

STATE OF WISCONSIN
Town of Saint Germain, Vilas County

Code of Ordinances

Chapter 30: All Terrain Vehicle (ATV) and Utility Terrain Vehicle (UTV) Routes
(Revised May 25, 2023)

30.01 TITLE AND PURPOSE: The title of this chapter is the Town of St. Germain All-Terrain Vehicle (ATV) and Utility Terrain Vehicle (UTV) Routes. The purpose of the chapter is to establish ATV/UTV routes and to regulate the operation of ATV/UTVs in the town.

30.02 AUTHORITY: The Town has the general authority to enact this chapter under its village powers under §60.22, Wis. Stats. and the specific authority under §23.33(11), Wis. Stats.

30.03 DEFINITIONS: The following words and phrases shall have the designated meaning unless a different meaning is expressly provided or the context clearly indicates a different meaning:

All-terrain Vehicle (ATV): An engine-driven device which has a net weight of 900 pounds or less, which is originally manufactured with a width of 50 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed by the manufacturer to travel on 3 or more low-pressure tires.

Route: A highway or sidewalk designated by the Town for use by ATV/UTV operators.

Town: Town of St. Germain, Vilas County, Wisconsin

Town Road: A road owned and maintained by the Town

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

Utility-terrain Vehicle (UTV): Any of the following:

1. A commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a highway, and that has, and was originally manufactured with, all of the following:
 - a. A weight, without fluids, of 3,000 pounds or less.
 - b. Four or more tires.
 - d. A steering wheel.
 - e. A tail light.
 - f. A brake light.
 - g. Two headlights.
 - h. A width of not more than 65 inches as measured laterally between the outermost wheel rim on each side of the vehicle, exclusive of tires, mirrors, and accessories that are not essential to the vehicle's basic operation.
 - i. A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.

- j. A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.
- 2. A commercially designed and manufactured motor driven device to which all of the following applies:
 - a. It does not meet federal motor vehicle safety standards in effect on July 1, 2012; is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle; is designed to be used primarily off of a highway; and has, and was originally manufactured with, a weight, without fluids, of not more than 3,000 pounds.
 - b. It has a width of 65 inches or less as measured laterally between the outermost wheel rim on each side of the vehicle, exclusive of tires, mirrors, and accessories that are not essential to the vehicle's basic operation.
 - c. It is equipped with a seat designed to be straddled by the operator.
 - d. It travels on 3 or more tires.
 - e. It is not an all-terrain vehicle

Wis. Stats.: Wisconsin Statutes, including successor provisions of cited statutes.

30.04 ADOPTION OF ORDINANCE: This chapter adopted on proper notice with a quorum and roll call vote by a majority of the Town Board present and voting, provides the authority for the town to designate ATV/UTV routes in the town and to regulate the use of those routes and ATV/UTV in the town, designates ATV/UTV routes in the town and provides for the regulation of the use of those routes and of ATV/UTV in the town.

30.05 OPERATION OF ALL TERRAIN VEHICLES AND UTILITY TERRIAN VEHICLES:

- (A) Pursuant to §23.33(4)(d)4, Wis. Stats., except as otherwise provided in §23.33(4), Wis. Stats., no person may operate an ATV/UTV on the roadway portion of any highway in the town except on roadways that are designated as ATV/UTV routes by this ordinance. Operation of ATV/UTV on a roadway in the town 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. All ATV/UTV routes and trails are open from May 1st to October 31st.
- (B) Pursuant to §23.33(11)(am)4, Wis Stats., and a letter dated July 29, 2021 to the Town from the Wisconsin Department of Transportation (WisDOT) North Central Region Traffic Safety Engineer stating that “the current 40 mph posted speed limit in St. Germain will be changed to 35 mph along WIS 155, from 250 feet north of Birchwood Drive to the WIS 70/ St. Germain Boulevard intersection and from the WIS 155/ St. Germain Boulevard intersection south to Straight-A Way Road”. Upon posting of the 35 mph speed limit and ATV/UTV signs by the Vilas County Highway Department, this section does authorize the operation of ATV/UTVs on those designated sections of WIS 155 and 70.
- (C) Additional ATV/UTV operational provisions: The following provisions shall be subject to annual review and potential revision at an April or May meeting of the Town Board at which time input from St. Germain Bo-Boens Snowmobile Club, the Vilas County Resource Officer, the St. Germain Chamber of Commerce, the St. Germain ATV Club, and the people of the Town will be considered.
 - (1) Unless otherwise posted, all Town roads are open year-round.
 - (2) Snowmobile trails usage:

- (i) November 1 – April 30: ATV/UTV usage prohibited.
- (ii) May 1 - October 31: ATV/UTV usage allowed on designated ATV/UTV routes and trails as indicated by signage and as identified on area ATV/UTV maps. (Adopted 05/25/2023)

30.06 DEIGNATION OF ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLES ROUTES AND TRAILS: All town roads are designated as ATV/UTV routes. ATV/UTVs are not allowed on any other Town property except for parking lots and designated trails. ATV/UTVs are not allowed to ride in the right-of-way of town roads except for the south side of Kurtzweil Road in the Town of St. Germain.


30.07 CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES: Pursuant to §23.33(8)(d), Wis. Stats., the following restrictions are placed on the use of the town ATV/UTV routes designated by this ordinance:

- (A) Routes shall be marked with uniform ATV/UTV route signs in accordance with R64.12(7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town ATV/UTV routes:
 - (1) Intentionally remove, damage, deface, move or obstruct any uniform ATV/UTV route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign or standard if the sign or standard is legally placed by the state, any municipality or any authorized individual.
 - (2) Posses 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 uniform ATV/UTV route or trail sign or standard in a lawful manner. Possession of a uniform ATV/UTV route or trail sign or standard creates a rebuttable presumption of illegal possession.
- (B) Operation shall be subject to all provisions of §23.33, Wis. Stats., which is adopted as a part of this ordinance by reference, pursuant to §23.33(11), Wis. Stats.
- (C) A copy of this ordinance shall be sent by the town clerk to the Department of Natural Resources, the Vilas County Sheriff's Department and the Vilas County Forestry Department.
- (D) ATV/UTV operators shall observe posted roadway speed limits.
- (E) ATV/UTV operators shall ride single file.
- (F) The Town retains the right to close ATV/UTV routes and/or trails in whole or in part for reasons of abuse of routes and/or trails, environmental concerns, weather issues or other specified reasons.
- (G) ATV/UTV operators shall slow the vehicle to 10 mph or less when operating within 150 feet of a dwelling.

30.08 ENFORCEMENT: This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

- 30.09 PENALTIES:** The penalties under §23.33(13)(a), Wis. Stats., are adopted by reference.
- 30.10 SEVERABILITY:** If any of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application and to this end the provisions of this ordinance are severable.
- 30.11 EFFECTIVE DATE:** This chapter is effective on publication or posting and rescinds and replaces St. Germain Code of Ordinances, Chapter 30 – ATV/UTV Routes adopted April 19, 2016. The town clerk shall publish or post this chapter as required under §60.80, Wis. Stats.

Adopted this 25th day of May 2023



Tom Christensen, Town Chairman



June Vogel, Town Clerk