

VILLAGE OF FRIENDSHIP
ORDINANCE 2026 - 83
ATV/UTV Update

The Village Board of Friendship, Adams County, Wisconsin adopts the following ordinance:

SECTION 1. Purpose.

This ordinance aligns the Village's ATV/UTV regulations and restrictions with those of Adams County and other county municipalities for consistent operation and enforcement.

SECTION 2. Code Sections Affected.

Section 4 of Ordinance No. 83 is repealed and recreated.

SECTION 3. Codes Sections as Affected.

See attached text which will be substituted for the current text.

SECTION 4. Validity.

Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 5. Conflicting Provisions Repealed.

All ordinances in conflict with any provisions of this Ordinance are hereby repealed.

SECTION 6. Effective Date.

This Ordinance will be in force from and after its introduction and publication and as provided by statute.

SECTION 7. Part of Code.

This Ordinance becomes a part of Village of Friendship Ordinance No. 83.

ADOPTED by vote of 7 yes and 0 no on August 3, 2026

By: 
Robert Berry, Village President

Witnessed: August 5th, 2026

By: 
Rebecca Reuter, Village Clerk

Adoption date: August 3, 2026

Publication date: August 26, 2026

Text of revised Ordinance 83, Section 4:

SECTION 4. ATV/UTV ROUTES & REGULATIONS.

A. General Provisions.

1. Intent. The intent of this Article is to promote the safe use of all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) in the Village of Friendship. Following due consideration of the economic benefit of ATV/UTV routes and weighted against possible dangers, public health, liability considerations, terrain involved, traffic density and history of automobile traffic, the Village of Friendship Board is satisfied that no other practical options exist and this Article has been adopted.

2. Statutory Authority.

- a) This Article is enacted under the authority of Wis. Stats., § 23.33(8) and (11), and Wis Stats., § 59.02.
- b) The provisions of Wis. Stats., § 23.33, Wis. Admin. Code Ch. NR 64, and Wis. Stats. Chapters 340 to 348 establishing definitions and regulations with respect to ATVs and UTVs, and their successors, are hereby incorporated and made part hereof by reference as if set forth fully herein. In the event of any conflict between the provisions of this Article and any applicable state law, the state law shall control.

B. Designated ATV/UTV Routes.

- 1. Pursuant to Wis. Stats., § 23.33(8), the Village of Friendship Board designates all Village roads under the Village of Friendship Board's jurisdiction as ATV/UTV routes. A copy of those ATV/UTV routes, along with a map showing their location, shall be kept on file at the Highway Department.
- 2. The Village of Friendship, or its designee, shall maintain all route signs within the Village. All ATV/UTV Village routes shall be signed in accordance with Wis. Stats., § 23.33(8), and Wis. Admin. Code NR 64.12 and 64.14(6)(c). A list of all routes within the Village of Friendship designated for ATV/UTV use is attached and incorporated herein. The Village of Friendship Highway Supervisor, as the authority responsible for maintaining Village roads designated as ATV/UTV routes, shall have oversight over the installation of signage that complies with Wis. Stats., § 23.33 and Wis. Admin. Code Ch. NR 64. All costs associated with signage, installation, and removal shall be borne by the Village. In addition, all maintenance costs associated with an ATV/UTV route that arise due to ATV/UTV traffic shall be paid by the Village.

C. Operation and Regulation of ATVs/UTVs.

1. Pursuant to Wis. Stats., § 23.33(4)(d)4, except as otherwise provided in Wis. Stats., § 23.33(4), no person may operate an ATV/UTV on the roadway portion of any Village of Friendship road except on roadways that are designated ATV/UTV routes pursuant to this ordinance. Operation of ATVs/UTVs on a roadway in Village of Friendship that is an ATV/UTV route is authorized only for 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.
2. **ATV/UTV Route Closure.** The Village Board of Friendship shall have authority to temporarily close ATV/UTV routes for construction, emergency situations, maintenance, or public safety. Such closures shall be subject to review by the Village Board of Friendship, and its recommendations shall be forwarded to the Highway Supervisor. The Highway Supervisor shall erect temporary signs indicating route closure. The Highway Supervisor shall entirely remove signage if the designated route is permanently closed.
3. **Operation on Designated Routes.** No person may operate an ATV/UTV on any part of the Village of Friendship roadways except those portions of the Village of Friendship roadways that are designated as ATV/UTV routes and in accordance with the provisions of applicable statutes and this ordinance.
4. **Conditions on Use and Operation of ATVs/UTVs.** Operation of ATVs/UTVs shall be subject to all provisions of Wis. Stats., § 23.33. In addition, the operation of ATVs/UTVs on routes designated by the Village of Friendship for such operation shall be subject to the following conditions and restrictions for both operators and passengers of ATVs/UTVs, as applicable:
 - a) All ATV/UTV operations and passengers shall wear a seat belt if it is originally equipped.
 - b) No individual shall operate an ATV/UTV on a designated route within the Village of Friendship during the time period between 12:00 am (midnight) to 5:00 am.
 - c) Every person who operates an ATV/UTV on designated routes must have in their immediate possession a valid motor vehicle operator's license and shall display the license upon demand from any law enforcement officer or official as described in Wis. Stats., § 23.33(12). In addition, operators born on or after January 1, 1988, shall also have in their possession the ATV/UTV Safety Certificate.
 - d) Every person who operates an ATV/UTV on a designated route shall carry liability and/or other insurance.
 - e) No person operating an ATV/UTV shall engage in the practice of "cruising" on a designated route. For purposes of this Article, "cruising" means driving an

ATV/UTV back and forth on all or part of the length of a roadway multiple times per day for any purpose other than departing from or arriving at a residence or place of lodging or arriving at or departing from a public boat landing.

- f) No person shall operate an ATV/UTV in a manner that results in unreasonable or excessive noise or smoke being emitted from the ATV/UTV.
- g) Consistent with Wis. Stats., § 23.33(4c), no person shall operate an ATV/UTV while under the influence of an intoxicant to a degree which renders him or her incapable of safe operation of the ATV/UTV; and no operator or passenger of an ATV/UTV shall have an open intoxicant in their immediate possession subject to a \$100.00 fine.
- h) Consistent with Wis. Stats., §23.33(4c)(a)1(2m), no operator or passenger of an ATV/UTV shall have a detectable amount of a restricted controlled substance in his or her blood.
- i) No person shall operate an ATV/UTV in violation of any posted regulatory sign.

D. Enforcement and Penalties.

1. This Article shall be enforced by the Adams County Sheriff's Department or as otherwise permitted by Wis. Stats., § 23.33.
2. **Penalties.**
 - a) The penalties as set forth in Wis. Stats., § 23.33(13) are adopted by reference and incorporated herein.
 - b) The penalty for violation of any ordinance shall be a forfeiture as hereinafter provided, together with costs under Wis. Stats., § 814.63(1) and (2), or Wis. Stats., § 814.65(1), the penalty assessment for moving traffic violations and the driver improvement surcharge imposed by Wis. Stats., § 757.05 and Wis. Stats., § 346.655, and the jail assessment imposed by Wis. Stats., § 302.46(1).
 - c) Any person found guilty of violating this ordinance shall be subject to a forfeiture of not less than \$25.00 nor more than \$500.00 for each offense, together with the costs of prosecution, restitution of property, and trail or sign damage, and if in default of payment of such forfeiture and costs shall be incarcerated in the County Jail until the same are paid, for a period of time not to exceed 90 days, or until otherwise release pursuant to law. Payment of the judgment and applicable court costs, fees, assessments, and surcharges may be suspended by the sentencing court for not more than 60 days.
 - d) Nothing herein shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges of the defendant or order the defendant to submit to assessment and rehabilitation programs or to attend traffic safety school in addition to payment of a monetary penalty or in lieu of incarceration.