



CITY OF ANTIGO

PUBLIC WORKS COMMITTEE MEETING

MULTI-PURPOSE ROOM

Wednesday, September 27, 2023

CITY HALL, 700 EDISON STREET

5:30 PM

Call to Order

Discussion and Action May Occur on Any of the Following Agenda Items:

1. Minutes from the August 23 and September 13, 2023 Meetings
2. Approve the Re-Bid from Ron Zalewski Farms, LLC for \$0.031 per Gallon, Including Labor and Fuel Plus \$1,100 per day for the Use of Tractor and Manure Pump for Hauling Lime Slurry
3. Consideration of Solar Project Bids received for the Wastewater Treatment Plant and Selection of Contractor utilizing Office of Energy Innovation, Focus on Energy Incentives along with Plant Replacement Funds
4. Concerns with the Placement/Location of Camera at the Intersection of Fifth Avenue and Clermont Street as Referred by Alderperson Joel Wagner
5. Informational review of proposed changes to the ATV/UTV use ordinance
6. Discussion of City Wide Curb Side Garbage Collection

Any Other Matters Authorized by Law to be Considered

Adjournment

Upon reasonable notice, efforts will be made to accommodate disabled individuals through appropriate aids and services. For additional information, contact Cheryl Barta, 700 Edison Street, Antigo, Wisconsin 54409. (715) 623-3633 extension 100. Members of and possibly a quorum of members of other governmental bodies may be in attendance to gather information. Any governmental body other than that specifically referred to above will take no action.

DATE MAILED: September 21,2023

TOM BAUKNECHT



To: Mayor and City Council
From: Tommy Horswill, Project Manager
Date: September 27, 2023
Re: Approve the Re-Bid from Ron Zalewski Farms, LLC for \$0.031 per Gallon, Including Labor and Fuel Plus \$1,100 per day for the Use of Tractor and Manure Pump for Hauling Lime Slurry

The lime slurry was re-bid after the committee rejected a high bid. One new bid was received from Ron Zalewski Farms LLC. The bid price includes the cost of a manure pump and tractor for \$1,100 per day, and a cost of \$0.031 per gallon, including labor and fuel.

It is my recommendation that the committee awards the bid to Ron Zalewski Farms LLC for the cost of \$0.031 per gallon plus \$1,100 per day for the use of tractor and pump.

If you have any questions, please contact me.

City of Antigo: Bid Tab
Lime Slurry Hauling
8/30/2023

Alderman present: Tom Bauknecht
Also present: Tommy Horswill, IAI

Vendor:	Ron Zelewski Farms LLC	1325 3rd Ave. Antigo, WI
Price for tractor & pump rental	\$1,100 per day	
Price per gallon	\$0.031 per gallon	

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WI 54409

Attachment: Copy of Lime Slurry Hauling Bid Tab (6420 : Lime Slurry Re-bid)



A. Contractor Certification/Bid Page

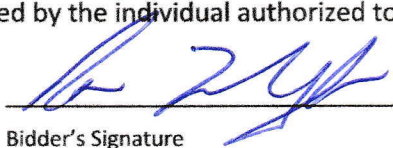
The successful contractor will be required to submit to the City a federal W-9 form (request for taxpayer information). Firms already established with the City as a contractor may have this requirement waived.

Business Name Ron Zalewski Farms LLC
 Address 1325 3rd Ave Antigo WI 54409
 Contact Name Ronnie
 Telephone # 715-216-2900 Mobile # _____
 E-mail address RZ Farms 01 @ Gmail.com

Cost per gallon for lime hauling, including all costs involved: .031

Cost for the lease/use of tractor and manure pump: 1100.00/day

The contact's name must be the person/persons authorized to represent the contractor regarding all matters related to the proposal. The letter must be signed by the individual authorized to represent the contractor.


 Bidder's Signature

* This is for trucks, tractor and pump together.



To: Mayor and City Council
From: Mark Desotell, Director of Administrative Services
Date: September 27, 2023
Re: Consideration of Solar Project Bids received for the Wastewater Treatment Plant and Selection of Contractor utilizing Office of Energy Innovation, Focus on Energy Incentives along with Plant Replacement Funds

Bids were solicited for the placement of a ground-mounted solar array at the City's Wastewater Treatment Plant. The City contracted with Legacy Solar Coop for the development of a bid package for potential contractors to respond. The design included parameters for an estimated 40% of the power needs for the facility along with battery back-up to handle peak power shaving with the potential of future expansion as a micro-grid facility.

Six bids were received and a bid tabulation is included within your agenda packet. Staff reviewed each of the bid proposals along with the assistance of the Legacy Solar Coop staff. The Wolter/Generac bid was slightly lower in price and had the strongest micro-grid component. However, it was not a complete proposal relative to the solar array installation.

We recommend the selection of Northwind Solar for the project. Northwind Solar was the contractor providing the lowest qualified priced proposal. Their as-read bid amount of \$1,010,900 was later evaluated by staff to account for a range in costs identified within the proposal for the installation of security fence and specialized underlayment/landscaping below the solar array. This brought their bid amount for equivalent comparison to other bidders to \$1,070,990.

The project costs are supported as follows:

- \$1,070,990 Project Bid Amount
- (\$ 490,000) OEI Energy Grant
- (\$ 321,297) 30% Direct Pay Grant
- (\$ 38,210) FOE Base Incentive
- \$ 221,483 City's Projected Total System Cost

Because the grants and specialized incentive funding is not available until after project completion it is recommended that we advance the project funds utilizing the City's undesignated fund balance to be reimbursed as the grant funds are received. The City's share of the project costs will come from the plant replacement fund for wastewater. Work is projected to potentially start late 2023 with a 2024 completion.

It is projected that the annualized energy cost savings will range from \$30,000 (levelized) to nearly \$50,000 each year based upon projected 20% peak demand savings. This provides a project pay-back cycle for the City's investment of 4.5 to 6 years. The projected life of the system is an anticipated minimum of 30 years with the likelihood for maintenance replacement of inverters at least once in the life cycle.

Antigo - Springbrook WWTP
N2420 Koszarek Rd., Antigo, WI
GROUND MOUNT

Basic System Information

System Size (DC)
System Size (AC)
System Cost
Price/watt before Incentives
O&I Grant
30% or 40% Direct Pay
Focus on Energy (Base Incentive)
System Cost after FOE, 30% Direct Pay & OEI
Price/watt after Incentives
Annual Usage (kWh)
Annual AC kWh produced
Price per kWh (levelized)
Price per kWh (levelized) after incentives

Equipment

Solar Panel Brand	Heliene 535 watt 144HC M10 SL Bifacial	Heliene 535 watt 144HC M10 SL Bifacial	Hanwha QCells Duo G-10 485 watt	VSUN Solar 550w MONO Bi-Facial Wht Mesh/Silver Frame Module	Mission Solar's 430W (MSE430SX92)
# of Panels	720	720	726	638	814
Panel Warranty	15 year product; 25 year product warranty	15 year product; 25 year product warranty	25-year product warranty and a 25-year performance guarantee	25 years Material & Workmanship; 30 years Linear power output	25-year product warranty, 25-year output guarantee
Inverter Type	Solectria 60 kW PVI-60TL	Solectria 60 kW PVI-60TL	100 kW Chint Power Systems (CPS)	Sol-Ark 60K-3P-480V/60kW 3Phase 480v Hybrid String Inverter (w/installation wiring)	Yaskawa Solectria's XGI1500-175 series
# of Inverters	5	5	3	5	2
Inverter Warranty	20 year extended product warranty	20 year extended product warranty	20-year warranty	20 year extended product warranty	5 year standard option for 10 years
Inverter Location	At Array	At Array	At array	Unifac DGT	NE Corner Maintenance Bldg
Racking	Unifac GFT	Unifac GFT	Sinclair	25-Year Limited Warranty	Sinclair Skyrack 2.0
Racking Warranty	25-year limited product warranty	25-year limited product warranty	20-year product warranty	ELM C-BESS battery system	20-year product warranty
Battery	Socomec Model: HES L150/372 (2 Racks)	Socomec Model: HES L150/372 (2 Racks)	ELM C-BESS battery system	DEKA Duration D05300 5.3kwh Lithium Iron Phosphate Battery (30 count)	Fortress eSpire 280
Battery Storage Capacity	150 kW / 372 kWh	150 kW / 372 kWh	125 kW / 220 kWh	159 kWh (5.3kWh per)	125 kW / 280 kWh
Battery Warranty	10 year extended product warranty	10 year extended product warranty	2-year warranty (extendable)	2-year warranty	600 kWh
Battery Chemistry	Lithium Iron Phosphate (LFP)	Lithium Iron Phosphate (LFP)	Nickel Manganese Cobalt (NMC)	Lithium Iron Phosphate (LFP)	Lithium Iron Phosphate (LFP)
# of Cycles				7000	8000
Battery Location	North	North	North side of Maintenance Building		NE corner of Maintenance Building

Predictions

kWh/kW (LSC levelized)
Estimated Yr 1 Savings (levelized)
Net Estimated Savings (30 Years) (levelized)
Net Estimated Savings (30 Years) (levelized) w/20% demand savings
Payback Period (levelized)
30 Year IRR (LSC)

Installer Information

Installation Warranty
Labor Policy within Workmanship
Estimated Install Date
Proposal compliant with ARRA
Proposal compliant with Davis-Bacon
Payment Schedule



To: Mayor and City Council
From: Dan Duley, Chief of Police
Date: September 27, 2023
Re: Informational review of proposed changes to the ATV/UTV use ordinance

A request has been made for the city of Antigo to open the streets to ATV/UTV use.

This meeting agenda items is for informational purposes to review possible updates to the current city ordinance to allow use of ATV/UTV's on city streets and solicit any other possible comments or changes for the ordinance. No action needs to be taken on the suggested changes.

I have attached a draft of possible changes to our current ordinance. The areas in red are new language to add and the area with the strike out are language to delete.

Future steps in the change to our ordinance would be a public information meeting, a final proposal sent to the Finance, Personnel and Legislative Committee for approval, and Council approval.

- CODE OF ORDINANCES
Chapter 38 - TRAFFIC AND VEHICLES
ARTICLE V. ALL-TERRAIN VEHICLES AND OFF-ROAD MOTOR VEHICLES

ARTICLE V. ALL-TERRAIN VEHICLES AND OFF-ROAD MOTOR VEHICLES

DIVISION 1. GENERALLY

Sec. 38-371. State all-terrain vehicle laws adopted.

The provisions describing and defining regulations with respect to all-terrain vehicles in the following enumerated subsections of Wis. Stats. § 23.33 and any amendments or revisions are adopted by reference and made part of this section 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:

- (1) Wis. Stats. § 23.33(2), registration.
- (2) Wis. Stats. § 23.33(3), rules of operation, including subsections (a) through (i).
- (3) Wis. Stats. § 23.33(4), operation on or near highway, including subsections (a) through (e).
- (4) Wis. Stats. § 23.33(5)(a)(c), age restrictions.
- (5) Wis. Stats. § 23.33(6), equipment requirements, including subsections (a) through (e).
- (6) Wis. Stats. § 23.33(7), accidents, including subsections (a) and (b).
- (7) Wis. Stats. § 23.33(1), definitions, including subsections (a) through (n).

(Code 1999, § 10-4-1)

Sec. 38-372. Unauthorized operation on public or private property.

(a) *Purpose.* The purpose of this section is as follows:

- (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; and
- (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.* For purposes of this section, the following terms shall be defined as follows:

Motor vehicle means any vehicle, which is self-propelled and shall include but not be limited to automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-carts, motorized three-wheeled vehicles, all-terrain vehicles (ATV), utility-terrain vehicle (UTV), mopeds, snowmobiles, dune buggies and tractors. The term "motor vehicle" shall not mean any airplane, railroad train, boat, wheelchair, golf cart, or bicycle. A vehicle, which would otherwise be defined as a motor vehicle under this section, shall not be so defined while it is being operated:

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

Off-road means any location which:

- (1) Is not a paved or maintained public street or alley;
- (2) Is not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
- (3) Is a private trail for use only by the owner or his/her permittees for recreational or other vehicular use. The term "off-road" shall not include any creekbed, riverbed or lake; provided, however that this term shall not apply to snowmobiles or other vehicles being operated on the ice covering such creekbed, riverbed or lake.

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

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.

(c) *Unauthorized off-road operation.* Unauthorized off-road operation is prohibited as follows:

- (1) The unauthorized off-road operation of a motor vehicle is prohibited.
- (2) Except for authorized maintenance vehicles and snowmobiles, all-terrain vehicles, or utility-terrain vehicles operating in areas authorized by the common council, it shall be unlawful to operate any minibike, go-cart, all-terrain vehicle, utility-terrain vehicles, golf carts 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.

(d) *Parks and cemeteries.* No person shall operate a snowmobile, motorcycle or motorbike in any city park or cemetery, except on city-marked trails.

(e) *Go-carts and dirt bikes.* The operation of go-carts and dirt bikes (noncomplying motor vehicles) is not permitted on city streets or city-owned property.

(Code 1999, § 10-4-2)

Secs. 38-373—38-380. Reserved.

~~**DIVISION 2. ATV ACCESS TO SNOWMOBILE ROUTES**~~

~~Sec. 38-381. Intent.~~

The intent of this division is to provide a means for persons to travel from a residence and lodging establishment within the city limits of the City of Antigo, for the shortest distance that is necessary for a person to operate an ATV to the snowmobile route or trail that is closest to that residence or lodging establishment. It shall be that person's responsibility to determine the shortest route. For purposes of this division, the snowmobile routes and trails shall also be considered ATV routes and trails.

(Ord. No. 1144B, § 1, 12-14-2005)

~~Sec. 38-382. Statutory authority.~~

This division is adopted as authorized under Wis. Stats. § 23.33(8)(b).

(Ord. No. 1144B, § 2, 12-14-2005)

~~Sec. 38-383. Designated roadways and/or highways.~~

A person may operate an ATV on all roadways or shoulders of a highway not designated as a snowmobile route except Highways 45, 52 and 64 and including Fifth Avenue, South Superior Street, Superior Street, Langlade Road and Neva Road.

(Ord. No. 1144B, § 3, 12-14-2005)

~~Sec. 38-384. Conditions.~~

The use of the roadways or shoulders of highways or streets under this division shall be subject to the following conditions:

- (1) ~~ATV's shall be operated on the extreme right side of the roadway and travel with the flow of traffic.~~
- (2) ~~ATV's are to be operated in single file.~~
- (3) ~~Headlights should be on at all times.~~
- (4) ~~ATV operators shall yield the right of way to other vehicular traffic and pedestrians.~~
- (5) ~~No operator may be under the age of 16 years.~~
- (6) ~~Said operation shall only be permitted during the period of time when snowmobile trails have been officially opened to ATV use by Antigo Sno Drifters until they are officially closed, and the operator shall be responsible for determining this.~~
- (7) ~~ATV's violating any of the above conditions would be subject to the underlying violation of operating on the roadway.~~

(Ord. No. 1144B, § 4, 12-14-2005)

~~Sec. 38-385. Speed.~~

An ATV operated on a portion of the roadway or shoulder of a highway pursuant to this division shall observe roadway speed limits.

(Ord. No. 1144B, § 5, 12-14-2005)

Sec. 38-386. Enforcement.

The City of Antigo Police Department shall be responsible for enforcing this division.
(Ord. No. 1144B, § 6, 12-14-2005)

Sec. 38-387. Penalties.

Wisconsin state all terrain vehicle penalties as found in Wis. Stats. § 23.33(13) are adopted by reference.
(Ord. No. 1144B, § 7, 12-14-2005)

DIVISION 3. ALL-TERRAIN VEHICLES (ATV) AND UTILITY-TERRAIN VEHICLE (UTV)***USE ACCESS TO ATV/UTV ROUTES¹*****Sec. 38-388. State all-terrain vehicle and utility-terrain vehicle laws adopted.**

The provisions describing and defining regulations with respect to all-terrain vehicles and utility-terrain vehicles in Wis. Stats. § 23.33 and any future amendments or revisions are adopted by reference and made part of this section as if fully set forth herein. 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, pursuant to Wis Stats §23.33(11).

Except as otherwise specifically provided in this article, the statutory provisions describing and defining regulations with respect to ATV/UTV's in the following enumerated sections of the state statutes, exclusive of any provisions herein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a forfeiture or term of imprisonment are adopted and by reference made a part of this Code, are hereby adopted by reference and incorporated herein as if fully set forth. Acts required to be performed or prohibited by such statutes are required or prohibited by this article. Any future amendments, revisions or modifications of the statutes incorporated herein by reference are intended to be made part of this Code. The list of statutes includes, but is not limited to the following: Wis. Stats. § 23.33.

(Ord. No. 1306B , § 1, 9-12-2018)

Sec. 38-389. Applicability of traffic regulations to ATV/UTV operation.

No person shall operate an ATV/UTV upon any street, highway or alley within the city in violation of the traffic regulation provisions of Wis. Stats. § 346.04, 346.06, 346.11, 346.14 (1m), 346.18, 346.19, 346.20, 346.21, 346.215 (3), 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and 346.94 (1) and (9).

346.02(10) and (11), 346.04, 346.06, 346.075(1), 346.11, 346.14(1m), 346.18—346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46—346.48, 346.50(1)(b), 346.51—346.55, 346.87—346.91, 346.92(1) and 346.94(1), and (9).

(Ord. No. 1306B , § 1, 9-12-2018)

¹State law reference(s)—All-terrain vehicles, Wis. Stats. § 23.33.

Sec. 38-390. Intent.

The City of Antigo allows for the operation of all-terrain vehicles and utility terrain vehicles upon the roadways and city owned property throughout the City of Antigo. Following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, these routes and trails have been created.

~~The intent of this division is to provide a means for persons to travel from a residence and/or lodging establishment within the limits of the City of Antigo for the shortest distance necessary for a person to operate an ATV/UTV to the ATV/UTV route or trail that is closest to that residence or lodging establishment.~~

- ~~(1) Such travel shall be allowed only when the connecting Langlade County ATV/UTV trails are open and operational.~~
- (1) All-Terain vehicle and utility-terrain vehicle access may be closed at any time, by order of the chief of police.
 - (2) The city shall, from time to time, designate preferred routes within the city limits, maps of which shall be kept on file with the office of the clerk-treasurer/finance director and the Antigo Police Department. That map delineates preferred routes of travel for ATV/UTV's.

(Ord. No. 1306B , § 1, 9-12-2018)

Sec 38-391. Authority

The City Council of the City of Antigo, Langlade County, Wisconsin has the specific authority to adopt this All-Terrain and Utility Terrain Vehicle Ordinance under Wis. Stats. 23.33(8)(b) and (11).

Sec 38-392. Definitions

For this Section, the following definitions shall be used.

- (a) All-terrain vehicle (ATV) means a commercially designed and manufactured motor driven device that has a weight, without fluids, of 900 pounds or less, has a width of 50 inches or less, is equipped with a seat designed to be straddled by the operator, and travels on three or more low-pressure tires or non-pneumatic tires.
- (b) City means the City of Antigo, the City Council, Common Council, or any other City of Antigo official(s) or agent authorized by the City Council to act on behalf of the City of Antigo.
- (c) Utility terrain vehicle (UTV) means any of the following:
 1. A commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy mini-truck, or tracked vehicle, that is designed to be used primarily off a highway, and that has, and was originally manufactured with, all the following:
 - (a) A weight, without fluids, of 3,000 pounds or less.

- (b) Four or more low-pressure tires or non-pneumatic tires.
- (c) A steering wheel.
- (d) A taillights.
- (e) A brake lights.
- (f) Two headlights.
- (g) A width of not more than 65 inches.
- (h) A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.
- (i) A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.

2. A commercially designed and manufactured motor driven device to which all of the following applies:
- (a) It does not meet federal motor vehicle safety standards in effect on July 1, 2012; is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle; is designed to be used primarily off of a highway; and has, and was originally manufactured with, a weight, without fluids, of not more than 3,000 pounds.
 - (b) It has a width of 65 inches or less as measured laterally between the outermost wheel rim on each side of the vehicle, exclusive of tires, mirrors, and accessories that are not essential to the vehicle's basic operation.
 - (c) (c. It is equipped with a seat designed to be straddled by the operator.
 - (d) d. It travels on 3 or more tires.
 - (e) e. It is not an all-terrain vehicle, as defined in s. 340.01 (2g)..

Sec 38-393 Designation of all-terrain and utility terrain vehicle routes.

Pursuant to Wis. Stats. § 23.33(4)(d)4., except as otherwise provided in Wis. Stats. § 23.33(4), no person may operate an all-terrain or utility terrain vehicle on any road, freeway, or highway in the City, except on those roadways that are designated as all-terrain and utility terrain vehicle routes by this Section.

- (a) All streets in the City of Antigo are open to ATVs/UTVs.
- (b) The route(s) does not include public properties, City-owned parks, Unified School District of Antigo Property, etc., except for those with designated parking areas or trails where motorized vehicles normally park. ATV/UTV operators must receive permission from the Unified School District of Antigo to utilize parking lots on school district properties.
- (c) The routes do not include private roads or driveways nor any private property in the City. The City shall retain the right to close any City street to ATV/UTV operation for special events or street construction/repair without notice.

Sec 38-394 Route restrictions.

Pursuant to Wis. Stats. § 23.33(8)(e), the following restrictions are placed on the use of the City all-terrain and utility terrain vehicle routes designated by this Section. Any specific routes shall be marked with uniform all-terrain and utility terrain vehicle route signs in accordance with section NR 64.12(7), Wisconsin Administrative Code. No person may do any of the following regarding signs marking City ATV/UTV routes unless authorized to do so.

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

Sec. 38-~~393~~395. Prohibited routes for all-terrain or utility-terrain vehicle travel.

Prohibited routes for all-terrain or utility-terrain vehicle travel as follows:

- Highway 64 (aka: Century Ave.) and Highway 45 (aka: Superior Street, South Superior Street and Neva Road).
- ~~5th Avenue and CTH F.~~
- ~~Langlade Road.~~

(Ord. No. 1306B , § 1, 9-12-2018)

Sec 38-~~395~~ 396. Maintenance of all-terrain and utility terrain vehicle routes.

- (a) Designation of segments of the City road system as ATV/UTV routes does not impose upon the City a greater duty of care or responsibility for maintenance of those segments than for any other segment of City road.
- (b) Operators of ATV/UTVs on City roads assume all the usual and normal risks of ATV/UTV operation.
- (c) The City accepts no liability for the operation of ATVs/UTVs on any City streets under the provisions of this Section.

Sec. 38-~~391~~ 397. Conditions for operation.

- (a) *Speed.* An ATV/UTV operated on a portion of any city street, pursuant to this division, shall observe roadway speed limits.
- (b) *Operating While Under the Influence.* Operators will be held to the same enforcement, expectations, permissions, penalties, restrictions, in addition to all other standards adopted by Wisconsin Statutes, which apply to the offense of driving a motorized vehicle under the influence of alcohol, drugs, and/or other chemical agents, which impair an operator's safe use of a motorized vehicle.
- (c) *Place of travel.* Shall operate on the far right paved portion of the highway, unless making a left turn. Operation on the gravel shoulder, grassy in-slope, ditches, or other highway right of way is prohibited,

~~unless yielding the right-of-way, or shoulder and shall not be in the roadway/traffic lane, and travel with the flow of traffic.~~

- ~~(d) Single-file operation.~~ ATV/UTV's shall be operated in single file. ~~and as far to the right portion of the street as possible.~~
- (e) *Safety.* Headlights and tail lamps shall be on at all times during operations.
- (f) *Turn Signals.* Hand signals shall be used when turning or turn signals used if the vehicles is so equipped.
- (g) *Age of Operation.* No person under the age of 16 may operate an ATV/UTV on any segment of City road which is a designated ATV/UTV route unless accompanied by an adult and are subject to Wisconsin Statutes and/or DNR rules and regulations pertaining to age, safety, and safety certificate requirements.
- (h) *Head Protection.* No person under the age of 18 may operate or be a passenger of an ATV/UTV on any designated route unless wearing approved protective headgear.
- (i) *Traffic and pedestrians.* ATV/UTV operators shall yield the right-of-way to other vehicular traffic and pedestrians.
- (j) *Sidewalk operation prohibited.* No person shall operate an ATV/UTV on any sidewalk or pedestrian way within the city.
- (k) *Street crossings.* No operator of an ATV/UTV shall cross any street, except at its intersection and then only at right angles to the street crossed.
- (l) *Use of trailers or sleds.* No person shall operate an ATV/UTV upon any street within the city with any person, trailer or sled attached or trailing said vehicle, unless it is designed for such activities. Anyone operating such conveyance in an unsafe or reckless manner shall be deemed in violation of this section.
- (m) *Operation in parks.* No person shall drive an ATV/UTV in any park within the city.
- (n) *Permission of property owner required.* No person shall operate an ATV/UTV on any private property not owned or controlled by them within the city without the express consent or permission of the owner.
- (o) *Golf Cart.* A golf cart is a vehicle whose speed attainable in one mile does not exceed 20 miles per hour on a paved, level surface, and that is designed and intended to convey one or more persons and equipment to play the game of golf in an area designated as a golf course or as defined in § 23.33(fm) Wis. Stats. And any amendments thereto. A golf cart is not an ATV/UTV is not allowed on the ATV/UTV routes established by this section.
- (p) *Crossing a bridge.* ATV/UTV's crossing a bridge shall:
 - 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 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.
 - f. ATV/UTV's violating any of the above conditions would be subject to the underlying violation of operating on the roadway.

(Ord. No. 1306B , § 1, 9-12-2018)

Sec 38-398 Licensing, insurance, and registration.

- (a) *Driver's license.* Every person who operates an ATV/UTV on a segment of City road, which is designated as an ATV/UTV route, shall have in his or her immediate possession a valid motor vehicle operator's license and shall display the license document upon demand from any law enforcement officer or official described in Wis. Stats. § 23.33(12). All person(s) subject to Wisconsin Statutes and/or DNR rules and regulations pertaining to safety certificate requirements.
- (b) *Insurance.* Every person who operates an ATV/UTV on a segment of City road, which is designated as an ATV/UTV route, and/or every ATV/UTV operated on a segment of City road which is designated as an ATV/UTV route, shall carry liability, and/or other insurances consistent with Wisconsin state law for the operation of a motorized vehicle.
- (c) *Registration.* The operator of an all-terrain vehicle or utility terrain vehicle shall have in his or her possession at all times while operating the vehicle proof of the registration certificate or, for an all-terrain vehicle or utility terrain vehicle the owner of which has received a temporary operating receipt but has not yet received the registration certificate, proof of the temporary operating receipt. The operator of an all-terrain vehicle or utility terrain vehicle shall display this proof upon demand for inspection by a law enforcement officer.

Sec 38-399 Disturbing of the peace, and nuisance activities.

- (a) *Cruising prohibited.* No person shall, while operating an ATV or UTV, engage in the practice of cruising on any authorized road. Cruising is defined as running all or part of the length of a roadway multiple times, per day, back and forth, for any purpose other than departing or arriving at their residence, or place of lodging, or departing or arriving, at a public boat landing.
- (b) *Exhaust system/muffler modifications prohibited.* No person shall operate on a City route any ATV/UTV unless such ATV/UTV is equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise or annoying smoke.
- (c) *Radios or the electric sound amplification devices.* No person may operate or park, stop or leave standing an ATV/UTV vehicle while using a radio or other electric sound amplification device emitting sound from the vehicle that is audible under normal conditions from 75 feet or more, unless the electric sound amplification device is being used to request assistance or warn against an unsafe condition.

Sec.38-400. Maintenance of all-terrain and utility-terrain vehicle routes

- (a) Designation of segment of the city road system as ATV/UTV routes does not impose upon the City a greater duty of care or responsibility for maintenance or those segments than for any other segment of city roads.
- (b) Operators of ATV/UTV on city roads assume all usual and normal risks of ATV/UTV operation.

- (c) The City accepts no liability for the operation of ATV/UTV's on city streets under the provisions of this ordinance.

Sec. 38-392 401. Unattended vehicles.

No person shall leave or allow an ATV/UTV owned or operated by them to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.

(Ord. No. 1306B , § 1, 9-12-2018)

Sec. 38-394 402. Enforcement and procedure.

- (a) This Section may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin. A copy of the ordinance from which this Section was derived shall be sent by the City Clerk to the Antigo Police Department, the Langlade County Sheriff's Department, and the Department of Natural Resources, and any other law enforcement agency serving the City of Rhinelander's jurisdiction.
- (b) As a substitute for or in addition to forfeiture actions, the City Attorney may, on behalf of the City, seek enforcement of any and all parts of this Section by court actions seeking injunction orders or restraining orders and/or pursuing nuisance actions against the violator.
- (c) Penalties. The penalties under Wis. Stats. § 23.33(13)(a) are adopted by reference.
- ~~(a) Uniform citation for highway violations. The uniform traffic citation promulgated under Wis. Stats. § 345.11, shall be used for violations of this chapter relating to highway use, except as herein provided.~~
- ~~(b) Other violations. All violations of this division not described in subsections (a) and (b) of this section shall be enforced in accordance with Wis. Stats. § 66.0111 and 66.0114. Stipulations of guilt or not contest may be made as provided in Wis. Stats. § 66.0114(1)(b), in substantially the form provided in the uniform traffic citation within five days of the date of the citation for such violation. Bail deposits may also be made under Wis. Stats. § 66.0111.~~
- ~~(c) Forfeited penalties and deposits. Except as otherwise provided in Wis. Stats. § 345.26, and the deposit schedule adopted by the state board of circuit court judges thereunder, required penalties and deposits or bail, not including costs or fees for violation of this chapter, shall be as established by the schedule adopted by the common council.~~

(Ord. No. 1306B , § 1, 9-12-2018)

Sec 38-403. Savings Clause

If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

Sec 38-404 Severability

If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

Secs. ~~38-395~~ 404—~~38-400~~ 410. Reserved.



To: Mayor and City Council
From: Beth McCarthy, Building Inspector/Zoning Administrator
Date: September 27, 2023
Re: Discussion of City Wide Curb Side Garbage Collection

Per Alderperson Kassis's request, I am putting the topic of city wide curbside garbage collections on the public works agenda as a discussion item.