

## **NOTICE**

### **TOWN OF MILTON - ATV UTV ROUTES AND REGULATIONS**

PLEASE TAKE NOTICE THAT the Town Board of the Town of Milton, Rock County, Wisconsin, has adopted Ordinance No. 381-041425 on April 14, 2025, creating Chapter 381 of the Town of Milton Municipal Code ATV/UTV Routes and Regulations on Town of Milton roadways. Furthermore, on June 9, 2025, the Milton Town Board of Supervisors accepted the final ATV / UTV Roads Map. As such, on the 18<sup>th</sup> day of June, 2025, a Summary Ordinance No. 381-041425 was posted per Wis. Stat. § 60.80(1)(b) and § 60.80(5) at:

1. Town website- [www.townofmiltonrc.com](http://www.townofmiltonrc.com)
2. Milton Town Hall- 23 First St. Milton, WI 53563
3. Bank of Milton- 323 Parkview Dr, Milton, WI 53563

PLEASE TAKE FURTHER NOTICE THAT on July 31, 2025, Town of Milton Ordinance No. 381-041425 has been published in full, and pursuant to Ordinances with Forfeitters – Towns Wis. Stat. § 60.80(2) and § 60.80(5), and will become effective upon completion of route sign installation as outlined in the ordinance.

### **TOWN OF MILTON ORDINANCE NO. 381-041425**

AN ORDINANCE CREATING CHAPTER 381 OF THE CODE OF ORDINANCES OF THE TOWN OF MILTON REGARDING ATV/UTV ROUTES AND REGULATIONS IN THE TOWN.

WHEREAS, following due consideration of the recreational and economic value to access businesses and residences weighted against possible dangers, public health, public safety, liability aspects, terrain involved, traffic density and other traffic risks, the following ordinance is enacted pursuant to Section 23.3 of the Wisconsin Statutes, and the provisions of the Wisconsin Administrative Code NR 64 regulating ATV/UTV operation; and

WHEREAS, the Town further finds that regulating the use of ATVs and UTVs on municipal roads and streets needs to be adopted.



NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF MILTON, COUNTY OF ROCK, STATE OF WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. Chapter [381] of the Town of Milton Municipal Code, is created to be titled "ATV/UTV Routes and Regulations" and to read as follows:

"Chapter [381] – ATV/UTV Routes and Regulations

**[§381-1] State laws adoption.**

- A. The provisions of Wis. Stat. § 23.3, with respect to the regulation of all-terrain vehicles and utility terrain vehicles, including any future amendments thereof, are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited in this section.
- B. The operation of ATV/UTV shall be subject to Wis. Stats. §§ 346.02(11), 346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.21, 346.215(3), 346.27, 346.33, 346.35, 346.51, 346.52, 346.53, 346.54, 346.55, 346.71, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1), and 346.94(1) and (9). Acts required to be performed or prohibited by such Statutes are required or prohibited by this Section.

**[381-2] Definitions.**

As used in this Chapter the following terms shall have the meanings hereinafter designated:

**ALL TERRAIN VEHICLE (ATV)**

A commercially designated and manufactured motor-driven vehicle that was manufactured with all of the following:

- (i) A weight, without fluids, of 900 pounds or less.
- (ii) Four or more tires.
- (iii) A steering handlebar, single or dual headlights, a tail and brake light.
- (iv) A width of no more than 50 inches.
- (v) Is equipped with a seat designed to be straddled by the operator.

**ALL-TERRAIN VEHICLE CLUB**

A club consisting of individuals that promote the recreational use of all-terrain vehicles and utility-terrain vehicles.



## **ATV/UTV ROUTE**

A road designated for use by ATV/UTV operators by the Town Board.

## **CONNECTING HIGHWAY**

Any marked state trunk highway route that is maintained by a municipality as defined under Wis. Stat. § 86.32.

## **OPERATE**

To exercise physical control over the speed or direction of an ATV/UTV or physically manipulate or activate any of the controls of an ATV/UTV necessary to put it into motion.

## **STATE TRUNK HIGHWAY**

Any highway designated pursuant to Wis. Stat. § 84.29 as part of the state trunk highway system, exclusive of connecting highways.

## **TOWN ROADS**

Every Town highway within the corporate limits of the Town except alleys.

## **UTILITY-TERRAIN VEHICLE (UTV)**

A commercially designated and manufactured motor-driven device that does not meet federal motor vehicle safety standards effective July 1, 2012, that is not a golf cart, low speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a highway, and that has, and was manufactured with, all of the following:

- (i) A weight, without fluids, of 3,000 pounds or less.
- (ii) Four or more tires.
- (iii) A cargo box installed by the manufacturer measured laterally between the outermost wheel run on each side of the vehicle, exclusive of tires, mirror, and accessories that are not essential to the vehicle's basic operation.
- (iv) A steering wheel, tail and brake lights, and two headlights.
- (v) A width of no more than 65 inches.
- (vi) A system of seatbelts, or similar system, for restraining each occupant of the device in the event of a collision.
- (vii) A system of structural members designed to reduce the likelihood that an occupant would be crushed as a result of a rollover of the device (roll bars).



- A. Under Wis. Stat. § 22.33(11)(a), all town Roads under the jurisdiction of the Town of Milton are designated as ATV/UTV routes, except as may be posted.
- B. All ATV/UTV routes end at HWY-59.
- C. No ATV/UTV may travel on County HWY N East of HWY-59.
- D. The Town of Milton Police Department may temporarily close any ATV/UTV route whenever conditions require closure.

**[381-4] Age requirements.**

All ATV/UTV operators shall be 16 years or older to operate on road route within the Town and holding a valid Wisconsin Driver's License. If born after January 1, 1988, all ATV/UTV operators shall hold a valid safety certificate issued by the Wisconsin Department of Natural Resources, another state, or a province of Canada. All 16-year-old licensed riders who have not attained the age of 18 shall be required to wear a helmet and eye protection. The operator, upon request from any law enforcement officers, state patrol, or inspector under Wis. Stat. § 110.07(1), conservation warden, or municipal peace officer shall display said operator's license and safety certificate to said agent as well as proof of insurance and registration.

**[381-5] Speed limits.**

All ATV/UTV operators shall observe the posted speed limits on Town Roads, which shall not exceed 35 MPH unless a lower limit is posted.

**[381-6] Registration.**

All ATVs/UTVs operated within the Town of Milton on designated routes are required to have a valid, unexpired, State of Wisconsin registration as issued by the Wisconsin Department of Natural Resources.

**[381-7] Operator requirements**

- A. All ATV/UTV operators shall ride single file on the right side of the pavement but shall not operate on the shoulders or in the ditch.
- B. Headlights and taillights shall be on at all times.



- C. ATVs/UTVs shall yield the right-of-way to non-motorized vehicles, such as bicycles and pedestrians.
- D. ATV/UTV riders under the age of 16 must be accompanied by an adult operator over the age of 18.
- E. No person shall leave or allow an ATV/UTV owned or operated by him/her to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
- F. No owner having charge or control of an ATV/UTV shall authorize or permit any person to operate such ATV/UTV whom is not permitted under state law to operate an ATV/UTV or whom is under the influence of an intoxicant or for whom there is a presence of a dangerous or narcotic drug.
- G. Wis. Stat. § 346.63, which prohibits the operation of a motor vehicle while under the influence of an intoxicant or other drug, shall apply to the operation of an ATV/UTV at any place within the Town.
- H. No person shall operate an ATV/UTV in the Town between the hours of 10:00 P.M. and 5:00 A.M. local time, unless the person is engaging in snow removal.
- I. ATV/UTV operators shall use hand signals if their machines are not equipped with turn signals.
- J. No operator or passenger of an ATV/UTV may possess in or on an ATV/UTV on any road or highway in the Town, any bottle or receptacle containing alcohol beverages if the bottle or receptacle has been opened, the seal has been broken, or the contents of the bottle or receptacle have been partially removed or released.
- K. Parking of ATVs/UTVs shall be subject to all parking requirements and allowances of motor vehicles included in the Town of Milton Code of Ordinances, except that ATVs/UTVs shall not be parked overnight on any Town Road or Town parking lot.

[381-8] Signage.



Local ATV/UTV clubs have volunteered to provide funds to the Town to operate ATVs/UTVs on county roads and for appropriate signage on those roads. The Town will accept such donations and use funds to install signage in the manner and locations Town Staff deem necessary to implement this Section.

**[381-9] Closures of ATV/UTV routes.**

The Town Board retains the right to close any Town Road to ATV/UTV operation for any reason, including but not limited to special events, unlawful use, and road construction or repair. Said closures of town Roads to ATV/UTV operation may occur without prior notice.

**[381-10] Legal disclaimer.**

The Town accepts no liability for the operation of ATVs/UTVs on any Town Road under the provisions of this Chapter. Operation of an ATV/UTV is at the operator's own risk.

**[381-11] Insurance.**

Every person who operates an ATV/UTV on any segment of Town Road shall carry liability and/or other insurances consistent with Wisconsin State law for the operation of a motorized vehicle (reference Wis. Stat. §344.62 regarding motor vehicle liability insurance requirements) and shall have proof of said insurance on their person or within their ATV/UTV.

**[381-12] Severability.**

If any provisions of this Chapter or its application to any person or circumstances is held invalid, the invalidity does not affect the other provisions or applications of this Chapter.

**[381-13] Enforcement.**

This ordinance shall be enforced by any law enforcement officer authorized to enforce the ordinances of the Town of Milton and the laws of Rock County and/or the State of Wisconsin. Consistent with Wis. Stat. §23.33(11)(b) the Town Clerk shall immediately send a copy of this ordinance to the Department of Natural Resources, the Wisconsin State Highway Patrol, the Rock County Sheriff's Department, and the Town of Milton Police Department.

**[381-14] Penalties.**

Wisconsin state ATV/UTV penalties as found in Wis. Stat. §23.33(13)(a) are adopted by reference and made part of this ordinance.



SECTION 2. Sunset Provision. This ordinance shall terminate one year at 11:50 P.M. local time after adoption unless extended by the Town Board of the Town of Milton.

SECTION 3. Effective Date. This Ordinance shall take effect after posting as required by law and posting and installation of all required signs in accordance with Wis. Stats. §23.33 (8)(e).

Respectfully noticed by: Tiffany M. Chinn-Barsness  
Town Clerk-Treasurer

Requested Publication Date: Thursday, July 31, 2025

Posted:

Town Website- Saturday, July 26, 2025

Town Hall Entry- Saturday, July 26, 2025