

**FLORENCE COUNTY CODE OF ORDINANCES**  
**CHAPTER 21, SUBCHAPTER 1**  
**ALL TERRAIN VEHICLE (ATV)/UTILITY TERRAIN VEHICLE (UTV)**  
**ORDINANCE**

**1.01 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 in Florence 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 NR64, 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.

**2.02 ATV/UTV Routes**

- A. County trunk highways designated as ATV/UTV routes shall be established an approved by the Florence County Board of Supervisors. The Florence 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 Florence County Board of Supervisors. A copy of ATV/UTV routes, along with a map showing their location, shall be kept on file at the Florence County Highway Department and the Florence County Sheriff's Office. The Florence County Highway Department and the Florence 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 Florence County Board of Supervisors.

B. Routes Designated

The following roads are designated as an ATV/UTV route:

- 1. County Trunk B
  - (a) a .81-mile segment from Fischer Lake Parkway to County Trunk N
- 2. County Trunk C
  - (a) a 2500-foot segment from Hall's Creek Dam Rd to Sleeter Rd
- 3. County Trunk D
  - (a) a 3.51mile segment from Meadowwood Hills Drive to State Hwy 101

4. County Trunk N
  - (a) a 1.60-mile segment from County Trunk B to the intersection at Aurora Liquor / C&R Bar.
  - (b) a 538-foot segment South of the Pine River bridge where the trail runs in the ditch line of the north right of way.
5. County Trunk NN
  - (a) a .73-mile segment from County Trunk N to the railroad grade

### **2.03 ATV/UTV Routes Only on Roadway**

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

### **2.04 ATV/UTV Trails**

- A. Definitions
  1. 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.
  2. 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
  1. ATV/UTV trails are designated by the Florence County Forestry & Parks Committee. Refer to the most recent trail map for location of current trails and connecting routes. Trails on County Land are open to vehicle use as well as ATV/UTV.
- C. Designation of ATV/UTV routes in Townships
  1. ATV/UTV routes within Townships are designated by the Board of each individual township. Contact each Township for a list of designated routes.

### **2.05 Operation of ATVs/UTVs on County Highways**

- 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.

All ATV/UTV operators shall ride in single file on the right-hand side of the paved portion of the highway, unless otherwise signed.

All ATV/UTV operators shall have their headlight and taillight illuminated while operating on a county route.

All ATV/UTV operators at least age 12 and born on or after January 1, 1988 and operating on a county highway 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. Children between the ages of 12-15 must be accompanied by an adult designated by the parent or guardian when riding on designated routes. The child still needs safety certification and the accompaniment requirement doesn't apply to off-road trails or while crossing roads.

All ATV/UTV operators under 18 years old shall wear protective headgear while operating on county highways.

## **2.06 Signage of ATV/UTV Routes**

- A. Pursuant to Wis. Stat. §23.33(8)(d), the following restrictions are placed on the use of ATV/UTV routes designated by this ordinance.
  - 1. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. The Florence County Highway Department has sole responsibility for ATV/UTV route signage on County highways.
  - 2. The Florence County Forestry & Parks Department has the sole responsibility for ATV/UTV trail signage on State funded trails.
  - 3. Each Township has the sole responsibility for signage on ATV/UTV trails/routes within their township.

## **2.07 Enforcement**

- A. This Ordinance shall be enforced by the Florence County Sheriff's Office.

## **2.08 Violations/Penalty**

- A. 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.

## **2.09 Severability**

- A. 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.

## **2.10 Effective Date**

- A. This Ordinance becomes effective immediately upon passage by the Florence County Board of Supervisors and publication.

## **2.11 Deposit Schedule**

- A. 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: \$100.00
  - 2. Speeding on or off of the roadway 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
    - c. 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:
    - a. 1<sup>st</sup> offence \$25.00
    - b. 2<sup>nd</sup> and subsequent offenses \$50.00
  - 6. Operation an ATV/UTV without Protective Headgear (under 18 years old):
    - a. 1<sup>st</sup> offence \$25.00
    - b. 2<sup>nd</sup> and subsequent offences \$50.00
  - 7. Damage to Route, Right-of-way or ATV/UTV Sign or Removal of ATV/UTV Route Sign: \$250.00
  - 8. Illegal Possession of ATV/UTV Sign: \$250.00
  - 9. Careless operation of ATV/UTV: \$50.00