

STATE OF WISCONSIN
Town of Fremont
Waupaca County

CHAPTER 18
ALL-TERRAIN AND UTILITY TERRAIN VEHICLES

18.01 TITLE AND PURPOSE

The title of this ordinance is the Town of Fremont All-Terrain Vehicle and Utility Terrain Vehicle Route Ordinance. The purpose of this ordinance is to establish all-terrain vehicle and utility terrain vehicle routes in the town and to regulate the operation of all-terrain vehicles and utility terrain vehicles in the town.

18.02 AUTHORITY

The Town Board of the Town of Fremont, Waupaca County, Wisconsin, has the specific authority to adopt this All-Terrain Vehicle and Utility Terrain Vehicle Ordinance under s. 23.33 (8)(b) and (1 I), Wis. stats.

18.03 ADOPTION OF ORDINANCE

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 and utility terrain vehicle routes in the town and to regulate the use of those routes and all-terrain vehicles and utility terrain vehicles in the town, designates all-terrain vehicle and utility terrain vehicle routes in the town and provides for the regulation of the use of those routes and of all-terrain vehicles and utility terrain vehicles in the town.

18.04 OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES

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 and utility terrain vehicle on the roadway portion of any highway in the town except on roadways that are designated as all-terrain vehicle and utility terrain vehicle routes by this ordinance. Operation of all-terrain vehicles and utility terrain vehicles on a roadway in the town that is an all-terrain vehicle and utility terrain vehicle route is authorized only for 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.

18.05 DESIGNATION AND AUTHORIZATION OF ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

- (1) Except as otherwise provided in this ordinance, all roadways are designated all-terrain vehicle and utility terrain vehicle routes in the town.

- (2) The use of all-terrain vehicles and utility vehicles is authorized on state highways in the town that are not part of the national system of interstate and defense highways that have a speed limit of 35 miles per hour or less.
- (3) The use of all-terrain vehicles and utility terrain vehicles is authorized on county highways in the town.
- (4) Pursuant to Wis. Stat. s 23.33 (8)(b)1., the Town of Fremont designates Wisconsin State Highway 96 from White Tail Drive westbound to County Highway H as an ATV/UTV route. This route shall not become effective until the Wisconsin Department of Transportation approves of the route under Wis. Stat. s. 23.33(8)(b)3.

18.06 CONDITIONS APPLICABLE TO ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES

Pursuant to s. 23.33 (8) (d), Wis. stats., the following restrictions are placed on the use of the town all-terrain vehicle and utility terrain vehicle routes designated by this resolution:

- (1) Routes shall be marked with uniform all-terrain vehicle and utility terrain vehicle route signs in accordance with s. 23.33 (8) (e), Wis. stats., and s. NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking town all-terrain vehicle and utility terrain vehicle routes:
 - (a) Intentionally remove, damage, deface, move, or obstruct any uniform all-terrain vehicle and utility terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle and utility 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.
 - (b) Possess any uniform all-terrain vehicle and utility 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 and utility terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle and utility terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.
- (2) 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.
- (3) A copy of this ordinance shall be sent by the town clerk to the Department of Natural Resources, the Waupaca County Sheriff's Department and any other law enforcement agency serving the Town of Fremont's jurisdiction.

- (4) The following additional restrictions shall apply to the use of all-terrain vehicle and utility terrain vehicles:
- (a) All all-terrain vehicle and utility terrain vehicle operators shall observe posted roadway speed limits.
 - (b) All all-terrain vehicle and utility terrain vehicle operators shall ride single file.
 - (c) Headlights and taillights must be turned on at all times as required by state law.
 - (d) All all-terrain vehicle and utility terrain vehicle operators shall have a valid driver's license.
 - (e) All persons under 18 operating and/or riding on an ATV must wear a helmet as required by state law.

18.07 ENFORCEMENT

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

18.08 PENALTIES

The penalties under s. 23.33 (13), Wis. stats., are adopted by reference.

18.09 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.

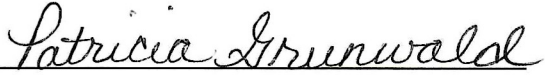
18.10 EFFECTIVE DATE

This ordinance is effective on publication or posting.

The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 15th day of September 2026.


Steven Stuebs, Chairperson


Patricia Grunwald, Clerk/Treasurer