

Current ATV and Snowmobile Regulations in Traffic Code

7.11 SNOWMOBILE TRAILS.

(1) DEFINITIONS.

All-Terrain Vehicle. As defined in S.S.340.01(2g), Wis. Stats., means an engine driven device which has a net weight of 900 lbs. or less, which has a width of 48" 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", which is designed to be mounted on a rim with a maximum diameter of 12" and which is designed to be inflated with an operating pressure not to exceed 6 lbs. per square inch as recommended by the manufacturer.

All-Terrain Vehicle Route. A highway or sidewalk designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction as authorized by S.S. 23.33, Wis. Stats.

All-Terrain Vehicle Trail. A marked corridor on public property or on private lands subject to public easement or lease, designated for use by all-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.

Approved Snowmobile Trails. Includes all snowmobile trails or routes that have been designated by the County Snowmobile Coordinator or Forestry and Recreation Committee.

Official Trail Closing. That date and time selected and published in the official County newspaper designating the approved snowmobile trails closed for snowmobile and all-terrain vehicle use.

Official Trail Opening. That date and time selected and published in the official County newspaper designating the approved snowmobile trails opened for snowmobile and all-terrain vehicle use.

Off-Road Vehicle. Includes, but is not limited to, trail bikes, motorcycles, mini-bikes, airboats and air cushioned vehicles or golf carts. Snowmobile. Any engine driven vehicle of a type which utilizes sled type runners, skis or an endless belt tread or any combination of these or similar means of contact with the surface upon which it is operated, but does not include such vehicles which are either manually propelled or driven by a motor of 4 horse power or less and operated only on private property.

Snowmobile Coordinator. The County Assistant Forest Administrator, and such other individuals so designated by the Forestry and Recreation Committee.

Snowmobile Route. A highway or sidewalk designated for use by snowmobile operators by the governmental agency having jurisdiction as authorized by S.S. 350.04, Wis. Stats.

Snowmobile Trail. A marked corridor on public property or on private property, subject to public easement or lease, designated for use by operators of snowmobiles or all-terrain vehicles by the County Snowmobile Coordinator, but excluding highways, except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.

(2) RESTRICTED USE OF SNOWMOBILES AND ALL-TERRAIN VEHICLES.

(a) No person shall drive a snowmobile, all-terrain vehicle, or off-road vehicle on any land under the supervision, management or control of the County Forestry Department that is posted as "closed to unauthorized motor vehicles".

(b) No person shall drive a snowmobile or all-terrain vehicle at speeds in excess of 10 mph on any portion of an approved snowmobile trail that is posted with a yellow sign indicating "slow", "steep hill", "dip", "turn" or other caution.

(c) Operators of a snowmobile or all-terrain vehicle on approved snowmobile trails must stop at all locations marked with a red sign indicating "stop". TRAFFIC CODE 9

(d) No person shall deface, destroy or remove any all-terrain or snowmobile sign posted on any approved all-terrain trail or snowmobile trail.

(e) No person shall operate an all-terrain vehicle with tire chains or studded tires on any approved snowmobile and all-terrain vehicle trail.

(f) No person shall operate an all-terrain vehicle on any approved snowmobile and all-terrain trail until *10 calendar days have passed after being officially opened for snowmobile use. *The actual number of day(s) will be determined through consultations between the Langlade County Snowmobile Council and Langlade County Recreation Coordinator. Subsequent trails openings in any given season may warrant a waiting period.

(g) No person shall operate an all-terrain vehicle on any approved snowmobile trail when the temperature on the trail at a point four feet above the trail surface is 28 F. or higher.

(h) No person shall operate an all-terrain vehicle or licensed motorcycle on any approved all-terrain trail from March 15 - May 1.

(i) No person shall damage, manipulate, or attempt to circumvent any sign, gate, rock, earthen berm, or other device placed by the Forestry and Recreation Department for the purpose of blocking a closed road or closed area.

(j) Only street-legal motorcycles, driven by licensed operators, are allowed on the all-terrain trails.

(k) Special events, i.e., motorcycle enduro races, which have received prior approval by the Forestry and Recreation Committee, are exempt from subsection (j) of said ordinance.

(l) No person shall operate any motorized vehicle off of any approved all-terrain trail or established logging road. This activity commonly referred to as "cross country travel" is strictly prohibited on any Langlade County forest property.

(m) Notwithstanding other provisions of this ordinance, the Forestry and Recreation Committee and their agents may, at their discretion, close any and all trails or roads within the county forest boundaries to protect the trails and roads from damage caused by all forms of motorized vehicular travel.

(3) RESTRICTED USE OF SNOWMOBILE TRAILS.

(a) No person shall drive any 4-wheel drive vehicle, passenger car, off-road vehicle, truck or motorcycle on any approved snowmobile and all-terrain vehicle trail between the 1st Monday after the close of deer rifle season of each year and April 15 of the following year without the written permission of the County Snowmobile Coordinator, except for club trail maintenance activities.

(b) No person shall operate any snowmobile or all-terrain vehicle on any approved snowmobile trail until officially opened by the County Snowmobile Coordinator or County Snowmobile Council.

(c) No person shall operate any snowmobile or all-terrain vehicle on any approved snowmobile trail after such trail is officially closed by the County Snowmobile Coordinator or County Snowmobile Council.

(d) Operation of snowmobiles and all-terrain vehicles by youthful operators is restricted and defined in S.S. 350.05 and 23.33(5), Wis. Stats.

(e) No person shall deface, destroy or remove any snowmobile sign posted on any approved snowmobile trail.

(f) Landowners who permit snowmobiling on their property under S.S. 29.68, Wis. Stats., shall notify the Snowmobile Coordinator if they intend to travel or allow travel on that portion of the approved snowmobile and all-terrain vehicle trail that traverses their property with a vehicle other than a snowmobile or all-terrain vehicle. The notification shall be the same as that required in S.S. 29.68, Wis. Stats.

(g) Holders of woodcutting permits from the County Forest Administrator shall not be permitted to travel on approved snowmobile trails after December 1 of each winter, except by snowmobile or all-terrain vehicle. Prior to December 1 of each winter, holders of woodcutting permits may travel on approved snowmobile and all-terrain vehicle trails upon obtaining prior written permission from the Snowmobile Coordinator and upon such conditions as the TRAFFIC CODE 10 Snowmobile Coordinator may require. Private landowners are exempt from the above requirement on their own property.

(h) No person shall park any vehicle or place any obstruction on the groomed portion of any snowmobile trail.

7.115 SNOWMOBILE ROUTES

(1) DEFINITION OF SNOWMOBILE ROUTE. For the purposes of this Ordinance, “snowmobile route” means all or part of any county highway designated for use by snowmobile operators as authorized by the Langlade County Board of Supervisors and as clearly marked as a snowmobile route.

(2) HIGHWAYS DESIGNATED AS SNOWMOBILE ROUTES. (a) County Highway A from W4275 westerly to State Highway 55 (approximately two miles).

(3) COMPLIANCE WITH SNOWMOBILE REGULATIONS. Any person operating a snowmobile on a county highway designated and marked as a snowmobile route shall operate the snowmobile in compliance with all applicable state and local rules.

(4) AUTHORITY OF HIGHWAY DEPARTMENT. The Langlade County Highway Department shall have the right to close or restrict snowmobile traffic on any snowmobile route due to unsafe road conditions or similar public safety concerns.

7.12 MOTORIZED WATERCRAFT PROHIBITED ON CERTAIN WATERS (ORD. 1-2000)

(1) APPLICABILITY AND ENFORCEMENT.

(a) The provisions of this Ordinance shall apply to the waters of the Wolf River from the influx of the Lily River (South of Hwy 52) in the Township of Langlade, (Section 34, T33N, R13E), to the County line in the Township of Wolf River (Section 31, T31N, R15E).

(b) This Ordinance shall be enforced by the officers of the Langlade County Sheriff's Department.

(2) INTENT. The intent of this Ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interests, and the capability of the water resources.

(3) DEFINITIONS.

(a) "Motorboat" means any boat equipped with propulsion machinery, whether or not the machinery is the principle source of propulsion.

(b) "Personal watercraft" means a motorboat that uses an inboard motor powering a water jet pump or a caged propeller as its primary source of motive power and that is designed to be operated by a person standing on, kneeling on or sitting astride the watercraft.

(4) STATE BOATING AND SAFETY LAWS ADOPTED. State boating laws as found in Sections 30.50 to 30.71, Wisconsin Statutes, are adopted by reference.

(5) PROHIBITED AREA. No person shall operate a motorboat or personal watercraft upon the waters of the Wolf River within a boundary extending from the influx of the Lily River (South of Hwy 52) in the Township of Langlade (Section 34, T33N, R13E), to the County line in the Township of Wolf River (Section 31, T31N, R15E). Electric trolling motors only are permitted on said waters.

(6) POSTING REQUIREMENTS. The prohibition of motorboat and personal watercraft shall be posted at all public access points within the prohibited area.

(7) PENALTIES. Penalty for violation of any provision of this section shall be a forfeiture, together with court costs and fees as prescribed by law and in accord with Section 7.15 of this Chapter. Penalties shall be consistent with Section 30.80, Wis. Stats. (State boating penalties) and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, and adopted by reference herein.

(8) SEVERABILITY. The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Langlade County Board of Supervisors would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this Ordinance or the application to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected.

7.13 OPERATION OF ATV ON OR ADJACENT TO HIGHWAY AND ON COUNTY HIGHWAYS DESIGNATED AS ATV ROUTES

(1) DEFINITIONS.

- (a) "All-terrain vehicle" (ATV) has the meaning specified under Section 340.01 (2g), Wisconsin Statutes.
- (b) "All-terrain vehicle route" means a highway designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction as authorized under this section.
- (c) "Operate" means to exercise physical control over the speed or direction of an all-terrain vehicle or to physically manipulate or activate any of the controls of an all-terrain vehicle necessary to put it in motion.
- (d) "Operation" means the exercise of physical control over the speed or direction of an all-terrain vehicle or the physical manipulation or activation of any of the controls of an all-terrain vehicle necessary to put it in motion.

(2) ATV OPERATION.

The owner and operator of an ATV shall be responsible to comply with the regulations contained in this ordinance regarding the proper operation of an ATV on or adjacent to roadways and designated ATV routes in Langlade County.

No person may operate an all-terrain vehicle:

- (a) In any careless way so as to endanger the person or property of another.
- (b) On the private property of another without the consent of the owner or lessee. Failure to post private property does not imply consent for all-terrain vehicle use.
- (c) On Indian lands without the consent of the tribal governing body or Indian owner. Failure to post Indian lands does not imply consent for all-terrain vehicle use.
- (d) With any firearm in his or her possession unless it is unloaded and enclosed in a carrying case, or any bow unless it is unstrung or enclosed in a carrying case.
- (e) To drive or pursue any animal except as a part of normal farming operations involving the driving of livestock. (f) When within 150 feet of a dwelling at a speed exceeding 10 miles per hour.
- (g) On the frozen surface of public waters within 100 feet of a person not in or on an all-terrain vehicle or motor vehicle or within 100 feet of a fishing shanty at a speed exceeding 10 miles per hour.
- (h) In a manner which violates rules promulgated by the Department of Natural Resources.

(3) ATV OPERATION ON ROADWAY.

A person may operate an all-terrain vehicle on the roadway portion of any highway only in the following situations:

- (a) To cross a roadway. The crossing of a roadway is authorized only if the crossing is done in the most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and

safe crossing, and if the operator stops the all-terrain vehicle prior to the crossing and yields the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway.

(b) On any roadway which is seasonally not maintained for motor vehicle traffic. Operation of an all-terrain vehicle on this type of roadway is authorized only during the seasons when no maintenance occurs and only if the roadway is not officially closed to all-terrain vehicle traffic.

(c) To cross a bridge, culvert, or railroad right-of-way. The crossing of a bridge, culvert, or railroad right-of-way is not authorized if the roadway is officially closed to all-terrain vehicle traffic. The crossing is authorized only if the crossing is done in the most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and safe crossing, and if the operator stops the all-terrain vehicle prior to the crossing and yields the right-of-way to other vehicles, pedestrians, and electric personal mobility devices using the roadway.

(d) On roadways which are designated as all-terrain vehicle routes. Operation of all-terrain vehicles on a roadway which is an all-terrain vehicle 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 which is safe given prevailing conditions.

(e) On roadways if the all-terrain vehicle is an implement of husbandry, if the all-terrain vehicle is used exclusively for agricultural purposes and if the all-terrain vehicle is registered for private use under Wisconsin Statutes. Operation of an all-terrain vehicle which is an implement of husbandry on a roadway is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway which is safe given prevailing conditions.

(f) On roadways if the operator of the all-terrain vehicle is a person who holds a Class A permit or a Class B permit under s. 29.193 (2) of Wisconsin Statutes and who is traveling for the purposes of hunting or is otherwise engaging in an activity authorized by the permit.

(g) On roadways of highways that are all-terrain vehicle trails.

(4) ATV OPERATION ADJACENT TO ROADWAY.

A person may operate an all-terrain vehicle adjacent to a roadway on an all-terrain vehicle route or trail if the person operates the all-terrain vehicle in the following manner:

(a) At a distance of 10 or more feet from the roadway along U.S. numbered highways and state and county highways. Travel on the median of a divided highway is prohibited except to cross.

(b) Outside of the roadway along town highways.

(c) During hours of darkness in the same direction as motor vehicle traffic in the nearest lane, although during daylight hours travel may be in either direction regardless of the flow of motor vehicle traffic.

(d) Not in excess of the speed limits of the adjacent roadway.

(e) With due regard to safety and in compliance with rules promulgated by the department and approved by the Department of Transportation.

(5) DESIGNATION OF ATV ROUTES.

(a) County highways designated as ATV routes shall be established and approved by the Highway Committee. Any modification to a designated ATV route shall be approved by the Highway Committee. The Highway Committee shall retain the sole authority for the closure or termination of any ATV route on the County Trunk Highway System.

(b) ATV routes shall be designated by signs approved by the Departments of Natural Resources and Transportation.

(6) RESTRICTIONS.

(a) All designated routes shall have a speed limit of 30 miles per hour.

(b) The Highway Committee 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 during certain periods of the year.

(7) INTERFERENCE WITH SIGNS AND STANDARDS PROHIBITED.

(a) No person may intentionally remove, damage, deface, move or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route or trail sign or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.

(b) No person may possess any uniform all-terrain vehicle 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 all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.

(8) EXCEPTIONS. The provisions in this ordinance do not apply to the operator of an all-terrain vehicle owned by a municipality, state agency or public utility while the operator is engaged in an emergency or in the operation of an all-terrain vehicle directly related to the functions of the municipality, state agency or public utility if safety does not require strict adherence to these restrictions.

(9) ENFORCEMENT. The Langlade County Sheriff's Department may issue citations for violations of this ordinance. The owner and operator of the ATV involved in a violation of this ordinance shall be liable for violations of these regulations.

(10) PENALTY. Forfeitures for violations of this ordinance are set forth in the penalty provisions contained in Section 25.04