

**An Ordinance Amending Chapter 272 of the Town of Wescott Code of Ordinances  
Regarding All-Terrain and Utility Terrain Vehicles.**

**WHEREAS**, the Town of Wescott Adopted Ordinance No 2019-02, An Ordinance allowing All-Terrain Vehicles (ATV) and Utility Terrain Vehicles (UTV) on certain Roads and Highways Within the Town of Wescott Boundaries, with related amendments, which is chapter 272 in the Town of Wescott Code of Ordinances.

**WHEREAS**, Ordinance 2019-02 and related amendments are Chapter 272 in the Town of Wescott Code of Ordinances,

**WHEREAS**, The Town of Wescott has identified a need to update and clarify regulations within chapter 272, specifically as they pertain to the operation of ATVs and UTVs within the Town of Wescott

**WHEREAS**, the amendments aim to promote public safety and responsible recreational vehicle operation in response to documented safety concerns and incidents involving ATV/UTV use

**WHEREAS**, Shawano County has adopted amendments through County Ordinance 17-25, an Ordinance to Amend Chapter 36-92, specifically as they pertain to the operation of ATVs and UTVs, and the Town wishes to keep local ordinances related to ATV and UTVs as cohesive with Shawano County as possible ,

**NOW THEREFORE**, the Town Board of the Town of Wescott ordains as follows:

- 1. Chapter 272-2 Statutory authority will be amended to read:** ATVs and UTVs shall be operated in compliance with all applicable state laws, orders, regulations, restrictions and rules, including Wis. Stats. 23.33, Wi. Stats. Ch. 340, and Wis Admin. Code ch. NR64, which are adopted as part of this ordinance by reference.
- 2. Chapter 272-3 (B), Operation of all-terrain vehicles and utility terrain vehicles, will be amended to read:** The operation of ATVs and UTVs on any portion of a road or highway within the Town of Wescott being designated as an ATV route and/or UTV route shall be subject to the following:
  - a. No person under 12 years of age shall operate an ATV or UTV under any circumstances.
  - b. Persons 16 years of age or older must possess a valid driver's license to operate an ATV or UTV on any town road or highway within the Town of Wescott and shall have the valid driver's license in his or her immediate possession during operation.

- c. No person under 16 years of age may operate an ATV on a town designated route, unless he or she is accompanied by his or her parent or guardian or by a person who is at least 18 years of age who is designated by the parent or guardian. Anyone accompanying those under 16 years of age must possess a valid driver's license.
- d. All operators who were born after January 1, 1988, and are over the age of 12 are required to complete an approved ATV/UTV safety course and carry the safety certificate with them while riding on public lands.
- e. All operators and passengers under the age of 18 shall wear protective headgear of the type required in section 347.485 (1) (a), Wis. Stats.
- f. Operators are required to display fully functional headlamps (white light) tail lamps (red light) and brake lights at all times. However, no off-road auxiliary lighting on ATVs or UTVs shall be used on segments approved for ATV/UTV use.
- g. All ATV/UTV operators shall ride in single file on the right-hand side of the paved portion of the highway, unless otherwise marked for operation on the shoulder or in the right of way. Operation on the gravel shoulders, grassy in-slope, ditches, or other highway right-of-way is prohibited, unless yielding right-of-way.
- h. Open containers of alcoholic beverages or other intoxicants are prohibited for an ATV/UTV operator or passenger(s) while operating on any town ATV/UTV designated routes in the Town of Wescott.
- i. Every ATV/UTV shall be equipped, maintained and operated to prevent excessive or unusual noise. No Person shall operate an ATV/UTV on a road or highway within the Town of Wescott unless such ATV/UTV is equipped with a muffler or other noise suppressing system in good working order and in constant operation. It shall be unlawful to use a muffler cutout, bypass or similar device on any ATV/UTV in a manner such that noise emitted by the ATV/UTV increases to a level higher than as originally manufactured.
- j. A golf cart is not an ATV or UTV. Operation of golf carts on roads within the Town of Wescott is prohibited.

3. Appendix A, attached highlights the amendments as described above

4. All other provisions of Ordinance No. 2019-02, and related amendments remain the same, which are Chapter 272 in the Town of Wescott Code of Ordinances.

Adopted May 14<sup>th</sup>, 2026.

**This ordinance is effective upon:**

Publication in the Shawano Leader being May 22<sup>nd</sup>, 2026

This ordinance is effective upon proper posting at: The Town of Wescott, Town Hall (N5794 Old Keshena Rd, Shawano, WI 54166) The Town of Wescott Fire Station, W5844 Lake Dr, Shawano, WI 54166) on may 20<sup>th</sup>, 2026

Brian Moesch  
Brian Moesch, Chairman  Yes/No

Terry Moede  
Terry Moede, Supervisor  Yes/No

Michael Stupecky  
Michael Stupecky, Supervisor  Yes/No

Absent  
Bruce "Duffy" Schultz, Supervisor Yes/No

Marlene Brown  
Marlene Brown, Supervisor  Yes/No

Angela Vreeke  
Attest: Angela Vreeke, Clerk

**§ 272-2. Statutory authority**

~~ATVs and UTVs shall be operated in compliance with all applicable state laws, orders, regulations, restrictions and rules, including Wis. Stats. 23.33, Wi. Stats. Ch. 340, and Wis Admin. Code ch. NR64, which are adopted as part of this ordinance by reference. This chapter is enacted under the authority of §§ 23.33(8)(b) and (c), 23.33(11) and 60.22(3), Wis. Stats. The provisions of § 23.33, Wis. Stats., and the provisions of Ch. NR 64, Wis. Adm. Code, regulating ATV and UTV operations and containing applicable definitions are hereby adopted and incorporated into this chapter as though set forth in full herein.~~

**§ 272-3. Operation of all-terrain vehicles and utility terrain vehicles.**

A. Pursuant to § 23.33(4), Wis. Stats., except as provided in § 23.33, Wis. Stats., no person may operate an ATV or UTV on any part of Town of Wescott ("Town") except those portions of roads or highways within the Town of Wescott that are designated as ATV and/or UTV routes in § 272-5.

B. The operation of ATVs and UTVs on any portion of a road or highway within the Town of Wescott being designated as an ATV route and/or UTV route shall be subject to the following:

(1) No person under 12 years of age shall operate an ATV or UTV under any circumstances.

(2) Persons 16 years of age or older must possess a valid driver's license to operate an ATV or UTV on any Town road or highway within the Town of Wescott, and shall have the valid driver's license in his or her immediate possession during operation.

(3) No person under 16 years of age may operate an ATV on a designated town route, unless he or she is accompanied by his or her parent or guardian or by a person who is at least 18 years of age who is designated by the parent or guardian. Anyone accompanying those under 16 years of age must possess a valid driver's license.

~~(1)~~(4) All operators who were born after January 1, 1988, and are over the age of 12 are required to complete an approved ATV/UTV safety course, and carry the safety certificate with them while riding on public lands.

(5) All operators and passengers under the age of 18 shall wear protective headgear of the type required in section 347.485 (1) (a), Wis. Stats.

~~B.~~

~~(4)~~(6) Operators are required to ~~have display fully functional~~ headlamps (white light) ~~and~~ tail lamps (red light) ~~and brake lights turned on~~ at all times. However, no off-road auxiliary lighting on ATVs or UTVs shall be used on segments approved for ATV/UTV use.

~~No person u~~

(7) All ATV/UTV operators shall ride in single file on the right-hand side of the paved portion of the highway, unless otherwise marked for operation on the shoulder or in the right of way. Operation on the gravel shoulders, grassy in-slope, ditches, or other highway right-

of-way is prohibited, unless yielding right-of-way.

- (8) Open containers of alcoholic beverages or other intoxicants are prohibited for an ATV/UTV operator or passenger(s) while operating on any Town ATV/UTV designated routes in the Town of Wescott.
- (9) Every ATV/UTV shall be equipped, maintained and operated to prevent excessive or unusual noise. No Person shall operate an ATV/UTV on a Town road or highway within the Town of Wescott unless such ATV/UTV is equipped with a muffler or other noise suppressing system in good working order and in constant operation. It shall be unlawful to use a muffler cutout, bypass or similar device on any ATV/UTV in a manner such that noise emitted by the ATV/UTV increases to a level higher than as originally manufactured.
- (10) A golf cart is not an ATV or UTV. Operation of golf carts on Town roads within the Town of Wescott is prohibited.