

TOWN OF RHINE MUNICIPAL CODE

CHAPTER 3: SNOWMOBILES, ATVS AND UTVS¹

Section	Title	Page
	Table of Contents	1
3.01	Snowmobiles	2
3.02	Additional Regulations	2
3.03	Hours of Operation	3
3.03	ATV/UTV Usage on Public Highways	3
3.04	State Statutes Adopted	5
3.05	Severability	5
3.06	Road Route Map	6

¹ Created by Ord. 2024-01, adopted January 2, 2024, enacted August 27, 2024.

3.01 SNOWMOBILES. Except as otherwise provided, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated Sections of the Wisconsin Statutes are hereby adopted by reference and made part of this Ordinance as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this Ordinance.

350.01	Definitions
350.02	Operating Snowmobiles on or in the Vicinity of Highways
350.03	Right of Way
350.04	Snowmobile Races, Derbies, and Routes
350.05	Persons Under 12 Operating a Snowmobile
350.06	Firearms and Bows
350.07	Driving Animals
350.08	Owner Permitting Operation
350.09	Head Lamps, Tail Lamps, and Brakes
350.10	Miscellaneous Provisions for Snowmobile Operation
350.12	Registration of Snowmobiles

3.02 ADDITIONAL REGULATIONS. Except as provided in Wis. Stat. §350.02 and §350.04, no person shall operate any snowmobile upon any public park or Town road in the Town of Rhine or upon any private property without the express written consent of the owner of said property except upon clearly marked routes as established by the Town of Rhine in cooperation with area snowmobile clubs. The following highways are designated as snowmobile routes pursuant to Wis. Stat. ' 350.04:

- (1) Golf Course Road from Quit Qui Oui Golf Course south to State Highway 67.
- (2) Hammann Road from Golf Course Road west to Summit Road.
- (3) Summit Road from Hammann Road south to County Trunk J.
- (4) Lime Kiln Road from State Highway 67 west to County Trunk J.
- (5) Badger Road east from State Highway 67 for six hundred feet (600').
- (6) County Trunk X west from State Highway 67 for six hundred feet (600').
- (7) County Trunk MM west from Jung Road for one-quarter (1/4) mile.

3.03 HOURS OF OPERATION. Any snowmobile operated within the Town of Rhine between the hours of 1:00 a.m. and 6:00 a.m. shall be operated by half throttle and in such a manner so as not to disturb the peace.

3.04 ATV/UTV USAGE ON PUBLIC HIGHWAYS²

(1) Designation of ATV/UTV Routes.

(a) Town ATV/UTV Routes. The following are designated as “ATV/UTV Routes” where all-terrain vehicles (“ATVs”) and utility terrain vehicles (“UTVs”) may operate: all Town roads (except as set forth in (c), below) and all state and county highways within the Town for which the speed limit is 35 miles per hour (MPH) or less (except as set forth in (c), below).

(b) County ATV/UTV Routes. Certain additional Sheboygan County highways within the Town (for which the speed limit is more than 35 MPH) have been designated as ATV/UTV Routes, following the request of the Town and the approval of the Sheboygan County Transportation Committee pursuant to § 26.07 of the Sheboygan County Code. See Road Route Map 3.07.

(c) Exceptions. The following roads are NOT designated as Town ATV/UTV Routes:

1. County Highway A from the border of the Village of Elkhart Lake east to Willow Road
2. State Highway 32
3. State Highway 57
4. State Highway 67

(d) The Town reserves the right to open and close Town ATV/UTV Routes, and to withdraw its support for County ATV/UTV Routes, as it deems appropriate by a simple majority vote of the Town Board.

(2) Signage.

(a) All ATV/UTV Routes within the Town shall be marked with uniform ATV and UTV route signs in accordance with § 23.33(8)(e), Wis. Stats., and NR 64.12(7), Wisconsin Administrative Code.

² Created by Ord. 2024-01, adopted January 2, 2024, enacted August 27, 2024.

(b) No person may do any of the following in regard to signs marking ATV/UTV Routes:

1. Intentionally remove, damage, deface, move or obstruct any sign or standard
2. Intentionally interfere with the effective operation of any sign or standard legally placed by the state, any municipality or any authorized individual;
3. Possess any uniform ATV/UTV 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 same in a lawful manner. Possession of a uniform ATV/UTV route or trail sign or standard creates a rebuttable presumption of illegal possession.

(3) Restrictions for Operating on Designated ATV/UTV Routes. The following provisions or restrictions apply to the operation of ATVs and UTVs on Town ATV/UTV Routes:

- (a)** ATVs/UTVs must be operated on 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, pursuant to s. 23.33(4)(d)4. Wis. Stats.
- (b)** ATVs/UTVs must be operated single file (not side-by-side).
- (c)** ATVs/UTVs shall not exceed 35 miles per hour or the posted roadway speed limits, whichever is less.
- (d)** ATVs/UTVs shall not exceed 10 mph within 150 feet of a dwelling.
- (e)** ATVs/UTVs shall at all times display a lighted headlamp, tail lamp, working brake light and registration plate.
- (f)** Solo operators must be at least 16 years old and possess a valid motor vehicle driver's license.
- (g)** Operators born after December 31, 1987 must have completed an approved ATV/UTV safety certification course.
- (h)** Operators and ATV/UTV operations are otherwise subject to the provisions of s. 23.33, Wis. Stats., which is adopted as a part of this ordinance by reference.
- (i)** No person under age 18 may operate or be a passenger on an ATV or UTV without wearing protective headgear of the type required under s. 347.485(1)(a), Wis. Stats., with the chin strap properly fastened, except as exempted under s. 23.33(3g)(b, c & d)., Wis. Stats.

(j) Approved hand signals are required whenever the operator intends to change direction if the vehicle is not equipped with turn signals.

(4) **Enforcement.** This section shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin or the Town of Rhine.

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

(6) **Liability.** ATV/UTV operation is at the risk of the operator and any passenger(s). In establishing ATV/UTV routes for recreational use, the Town intends to utilize the liability and immunity protections provided under s. 895.52, Wis. Stats., but the Town does not waive any other liability exemptions and/or limitations afforded the Town under Wisconsin law.

3.05 STATE STATUTES ADOPTED³

(1) **Snowmobile Enforcement.** Wis. Stat. § 350.17, relating to the enforcement of state snowmobiling regulations, and Wis. Stats. § 350.101-.108, related to intoxicated snowmobile use (both as amended) are adopted by reference thereto and made a part of this Chapter to be enforced within the Town by its contracted law enforcement.

(2) **ATV/UTV Enforcement.** Wis. Stat. § 23.33(12), relating to the enforcement of state and local ATV/UTV vehicle regulations, and § 23.33(4c)-(4z), related to intoxicated ATV/UTV use (both as amended) are adopted by reference thereto and made a part of this Chapter to be enforced within the Town by its contracted law enforcement.

3.06 Severability⁴

Should any portion of this Ordinance or the affected Code Section(s) be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

³ Created by Ord. 2024-05, adopted October 1, 2024.

⁴ Created by Ord. 2024-01, adopted January 2, 2024, enacted August 27, 2024.

