

**TOWN OF CONOVER**  
**All-Terrain Vehicle/UTV/Equestrian**  
**Ordinance No. 115-15**

**Chapter 7: Traffic Code of Town General Code of Ordinances**

**7:10 Title.** The Town of Conover All-Terrain Vehicle/UTV/Equestrian Ordinance.

**7:12 Purpose.** The purpose of this ordinance is to establish all-terrain vehicle routes in the town and to regulate the operation of all-terrain vehicles in the town. The establishment of this ordinance is for the convenience of the ATV/UTV public and the Town Board of Conover makes no warranty expressed or implied that the aforesaid routes are safe for the operation of these motorized vehicles. **For the purpose of this ordinance, any reference to an ATV also includes the use of an UTV.**

**7:14 Statutory Authority.** The Town Board of the Town of Conover, Vilas County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle Route Ordinance under 61.34(1) and 23.33 (8) (b) and (11), Wisconsin Statutes and rules of the Wisconsin Department of Natural Resources under that section and encompasses all aspects of that section.

**7:16 Applicability.** The requirement of this ordinance shall apply to all persons within the Town of Conover. This ordinance shall replace any previous ordinance or resolutions of the Town of Conover that may conflict with any of the provisions herein.

The Town Board of the Town of Conover, Vilas County, Wisconsin, by this ordinance, adopted on proper notice with a quorum and roll call vote by a majority of the town board present and voting, provides the authority for the town to designate all-terrain vehicle routes in the town, and to regulate the use of those routes and all-terrain vehicles in the town.

**7.18 ATV-UTV Operation.**

1. Pursuant to s.23.33 (4) (d) 4., Wis. Stats., except as otherwise provided in s.23.33 (4), Wis. Stats., no person may operate an all-terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle routes by the ordinance.

2. Operation of all-terrain vehicles on a roadway in the Town of Conover that is an all-terrain vehicle route is authorized at the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions.

3. Below is a listing of roads which are not under the Town's authority and operation of an ATV or UTV is Strictly Prohibited unless portions are authorized and so indicated in accordance with 7.20(1) and by signage:

- a. US Highway 45
- b. County Highway K East
- c. County Highway K West
- d. County Road S
- e. State Highway 17
- f. All private or easement roads that are not maintained by the town of Conover (therefore, Town has no control over use by property owners on these).
- g. Columbus Rd. (Maintained & Plowed by Town of Washington)

4. No operation of any all-terrain vehicle is permitted on the shoulder of any public roadway.

5. No person shall operate an all-terrain vehicle with tire chains or studded tires on any town road or designated route.

6. No person shall operate an all-terrain vehicle which has been mechanically or otherwise altered from the manufacturer's specification so as to generate additional speed, traction or noise.

7. No person shall operate an all-terrain vehicle at a rate of speed that is unreasonable or imprudent under the circumstances or in any careless or reckless manner so as to endanger any person or property of another.

8. The operator must not exceed the route speed limit or 35 mph, whichever is less except that it shall slow to 10 mph when operated within 150 ft. of a dwelling or within 100 ft. of a pedestrian or someone not on a motorized vehicle.

9. All-terrain vehicles must be operated in single file and must have both head lamps and tail lamps on during all times of operation.

10. All-terrain vehicles shall yield right-of-way to other and all vehicular traffic and pedestrians.

11. No person shall operate an all-terrain vehicle who is under the age of 18 years of age without wearing protective head gear of the type required under s. 347.485 of the Wisconsin Statutes and with the chin strap properly

fastened unless the statutory exception in s. 23.33(3g) applies [(a.) person is 18 years of age; (b.) is traveling for the purposes of hunting or fishing and is at least 12 years of age; (c.) the all-terrain vehicle is being operated for an agricultural purpose or (d.) vehicle is being operated on land under control of the person's immediate family]

12. Any person born after January 1, 1988 is required to have a valid Safety Certificate.

13. All operators of all-terrain vehicles travel at their own risk. The Town of Conover will not be liable for any damages, injuries or any liability caused by or to such operations within the Town.

14. Landover ATV Club Insurance will name Conover and Vilas County as co-insured.

#### **7.20 Designation of All-Terrain Vehicle Routes.**

1. All town of Conover roads may be used for Ingress/Egress to the nearest PREFERRED ATV/UTV/ Route, with the exception of any road unsuitable at the discretion of the Town Board (Attachment A). Certain roads will be designated (and signed by Landover ATV Club) as PREFERRED ATV/UTV ROUTE. These Preferred Routes will be listed/posted on the plat map maintained in the Office of the Town Clerk for the Town Of Conover.

2. All ATV/UTV trails/routes are open from May 1- November 15. **Travel on a town road to access a lake for ice fishing and local travel is permitted outside of those dates (except prohibited from March 15 – April 30).** Equestrian routes are open year-round.

3. The Town Board will periodically change/amend/close these routes as necessary.

4. Landover ATV Club will install, inspect and maintain signage and trails.

5. Landover ATV Club will provide WATVA trained Trail Patrol Ambassadors to patrol trails / routes.

6. All ATV/UTV Trails shall be designated by simple motion of the town board of Conover.

7. Operation in the Hildegard Cemetery and on Cemetery Road is **Strictly Prohibited**.

#### **7.22 Conditions Applicable to All-Terrain Vehicle & Equestrian Routes.**

Pursuant to s. 23.33 (8) (d), Wis. Stats. the following restrictions are placed on the use of the all-terrain vehicle routes/trails designated by this ordinance:

A. Preferred Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. 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 or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.

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 route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain route or trail sign or standard creates a reputable presumption of illegal possession.

B. Operation shall be subject to all provisions of s.23.33, Wis. Stats., which is adopted as a part of this ordinance by reference, pursuant to s. 23.33 (11), Wis. Stats. to include 23.33 (11) (am) 3 allowing the town to authorize the operation of ATVs/UTVs on a highway bridge that is 1,000 feet in length or less.

C. A copy of this ordinance shall be sent by the town clerk to all Law Enforcement Agencies affected and the Department of Natural Resources.

D. All ATV/UTV operators shall follow Preferred Routes as approved by the Conover Town Board as well as any restrictions placed on the route by the Conover Town Board.

E. All equestrian riders are responsible for their animal's manure. It must be moved into the woods or off to the side of any public road.

#### **7.24 Definitions.** For the purpose of this ordinance:

(1) "All-terrain Vehicle" has the meaning specified under s. 340.01(2g) of the Wisconsin Statutes, and as it may be amended.

(2) "All-terrain Vehicle (ATV)" – a commercially designed and manufactured motor-, driven device that has a weight without fluids, of 900 pounds or less, has a width of 50 inches or less and is equipped with a seat designed to be straddled by the operator and on 3 or more low-pressure or non-pneumatic tires.

(3) "Utility Terrain Vehicle (UTV)" – a commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck or tracked vehicle, that is designed to be used primarily off a highway, and that has and was originally manufactured with all of the following:

(a) a net weight, without fluids, of 2,000 or less

(b) four or more low pressure or non-pneumatic tires

- (c) a cargo box installed by the manufacturer and a steering wheel.
- (4) "All-terrain Vehicle Route" means a highway or public road or easement designated for its use by the Town Board as authorized under this ordinance.
- (5) "All-Terrain Vehicle Trail" means an authorized trail over county/private land that has been authorized by the proper authorities or private land owner.
- (6) "Town Road" means any road (Attachment A) for public vehicular travel that is maintained by the Town of Conover.

**7.25 Informational Links:**

- (1) [www.dnr.wi.gov/topic/atv/](http://www.dnr.wi.gov/topic/atv/)

**7.26 Enforcement.** This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin and the regulations and ordinances of the Town of Conover, Vilas County.

**7.28 Penalties.** The penalties under Wis. Stats. 23.33 (13) (a), are adopted by reference.

**7.30 Severability.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

The provisions of this ordinance shall be deemed severable and it is expressly declared that the County/Town would have passed the other provisions of whether or not one or more provisions may be declared invalid.

This ordinance will be reviewed as deemed necessary.

This ordinance can be modified and/or repealed at any time should just cause be found for excessive violation and issues of harm and safety to the public or the environment.

**7.35 Effective Date.** The Ordinance shall be effective on posting or publication.

Adopted this 5<sup>th</sup> day of March, 2015




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Supervisor Karl Jennrich

ATTEST:




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Katherine Mitchell - Town Clerk




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Supervisor Thomas Timken, Jr.

Effective:  
March 6, 2015

Town Roads (7.20(1))  
Official List (Attachment A)

	A	B	C
1	Baker Lake Road	Old 45 Road	
2	Bay Road	Old Farm Road	
3	Birch Point Road	Petes Point Road	
4	Blong Road	Pioneer Church Road	
5	Camp 12 Road	Pioneer Creek Road	
6	Chicago Avenue	Pioneer Landing Road	
7	Church Road	Pioneer Road	
8	Deep Lake Road	Razorback Road	
9	Deer Lake Road	River Road	
10	Denton Road	Ross Road	
11	East Buckatabon Road	Rummels Road	
12	East Flowage Road	Rush Road	
13	East Huner Lake Road	South Pioneer Road	
14	East Pioneer Road	School Street	
15	East Stormy Lake Road	Shooting Range Road	
16	Eller Drive	Silver Birch Road	
17	Elrose Court	Ski Hill Road	
18	Fire Lane Road	Spruce Road	
19	Flowage Landing Road	Star Lake Road	
20	Gellings Road	Starwood Drive	
21	Hanson Road	Stormy Lake Landing Road	
22	Heart Lake Road	Stormy Point Road	
23	Hegemann Road	Struck Road	
24	Hibanks Road	Tamarack Road	
25	Jacoby Road	Three Springs Road	
26	Kohn Road	Torch Lake Road	
27	Kroon Road	Town Road	
28	Lake Hills Landing	Twin Hill Road	
29	Lakota Road	Twin Lake Road	
30	Lindberg Road	West Buckatabon Road	
31	Marshall Lake Road	West Huner Lake Road	
32	Mathwig Road	West Stormy Lake Road	
33	McCarthy Lane	Wilsch Road	
34	McPeak Road		
35	Monheim Road		
36	Muskrat Creek Road		
37	North Flowage Road		
38	North Hunter Lake Road		
39	Oak Road		
40	Old 26 Road		
41			
42			