

CHAPTER 21
ALL-TERRAIN/UTILITY TERRAIN VEHICLE ROUTES WITHIN
THE TOWN OF CENTER, OUTAGAMIE COUNTY, WISCONSIN

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21.01 INTENT To create uniform procedures and requirements for the use and operation of all-terrain vehicles and utility terrain vehicles on Town of Center roads.

21.02 DEFINITIONS In this section, words and phrases used herein shall have the meaning as defined by Wis. Stats. § 23.33(1), unless otherwise defined herein. All-terrain vehicles (hereinafter referred to as ATVs) shall have the definition given in Wis. Stats. § 340.01(2g). Utility terrain vehicles (hereinafter referred to as UTVs) shall have the definition given in Wis. Stats. § 23.33(1)(ng). Any reference to a Wisconsin Statute Section or Administrative Code Regulation is a reference to that specific chapter, section, code, or its successor chapter, section, or code. Any future amendments, revisions, or modifications of the statutes or administrative code incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of all-terrain vehicles.

21.03 STATUTORY AUTHORITY The Town of Center is authorized to designate Town Roads as ATV/UTV routes pursuant to Wis. Stats. §§ 23.33(8)(b) and 59.02, and is authorized to enact ordinances regulating ATVs and UTVs on designated routes pursuant to Wis. Stats. § 23.33(11)(a).

21.04 ROUTES The Town of Center reserves the right to close or modify routes at any time. Routes shall be subject to the following:

- a) Any restrictions on authorized routes shall be designated by majority vote of the Town Board and shall be marked accordingly.
- b) The Town or its designee shall maintain all route signs within the Town.
- c) All authorized ATV/UTV routes should be signed in accordance with § 23.33(8)(e)2., 3., 4., and 6.
- d) All Town roads within the Town are hereby designated as ATV/UTV routes. All county roadways located in the Town are hereby declared as ATV/UTV routes only if authorized by the County of Outagamie, and all state highways in the Town are declared as ATV/UTV routes only if authorized by the State of Wisconsin.

21.05 REGULATION OF ATV'S AND UTV'S Except as otherwise provided herein, the statutory provisions of Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64, which create, describe, and define regulations with respect to ATVs and UTVs, are adopted and, by reference, made a part of this Code as if fully set forth herein.

- a) Operator and rider requirements. Any person who operates or rides as a passenger on an ATV or UTV on a roadway that is an ATV/UTV route in the Town of Center designated pursuant to Wis. Stats. § 23.33(8)(b)1, or an ATV/UTV route in the Town of Center designated pursuant to Wis. Stats. § 23.33(8)(c), must meet the following requirements:
 - (i) Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including those outlined in Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64. All ATV/UTV rules of operation outlined in Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64 are adopted and incorporated by reference in this section.
 - (ii) No person may operate an ATV or UTV without having attained the age of 16.
 - (iii) No person may operate an ATV or UTV without a valid driver's license.
 - (iv) All operators shall have a liability insurance policy in force on any ATV or UTV operated on an ATV/UTV route or route. The liability insurance policy must have the following minimum coverages:
 - a. \$10,000.00 for property damage
 - b. \$25,000.00 for the injury or death of one person
 - c. \$50,000.00 for the injury or death of more than one person
- b) Rules of operation. The operation of an ATV or UTV on a roadway that is an ATV/UTV route in the Town of Center designated pursuant to Wis. Stats. § 23.33(8)(b)1, or an ATV/UTV route in the Town of Center designated pursuant to Wis. Stats. § 23.33(8)(c), is subject to the following rules of operation:
 - (i) Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including those outlined in Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64. All ATV/UTV rules of operation outlined in Wis. Stats. § 23.33(3) and NR§64 are adopted and incorporated in this section.
 - (ii) Operators may only operate on a designated ATV/UTV route signed in accordance with Wis. Stats. § 23.33(8)(e).
 - (iii) Speed limits.
 - a. Operators on ATV/UTV routes shall observe the posted speed limit on the roadway.
 - (iv) Operators shall ride in single file in the roadway. Roadway is defined in the same manner as defined in Wis. Stats. § 340.01(54).

- (v) All ATVs and UTVs must operate with fully functional headlamps, tail lamps, and brake lights.
- (vi) Every ATV or UTV shall be equipped, maintained, and operated to prevent excessive or unusual noise. No person shall operate an ATV or UTV on an ATV/UTV route unless the vehicle is equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation.

21.06 ENFORCEMENT

- a) Any act that is required or is prohibited by any statute or administrative code provision incorporated herein by reference is required or prohibited by this Code.
- b) An officer of the state traffic patrol under Wis. Stats. § 110.07(1), inspector under Wis. Stats. § 110.07(3), conservation warden appointed by the department under Wis. Stats. § 23.10, county sheriff or municipal peace officer has authority and jurisdiction to enforce this section and ordinances enacted in accordance with this section.
- c) No operator of an all-terrain vehicle or utility terrain vehicle may refuse to stop after being requested or signaled to do so by a law enforcement officer or a commission warden, as defined in Wis. Stats. § 939.22(5).

21.07 PENALTIES

- a) Any forfeiture for a violation of State Statute or Administrative Code adopted by reference in this section shall conform to the forfeiture permitted to be imposed for violation of said statutes or code provisions as set forth therein.
- b) Any violation of a section of this section without a penalty specified by statute or administrative code shall be punishable as provided in Outagamie County Ordinance [1-10](#).

21.08 SEVERABILITY The provisions of this section shall be deemed severable and it is expressly declared that the Town of Center would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other person's circumstances shall not be deemed affected.

21.09 EFFECTIVE DATE This ordinance shall be effective upon passage and publication as provided by law.

Adopted this ____ day of _____, 2025 by requisite vote of the majority of the Town Supervisors of the Town of Center at an open Town Board meeting.

Gary Timm, Town Chairperson

Travis Thiel, Supervisor

David Vander Bloomen, Supervisor

Ron Klemp, Supervisor

Pete Hofacker, Supervisor

Attest: _____

Amy L. Olson – Town Clerk-Treasurer