as far to the right of the roadway or shoulder as practicable.
   c) Stop the vehicle prior to the crossing.
   d) Yield the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway or shoulder.
   e) Exit the highway as quickly and safely as practicable after crossing the bridge.”

BE IT FURTHER ORDAINED, that this Ordinance shall be effective upon its adoption and publication and that publication of this ordinance may occur through posting in accordance with Section 985.02 of the Wisconsin Statutes.

OFFERED THIS 19th day of March, 2018.

Number of readings required: One (X) Two (  )
Vote required for passage: Majority (X)
2/3 Entire Board (20) (  )
Source of funding: Budgeted ( ) General Fund (  )
Grant (  ) Contingency (  )
Other (X) Details: N/A
Fiscal impact:
- Current year total amount: $ - 0 -
- Future years total amount: $ - 0 -
- Effect on tax levy – current year - $ - 0 -
- Effect on tax levy – future years - $ - 0 -
Fiscal impact reviewed by County Finance Department

Jodi Busch, Finance Director

Approved as to form by:

Jeffrey French, Administrator

Donald Horstman
Highway Committee Chair

Russell Rindsig
Property Committee Vice Chair

(The Committee Chair signature verifies the action taken by the Committee.)

Board Action: Adopted (X) Failed ( ) Tabled (  )

Supervisor Okey updated the Board on the request from the Town of Cedar Lake. Cedar Lake Town Chairman Ken Leners answered questions from the Board. Motion: (Rindsig/Buchanan) to approve. Carried with Horstman opposing.