

TOWN OF RHINE MUNICIPAL CODE

CHAPTER 3: SNOWMOBILES, ATVS AND UTVS¹

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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 Chapter as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this Ordinance. *(Rev. 12/09/2025)*

- (1) § 350.01 Definitions
- (2) § 350.02 Operating Snowmobiles on or in the Vicinity of Highways
- (3) § 350.03 Right of Way
- (4) § 350.04 Snowmobile Races, Derbies, and Routes
- (5) § 350.05 Persons Under 12 Operating a Snowmobile
- (6) § 350.06 Firearms and Bows
- (7) § 350.07 Driving Animals
- (8) § 350.08 Owner Permitting Operation
- (9) § 350.09 Head Lamps, Tail Lamps, and Brakes
- (10) § 350.10 Miscellaneous Provisions for Snowmobile Operation
- (11) § 350.12 Registration of Snowmobiles
- (12) § 350.035 Meeting Snowmobiles *(Rev. 12/09/2025)*
- (13) § 350.095 Noise *(Rev. 12/09/2025)*
- (14) § 350.101- Intoxicated Snowmobiling *(Rev. 12/09/2025)*
- § 350.108

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 permission of the owner of said property except on clearly marked routes as established by the area snowmobile clubs. *(Rev. 12/09/2025)*

3.03 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 3.06.

(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.

(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;

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

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 Wis. Stat. § 23.33(4)(d)4.
- (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 Wis. Stat. § 23.33, 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 Wis. Stat. § 347.485(1)(a), with the chin strap properly fastened, except as exempted under Wis. Stat. § 23.33(3g)(b, c & d).
- (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 Wis. Stat. § 23.33 (13), 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 Wis. Stat. § 895.52, but the Town does not waive any other liability exemptions and/or limitations afforded the Town under Wisconsin law.

3.04 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.

3.05 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.

