

**VILLAGE OF COMBINED LOCKS
OUTAGAMIE COUNTY, WISCONSIN**

ORDINANCE NUMBER 3, SERIES OF 2023

**AN ORDINANCE REPEALING AND CREATING CHAPTER 4 OF COMBINED
LOCKS CODE OF ORDINANCES, "ALL-TERRAIN VEHICLES AND OFF-ROAD
MOTOR VEHICLE OPERATION"**

BE IT ORDAINED by the Village Board of Trustees, Village of Combined Locks, Outagamie County, Wisconsin as follows:

1. Chapter 4, All-Terrain Vehicles and Off-Road Motor Vehicle Operation as set forth in Exhibit 1 attached hereto are hereby repealed.
2. Chapter 4, All-Terrain Vehicles, Utility Terrain Vehicles, and Off-Road Vehicle Operation as set forth below is hereby created and adopted.

Sec. 10-4-1 Utility terrain vehicles

(a) Purpose

- (1) To create uniform procedures and requirements for the use and operation of utility terrain vehicles on Village of Combined Locks roads.

(b) Definition of Utility Terrain Vehicle (UTV)

- (1) In this section Utility Terrain Vehicle means the following:
 - (a) A commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, tracked vehicle, snowmobile, or all-terrain vehicle, as defined by Wis. Stat. § 340.01(2g), that has been designed to be used primarily off of a highway, and that has, and was originally manufactured with all of the following:
 - (1) A weight, without fluids, of 3,000 pounds or less
 - (2) Four or more tires
 - (3) A steering wheel
 - (4) A tail light
 - (5) Two headlights
 - (6) A brake light
 - (7) A width of not more than 65 inches as measured laterally between the outermost wheel rim on each side of the vehicle, exclusive of tires, mirrors, and accessories that are not essential to the vehicle's basic operation.

- (8) A system of seat belts, or similar system, for restraining each occupant of the device in the event of an accident.
- (9) A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.

(c) Designation and authorization of UTV routes

- (1) All Village roads, with a speed limit as posted, are authorized UTV routes unless otherwise posted.
- (2) County and state highways located within the Village may be authorized for UTV use by Outagamie County or the State of Wisconsin only.
- (3) The Village Board or its designee may temporarily close any UTV route or portion thereof due to hazard, construction or any other emergency condition.
- (4) The Village Board may permanently close any UTV route or portion thereof for any reason by posting signage for prohibited routes and by providing notice to the public.

(d) Conditions for use of UTV routes

- (1) Adoption of limitations as set forth by Wis. Stats. § 23.33
- (2) UTV operators shall observe posted or legal speed limits
- (3) UTV operators shall ride in single file and cannot ride on the shoulder of the road
- (4) UTV operators and riders shall observe all laws of the State of Wisconsin pertaining to the use of UTVs
- (5) UTV operators shall have a valid driver's license and be at least 16 years of age
- (6) UTV operators and riders under the age of 18 must wear a helmet
- (7) UTV operators shall have headlights and taillights on while operating on any Village UTV route
- (8) UTV operation is prohibited from 10:00pm until 7:00am unless actively engaged in snowplowing.
- (9) UTV operators shall have liability insurance in force on any UTV operated on Village roads and shall have proof of insurance in their immediate possession, which shall be displayed upon demand from any law enforcement officer. Liability insurance shall have the following minimum coverages:
 - (a) \$10,000 property damage coverage
 - (b) \$25,000 single injury/death coverage
 - (c) \$50,000 multiple injury/death coverage

(e) Signage

- (1) UTV routes shall be marked with route signs in accordance with Wis. Admin. Code § NR 64-12, and all other applicable state and local laws.
- (2) No person may intentionally remove, damage, deface, move, or obstruct any UTV route sign or intentionally interfere with the effective operation of any UTV route sign.

(f) Unauthorized Off-Road Operation Prohibited

- (1) The unauthorized off-road operation of a motor vehicle is prohibited.
- (2) Except for authorized maintenance vehicles and utility terrain vehicles (UTVs) operating in areas authorized by the Village Board, it shall be unlawful to operate any minibike, snowmobile, go-kart, all-terrain vehicle (ATV), or any other motor-driven craft or vehicle principally manufactured for off-highway use on Village streets, alleys, parks, sidewalks, bikeways, parking lots, any public lands, private lands, or parking lots held open to the public. The operator shall at all times have the written consent of the owner before operation of such craft or vehicle on private lands.

(g) Enforcement

This section may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin and is not intended to limit or prohibit any law enforcement officer or Department of Natural Resources warden from proceeding under any other ordinance, regulation, state, law, or order pertaining to the subject matter addressed herein.

Sec. 10-4-2 Mini-Bikes and Self-Propelled Vehicles Regulated.

- (a) **Definitions.** The following definitions shall be applicable in this Section:
- (1) **Mini-Bike.** Any motorized vehicle primarily used for transportation or sport, including, but not limited to, motorcycles, off-the-road trail bikes and motorized bicycles.
 - (2) **Self-Propelled Vehicles.** Any motorized vehicle primarily used for off-the-road use, including but not limited to, go-carts, all-terrain vehicles and all other vehicles not registered pursuant to Chapter 341, Wis. Stats., but not snowmob or UTVs
 - (3) **Motorized Vehicle.** Any self-propelled device in, upon or by which any person or property is or may be transported.
 - (4) **Highway.** All public ways and thoroughfares and bridges on the same. It includes the entire highway right-of-way width, not limited to the actual traveled portion, but also includes the shoulders, ditches and other areas adjacent thereto.
- (b) **Operation of Mini-Bikes and Self-Propelled Vehicles.** No person shall operate a mini-bike or self-propelled vehicle in the Village of Combined Locks in the following manner:
- (1) At a rate of speed that is unreasonable or imprudent under the circumstances.
 - (2) In any careless way so as to endanger the person or property of another.
 - (3) While under the influence of intoxicating liquor, fermented malt beverages, narcotics or other controlled substances.
 - (4) In such a way that the exhaust of the motor makes an excessive or unusual noise.
 - (5) Without a functioning muffler.
 - (6) Upon any public highway, street or alley, or upon any sidewalk or parkway in the Village of Combined Locks unless such vehicle is registered as required by Chapter 341, Wis. Stats., and its operation and operator are specifically permitted to operate the said vehicle by the Wisconsin Statutes.
 - (7) Upon any slide, ski or skating area, except for the purposes of serving the area or crossing the places where marked.
 - (8) Upon any lands owned, operated or leased by the Village of Combined Locks.
 - (9) Upon a cemetery, burial ground, school or church property, without the express consent of the owner.
- (c) **Liability of Parent or Guardian.** No parent or guardian of any child under the age of eighteen (18) years shall authorize or permit such child to violate any of the provisions of this Section. Any child under the age of eighteen (18) years who shall operate a mini-bike

or self-propelled device shall be presumed to be operating said vehicle under the authority of a parent or guardian.

- (d) **Penalties.** Any person who shall violate this Section shall, upon conviction thereof, forfeit for each offense not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00), together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the county jail not to exceed thirty (30) days.

Severability. The provisions of this ordinance are declared to be severable, and if any provision of this ordinance is held to be invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any remaining provisions or applications of this ordinance.

Effective Date. This Ordinance shall take effect upon passage and publication as provided by law.

Date introduced: October 17, 2023

Date approved and adopted: December 5, 2023

Village of Combined Locks

John Neumeier, Village President

Attest: _____

Racquel Shampo-Giese, Village Administrator/Clerk/Treasurer

**Official, signed resolution
on file at the Clerk's Office.**

SEAL