

Town of Green Valley
ATV/UTV Route Ordinance
Ordinance # 2006-01

Adopted 06/08/2006
Amended 03/07/2012
Amended 02/06/2014
Amended 06/19/2019
Amended 03/9/2022

Table of Contents:

Section 1 - Title and Purpose
Section 2 - Adoption of State Statutes
Section 3 - Authorization
Section 4 - Definitions
Section 5 - Application
Section 6 - Routes
Section 7 - Laws
Section 8 - Severability
Section 9 - Enforcement
Section 10 - Effective Date

Section 1. Title and Purpose

This ATV/UTV Route Ordinance is adopted to establish ATV/UTV routes on town roads and to promote public health and safety by providing for the regulation of ATV/UTV's, within the Town of Green Valley. This does not include jurisdiction of County and State Roads.

The establishment of this ordinance is for the convenience of the ATV/UTV riding public only, and the Town Board of the Town of Green Valley makes no warranty express or implied that the aforementioned routes are safe for ATV/UTV operation.

Section 2. Adoption of State Statutes

The Town of Green Valley hereby adopts, except as otherwise specifically provided in this chapter, and pursuant to the authority granted in Section 23 of the Wisconsin Statutes, the Town Board of Supervisors of the Town of Green Valley does hereby adopt Chapter 23 of the Wisconsin State Statutes and Chapter NR 64 of the Wisconsin Administrative Code which deals with All Terrain Vehicles/Utility Terrain Vehicles, to be applied on all town roads in the Town of Green Valley.

“Authorizes the Operation” of ATV/UTV traffic on the south side of State Highway 22 within the 35-mph speed zone as authorized by 23.33(11)am(4), Wis Stats from County Highway C to Linquest Road, only; there will be no parking allowed in this area.

Section 3. Authorization

This ordinance is authorized by Wisconsin State Statutes Chapter 23, specifically section 23.33 and Chapter NR 64 of the Wisconsin Administrative Code, all subsections and amendments thereto.

Section 4. Definitions

ATV/UTV: All-terrain vehicle/Utility Terrain vehicle means an engine-driven device which has a net weight of 900 pounds or less, which has a width of 48 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on 3 or more low-pressure tires. A low-pressure tire

is a tire, which has a minimum width of 6 inches, which is designed to be mounted on a rim, with a maximum diameter of 12 inches and which is designed to be inflated with an operating pressure not to exceed 6 pounds per square inch as recommended by the manufacturer.

ATV/UTV Club: means a club consisting of individuals that promotes the recreational use of ATV/UTV's.

ATV/UTV Route: means a highway or sidewalk designated for use by all terrain/utility terrain vehicle operators by the governmental agency having jurisdiction as authorized under this section.

ATV/UTV Trail: means a marked corridor on public property or on private lands subject to public easement or lease, designated for use by ATV/UTV operators by the governmental agency having jurisdiction, but excluding roadways of highways except those roadways that are seasonally not maintained for motor vehicle traffic.

Utility Vehicles/Side by Side Vehicles:

Wisconsin's Utility Terrain Vehicle Test Pilot Program expired June 30, 2012. Vehicles meeting specifications may purchase and display Public Use – ATV registration and operate on ATV trails and ATV road routes in participating counties. Most ATV laws apply, except that minimum operating age is 16 with a valid ATV safety certificate.

UTV specifications as originally manufactured include:

- Not a golf cart or low speed vehicle
- Between 900 and 1,999 lbs.
- Four or more low pressure tires, maximum 10 p.s.i.
- Cargo box and/or dump box
- Steering wheel, brake lights, tail lights, 2 head lights, seat belts
- Maximum 65 inches wide
- Seating for at least 2 passengers, non-straddle type seats
- Roll bar or similar device

Section 5. Application

This ordinance is binding on all individuals traveling in and through the Town of Green Valley in any manner on any and all Town roads.

Any cost associated with the opening of County Roads shall be paid by the requesting club.

Section 6. Route

This does not include private roads or driveways. Does not include private property in community of Green Valley.

The following regulations apply to all ATV/UTV operation:

- A. ATV/UTV's must stay on assigned routes at all times. Any damage to roads, right-of-ways or other property will result in fines and/or closure of all trails.
- B. There will be a three year Sunset Clause: At the end of 3 years, the Town Board of Supervisors will review the results of this ordinance and may renew or rescind this ordinance.
- C. The ATV/UTV routes shall be open for ATV/UTV operation 24 hours per day, 365 days of the year.
- D. Any or all routes may be suspended from use/operation at the discretion of the Town Board at any time.
- E. The Township authorizes the operation of ATV/UTV traffic on the south side of State Highway 22 in the 35mph zone, from County Highway C to Linquest Road, only; there will be no parking allowed in this area.

Section 7. Laws

The Town of Green Valley accepts no liability for the operation of ATV/UTV's on any Town road under the provisions of this Ordinance.

ATV/UTV's that operate on the aforementioned roads shall abide by all state laws regulating ATV/UTV's operation including the following:

- A. Operate in the extreme right hand portion of the traveled part of the road and single file
- B. Speed limit shall not exceed 35 mph, EXCEPT within 200 feet of a driveway, a residence or of a pedestrian when the speed SHALL NOT exceed 10 mph.
- C. Signs shall be posted to notify operators of ATV/UTV's and to notify motorists that ATV/UTV's may be traveling these roads. The posting, visibility and maintenance of signs along the ATV/UTV route shall be the responsibility of the ATV/UTV Club. The signs must be placed at every entrance to the town and display dates of operation.
- D. ATV/UTV's operated on Town roads pursuant to this Ordinance shall have the following properly working equipment:
 - 1. one or more headlights,
 - 2. off road auxiliary lighting not allowed
 - 3. a red rear light,
 - 4. number plate bracket,
 - 5. brakes in good mechanical condition,
 - 6. a muffler system and such other equipment or devices that comply with the noise level standards as set forth in 23 V.S.A. §3505(b), and regulations adopted pursuant thereto.
- E. ATV/UTV's operated on Town roads shall be currently registered by the State of Wisconsin in accordance with Wisconsin State Statutes. Registration does not constitute a license to cross or operate an ATV/UTV on public or private lands.
- F. At all times while operating an ATV/UTV's on Town roads, operators shall have a valid driver's license on their person. Persons 16 and under must pass an approved safety course and shall have proof on their person. Driver shall obey all state of Wisconsin laws regarding the operation of ATV/UTV's.
- G. Except as otherwise provided in this Ordinance, a person may only operate or permit an ATV/UTV owned by him or under their control to be operated in accordance with Wisconsin State Statutes and all regulations adopted pursuant thereto.
- H. ATV/UTV's traveling on Town roads shall travel on the right side of the road, in single file, and with headlights on at a rate of speed not to exceed 35 mph. (See item B above for other speed limitations)
- I. When operating an ATV/UTV under this ordinance, if the ATV/UTV has no turn signals and/or brake lights, the operator shall use hand signals when making turns or stopping.
- J. No public or private landowner shall be liable for any property damage or personal injury sustained by any person operating or riding as a passenger on an ATV/UTV or upon a vehicle or other device drawn by an ATV/UTV upon the public or private landowner's property, whether or not the public or private landowner has given permission to use the land unless the public or private landowner charges a cash fee to the operator or owner of the ATV/UTV for the use of the property or unless damage or injury is intentionally inflicted by the landowner.
- K. ATV/UTV operators must remain on the approved marked trail or route or DNR and other penalties will apply.
- L. Town of Green Valley authorizes the operation of ATV/UTV traffic on the south side of State Highway 22 within the 35 mph speed zone between County Highway C to Linquest Road, as referenced in Wisconsin State Statutes 23.33(11)(am)(4); there will be no parking in this area.

Section 8. Severability

Should any portion of this ordinance be declared unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

Section 9. Enforcement

The Town of Green Valley Town Board of Supervisors gives the authority to enforce this ordinance to the State of Wisconsin Highway Patrol, Shawano County Sheriff's Department, Town of Green Valley Chairperson, or his designee, and/or the Town Board of Supervisors or their designee, and any other enforcement authority as allowed by Wisconsin Statutes.

The enforcement officer may order the owner or operator of any vehicle being operated on a highway to suspend operation.

Penalties. The penalties set forth in § 23.33 (13) (a) Wisconsin Statutes, are adopted by reference.

Verbal or written warnings may be allowed at the discretion of the enforcement authority in the above paragraph.

Section 10. Effective Date

Effective Date: The provisions of this ordinance shall take effect 05/01/2022 *and expires 05/01/2025*

Passed on _____
Vote: for _____ Against _____

Terry Tipton, Town Chairperson

Attested By:

Janalee Jenerou, Clerk

Gary Uelmen, Supervisor

Brandon Nygaard, Supervisor

Posted in the following public places
within 30 days after board passage:
on _____
Cluster Boxes in Green Valley
Fire Station in Pulcifer
Community Center in Advance