

Motorized Recreation Grant Application

For: (choose all that apply)

ATV/UTV Trail Aid

Snowmobile Trail Aid

Due Date: April 15

Notice: Completion of this form is required under Wisconsin Statutes 23.09(26) and 23.33. Failure to complete this form will result in denial of financial assistance. Personally identifiable information found on this form is not intended to be used for any other purpose. The Department of Natural Resources (DNR) may provide this information to requesters as required by Wisconsin's Public Records law {ss. 19.31 – 19.39, Wis. Stats.}.

Instructions: Applications may combine more than one source of funds. They may be submitted for consideration of traditional ATV, UTV, Snowmobile and Motorized Stewardship funding. Submit one copy of all forms and attachments. See Page 2 for necessary attachments. Send applications to your Community Services Specialist.

DNR Use Only	
Category	Number

Section 1: Applicant Information

Applicant / Organization Name Jeff Wolfe / Barron County			Check Recipient: Individual other than authorized individual to act on behalf of the applicant. <input type="checkbox"/> Select if the same as applicant.		
Individual Authorized to Act on Behalf of Applicant per Resolution Jeff Wolfe			Check Recipient Name (Name to Appear on Check) Jodi Busch		
Title Deputy Sheriff			Title Finance Director		
Address 1420 Highway 25 N.			Address 335 E. Monroe Avenue		
City Barron	State WI	ZIP Code 54812	City Barron	State WI	ZIP Code 54812
Telephone Number (715) 637-6710		Email Address jeff.wolfe@co.barron.wi.us			

Section 2: Project Information Required for all Projects

Project Title US Highway 63 DOT Bridge Replacement with trail lane					Current Funded Miles 91.90	New Miles (if applicable) N/A
County Barron	Township 35 N	Range 13	Section 6	<input type="radio"/> E <input checked="" type="radio"/> W	GPS Coordinates: Lat. 45.543707 Long. -92.017935	

Project Description Summary

The City of Cumberland along with the Wisconsin Department of Transportation are going to be replacing a bridge on US Highway 63 near Lake Street, and the plans from the DOT include an ATV/UTV and snowmobile lane which is separate from regular vehicle traffic. This is an essential component to the new bridge structure as snowmobile trail 39N uses this bridge as the main thoroughfare through the City of Cumberland. In addition there is funded ATV/UTV trail on both the north and south sides of the city. Due to the geographical layout of the city, ATV and UTV traffic must use this bridge to traverse through the city (See attached City of Cumberland ordinance allowing this).

The total cost of the addition of the ATV/UTV/Snowmobile lane is \$269,688.60, and we are asking to split the project equally between ORV and Snowmobile for \$134,844.30 for each program.

I certify that all maintenance land use agreements are on file.

Estimated Cost

Maintenance	Acquisition	Insurance	Development	Bridge Rehab.	Trail Rehab.	Total Estimated Cost
				\$134,844.30		\$134,844.30
Leave Blank – DNR Use Only						

Applicant Certification

Printed Name of Authorized Official Jeff Wolfe	Official's Title Deputy Sheriff
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As the applicant's authorized official, I certify that, to the best of my knowledge, the information in this application is true and correct.

Signature of Authorized Official

4/7/2023
Date Prepared

Checklist for Maintenance and Projects

Snowmobile	ATV/UTV	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Project is on public land and I will be applying for RTP funds for this project. \$
<input type="checkbox"/>	<input type="checkbox"/>	Land Acquisition – consult your Regional Grant Specialist for required procedures
Maintenance		
<input type="checkbox"/>	<input type="checkbox"/>	Current trail map identifying funded/unfunded miles.
<input type="checkbox"/>	<input type="checkbox"/>	Troutes – identify gas tax or no gas tax
Bridge Rehab/Replace/New, Re-Route w/bridge – Must complete Appendix A		
<input type="checkbox"/>	<input type="checkbox"/>	Quality photos showing need for rehabilitation (no snow photos)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	County wide trail map showing bridge location on the funded trail
<input type="checkbox"/>	<input type="checkbox"/>	Aerial, wetland, topo, and plat maps showing bridge location with trails overlaid
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Detailed construction plans (show length, width, rail height and approaches)
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Reroute - trail map showing old trail and proposed new trail with bridge location
<input type="checkbox"/>		
<input type="checkbox"/>		
	<input type="checkbox"/>	Identify season - Summer, Winter, Year-Round (Winter include rules)
Trail Rehab/Qualified Troute – Must complete Appendix B		
<input type="checkbox"/>	<input type="checkbox"/>	Quality photos showing need for rehabilitation
<input type="checkbox"/>	<input type="checkbox"/>	County wide trail map showing the segment proposed for rehabilitation on the funded trail
<input type="checkbox"/>	<input type="checkbox"/>	Aerial, wetland, topo, and plat maps with the trails overlaid
<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	Depth and location of gravel to be used
	<input type="checkbox"/>	Identify season - Summer, Winter, Year-Round (Winter include rules)
New Miles – Must complete Appendix B if development funds are requested		
<input type="checkbox"/>	<input type="checkbox"/>	Current county trail map identifying all requested segments.
<input type="checkbox"/>	<input type="checkbox"/>	Aerial and topo site maps for each segment requested. Include Town-Range-Section.
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Construction plans for bridges or other structures. Include Appendix A
<input type="checkbox"/>		
	<input type="checkbox"/>	Troutes – identify gas tax or no gas tax
	<input type="checkbox"/>	Identify season - Summer, Winter, Year-Round (Winter include rules)
Intensive Use Area		
	<input type="checkbox"/>	County, plat, wetland, topo maps showing project boundaries, trails, and elements
	<input type="checkbox"/>	Site plans showing any existing facilities along with proposed new construction including trails, riding courses, bridges, culverts, shelters, parking lots and toilets
	<input type="checkbox"/>	Preliminary construction plans for new trails, major grading, buildings, bridges, etc.
	<input type="checkbox"/>	
New Support		
<input type="checkbox"/>	<input type="checkbox"/>	Campgrounds, shelter, etc. Please provide detailed information.
<input type="checkbox"/>	<input type="checkbox"/>	

Appendix A – Required for Bridge Rehab/Replace, New, or Reroute with New Bridge

Bridge Rehab/Replace New Bridge Reroute with new bridge

County Barron	Township 35 N	Range 13	<input type="radio"/> E <input checked="" type="radio"/> W	Section 6	¼ ¼	¼	GPS Coordinates: Lat. 45.543707 Long. -92.017935
Water Body Name Beaver Dam Lake				Bridge Name US Highway 63		County Inventory Number N/A	
Funded Trail Name or Number (SNARS if applicable) 39N				Has this bridge site ever received development or rehabilitation funds in the past? <input type="radio"/> Yes <input checked="" type="radio"/> No Year: _____ \$ _____			
Bridge is located on: <input type="radio"/> Private property <input checked="" type="radio"/> Public property				Old Bridge/Culvert Size _____ New Bridge/Culvert Size 91'3"			
Landowner Where Bridge is Located Wisconsin Department of Transportation				Telephone Number (608) 261-8205		Length of Trail Use Agreement (5 year minimum) 75	
Current maximum load _____ lbs.		Age of Bridge 74		Bridge Material Concrete			
Proposed maximum load _____ lbs.							
Sponsoring Club Name Island City Snowmobile and ATV Club				Club Contact Chris Munden		Telephone Number	
Do you have your trail bridges posted as to maximum load? <input checked="" type="radio"/> Yes <input type="radio"/> No				What is the maximum load of the other bridges on the system if groomed with this bridge? 20,000-60,000			
What is the weight of your puller & drag/grading equipment? 25,000							
What other recreational trail uses are planned for this bridge? This lane would be exclusively be used for ATV/UTV and snowmobile.							
If there are other Recreational uses planned, how much of the bridge cost will be paid for by non-snowmobile or non-ATV users? N/A							

- Yes No Have you contacted your local DNR Water Management Specialist (WMS) regarding a permit?
- Yes No Is a permit needed? (Please provide any written correspondence from WMS.)
- Yes No Have you contacted your County Zoning Dept. regarding a floodplain determination?
- Yes No Will an H & H (hydrologic and hydraulic) study be required?

Bridge Project Detailed Description

The City of Cumberland along with the Wisconsin Department of Transportation are going to be replacing a bridge on US Highway 63 near Lake Street, and the plans from the DOT include an ATV/UTV and snowmobile lane which is separate from regular vehicle traffic. This is an essential component to the new bridge structure as snowmobile trail 39N uses this bridge as the main thoroughfare through the City of Cumberland. In addition there is funded ATV/UTV trail on both the north and south sides of the city. Due to the geographical layout of the city, ATV and UTV traffic must use this bridge to traverse through the city (See attached City of Cumberland ordinance allowing this).

Per WI DOT the bridge will be designed to meet or exceed AASHTO LRFD (HL-93) standards for loading. In 2018, during the project study, discussions with the DNR and WisDOT determined that the Region Flood Elevation was static on both sides of STH 63 and since the size of the structure would be increased the Department was in agreement that it was unlikely the project would cause impact. Therefor any further hydraulic analysis would not be necessary. All permitting requirements will be completed by SEH reference project ID 1550-04-09

Appendix A (continued)

Summarize Costs in Appropriate Categories:

Bridge Structure			
		Quote 1	Quote 2
		<input type="radio"/> Steel <input type="radio"/> Wooden	<input type="radio"/> Steel <input type="radio"/> Wooden
Bridge Dimensions:		_____	_____
Bridge Manufacturer:		_____	_____
Design Weight Load		_____ lbs.	_____ lbs.
Cost of Structure:	1. Engineering	\$ _____	\$ _____
	2. Structure	\$ _____	\$ _____
	Subtotal	\$ _____	\$ _____

		Quote 1	Quote 2
		<input type="radio"/> Contractor or <input type="radio"/> Sponsor Estimate	<input type="radio"/> Contractor or <input type="radio"/> Sponsor Estimate
Installation Costs:			
1. Engineering		\$ _____	\$ _____
2. Site Preparation		\$ _____	\$ _____
3. Abutments		\$ _____	\$ _____
4. Pilings/Piers		\$ _____	\$ _____
5. Approaches		\$ _____	\$ _____
6. Riprap		\$ _____	\$ _____
7. Labor		\$ _____	\$ _____
8. Equipment Rental		\$ _____	\$ _____
9. Culverts		\$ _____	\$ _____
10. H & H Study		\$ _____	\$ _____
11. Wetland Delineation		\$ _____	\$ _____
12. Other _____		\$ _____	\$ _____
	Subtotal	\$ _____	\$ _____
	Total Cost	\$ _____	\$ _____

For the application grant, you must take the lowest of the two quotes.

Entire Deck and Railing Projects	<input type="radio"/> Contractor <input type="radio"/> Sponsor <input type="radio"/> Club
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Bridge Dimensions:		_____
Design Weight Load		_____ lbs.
1. Materials		\$ _____
2. Labor		\$ _____
	Total	\$ _____

Appendix B – Required for Trail/Qualified Trout Rehab, Reroute, or Development

Trail Rehab Qualified Trout New Trail Trail Reroute (Mandatory or Discretionary)

County	Township	Range	<input type="radio"/> E <input checked="" type="radio"/> W	Section	¼ ¼	¼	GPS Coordinates: Lat. Long.
Barron	N						

Funded Trail Name or Number (SNARS if applicable)	Has this trail ever received development or rehabilitation funds in the past? <input type="radio"/> Yes <input type="radio"/> No Year: _____ \$ _____
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Trail is located on: <input type="radio"/> Private property <input type="radio"/> Public property	Length of Easement or Landowner Use Agreement _____ years	Expiration Date
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Landowner Where Trail is Located	Telephone Number
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What other recreational trail uses are planned for this trail?

If there are other Recreational uses planned, how much of the trail development/rehab. cost will be paid for by other users?

How many miles would be affected if this project is not funded?	Will this result in closure of a trail? <input type="radio"/> Yes <input type="radio"/> No
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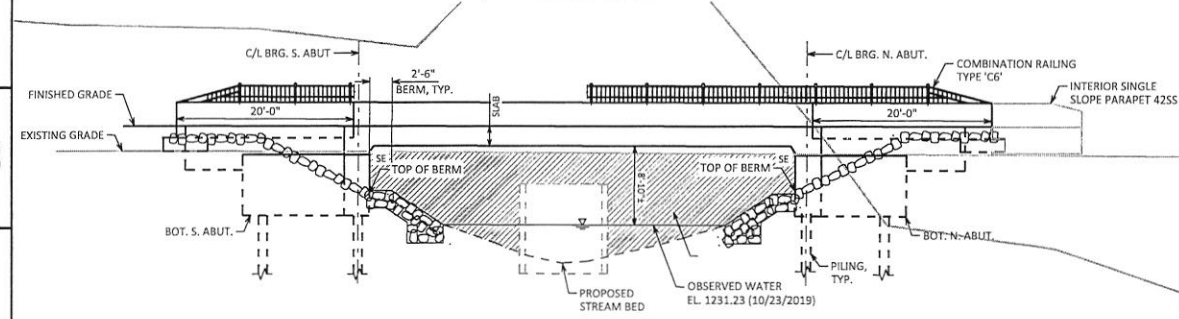
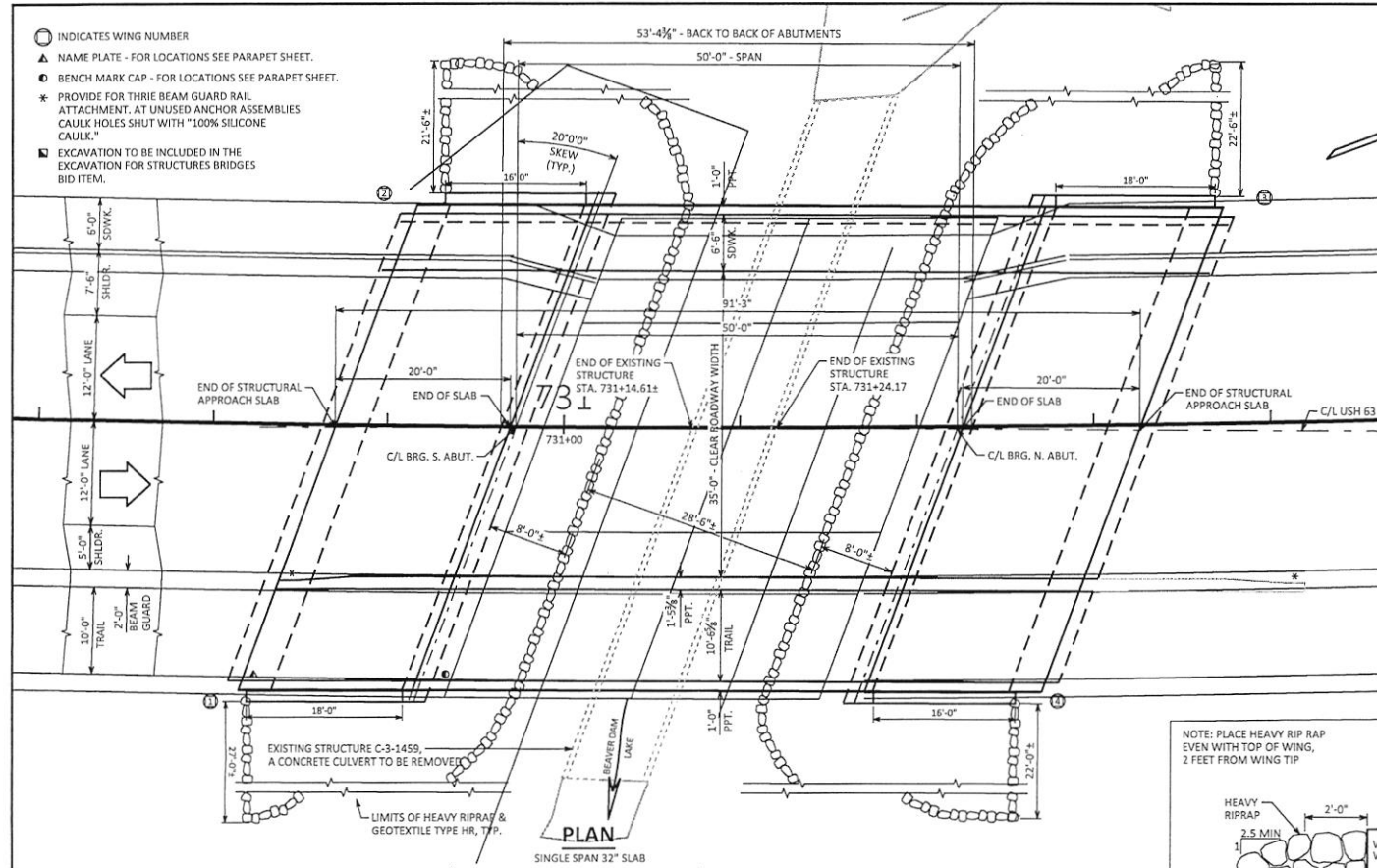
Is this a critical section to the overall trail system? <input type="radio"/> Yes <input type="radio"/> No	Is there a reasonable alternative?
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Does any section of this trail contain a bridge? <input type="radio"/> Yes <input type="radio"/> No	Will this bridge require rehabilitation now or in the next few years? <input type="radio"/> Yes <input type="radio"/> No	What is the weight of your puller & drag/grading equipment? _____ lbs.
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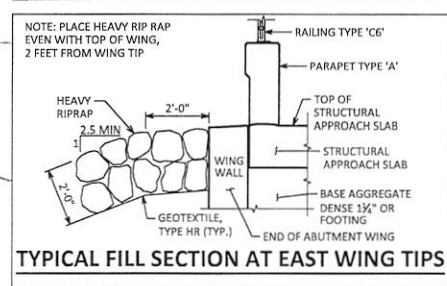
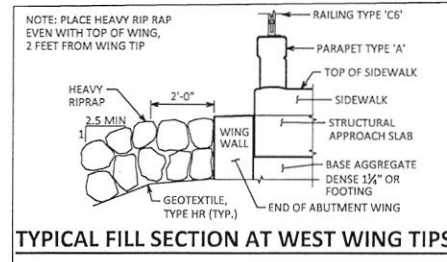
- Yes No Have you contacted your local DNR Water Management Specialist (WMS) regarding a permit?
- Yes No Is a permit needed? (Please provide any written correspondence from WMS.)
- Yes No Will this project be located near or cross any intermittent or perennial waterway? Surface Water Data Viewer
- Yes No Will this project be located near or cross any wetland?
- Yes No Will this project involve land disturbance – including clearing and grubbing – of 1 acre or more of land? (Less than 4/10th mile for a typical trail) DNR Storm Water Contact List

Trail Project Detailed Description

- INDICATES WING NUMBER
- ▲ NAME PLATE - FOR LOCATIONS SEE PARAPET SHEET.
- BENCH MARK CAP - FOR LOCATIONS SEE PARAPET SHEET.
- * PROVIDE FOR THREE BEAM GUARD RAIL ATTACHMENT. AT UNUSED ANCHOR ASSEMBLIES CAULK HOLES SHUT WITH "100% SILICONE CAULK."
- EXCAVATION TO BE INCLUDED IN THE EXCAVATION FOR STRUCTURES BRIDGES BID ITEM.



ELEVATION
[LOOKING UPSTREAM]



DESIGN DATA

LIVE LOAD:
 DESIGN LOADING: HL-93
 INVENTORY RATING: RF =
 OPERATING RATING: RF =
 WISCONSIN STANDARD PERMIT VEHICLE (WIS-SPV): XXX (KIPS)

STRUCTURE IS DESIGNED FOR A FUTURE WEARING SURFACE OF 20 POUNDS PER SQUARE FOOT.

MATERIAL PROPERTIES:
 CONCRETE MASONRY:
 SUPERSTRUCTURE & STRUCTURAL APPROACH SLAB $f'_c = 4,000$ PSI
 ALL OTHER $f'_c = 3,500$ PSI

BAR STEEL REINFORCEMENT
 GRADE 60 $f_y = 60,000$ PSI
 STAINLESS, GRADE 60 $f_y = 60,000$ PSI

FOUNDATION DATA

ABUTMENTS TO BE SUPPORTED ON XXXXXX PILING DRIVEN TO A REQUIRED DRIVING RESISTANCE OF XXX TONS ** PER PILE AS DETERMINED BY THE MODIFIED GATES DYNAMIC FORMULA.
 ESTIMATED XX'-0\"/>

**THE FACTORED AXIAL RESISTANCE OF PILES IN COMPRESSION USED FOR DESIGN IS THE REQUIRED DRIVING RESISTANCE MULTIPLIED BY A RESISTANCE FACTOR OF 0.5 USING MODIFIED GATES TO DETERMINE PILE CAPACITY.

HYDRAULIC DATA

100-YEAR FREQUENCY:
 $Q_{100} =$ C.F.S.
 $V_{100} =$ F.P.S.
 $HW_{100} =$ EL.
 WATERWAY AREA = SQ. FT.
 DRAINAGE AREA = SQ. MI.
 ROADWAY OVERTOPPING = N/A
 SCOUR CRITICAL CODE =

2-YEAR FREQUENCY:
 $Q_2 =$ C.F.S.
 $V_2 =$ F.P.S.
 $HW_2 =$ EL.

TRAFFIC DATA

FEATURE ON:
 ADT = 5,800 (2042)
 R.D.S. = 45 MPH

LIST OF DRAWINGS:

1	GENERAL PLAN
2	CROSS SECTION & QUANTITIES

STRUCTURE DESIGN CONTACTS:
 ALEXIS HANLEY 608-266-3350
 DOMINIQUE BECHLE 608-261-8205

NO.	DATE	REVISION	BY

BUREAU OF STRUCTURES

ACCEPTED _____ CHIEF STRUCTURES DESIGN ENGINEER _____ DATE _____

STRUCTURE B-3-214
 USH 63 OVER BEAVER DAM LAKE

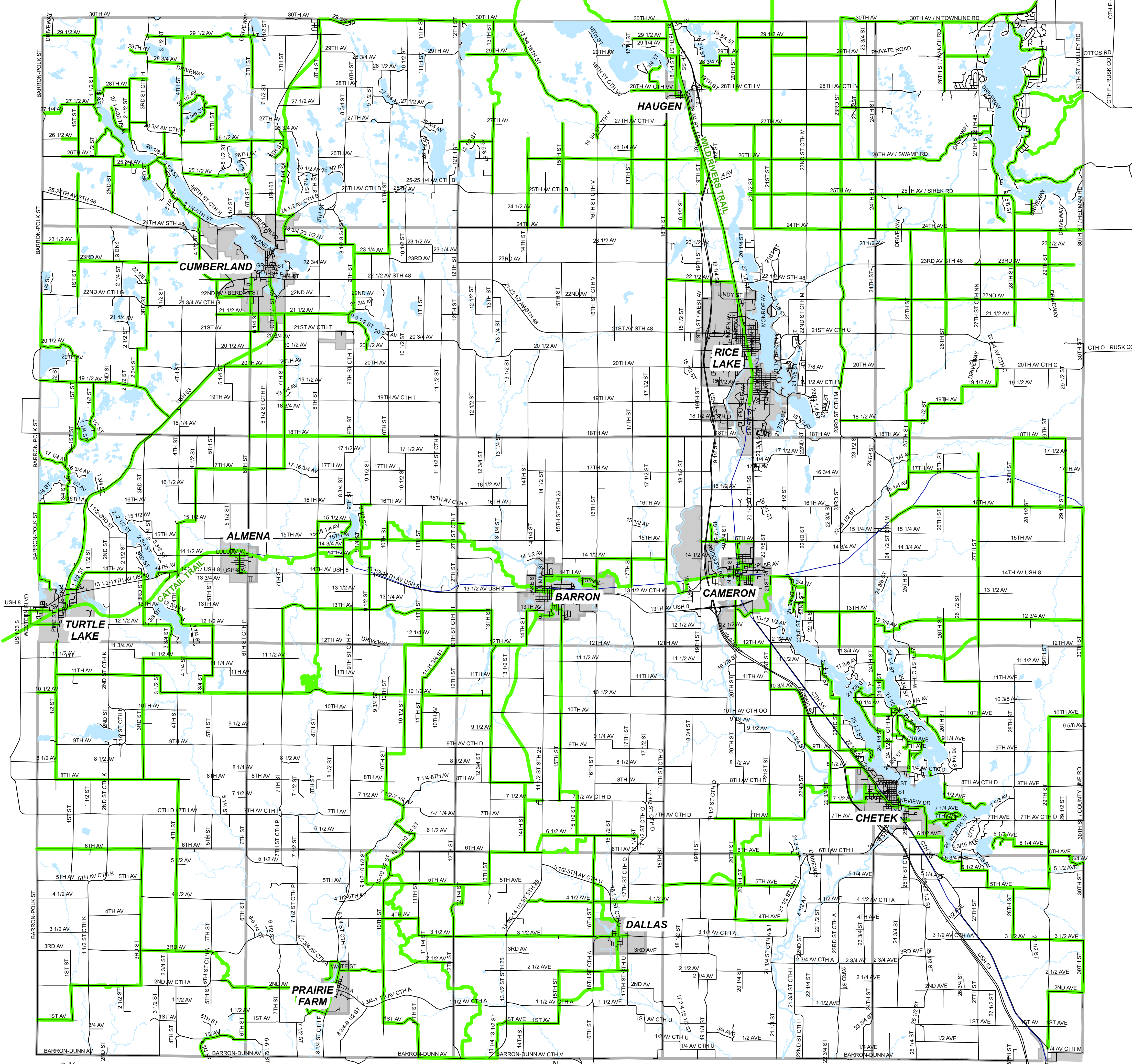
COUNTY: BARRON CITY: CUMBERLAND

DESIGN SPEC. _____
 ASHMTD LRFD BRIDGE DESIGN SPECIFICATION
 DESIGNED BY: LKH CKD DRAWN BY: LKH CKD PLANS BY: LKH CKD

GENERAL PLAN

SHEET 1 OF 2

BARRON COUNTY ATV ROUTES AND TRAILS



BARRON COUNTY
DEPARTMENT OF
LAND SERVICES &
SHERIFF'S DEPT

7.085 - ALL-TERRAIN VEHICLES AND OFF-ROAD MOTOR VEHICLE OPERATION. (Cr. #524; Am. #590; #687; #688; #689; #695; #728)

- (1) ADOPTION OF STATE ALL-TERRAIN VEHICLE LAWS. The provisions describing and defining regulations with respect to all-terrain vehicles in the following enumerated subsections of Wis. Stats. § 23.33, and any future amendments or revisions, are adopted by reference and made part of this article as if fully set forth in this section. Any acts required to be performed by the following statutory subsections or which are prohibited by such statutory subsections are required to be performed by this section or are prohibited by this section:

§ 23.33(1) Definitions (including subsections (a) through (n)).

§ 23.33(2) Registration.

§ 23.33(3) Rules of operation (including subsections (a) through (i)).

§ 23.33(3g) Use of headgear.

§ 23.33(4) Operation on or near highway (including subsections (a) through (e)).

§ 23.33(4c) Intoxicated operation.

§ 23.33(4l) Implied consent.

§ 23.33(4x) Officer's action after arrest.

§ 23.33(5)(a), (c) Age restrictions.

§ 23.33(6) Equipment requirements (including subsections (a) through (e)).

§ 23.33(7) Accidents (including subsections (a) and (b)).

- (2) UNAUTHORIZED OPERATION OF MOTOR VEHICLES.

(a) Findings.

1. The unauthorized off-road operation of motor vehicles has resulted in serious damage to public and private lands, including damage or destruction of vegetation, animal life and improvement to the lands;
2. The unauthorized off-road operation of motor vehicles has resulted in the permanent scarring of land and an increase in both erosion and air pollution;
3. The unauthorized off-road operation of motor vehicles has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons;
4. The unauthorized off-road operation of motor vehicles has resulted in a loss of the privacy, quietude and serenity to which the owners and users of land are rightfully entitled.

(b) Definitions. The following words, terms and phrases, when used in this section, shall have the

meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning;

Unauthorized means without the express prior consent of the owner, lessee, manager or other person authorized to give consent by the owner or lessee of land. Authorization shall not be implied from a failure to post private or public land.

Off-road means any location which is:

1. Not a paved or maintained public street or alley;
2. Not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
3. A private trail for use only by the owner or his permittee for recreational or other vehicular use.

Off-road shall not include any creek bed, riverbed or lake; provided, however, that this definition shall not apply to snowmobiles or other vehicles being operated on the ice covering such creek bed, riverbed or lake.

Operation means the physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion.

Motor vehicle means any vehicle which is self-propelled and shall include, but not be limited to, automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-karts, motorized three-wheeled vehicles, all-terrain vehicles, mopeds, snowmobiles, dune buggies and tractors. Motor vehicle shall not mean any airplane, railroad train, boat, wheelchair or bicycle. A vehicle which would otherwise be defined as a motor vehicle under this section shall not be so defined while:

1. It is being operated solely for the purpose of construction or maintenance of an improvement to land or solely for access to construction or maintenance sites, provided that such operation is by persons having legitimate business on such lands or sites.
2. It is being operated by or at the direction of public employees or utility company employees as part of their employment duties.
3. It is being operated by the holder of an easement or right of access on or over the land on which the operation is occurring or the holder's employee or agents.

(c) Unauthorized Off-Road Operation.

1. The unauthorized off-road operation of a motor vehicle is prohibited.
2. Except for authorized maintenance vehicles and snowmobiles or all-terrain vehicles operating in areas authorized by the common council, it shall be unlawful to operate any mini-bike, go-kart, all-terrain vehicle or any other motor-driven craft or vehicle principally manufactured for off-highway use on the city streets, alleys, parks, sidewalks, bikeways,

parking lots or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the written consent of the owner before operation of such craft or vehicle on private lands.

- (3) RULES OF OPERATION OF ALL-TERRAIN VEHICLES AND OFF-ROAD MOTOR VEHICLES. (Am. #602)
In addition to Wis. Stats. § 23.33, as adopted in subsection (1), the following rules of operation apply:
- (a) All operators born after 01/01/1988 must have a Department of Natural Resources All-Terrain Vehicle Safety Training Certificate.
 - (b) A helmet is required for all operators under the age of 18.
 - (c) No passengers are permitted at any time for operators under the age of 18.
 - (d) The towing of any vehicle or object is prohibited.
 - (e) It shall be unlawful for any operator to "block" traffic on a highway, road or intersection for the purpose of allowing other all-terrain vehicles or off-road motor vehicles to cross that highway, road or intersection.
 - (f) The speed limit on any designated route is 10 miles per hour. Any excess speed, display of power, or action which causes any of the vehicles' wheels to break contact with the ground is prohibited.
 - (g) All operators are required to stop for any law enforcement officer or law enforcement vehicle when directed to do so. Failure to stop will result in a minimum fine/forfeiture of \$500 plus court costs.
- (4) ALL-TERRAIN VEHICLE ROUTES. The route(s) in (b) are designated pursuant to City authority as authorized by Wis. Stats. § 23.33(8)(b). Further, Wis. Stats. § 23.33(11)(am)4 and Wis. Stats. § 23.33(4)(d)3.b and 11(am)3, allow the City to create ordinances to authorize the operation of all-terrain vehicles on roadways that are within the territorial boundary of the City shown in. These routes are enumerated in (c).
- (a) Access and Hours of Operation. (Am. #621)
 - 1. Reserved.
 - 2. The time of operation for designated all-terrain vehicle route(s) in the City of Cumberland shall be from 7:00 a.m. till 10:00 p.m. of each day. It shall be unlawful to operate an all-terrain vehicle outside the designated hours of operation. (Am. #602; #623)
 - 3. This section strictly prohibits access to designated all-terrain vehicle route(s) by traversing any highway, roadway or alleyway from a resident's home to any point on the designated route(s).
 - 4. All designated ATV routes will be closed Wednesday through Sunday of each August during the week of the Rutabaga Festival. (Cr. #608)
 - (b) 1. Designated Routes. Except as set forth in (ii) of this subsection, all City streets are hereby

designated All-Terrain Vehicle Routes.

2. Exceptions. The following City streets are NOT designated All-Terrain Vehicle Routes:
 - A. Elm Street from the westerly City limits to 2nd Avenue;
 - B. 2nd Avenue from Elm Street to Superior Avenue;
 - C. Superior Avenue between 2nd Avenue and Arcade Avenue;
 - D. Superior Avenue from Nedvidek Street to the northerly City limit;
 - E. All roadways lying within Eagle Point, including Island Avenue and any other roadways within such Park.

(c) Wis. Stats. § (4)(d)3.b. and (11)(am)3 allows:

1. Elm Street from the 25/45 mph speed limit transition to 7th Street;
2. Superior Avenue between Arcade Avenue and Nedvidek Street.

Wis. Stats. § (11)(am)4 allows:

3. Elm Street from 2nd Avenue to the 25/45 mph speed limit transition.

(d) Placement of Signs Indicating Route(s). (Cr. #608) ATV route(s) in the City of Cumberland must be properly marked in accordance with Wis. Stats. § 23.33(8)(e). Signs must be erected no sooner than the first day of the ATV operating season and must be removed immediately at the close of the operating season. When closed during the week of the Rutabaga Festival, all signs will be covered in a manner that will conceal their identity and purpose.

(5) PENALTIES. In addition to the penalties set forth in Wis. Stats. § 23.33, any person who violates the provisions of this section shall be subject to a penalty as provided in § 25.04 of this Code.

7.09 - REGULATION OF MOTOR DRIVEN CYCLES AND ALL-TERRAIN VEHICLES. (Cr. #476)

- (1) In this section, "all-terrain vehicle" means a motor vehicle designed primarily for use off the roadway and able to be operated upon land, snow or water and usually equipped with flotation tires or tracks.
- (2) No person shall operate a motor driven cycle or all-terrain vehicle on the private property of another without the consent of the owner or lessee of such property. Failure to post private property is not implied consent for operation of such vehicles.
- (3) No owner or other person having charge or control of a motor driven cycle or all-terrain vehicle shall knowingly authorize or permit any person to operate such vehicle who is incapable by reason of age, physical or mental disability or is under the influence of intoxicating liquor, fermented malt beverages or controlled substances.
- (4) The operation of motor driven cycles and all-terrain vehicles in public parks, airport lands, playgrounds, athletic fields, parking lots, City well fields and other public lands in the City is prohibited, except in areas specifically designated for operation of motor driven cycles and all-terrain vehicles by official signs of the Department of Parks and Recreation.

- (5) No person shall operate a motor driven cycle or all-terrain vehicle in such a manner that the exhaust of the motor makes an excessive or unusual noise.