

CHAPTER 26

VILAS COUNTY ALL-TERRAIN VEHICLE (ATV)/UTILITY TERRAIN VEHICLE (UTV) ORDINANCE

Table of Contents

26.01 Authority and Purpose; State Law Adopted
26.02 ATV/UTV Routes
26.03 ATV/UTV Routes Only On Roadway
26.04 ATV/UTV Trails
26.05 Operation of ATV/UTV on County Highways and Trails
26.06 Signage of ATV Routes and Trails
26.07 Enforcement
26.08 Violations
26.09 Severability
26.10 Effective Date
26.11 Deposit Schedule

26.01 Authority and Purpose; State Law Adopted. (a) This ordinance has been created pursuant to County Board authority under Wisconsin Statutes §§59.02, 23.33(11) and 23.33(8)(b), (c), as amended, for the purpose of establishing ATV/UTV routes and trails in Vilas County.

(b) Except as otherwise specifically provided in this chapter, the statutory provisions in Chapter 23 of the Wisconsin Statutes, describing and defining regulations with respect to ATV/UTVs and traffic, and Chapter NR 64, ATVs, WDNR, as amended, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment are hereby adopted and by reference made a part of this chapter as if fully set forth herein. [rev: 5/2015-07;]

26.02 ATV/UTV Routes. (a) County trunk highways designated as ATV/UTV routes

shall be established and approved by the Vilas County Board of Supervisors. The Vilas County Highway Committee shall develop policies and procedures for designation of ATV/UTV routes including appropriate criteria for making a designation. Any modification to a designated ATV/UTV route shall be approved by the Vilas County Board of Supervisors. A copy of ATV/UTV routes, along with a map showing their location, shall be kept on file at the Vilas County Highway Department and the Vilas County Sheriff's Office. The Vilas County Highway Department and the Vilas County Sheriff shall have the authority to temporarily close any ATV/UTV route on the County Trunk Highway System, if situation warrants. Any termination of an ATV/UTV route will be done by the Vilas County Board of Supervisors.

(b) Routes Designated. The following roads are designated as an ATV/UTV route:

(i) County Trunk A

(aa) a three (3.0) mile segment of County Trunk A from the intersection of Strong Road traveling south-east to the western intersection of Eagle Farm Road, and a three and four tenths (3.4) mile segment of County Trunk A from the eastern intersection with Eagle Farm Road to the Forest County line Town of Phelps, Vilas County, Wisconsin.

(bb) a one (1.0) mile segment of County Trunk A from the intersection of Strong Road traveling north to STH 17, Town of Phelps, Vilas County, Wisconsin.

(cc) a one and three tenths (1.3) mile segment of County Trunk A, from the west intersection of Eagle Farm Road, traveling east to the east intersection of Eagle Farm Road, Town of Phelps, Vilas County, Wisconsin.

(ii) County Trunk B

(aa) a one and nine tenths (1.9) mile segment of County Trunk B from the intersection of US Highway 45 traveling west to Spruce Road, Town of Land O'Lakes, Vilas County, Wisconsin.

(bb) an eleven and seven tenths (11.7) mile segment of County Trunk B from the intersection of Spruce Lane traveling west to the intersection of Palmer Lake Road, Town of Land O'Lakes, Vilas County, Wisconsin.

(iii) County Trunk C

(aa) a three and nine tenths (3.9) mile segment of County Trunk C from the intersection of U.S. Highway 155 traveling south to the intersection with STH 70, Town of St. Germain, Wisconsin.

(iv) County Trunk E

(aa) a one and four tenths (1.4) mile segment of County Trunk E from the intersection of Blong Road traveling south to State Highway 17, Town of Phelps, Vilas County, Wisconsin.

(bb) a nine tenths (0.9) of a mile segment of County Trunk E from the intersection of South Shore Road traveling west to the intersection of West Shore Road, Town of Phelps, Vilas County, Wisconsin.

(v) County Trunk G

(aa) a three tenths (0.3) mile segment of County Trunk G from the intersection of Adams Road traveling east to U.S. Highway 45, City of Eagle River, Vilas County, Wisconsin.

(bb) a one and nine tenths (1.9) mile segment of County Trunk G from the intersection of Adams Road traveling west to Boot Lake Road, Town of Lincoln, Vilas County, Wisconsin.

(cc) a seven and two tenths (7.2) mile segment of County Trunk G from the intersection of the Lincoln town line at Boot Lake Road traveling west to the intersection of the St. Germain town line, Town of Cloverland, Vilas County, Wisconsin.

(dd) a one and seven tenths (1.7) mile segment of County Trunk G from the intersection of the

Cloverland town line traveling west to the intersection of the Plum Lake town line, Town of St. Germain, Vilas County, Wisconsin.

[History: cr. 8/2014; rev. 3/2015-05; 5/2015-07; 6/2015 – 08 & 09; 7/2015 – 10; 3/2016 – 03; 4/2016-04; 6/2018-05; 2/2018-04; 8/2018-06]

(vi) County Trunk K

(aa) a four and eight tenths (4.8) mile segment of County Trunk K west from the intersection of West Buckatabon Road traveling east to the junction with U.S. Highway 45.

(bb) a seven and four tenths (7.4) mile segment of County Trunk K east from the intersection of Town Road traveling east to the Conover Town line, Town of Conover, Vilas County, Wisconsin.

(cc) a one and four tenths (1.4) mile segment of County Trunk K, traveling west from the intersection of County Trunk E to the Conover Town line, Town of Phelps, Vilas County, Wisconsin.

(vii) County Trunk S

(aa) a five and eight tenths (5.8) mile segment of County Trunk S from the intersection of County Trunk K traveling north to the Conover Town line, Town of Conover, Vilas County, Wisconsin.

(bb) a three and five tenths (3.5) mile segment of County Trunk S from the intersection of the Conover Town line, traveling north to the intersection of County Trunk B, Town of Land O'Lakes, Vilas County, Wisconsin.

(viii) County Forest Roads

(aa) a nine tenths (0.9) mile segment of County Forest road known as Deep Lake Road, from the intersection of Croker Road in the Town of Lincoln, traveling west to the Town of Conover segment of Deep Lake Road, Vilas County, Wisconsin.

(bb) a one and nine tenths (1.9) mile segment of County Forest road known as Pioneer Creek Trail, from the intersection of County Highway K traveling south and east to the junction of the existing trail, Town of Conover, Vilas County, Wisconsin.

(cc) a one and one tenth (1.1) mile segment of County Forest road known as Mathwig Road, from the intersection of Buckatabon Creek Trail traveling south to the Town of Conover segment of Mathwig Road, Vilas County, Wisconsin.

(dd) an eight tenths (0.8) mile segment of County Forest road known as Buckatabon Creek Trail, from the intersection of East Buckatabon Road traveling east to the intersection of the County owned segment of Mathwig Road, Town of Conover, Vilas County, Wisconsin.

(ee) a two and one tenth (2.1) mile segment of Heart Lake Road from the intersection of CTH S traveling east to the Town of Conover segment of Heart Lake Road, Vilas County, Wisconsin.

(ff) a three and six tenths (3.6) mile segment of County Forest Road known as Pincherry Lake Road, from the intersection of CTH G traveling southeast to the intersection with Mud Minnow Lake Fire Lane, Town of Cloverland, Vilas County, Wisconsin.

(gg) a one and seven tenths (1.7) mile segment of County Forest Road known as Mud Minnow Lake Fire Lane from the intersection of Pincherry Lake Road traveling northeast to intersection with existing snowmobile trail, one tenth (0.1) mile south of intersection with CTH G, Town of Cloverland, Vilas County, Wisconsin.

(hh) a one and three tenths (1.3) mile segment of County Forest Road known as Snipe Lake Fire Lane from the intersection with Birchwood Drive traveling east to the intersection with Ewald Lake Road, Town of Cloverland, Vilas County, Wisconsin.

(ii) a one and one tenth (1.1) mile segment of County Forest Road known as Ewald Lake Road from the intersection with Snipe Lake Fire Lane traveling northeast to the intersection with Pincherry Lake Road, Town of Cloverland, Vilas County, Wisconsin.

(jj) a four and one tenth (4.1) mile segment of County Forest Road known as Katie Lake Fire Lane from the intersection of CTH G traveling east to the intersection with West Road, Town of Cloverland, Vilas County, Wisconsin.

(kk) a four and three tenths (4.3) mile segment of County Forest Road known as Wood Duck Lake Road from the intersection of Wilderness Road traveling west to the intersection of the Snipe Lake Fire Lane, Town of Cloverland, Vilas County, Wisconsin.

(ll) a three and five tenths (3.5) mile segment of County Forest Road known as Snipe Lake Fire lane from the intersection of Wilderness Road traveling west to the intersection of Ewald Lake Road, Town of Cloverland, Vilas County, Wisconsin. [rev. 2/2018-03]

(ix) Routes on Other Roads

(aa) Gravel Pit Road, a 0.53 mile segment of County-owned road which passes across tax identification numbers #24-1312 & 24-1313, intersecting Birchwood Drive, Town of St. Germain, Vilas County, Wisconsin.

[History: cr. 1/2017-03]

26.03 ATV/UTV Routes Only on Roadway. All ATVs/UTVs shall operate only on the paved portion of the roadway designated as an ATV/UTV route. Operation on the gravel shoulders, grassy slopes, ditches, or other highway right-of-way is prohibited and illegal.

26.04 ATV/UTV Trails.

(a) DEFINITIONS.

(i) *ATV/UTV trail* means a marked corridor on public property or on private lands subject to public easement or lease, designated for use by all-terrain and utility-terrain vehicle operators by the governmental agency having jurisdiction, but excluding roadways of highways except those roadways which are not seasonally maintained for motor vehicle traffic. Trails are identified by

signs showing a white silhouette of an ATV/UTV on a brown background.

(ii) *ATV/UTV trail system* means a marked corridor on public property or on private lands, subject to public easement or lease, designated for use by all-terrain and utility-terrain vehicle operators by the governmental agency having jurisdiction, but excluding roadways of highways, except those roadways which have been designated as ATV/UTV routes and are connected to an ATV/UTV trail.

(b) DESIGNATION OF ATV/UTV TRAILS ON COUNTY LAND. ATV/UTV trails on Vilas County land shall be designated by the Vilas County Forestry, Recreation and Land Committee and, if the trail is proposed to be situated on County highway right-of-way, in cooperation with and the approval of the Vilas County Highway Committee. All trail designations shall be consistent with the Vilas County Forest Comprehensive Land Use Plan. [History: cr. 5/2015-07]

26.05 Operation of ATVs/UTVs on County Highways and Trails.

(a) All ATV/UTV operators shall observe posted roadway and trail speed limits for ATV/UTV operation which shall not exceed 35 miles per hour or as posted, whichever is less. [rev: 2/2017-04]

(b) All ATV/UTV operators shall ride in single file on the right hand side of the paved portion of the highway and on right hand side of designated trails.

(c) All ATV/UTV operators shall have their headlight and taillight illuminated while operating on a county highways and trails.

(d) All ATV/UTV operators at least age 12 and born on or after January 1, 1988 and operating on a county highway or trail are required to have an ATV Safety Certificate.

No one under 12 years of age is allowed to operate an ATV/UTV on a county highway or trail. Children between the ages of 12-15 must be accompanied by an adult designated by the parent or guardian when riding on designated road routes. The child still needs safety certification and the accompaniment requirement doesn't apply to off-road trails or while crossing roads.

(e) All ATV/UTV operators under 18 years old shall wear protective headgear while operating on county highways and trails. [rev: 5/2015-07]

26.06 Signage of ATV/UTV Routes/Trails.

Pursuant to Wis. Stat. §23.33(8)(d), the following restrictions are placed on the use of ATV/UTV routes and trails designated by this ordinance:

(a) Routes and trails shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. The Vilas County Highway Department has sole responsibility for ATV/UTV route signage on County highways. The Vilas County Forestry, Recreation and Land Department has sole responsibility for ATV/UTV trail signage on County lands.

(b) The official route and trail opening and closing dates shall be 1 May and 31 October respectively (conditions permitting), as determined by the Vilas County Parks and Recreation Administrator and shall be published in the official County newspaper, announced on the radio and listed on the County website. The opening and closing of routes/trails will pertain only to the State-funded trail system, County Forest lands and roads and County trunk highways and right-of-ways.

[rev. 5/2015-07; 1/26/16-01]

26.07 Enforcement. This Ordinance shall be enforced by the Vilas County Sheriff's Office.

26.08 Violations/Penalty. The penalty for operating an ATV/UTV off the roadway of a designated ATV/UTV route (i.e., the gravel shoulder, grassy slope, ditch, or other highway right-of-way) or designated ATV/UTV trail or violating any other provision of this ordinance shall result in a forfeiture as set forth in the Deposit Schedule below, plus court costs. [rev. 5/2015-07]

26.09 Severability. Should any portion of this Ordinance be declared by the Court 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.

26.10 Effective Date. This Ordinance becomes effective immediately upon passage by the Vilas County Board of Supervisors and publication.

26.11 Deposit Schedule. The penalty for violation of any provision of this chapter shall be a forfeiture as hereinafter provided, together with court costs:

1. Illegal Operation of an ATV/UTV off roadway or trail: \$100.00
2. Speeding on or off of the roadway or trail in excess of posted or fixed speed limits:
 - a. 1-10 miles per hour \$25.00
 - b. 11-15 miles per hour \$50.00
 - c. 16-19 miles per hour \$75.00
 - d. 20-24 miles per hour \$100.00
 - e. 25 miles per hour and over \$125.00
3. Failure to Operate Single File: \$25.00
4. Failure to Illuminate Headlight or Taillights: \$25.00
5. Operating an ATV/UTV without Safety Certificate: \$25.00 1st offense; \$50.00 2nd and subsequent offenses
6. Operating an ATV/UTV without Protective Headgear: \$25.00 1st offense; \$50.00 2nd and subsequent offenses
7. Damage to Route, Right-of-way, Trail or ATV/UTV Sign or Removal of ATV/UTV Route Sign: \$250.00

8. Illegal Possession of ATV/UTV Sign:
\$250.00
[rev. 5/2015-07]