

ORDINANCE # 2025-01:
All-Terrain Vehicle (ATV) and Utility Terrain Vehicles (UTV) Route
Village of Waldo, Sheboygan County

**AN ORDINANCE DESIGNATING ALL-TERRAIN VEHICLE (ATV) AND UTILITY TERRAIN
VEHICLE (UTV) ROUTES AND REGULATING THE OPERATION OF ALL TERRAIN
VEHICLES**

WHEREAS, the Village of Waldo recognizes the recreational, tourism, and economic benefits of providing designated routes for All-Terrain Vehicles (ATVs) and Utility Terrain Vehicles (UTVs); and

WHEREAS, the Village desires to ensure the safety of operators, passengers, motorists, and pedestrians by regulating the operation of ATVs and UTVs on Village roads; and

WHEREAS, the Village has considered traffic density, roadway conditions, terrain, accident history, and public health and safety concerns in establishing appropriate ATV/UTV routes; and

WHEREAS, the Village seeks to maintain compliance with Wisconsin Statutes § 23.33 and Wisconsin Administrative Code NR 64 while enabling responsible recreational ATV/UTV use; and

WHEREAS, the Village desires to clearly mark routes, establish operational rules, and adopt enforcement and liability provisions to protect the public and the Village;

NOW, THEREFORE, the Village Board of the Village of Waldo, Sheboygan County, does ordain as follows:

Section I-Intent

The Village of Waldo, Sheboygan County adopts the following all-terrain vehicle route for the operation of all-terrain vehicles upon all Village roads. Following due consideration of the recreational value to connect trail opportunities and weighing possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this ordinance has been created.

Section II-Statutory Authority

Open usage of Village roads is done pursuant to Village authority as authorized by 23.33(8)(b), WI Stats. The applicable provisions of 23.33 regulating ATV/UTV operation pursuant to routes are adopted.

Section III-Routes

1. All Village roads will be open to ATV/UTV usage unless otherwise posted.
2. All county and state roadways posted 35 mph or less will be open to ATV/UTV usage as authorized under § 23.33(11)(am)4, unless otherwise posted.

Section IV-Conditions

As condition for use of Village roads, the following conditions shall apply to all operators and passengers;

1. **Speed Limits:** Operators must observe posted speed limits, with a maximum speed of 35 mph unless otherwise posted.
2. **Headgear Requirement:** Operators and passengers under 18 years of age must wear protective headgear as required under s. 347.485(1)(a), Wis. Stats., unless specifically exempted.
3. **Operator Age and Supervision:** Operators under 16 must be under the direct verbal supervision of a parent or legal guardian when operating on designated routes.
4. **Right Side of Road:** ATVs and UTVs must operate on the extreme right side of the roadway. Left turns may be made from any part of the roadway, as long as it is safe under the prevailing conditions.
5. **Single File:** Operators must ride in single file.
6. **Hand Signals:** Approved hand signals are required when turning or changing lanes, if the vehicle is not equipped with turn signals.
7. **Compliance with Laws:** Operators must obey all traffic laws, local ordinances, and Department of Natural Resources (DNR) regulations.
8. **Lights and Registration Plate:** ATVs and UTVs must display a lighted headlamp, tail lamp, and working brake light; as well as display the registration license plate at all times.
9. **Daytime Operation:** ATVs and UTVs may only operate from one hour before sunrise to one hour after sunset.
10. **Eye Protection:** Operators are required to wear eye protection while operating their vehicle.
11. **Age and Certification Requirements:** Operators must be at least 12 years old and possess a valid motor vehicle driver's license or be accompanied by a responsible adult with a valid motor vehicle driver's license. Additionally, operators born after December 31, 1987, must have completed an approved ATV/UTV safety certification course.
12. **Liability:** ATV/UTV operation is at the risk of the operator. The VILLAGE OF WALDO has no liability for any damage or injury to persons, real property, or personal property, arising out of the operation of ATVs and UTVs on designated ATV/UTV Routes under Wis. Stats. 895.52 (1)(d)(g).
13. **Signage:** All roads must be signed in accordance with NR 64.12, and NR 64.12 (7).
14. **Year-Round Operation:** Routes are open for ATV/UTV usage year-round.
15. **Shared Roads with Other Jurisdictions:** On all roads shared with another jurisdiction, the most restrictive ordinance shall apply.
16. **Right to Modify Routes:** The Village reserves the right to open or close routes by a simple board motion.

Section V - Signage and Marking of Routes

All ATV/UTV routes shall be clearly marked with uniform route signs in accordance with s. 23.33(8)(e), Wis. Stats., and s. NR 64.12(7), Wisconsin Administrative Code.

No person shall:

- A. Intentionally remove, damage, deface, or obstruct any route sign or standard.
- B. Interfere with the effective operation of any legally placed route sign.
- C. Possess any uniform route or trail sign unless obtained lawfully.

Section VI-Enforcement

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

If provisions of this ordinance are more restrictive than those of Wisconsin Statutes § 23.33 or other applicable state law, the provisions of this ordinance shall control within the Village of Waldo.

Section VII-Penalties

- A. Wisconsin State All-Terrain Vehicle penalties as found in § 23.33(13)(a), Wis. Stats., are adopted by reference.
- B. Any person who violates a Village-specific condition of this ordinance that is more restrictive than state law shall be subject to a forfeiture of \$50.00, together with the costs of prosecution.

Section VIII-Severability

The provision of this ordinance shall be deemed severable, and it is expressly declared that the Village would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be deemed affected.

Section IX - Effective Date

This ordinance becomes effective upon passage and publication.

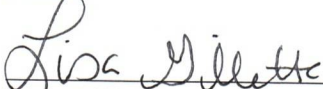
Passed this 8th day of September, 2025.

Signed:



Travis Thomas-Village President

Attest:



Lisa Gillette

Village Clerk/Treasurer