

LANGLADE COUNTY ORDINANCE REGULATIONS RELATED TO ALL TERRAIN AND UTILITY TERRAIN RECREATION

CHAPTER 8 LANGLADE COUNTY MOTORIZED RECREATIONAL VEHICLE ORDINANCE (EXCERPTS RELATED TO ATV/UTV VEHICLES)

DEFINITIONS:

3) ALL TERRAIN VEHICLE (ATV) Wisconsin law, Chapter 340.01 (2g) of Wisconsin Statutes, defines an all-terrain vehicle as a commercially designed and manufactured motor-driven device which has a net weight of 900 pounds or less, *was originally manufactured with a width of 50 inches or less*, [equipped with a seat designed to be straddled by the operator](#) and which is designed by the manufacturer to travel on three or more tires. This includes small or child-sized ATVs. Certain ATVs that do not currently fit the ATV definition may be registered as UTVs. The chapter definition of ATV shall conform to current Wisconsin Statutes or definitions as may be amended in the future under appropriate Statutes. The following do not meet legal ATV specifications:

- Any recreational vehicles or machines that do not meet the statutory specifications for ATVs.
- An ATV modified with tracks, skis, etc.
- Machines that can be legally registered as UTVs.
- An off-road motorcycle.
- 6-8 wheel amphibious vehicles.
- A go-cart or golf cart.
- Golf cart: a vehicle in which the speed attainable in one mile does not exceed 20 mph on a paved, level surface, and that is designed and intended to convey one or more persons and equipment to play the game of golf in an area designated as a golf course.
- A homemade or non-commercially manufactured machine.

4) UTILITY TERRAIN VEHICLE (UTV) Wisconsin law Chapter 23.33.(1)(ng) of Wisconsin Statutes, defines a utility-terrain vehicle as a commercially designed and manufactured motor-driven device that is designed to be used primarily off highway, and originally manufactured and equipped with all of the following: a weight, without fluids, of 3,000 pounds or less; four or more tires; steering wheel; tail light; brake light; two headlights; width of not more than 65 inches; seat belts; and roll bar or similar device designed to reduce the likelihood that an occupant would be crushed as the result of a rollover. This includes small or child-sized UTVs. Vehicles that do not qualify as an ATV as defined in ss.340.01(2g) but are commercially designed and manufactured, motor driven devices that contain 3 or more tires, a weight without fluids of 2000 pounds or less, a width of 65 inches or less and a seat designed to be straddled by the operator may also be registered as a UTV. The following do not meet legal UTV specifications: A motor-driven device that meets federal motor vehicle safety standards. The chapter definition of UTV shall conform to current Wisconsin Statutes or definitions as may be amended in the future under appropriate Statutes. The following do not qualify as a Utility Terrain Vehicle under Wisconsin Statutes:

- A UTV modified with tracks, skis, etc.

- A dune buggy or golf cart.
- Golf cart: a vehicle in which the speed attainable in one mile does not exceed 20 mph on a paved, level surface, and that is designed and intended to convey one or more persons and equipment to play the game of golf in an area designated as a golf course.
- Vehicles that meet the legal definition of a low speed vehicle.
- A mini-truck.
- A homemade or non-commercially manufactured machine

- 13) TRAIL OPENING Authorization made by Langlade County to sanction use of specific trails within the county. Official Trail opening is accomplished by act of the Department to provide a Public Service Announcement to sanction opening specific trails on a certain date and at a certain time. Established practice for seasonal opening is for trail clubs or Councils to provide certification for safe trail conditions prior to sanctioning of the opening.
- 14) TRAIL CLOSURE Authorization made by Langlade County to sanction closure of specific trails within the county. Official Trail Closure is accomplished by act of the Department to provide a Public Service Announcement to sanction closing of specific trails on a certain date and at a certain time. Established practice for seasonal closure is for trail clubs or Councils to provide certification for deteriorating conditions resulting in unsafe conditions prior to sanctioning of the closing; however, the Department reserves the authority to close the trails at any time for any reason.
- 15) TRAIL MAINTENANCE SEASON A specific term of dates within any year when trail maintenance by trail clubs is planned and authorized. This season may be dependent upon agreement from landowners of which particular trails cross.
- 16) PLANNED TRAIL SEASON A specific term of dates within any year which sets planned seasonal trail opening dates and seasonal trail closing for specific trail types.
- 17) ACTUAL TRAIL SEASON The actual term of dates within any year when trail conditions provide for trail operation of specific trail types. This is the term between Public Service Announcement for opening and Public Service Announcement for closing of specific trail types.
- 18) UNCLASSIFIED RECREATIONAL VEHICLES (URV) Any recreational vehicle or machine that does not meet the statutory specifications for ATV, UTV, Off Highway Motorcycle, Off Highway Motor Vehicle, or Snowmobile which is operated for recreational use or transportation shall be considered URV under the Chapter. The following types of vehicles are examples of URV:
- a) E- Bicycles.
 - b) 6-8 Wheel Amphibious Vehicles.
 - c) Tractors and lawn tractors utilized as alternative transportation.
 - d) A go-cart.
 - e) Golf cart: a vehicle in which the speed attainable in one mile does not exceed 20 mph on a paved, level surface, and that is designed and intended to convey one or more persons and equipment to play the game of golf in an area designated as a golf course.
 - f) A UTV or ATV modified with tracks, skis, etc.
 - g) A dune buggy or golf cart.
 - h) Vehicles that meet the legal definition of a low speed vehicle.
 - i) A mini-truck.
 - j) A homemade or non-commercially manufactured machine.
- 19) MOTORIZED RECREATIONAL VEHICLE (MRV) shall be defined under the chapter to include all ATV, UTV, OHM, OHMV, SNOWMOBILE, or URV operated off from official defined roads to include all operation on lands, trails, routes or ice in Langlade County.
- 20) MRV TRAIL shall be defined under the chapter to include trails designed for ATV/UTV, OHM or Snowmobile use on public property or on private lands, subject to public easement or lease, authorized

for use by ATV/UTV, OHM or Snowmobiles by the governmental agency having jurisdiction. Trails exclude roadways or highways.

- 21) **MRV ROUTE** shall be defined under the chapter to include public roadways or streets authorized for ATV/UTV, OHM, OHMV or Snowmobile use under ordinances approved by the operating government of jurisdiction. Authorization of ordinances are subject to requirements and restrictions of Wisconsin Statutes for various roadway types and various MRV uses. *Ordinances must be enacted by a municipality and/or county* before operation may occur. Routes by statute are roadway portions, not the shoulder or other parts of the right-of-way (ROW), where MRV operation is authorized
- 22) **MRV TRAIL SYSTEM** shall be defined under the chapter to include connecting ATV/UTV, OHM or Snowmobile trails and routes are connected to a state funded trail system for defined use.

8.05 OPERATION OF MOTORIZED RECREATIONAL VEHICLES (MRV)

1) PUBLIC LAND

- a) No person shall operate any MRV on public lands, trails, or roads unless authorized by the Federal, State, County or Local agency controlling the lands under a permit issued by the agency (such as a power driven mobility permit) and carried by the operator or **unless marked as open** to the specific MRV type used.
- b) No person shall operate any MRV on public lands, trails, or roads **designated as closed** to vehicles by a sign, physical barrier or gate (either open or closed) placed by the Federal, State, County or Local government agency controlling the lands.
- c) No person shall operate any MRV off from established trail surfaces on public lands. Trail surfaces shall be signed and marked with uniform motorized recreational (ATV/UTV, OHM or Snowmobile) vehicle signs in accordance with Wisconsin Administrative Code
- d) No person shall operate any MRV cross country on public land.
- e) Federal, State or County agency controlling the lands shall be exempt from MRV use limitations in this subsection when MRV utilization is authorized for completion of duties on the public lands.

2) PRIVATE LAND

- a) No person shall operate any MRV on private lands, trails, or roads unless authorized by the landowner.
- b) No person shall operate any MRV off from established trail surfaces on private lands. Trail surfaces shall be signed and marked with uniform motorized recreational (ATV/UTV, OHM or Snowmobile) vehicle signs in accordance with Wisconsin Administrative Code.
- c) Landowners of specific lands shall be exempt from MRV use limitations in this subsection on lands under their control.

3) DAMAGE BY MRV No person shall operate any MRV in such a manner as to cause intentional soil displacement, soil erosion, soil or water pollution or other environmental damage on any authorized trail, road, land or waterbody.

4) MRV PARKING No person shall park, stop or leave standing, whether attended or unattended, any MRV in any manner as to block, obstruct, or limit the use of any road, trail, waterway, or facility, or contrary to posted notice.

5) MRV ENTRY INTO WATERBODY OR WETLAND No person shall enter any lake, stream, pond, wetland, or other waterbody with any MRV. Designated drivable fords which are part of an authorized trail are exempt from this subsection.

6) MRV SPEED

- a) No person shall operate any MRV in excess of posted MRV speed limits on any road, route, trail

or lake in Langlade County.

b) MRV speed shall not exceed posted limits for motor vehicles on authorized routes, or the speed limit posted for the MRV, whichever is less.

7) **SINGLE FILE** No person shall operate any MRV except single file on the right-hand side of authorized trails or route.

8) **UNCLASSIFIED RECREATIONAL VEHICLES (URV)** No person shall operate any URV on any MRV Trail within Langlade County unless that person is the owner of land of which such trail crosses or authorized by a permit from the land manager for public lands.

9) **OFF HIGHWAY MOTOR VEHICLES (OHMV)** No person shall operate any OHMV on any MRV Trail within Langlade County unless that person is the owner of land of which such trail crosses or authorized by a permit from the land manager for public lands. Note that OHMV use is allowed on MRV Routes as regulated for public roadways.

10) **PARENT OR GUARDIAN SUPERVISION AND LIABILITY** Children under the age of 16 must be accompanied by an adult designated by the parent or guardian when operating any MRV on any route or lake in Langlade County. Supervision requirement doesn't apply on private property or for Off-Highway Motorcycles operating on established trails as allowed by State Statutes. Parents or guardians shall retain all liability for operation of MRV's on any route by minor children.

11) **MRV ON ROADWAYS**

a) No person shall operate any MRV on a roadway unless the MRV meets all requirements as defined by DOT regulations or unless that roadway is designated by the Department of Transportation, County or Municipality as an official Route.

b) No person shall operate any MRV on a roadway other than the extreme right side of the roadway and travel with the flow of traffic.

c) No person shall operate an MRV on a roadway other than in single file.

d) No person shall operate an MRV on a roadway without headlights illuminated at all times.

e) No person shall operate any MRV off the paved portion of roadways. Operation on the gravel shoulders, grassy slopes, ditches, or other highway or road right-of-way is prohibited and illegal, unless such area is part of an authorized and property signed trail system.

f) All operators of MRV on a roadway shall yield the right-of-way to other vehicular traffic and pedestrians.

12) **ADDITIONAL RESTRICTIONS DURING SNOWMOBILE SEASON**

a) During the period from December 1st of any year and extending to April 1st of the following year no person shall operate any MOTOR VEHICLE, UTV, OHM, OHMV or URV on any designated and marked snowmobile trail within Langlade County unless:

i) That person is the owner of land of which such trail crosses

ii) That person authorized by a permit from the land manager for public lands of which such trail crosses

iii) That person is officially completing snowmobile trail maintenance under a club maintenance agreement.

iv) Such trail section is plowed for motor vehicle use by actions of the land owner or land manager of such trail section

v) Rescue and official vehicles are exempt from this section.

b) During the period from December 1st of any year and extending to April 1st of the following year no person shall operate any ATV on any designated and marked snowmobile trail within Langlade County:

i) On any snowmobile trail located on National Forest Lands

- ii) Unless the Langlade County Snowmobile trail system in the respective zone has been officially open for the previous 10 days and the temperature during operation is less than 28 degrees F.
- iii) **UTV's are not allowed to operate on snowmobile trails** due to weight and width of machines
- iv) Rescue and official vehicles are exempt from this section.

13) RIVER OPERATION OF MOTORBOATS AND PERSONAL WATERCRAFT

- a) No person shall operate any motorboat or personal watercraft on any river contrary to limitations as posted and identified in this chapter.

8.07 ALL TERRAIN VEHICLE (ATV) AND UTILITY TERRAIN VEHICLES (UTV) TRAILS AND ROUTES

1) OFFICIAL ATV/UTV TRAILS -STATE FUNDED ATV/UTV TRAILS

- a) **GRANT FUNDING.** The Department will sponsor grant funding, upon request, and will aid trail clubs for grant applications related to establishment and maintenance of official ATV/UTV trails. Official trails must meet specifications for State funding as identified in grant requirements. Grant funding may include but not be limited to State and Federal grant programs.
- b) **AGREEMENTS REQUIRED.** All ATV/UTV trails shall have a written easement, verbal easement or land use agreement between the operating trail club and the landowner or managing agency which meets requirements of the landowner. Easements and land use agreement dates shall be certified by the operating trail club annually. Operating trail clubs shall also maintain an annual maintenance agreement with Langlade County.
 - i) **LAND USE AGREEMENTS.** Prior to acceptance as an official ATV/UTV trail or route and prior to County assistance with grant funding, trails on Langlade County Lands, State Lands, or Federal Lands shall be authorized by appropriate agency through a land use agreement with the operating club for such use. Other agencies have their independent requirements for land use agreements and processing requirements.
 - ii) **EASEMENTS.** All ATV/UTV trails shall have a written easement, verbal easement or land use agreement between the operating trail club and the landowner or managing agency which meets requirements of the landowner. Easements shall be certified by the operating trail club annually as part of the annual operations and maintenance agreement.
 - iii) **TRAIL MAINTENANCE AGREEMENTS.** Trail clubs shall maintain an annual maintenance agreement with Langlade County. Annual maintenance agreements shall define the managing trail club as “the operator” of the trail segments. All maintenance agreements will include a requirement for liability insurance provided by the managing Trail club, naming Langlade County as an additional insured. Any and all trail maintenance agreements must be approved by the Department with signature of the Forest Administrator. Standard ATV/UTV Operations and Maintenance Agreements can be found in Appendix 1.
 - iv) **LIABILITY INSURANCE.** Annual maintenance agreements shall list parcel identification numbers for all lands. This requirement will provide protections to the landowners under Wisconsin Recreation Laws. All land parcel identification numbers shall also be designated by the operating trail club under their annual liability insurance policy to protect landowners. Trails sponsored by Langlade County in grant application shall also have Langlade County named as additional insured with a certificate filed and maintained by the Department.
- c) **MAINTENANCE OF OFFICIAL MAPS AND AGREEMENTS.** The department will maintain official maps and agreements for State Funded ATV/UTV trails which meet the requirement of the Chapter.

- d) **PLANNED TRAIL SEASON.** April 1st until December 1st of any year, **depending upon weather, trail conditions and environmental conditions.** Opening may be approved in any year with Forest Administrator approval and concurrence from the ATV/UTV Council. Actual trail season will be determined by official opening and closing announcements based upon adequate trail operating and environmental conditions as determined by Trail Clubs, the Langlade County ATV/UTV Council and the Department.
 - e) **TRAIL OPENING.** Authorization will be made by Langlade County any time after April 1st of any year, to sanction use of ATV/UTV trails within the county upon receipt of certification forms from trail clubs and confirmation of a vote of the Langlade County ATV/UTV Council that safe and maintainable trail and conditions exist. The Department will approve opening dates following inspections by the department to confirm the certifications and ensure that environmental conditions allow sustainable operation of the trails. Trail opening will be completed with provision of a Public Service Announcement by the Department through local media outlets to sanction trail opening on specific dates and at a certain time.
 - f) **TRAIL CLOSURE.** Authorization will be made by Langlade County to sanction closure of ATV/UTV trails within the county upon confirmation of a vote of the Langlade County ATV/UTV Council that trail conditions are deteriorating resulting in unsafe and unmaintainable trail surfaces or upon reaching December 1st of each year, whichever is earlier. Closure of trail segments or trail sections may be completed by the Department from inspections which identify safety issues, conflicting uses which provide for unsafe operation of the trail or for environmental and resource degradation resulting from trail operation or inadequate trail maintenance. Trail closures will be completed with provision of a Public Service Announcement by the Department through local media outlets to sanction closing of trails on a specific date and at a certain time.
- 2) **CLUB FUNDED TRAILS.** Trails that do not meet specification to be state funded can be operated and maintained with private club funding. Langlade County does not sponsor or provide funding for Club trails. It is recommended that the club operating a club funded trail should maintain both easements and liability policies which protect landowners in all cases.

VIOLATIONS OF ANY PORTION OF THE MOTORIZED RECREATIONAL VEHICLE ORDINANCE MAY RESULT IN SUBSTANTIAL FORFEITURES UNDER CITATIONS OR NOTICES OF VIOLATION BEING ISSUED!

