

2024-1 ALL-TERRAIN VEHICLES ORDINANCE

(1) STATE ALL-TERRAIN/UTILITY-TERRAIN LAWS ADOPTED. For purposes of this ordinance, all references to all-terrain vehicles (ATV) shall include utility-terrain vehicles (UTV) as defined by statute. Except as otherwise specifically provided in this Chapter, the statutory provisions in section 23.33, 340 to 348, and 350 Wis. Stats., describing and defining regulations with respect to all-terrain vehicles, exclusive of any provisions therein for which the statutory penalty is a fine or term of imprisonment, are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required by this section.

(2) APPLICABILITY OF RULES OF THE ROAD TO ALL-TERRAIN VEHICLES. The operator of an all-terrain vehicle upon a roadway shall, in addition to the provisions of section 23.33*, Wis. Stats., also be subject to the rules of the road as provided in s. 346.02(11), Wis. Stats.

(3) OPERATION ON COUNTY/TOWN PROPERTY. No person shall operate any all-terrain vehicle on lands owned by the County/Town except where the use is authorized by posted notice or County/Town permit.

(4) ATV ROUTES. As authorized by sec. 23.33(8)(b)*, Wis. Stats. and following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic. Sec. 23.33(11)(am)(4), a city, village, or town may enact an ordinance to authorize the operation of all-terrain vehicles and utility terrain vehicles on a highway that is not part of the national system of interstate and defense highways, that has a speed limit of 35 miles per hour or less, and that is located within the territorial boundaries of the city, village, or town regardless of whether the city, village, or town has jurisdiction over the highway, the following ATV routes have been created:

(a) Routes.

1. All town roads shall be designated as authorized routes in the Town of Greenfield including the St. Joseph Sanitary District.
2. STH 33 in the St. Joseph Sanitary District from County Road M to Town Hall Rd., whereas the speed limit is 35 mph; shall be authorized by the Town of Greenfield as an ATV/UTV route.

(5) CONDITIONS. As a condition for the use of these routes, the following conditions shall apply to all operators and passengers:

1. All ATV/UTV operators shall obey and not exceed posted roadway speed limits.
2. All ATV/UTV operators shall ride single file.
3. All ATVs /UTVs shall operate only on the extreme right side of the paved portion of the roadway. Operation of an ATV/UTV on the shoulder, ditch, or right-of-way is prohibited and illegal.
4. No open containers of alcoholic beverages are allowed while the machine is in motion.
5. Headlights and taillights must be turned on at all times. Brake lights are required.
6. All operators must be registered with the DNR and display the proper decals.
7. All operators must have a valid driver's license.

8. All persons under the age of 18 operating or riding an ATV must wear a helmet. Liability Insurance Requirement.
9. All ATVs and UTVs operated in the Town of Greenfield are required to have applicable liability insurance and have proof of insurance.
10. Tire Chains or Studs. No chains or studs are allowed on ATV/UTV wheels/tires.
11. ATV/UTV's may only be operated on County and Town routes between the hours of 5:00 a.m. and 10:00 p.m.
12. Routes must be signed in accordance with NR 64.12 and NR 64.12(7)(c).

(6) EXCEPTIONS. The following exceptions to this ordinance will be allowed and must maintain compliance with DNR registration and operational regulations:

- (a) Private use – agricultural only
- (b) Private use – on private lands owned by applicant or immediate family member only
- (c) Municipal and government use
- (d) Commercial ATV/UTV dealer use

(7) ENFORCEMENT. This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

(8) PENALTIES. The Wisconsin ATV penalties as found in Wisconsin Statute 23.33(13) are adopted by reference.

(9) CLOSURES. The Town of Greenfield board or its designee retains the right to close any town road to ATV/UTV operation for any reason without cause or advance notice.

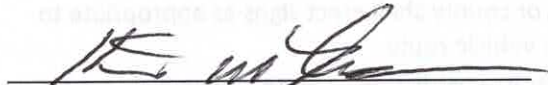
- (a) Contingent upon the closing of a route, a sign stating "NO ATVs" will be placed at the entrance of the town road and/or subdivision.
- (b) A public notice shall be placed on the town's website stating the closure of the ATV route.

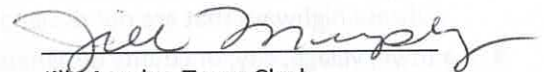
(10) LIABILITY. The Town of Greenfield neither accepts nor assumes liability for the operation of ATV/UTV's on any approved route.

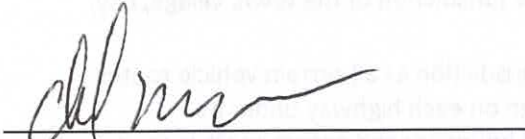
(11) SEVERABILITY. The provisions of this ordinance shall be deemed severable, and it is expressly declared that the town board would have passed the provisions of the ordinance irrespective of whether one or more provisions may be declared invalid, and if any provision of the Ordinance of the application thereof to any person or circumstances is held invalid, the remainder of the ordinance and application of such provision to other persons, or circumstances shall not be affected thereby.

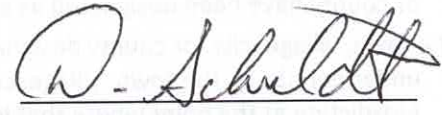
(12) EFFECTIVE DATE. This ordinance shall take effect immediately upon posting.

Adopted by the Greenfield town board of the Town of Greenfield, La Crosse County, Wisconsin this 10 day of June 2024.


Kevin Timm, Town Chairman


Jill Murphy, Town Clerk


Chad Morris, Supervisor #1


Daren Schieldt, Supervisor #2

Wisconsin Statutes References

***23.33(8)** ROUTES AND TRAILS.

(a) *Department authority.* The department shall encourage and supervise a system of all-terrain vehicle routes and trails. The department may establish standards and procedures for certifying the designation of all-terrain vehicle routes and trails.

1. Subject to subd. [3.](#), a town, village, city, or county may designate highways as all-terrain vehicle routes.
2. Subject to subd. [3.](#), a town, village, city, or county may designate all highways under its jurisdiction as all-terrain vehicle routes.
3. No state trunk highway or connecting highway may be designated as an all-terrain vehicle route unless the department of transportation approves the designation.

(c) *Trails.* A town, village, city, county or the department may designate corridors through land which it owns or controls, or for which it obtains leases, easements or permission, for use as all-terrain vehicle trails.

(d) *Restrictions.* The designating authority may specify effective periods for the use of all-terrain vehicle routes and trails and may restrict or prohibit the operation of an all-terrain vehicle or utility terrain vehicle during certain periods of the year.

(e) *Signs.*

1. The department, in cooperation with the department of transportation, shall establish uniform all-terrain vehicle route and trail signs and standards and uniform signs and standards for the operation of utility terrain vehicles on all-terrain vehicle routes and trails. The standards may not require that any additional signs be placed on all-terrain vehicle routes concerning the operation of all-terrain vehicles or utility terrain vehicles with snow removal devices attached.
2. Except as provided in subd. 3, if a town, village, city, or county designates specific highways under its jurisdiction as all-terrain vehicle routes under par. [\(b\) 2.](#), the town, village, city, or county shall do one of the following:
 - a. Erect a sign at each point on a highway where the all-terrain vehicle route begins and at each point where the all-terrain vehicle route intersects an all-terrain vehicle trail or a highway that is not designated as an all-terrain vehicle route. The town, village, city, or county is not required to erect a sign under this subdivision at a point that is not more than one-half mile from a sign marking the same all-terrain vehicle route on the same highway.
 - b. Erect a sign on each highway under its jurisdiction that crosses its territorial boundary in a position to be viewed by motorists as they enter the town, village, city, or county. The signs shall alert motorists that all highways within the town, village, city, or county have been designated as all-terrain vehicle routes,

except where otherwise indicated. The town, village, city, or county shall erect signs as appropriate to indicate highways that are not designated as an all-terrain vehicle route.

3. If a town, village, city, or county designates all highways under its jurisdiction as all-terrain vehicle routes under par. (b) 2., the town, village, city, or county may erect a sign on each highway that crosses its territorial boundary in a position to be viewed by motorists as they enter the town, village, city, or county. The signs shall alert motorists that all highways under the jurisdiction of the town, village, city, or county have been designated as all-terrain vehicle routes.
4. If a town, village, city, or county designates all highways under its jurisdiction as all-terrain vehicle routes under par. (b) 2., the town, village, city, or county may erect a sign on each highway under its jurisdiction at the point where that highway crosses its territorial boundary and enters another town, village, city, or county that does not designate the highway as an all-terrain vehicle route. The signs shall be in a position to be viewed by motorists and all-terrain vehicle operators as they leave the town, village, city, or county and shall alert motorists and all-terrain vehicle operators that the all-terrain vehicle route designation has ended.
5. If a town, village, city or county designates highways under its jurisdiction as all-terrain vehicle routes under par. (b) 2., the town, village, city, or county may designate a preferred route and erect signs marking the route.
6. If a town, village, city, or county erects and maintains signs under subd. 3., the department may not require the town, village, city, or county to erect any additional signs marking the all-terrain vehicle routes within the town, village, city, or county.

(f) Interference with signs and standards prohibited.

1. No person may intentionally remove, damage, deface, move, obstruct, or interfere with the effective operation of any uniform all-terrain vehicle route or trail sign or standard or any uniform sign or standard for the operation of a utility terrain vehicle on an all-terrain vehicle route or trail if the sign or standard is legally placed by the state, any municipality or any authorized individual.
2. No person may possess any uniform all-terrain vehicle route or trail sign or standard, or any uniform sign or standard for the operation of a utility terrain vehicle on an all-terrain vehicle route or trail, of the type established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle route or trail sign or standard or uniform sign or standard for the operation of a utility terrain vehicle on an all-terrain vehicle route or trail creates a rebuttable presumption of illegal possession.

23.33(11)(am)(4) A city, village, or town may enact an ordinance to authorize the operation of all-terrain vehicles and utility terrain vehicles on a highway that is not part of the national system of interstate and defense highways, that has a speed limit of 35 miles per hour or less, and that is located within the territorial boundaries of the city, village, or town regardless of whether the city, village, or town has jurisdiction over the highway.

346.02(11) APPLICABILITY TO ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES. The operator of an all-terrain vehicle or a utility terrain vehicle on a roadway is subject to ss. [346.04](#), [346.06](#), [346.075](#) (1), [346.11](#), [346.14 \(1m\)](#), [346.18](#), [346.19](#), [346.20](#), [346.21](#), [346.215](#) (3), [346.26](#), [346.27](#), [346.33](#), [346.35](#), [346.37](#), [346.39](#), [346.40](#), [346.44](#), [346.46](#), [346.47](#), [346.48](#), [346.50 \(1\)](#) (b), [346.51](#), [346.52](#), [346.53](#), [346.54](#), [346.55](#), [346.67](#), [346.71](#), [346.87](#), [346.88](#), [346.89](#), [346.90](#), [346.91](#), [346.92 \(1\)](#) and [346.94 \(1\)](#) and (9) but is not subject to any other provision of this chapter.