

**14.0400 ALL TERRAIN VEHICLE/UTILITY TERRAIN VEHICLE ROUTES**

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**14.0401 AUTHORITY**

The Town of Lakewood adopts the provisions of this Ordinance pursuant to the authority of Wis. Stats. §23.33 (8)(b) and §23.33 (11).

**14.0402 REGULATION OF ALL-TERRAIN VEHICLES (ATV and UTV)**

Except as otherwise specifically provided in this Ordinance, the statutory provisions of Wis. Stat. §23.33, Wis. Stats. §340, Wis. Admin. Code NR §64, describing and defining regulations with respect to all-terrain vehicles are adopted and by reference made a part of this Code as if fully set forth herein. Any act required to be performed or prohibited by any statute or administrative code incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions, or modifications of the statutes or administrative code incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of all-terrain vehicles.

**14.0403 OPERATION OF ATVs or UTVs ON ATV ROUTES**

The operation of an ATV or UTV on a roadway that is an approved ATV Route and signed in accordance with Wis. Stat. §23.33(8)(e) by Oconto County or any city, town or village is subject to the provisions set forth in this Ordinance, as well as all other applicable statutory provisions.

**14.0404 APPROVED ATV/UTV ROUTES**

- (a) Town roadways designated as ATV/UTV routes shall be established and approved by the Lakewood Town Board. Any modification to a designated ATV/UTV route shall be approved by the Lakewood Town Board. All town roads are designated for ATV/UTV use with the following exceptions:
- (b) After the enactment of this ordinance, the Lakewood Town Board may by resolution close or restrict any specific town roadway or segment of town roadway to ATV/UTV use. Closed or restricted roadways or segments of roadway will be signed in accordance with this ordinance and a copy of closed or restricted ATV/UTV routes, along with a map showing their location, shall be kept on file at the Oconto County Sheriff Department.
- (c) The Lakewood Town Board has the authority to close or restrict ATV/UTV use on any of the roadways under its jurisdiction if damage to the roadway results or where public safety is adversely affected as a result of ATV/UTV use.
- (d) The Town of Lakewood All-Terrain Vehicle (ATV) / Utility Terrain Vehicle (UTV) routes is amended to include the following:  
"The Town of Lakewood under Wis. Stat. ss.23.33(4)(d)3.b. and 11(am)3 shall authorize the operation of ATV/UTV on a section of State Highway 32, from the intersection of Twin Pines Rd to the intersection of Green Acres Ln to allow

ATV/UTV access to the trailhead and all businesses along that and connected to said designated route from November 1<sup>st</sup> to April 1<sup>st</sup> annually. Highway will close for ATV/TUV use from April 2<sup>nd</sup> to October 31<sup>st</sup> annually.

- (e) The Town of Lakewood shall request Oconto County to adopt a resolution to the same effect which will meet the requirements of Wis. Stats. 23.33 for presentation to the WisDOT prior to signage and opening of the route to the public.

**14.0405      SPEED LIMITS**

ATV/UTVs shall obey posted speed limits on Town Roads

**14.0406      ATV/UTV ROUTES ONLY ON ROADWAY**

All ATVs and UTVs shall operate only on the paved portion of the roadway unless otherwise indicated herein. Operation on the gravel shoulders, grassy inslope, ditches, or other roadway right-of-way is prohibited and illegal.

**14.0407      OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES ON TOWN ROADWAYS**

ATV/UTV operation shall be subject to all provisions of Wis. Stats. §23.33, Wis. Stats. §340, and NR 64, which are adopted as part of this ordinance by reference. In addition:

- (a) No person may operate an ATV or UTV on town roadways unless the owner or operator has in effect a liability insurance policy providing coverage consistent with the liability insurance required for automobile operators by the State of Wisconsin and has in his or her immediate possession proof that he or she is in compliance.
- (b) Persons 16 years of age or older must possess a valid driver's license to operate an ATV or UTV on a town roadway.
- (c) No persons under the age of 16 may operate an ATV or UTV on town roadways during the hours between sunset and sunrise.
- (d) No one under 12 years of age is allowed to operate an ATV or UTV on a town roadway and all operators born after January 1, 1988, are required to have an ATV Safety Certificate.
- (e) No person under 16 years of age may operate an ATV or UTV on a town roadway unless the person is accompanied by his or her parent or guardian or by a person who is at least 18 years of age who is designated by the parent or guardian. Anyone accompanying those under 16 years of age must possess a valid driver's license.
- (f) No person may operate or be a passenger on an ATV or UTV without wearing protective headgear of the type required in section 347.485(1)(a), Wis. Stats. unless the person is at least 18 years of age.

- (g) All ATVs and UTVs shall display either a Wisconsin registration or a Nonresident Trail Pass while operating on town roadways.
- (h) All ATV/UTV operators shall ride in single file on the right-hand side of the paved portion of the roadway, unless otherwise marked for operation on the shoulder or in the right of way except those left turns may be made from any part of the roadway that is safe given prevailing conditions.
- (i) All ATV/UTV operators are required to display a lighted headlamp and tail lamp while operating on a town roadway.
- (j) Open intoxicants are prohibited for ATV/UTV operators or passenger(s) while operating on a town roadway.
- (k) Every ATV/UTV shall be equipped, maintained and operated to prevent excessive or unusual noise. No person shall operate an ATV/UTV on a town roadway unless such ATV/UTV is equipped with a muffler or other noise suppressing system in good working order and in constant operation. It shall be unlawful to use a muffler cutout, bypass or similar device on any ATV/UTV in a manner such that noise emitted by the ATV/UTV increases to a level higher than as originally manufactured.
- (l) A golf cart is not an ATV or UTV. Operation of golf carts on town roads is prohibited.

**14.0408 SIGNAGE OF ALL-TERRAIN AND UTILITY TERRAIN VEHICLE ROUTES**

- (a) The Town \_\_\_\_\_ Highway Department has sole responsibility for ATV/UTV signage on town roadways. Roadways shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12(7), Wisconsin Administrative Code and Wis. Stats. Sec. 23.33.
- (b) ATV clubs shall be responsible for the cost of ATV/UTV signage, and shall work with the Town Roadway Department to ensure that ATV/UTV signage is uniform and in compliance with Wisconsin Department of Transportation regulations.
- (c) ATV/UTV operation shall be subject to all provisions of WI Stats. 23.33, which is adopted as part of this ordinance by reference. Pursuant to Wisconsin Statutes 23.33(8)(f), No person may do any of the following in regard to signs marking all-terrain vehicle routes:
  - (1) 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.
  - (2) 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.

**14.0409 ENFORCEMENT**

This ordinance shall be enforced by any officer employed by the Oconto Town Sheriff's Office or any other law enforcement official as set forth in Wisconsin Statute 23.33(12).

**14.0410 VIOLATIONS/PENALTY**

The penalty for operating an ATV/UTV off the roadway of a designated ATV/UTV route (i.e., the gravel shoulder, grassy inslope, ditch, or other roadway right-of-way) or violating any other provision of this ordinance shall result in a forfeiture per the Town of Lakewood bond schedule.

**14.0411 SEVERABILITY**

Should any sub-section, clause, or provision of this ordinance be declared by the Court to be invalid, the same shall not affect the validity of the section as a whole or any part thereof, other than the part so declared to be invalid.

**14.0412 MAINTENANCE**

Designation of segments of the Town of Lakewood Roadway System as ATV/UTV routes does not impose upon the Town of Lakewood a greater duty of care or responsibility for maintenance of those segments than for any other segment of town roadway. Operators of ATV's/UTV's on town roadways assume all the usual and normal risks of ATV/UTV operation.

APPROVED and ADOPTED this 10<sup>th</sup> day of November 2025

  
\_\_\_\_\_  
Mike Mustil, Chairperson

Attested by:

  
\_\_\_\_\_  
Joanne Roy, Supervisor

  
\_\_\_\_\_  
Michelle Moczynski, Clerk

  
\_\_\_\_\_  
James Bostwick, Supervisor

Posted in the following places for 30 days following passage on: NOV. 10, 2025

Town Office/Admin. Building  
Town Website,  
Laona Bank  
SuperValue.