

Chapter 335

VEHICLES, ALL-TERRAIN

§ 335-1. Purpose.

§ 335-2. State standards adopted.

[HISTORY: Adopted by the Village Board of the Village of Black Creek 2-14-2011 (Title 8, Ch. 5, of the 1987 Village Code). Amendments noted where applicable.]

§ 335-1. Purpose.

This is the Village of Black Creek All-Terrain Vehicle Ordinance. Its purpose is to regulate traffic of all-terrain vehicles (ATV) in the Village of Black Creek.

§ 335-2. State standards adopted.

ATVs and Snow Removal

On June 1, 2010, the Wisconsin Legislature published laws that allow ATVs to be used on roadways for the purpose of snow removal if they have a snow removal device attached. See the full law at <http://www.legis.state.wi.us/2009/data/acts/09Act367.pdf>.¹

Definition. A "snow removal device" means an attachment designed and installed for the purpose of removing snow, such as a plow blade, blower, bucket or brush.

General Overview

A person may operate an ATV with a snow removal device attached, for snow removal purposes and under the following situations:

- On a public sidewalk, speed may not exceed five mph
- On or adjacent to a roadway which is not a freeway, speed may not exceed 15 mph
- Only on roadways where the motor vehicle speed limit is 45 mph or less
- Only on the far right-hand side of the road
- On roads that are posted "ATV Routes" and currently open to use of ATVs
- The operator must be 16 years or older and, if born after December 31, 1987, a valid ATV safety certificate is also required
- Only between October 1 and April 30 for the purpose of removing snow
- For a distance not to exceed two miles from your original starting or your unloading point
- Displaying one or more illuminating, yellow lights that are flashing or rotating and visible for 360°

Other Provisions

1. Editor's Note: See § 23.33, Wis. Stats.

A city, village or town may enact an ordinance authorizing the operation of ATVs with snow removal devices (that are operating for snow removal purposes) on roads where the speed limit is greater than 45 mph, if the road is located within the territorial boundaries of that city, village, or town; regardless of who has jurisdiction over the particular roadway.

ATVs operating within 150 feet of a dwelling devoted to human occupancy are required to slow their ATVs to 10 mph under current law.

ATVs are required to have their headlights on at all times while operating on any road. ATV headlights must be able to illuminate to an object at least 200 feet away. Taillights must be visible from at least 500 feet away during the hours of darkness. Operators must be certain that their snow removal equipment does not interfere with these legal lighting requirements.

ATVs must have current public use registration while operating on public roadways, public road rights-of-way or on public sidewalks.

Children under age 18 are required to wear helmets while operating ATVs off of private property that is owned by their parents or legal guardians.

FAQs

Does this mean I can operate my ATV with a plow to the gas station or the grocery store?

NO. Operation is only allowed on roadways to travel to a site where you will be removing snow. It would be OK if you are under contract to remove the snow at the gas station or grocery store and that is why you are operating your ATV there.

What if the site where I am planning to remove snow is farther than the two-mile limit?

Unfortunately, you may not exceed the two-mile travel limit. You would have to trailer or transport your ATV to the site or within two miles of the site.

I will be traveling from my house to a snow removal site that is 1.5 miles away. I then want to travel another 1.5 miles to another snow removal site. They are both within the two miles of each other. Am I legal?

NO. The two-mile distance restriction is from your original starting or unloading point. Since you would be traveling a total of three miles, you would not be legal.

I am plowing multiple sites that are all within two miles of my house, but I will end up traveling a total of 8 miles throughout the day. Am I legal?

YES. This would be legal since all the sites are within two miles of your house; you are OK.

If it is snowing hard and the snow is too deep to operate at the far right-hand side of the road, can I operate in the middle of the road where the cars have broken a trail?

NO. ATVs are only allowed to operate on the far right-hand side of the road. You should wait until the snow is removed from the road before proceeding.

I typically just plow my driveway and my neighbor's driveway 100 feet away; do I still need to have a yellow light and follow all the ATV snow removal rules?

YES. Previously, it was illegal to operate on any roads for snow removal except for roads legally opened as ATV routes. All requirements must be followed; many of them are for the safety of everyone.

Can I just cruise around on the roads within two miles of my house, looking for snowplow jobs?

NO. You are only allowed to operate on the road if you are traveling to a specific site where you have already planned to remove snow.

I am from out of state, but have property in Wisconsin. Can I operate on the roads to remove snow if I am displaying an out-of-state ATV trail pass?

NO. Trail passes do not cover this type of ATV operation. You will need to register your ATV for Wisconsin public use.

I live in one community but use my ATV to plow snow in another community. Can I trailer my ATV to another community and then operate on roads to get to my snowplow jobs if they are within two miles of my unloading point?

YES. You may travel on roadways for up to two miles from your unloading or starting point for the purposes of snow removal.

I just plow my driveway and sidewalk but do not operate on the road; do I need public ATV registration or is just private ATV registration OK?

YES. Private registration is legal for snow removal if you are only operating on your own private property.