

**Town of Winchester**  
**Ordinance 2025-01**  
**All-Terrain Vehicle and Utility-Terrain Vehicle**  
**Routes and Regulations**

**Section I – Purpose & Intent**

The Town of Winchester, Winnebago County, Wisconsin adopts the following All-Terrain Vehicle and Utility Terrain Vehicle (ATV/UTV) Routes and Regulations Ordinance for the operation of ATVs/UTVs upon all Town of Winchester roadways as identified in Section III Routes, below, unless posted otherwise, and subject to Section IV Regulations and Section V Conditions of this Ordinance. The purpose of this ordinance is to establish ATV/UTV routes and provide safe and enjoyable ATV/UTV recreation consistent with public rights and interests. The Town Board finds that the ATV/UTV route will provide recreational opportunities to members of the public and will provide economic opportunities for town businesses.

**Section II – Statutory Authority**

The provisions of this ordinance are adopted by the Town of Winchester Board of Supervisors pursuant to the authority granted by Wis. Stats. § 23.33(8)(b) and (11).

**Section III - Routes**

1. All Town roads within the Town of Winchester are hereby designated as ATV/UTV routes.
2. All county roadways located in the Town of Winchester are hereby declared ATV/UTV routes if and as approved and authorized by the County of Winnebago Board of Supervisors and as identified in Winnebago County General Code Section 7.16.
3. The Town of Winchester reserves the right to close or modify Town road routes at any time.
4. All required Town road route signs shall be posted in compliance with the Federal Manual for Uniform Traffic Control Devices (MUTCD) and WI Department of Natural Resources (WI DNR) standards.
5. All required designated Town road route signs shall be paid for and installed by an ATV/UTV club or association resulting in a Net-Zero cost to the Town of Winchester.
6. The Town of Winchester, or its designee, shall maintain all Town road route signs within the Town.

**Section IV Regulations**

1. Except as otherwise provided herein, the statutory provisions of Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64, which create, describe, and define regulations with respect to ATVs and UTVs, are adopted and, by reference, made a part of this Ordinance as if fully set forth herein.
2. Operator and rider requirements. Operators shall follow all applicable provisions of Wis. Stats. § 23.33 regulating ATV/UTV operations.
  - (a) Any person who operates or rides as a passenger on an ATV or UTV on a highway or roadway route identified in Section III Routes, above, must meet the following requirements:
    - i. Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including those outlined in Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64. All ATV/UTV rules of operation outlined in Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64 are adopted and incorporated by reference in this section.
    - ii. No person may operate an ATV or UTV without having attained the age of 16.
    - iii. No person may operate an ATV or UTV without a valid driver's license.

- (b) All operators shall have a liability insurance policy in force on any ATV or UTV operated on an ATV/UTV road or route. The liability insurance policy must have the following minimum coverages:
- i. \$10,000.00 for property damage
  - ii. \$25,000.00 for the injury or death of one person
  - iii. \$50,000.00 for the injury or death of more than one person

#### **Section V – Conditions**

As a condition for the use of roadways, the following conditions shall apply to all operators and passengers where applicable.

1. All ATV/UTV operators on routes shall observe all posted speed limits.
2. All ATV/UTV operators shall ride single file on designated highway and roadway routes. Highway and roadway are defined in the same manner as defined in Wis. Stats. §340.01(22)(54).
3. ATV/UTV routes are intended for recreational travel to and from other ATV/UTV routes located outside the town, or places of business or other destinations along the town ATV/UTV routes. The town ATV/UTV routes are not intended for continuous circular travel on the routes.
4. All ATVs and UTVs must operate with fully functional headlamps, tail lamps, and brake lights.
5. Headlights must be on at all times.
6. Every ATV or UTV shall be equipped, maintained, and operated to prevent excessive or unusual noise. No person shall operate an ATV or UTV on an ATV/UTV route unless the vehicle is equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation.
7. All drivers and passengers must wear seatbelts if the vehicle is so equipped.
8. All ATV/UTV operators shall wear eye protection. A UTV full windshield is acceptable in lieu of separate eye protection.
9. All ATV/UTV operators and passengers under the age of 18 are required to wear a helmet.
10. No person may operate an ATV/UTV with a blood alcohol concentration (BAC) of .08% or more.
11. No person may operate an ATV/UTV with any detectable amount of a restricted controlled substance in their blood.

#### **Section VII – Enforcement**

The Town Board authorizes the Winnebago County Sheriff as well as any other law enforcement officer authorized to enforce the laws of the State of Wisconsin, to enforce this ordinance.

#### **Section VIII – Penalties**

Wisconsin ATV/UTV penalties as found in Wis. Stats. § 23.33(13) are adopted and incorporated herein by reference. Additionally, any person who violates any provision of Section IV Regulations and/or Section V Conditions, above, shall be subject to a forfeiture of \$50.00 plus any statutory surcharges imposed by the State Legislature.

#### **Section IX – Severability**

If any section, clause, provision or a portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected thereby.

**Section X – Effective Date**

This ordinance becomes effective upon passage, publication, and posting of signs. The clerk shall send a copy of the ordinance to the Winnebago County Sheriff, the State Traffic Patrol, and the Department of Natural Resources.

Passed this 21st day of July, 2025.



Matthew J. Olson, Town Chairman



Attest: Holly Stevens, Town Clerk