

ORDINANCE OR 2025-106

REPEALING CHAPTER 70 ARTICLE 3 SECTION 89 ATV-UTV USAGE IN THE CITY OF SEYMOUR AND CREATING CHAPTER 70 ARTICLE 4 SECTION 123 ATV-UTV USAGE IN THE CITY OF SEYMOUR

Sec. 70-123. All-terrain vehicle and utility terrain vehicle use.

(a) *Purpose.* The purpose of this ordinance is to establish all-terrain vehicle and utility terrain vehicle routes in the City of Seymour and to regulate the operation of all-terrain and utility terrain vehicles in the city.

(b) *Authority.* The city council of the City of Seymour, Outagamie County, Wisconsin, has the specific authority to adopt this all-terrain vehicle and utility terrain vehicle ordinance under Wis. Stats. § 23.33(8)(b) and (11).

(c) *Definitions.* For this section, "all-terrain vehicle" and "utility terrain vehicle," otherwise referred to as "ATV" and "UTV" herein shall have the meanings set forth in Wis. Stat. § 23.33.

(d) *Designation of all-terrain vehicle and utility terrain vehicle routes.* Pursuant to Wis. Stat. § 23.33(4)(d)(4), except as otherwise provided in Wis. Stat. § 23.33(4), no person may operate an all-terrain vehicle or utility terrain vehicle on any road, freeway, or highway in the city, except on those roadways that are designated as all-terrain vehicle and utility terrain vehicle routes by ordinance.

(1) All roads within the city limits are open to all terrain and utility terrain vehicles unless otherwise set forth herein. Routes may be closed by the city without notice.

a. ATVs/UTVs are not permitted on State Highway 54.

b. ATVs/UTVs are not permitted on State Highway 55 north of Bronson Road.

(2) City established route(s) do not include public properties, cemeteries, or city-owned parks including parking lots unless otherwise set forth herein. Securing permission for the operation of ATVs and UTVs outside of the city's designated routes from any other public entity or private landowner is the obligation of the ATV/UTV operator.

a. ATVs/UTVs are allowed at the city clean land fill area located at 445 Municipal Drive for the sole purpose of discarding yard waste materials.

(3) The routes do not include private roads or driveways nor any private property in the city. The city shall retain the right to close any city street to ATV/UTV operation for special events or street construction/repair without notice.

(4) The city retains the right to close any route designated for ATV and UTV use within the city at any time for any reason and without notice.

(e) *Operation of all-terrain and utility terrain vehicles.*

(1) Operators must abide by all traffic laws set forth under Wis. Stats. ch. 346, notwithstanding the provisions of Wis. Stats. § 346.02(11), or any additional restrictions of this section.

- (2) The maximum speed limit on all designated routes shall be 35 miles per hour. Operators shall reduce speed whenever the posted speed limit is less, or as required by Wisconsin Statutes, or as conditions warrant.
- (3) ATVs/UTVs shall be operated on the extreme right side of the roadway on the paved surface.
- (4) All operators shall ride single file.
- (5) An ATV/UTV may not be operated within the city limits, other than for snow removal, between the hours of 11:00 p.m. and 5:00 a.m.
- (6) ATVs and UTVs shall be operated in compliance with all applicable Wisconsin laws, order, regulations, restrictions, and rules, including Wis. Stats. § 23.33, and Chapter NR 64, Wis. Admin. Code.
- (7) Operators are required to have headlamps (white light) and tail-lamps (red light) 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.
- (8) All operators shall have a valid motor vehicle operator's license.
- (9) 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.
- (10) All operators and passengers under the age of 18 shall wear a helmet approved by the Wisconsin Department of Transportation.
- (11) No person may operate an ATV/UTV with a passenger if the vehicle is not intended or designed for carrying a passenger.
- (12) All operators shall carry liability and/or other insurances consistent with the current requirements of Wis. Stats. § 344.62. Proof of insurance shall be able to be provided to law enforcement upon demand. For purpose of this subsection, an ATV/UTV defined in Wis. Stats. § 6.22(3)(a).
- (13) Cruising prohibited. No person shall, while operating an ATV or UTV, engage in the practice of cruising on any authorized road. Cruising is defined as running all or part of the length of a roadway multiple times per day, back and forth, for any other purpose than departing or arriving at their residence or place of lodging.
- (14) Radios or electric sound amplification devices. No person may operate, park, stop, or leave standing an ATV/UTV vehicle while using a radio or other electric sound amplification device emitting sound from the vehicle that is audible under normal conditions from 75 feet or more unless the electric sound amplification device is being used to request assistance or warn against an unsafe condition.

(f) *Permits.*

- (1) *Permits.* All city residents owning and operating an ATV or UTV on city roads are required to obtain a local ATV/UTV permit from the city clerk's office located at 328 N.

Main Street. An ATV/UTV decal will be issued for this purpose and shall be plainly displayed on the exterior of the machine.

- a. *Fee.* The fee is \$25.00 per household. Each ATV/UTV must have its own decal.
- b. *Expiration.* The permit is non-expiring.
- c. *Non-residents.* Non-residents are not required to obtain a local ATV/UTV permit to operate an ATV/UTV in the city.

(g) *Signage.* The city as a unit of government that designates the routes, may be responsible by state statute to maintain proper route signs.

(1) Routes shall be marked with uniform ATV/UTV route signs in accordance with § NR 64.12(7), Wisconsin Administrative Code.

(2) The city will be the maintaining authority for city roads designated as routes, [and] shall install appropriate signs.

(3) Outagamie County shall maintain County Highways designated as routes per County Ordinance 50-353.

(h) *Enforcement.* This ordinance shall be enforced by any law enforcement officer authorized to enforce the law of the State of Wisconsin.


(i) *Penalties.* The penalties under Wis. Stats. § 23.33(13)(a) are adopted by reference.

(j) *Severability.* The provisions of this section shall be deemed severable and it is expressly declared that the City of Seymour in Outagamie County would have passed the provisions of this section irrespective of whether or not one of more provisions may be declared invalid. If any provision of this section or the application of any person or circumstances is held invalid, the remainder of the section and the application of such provisions to other person's circumstances shall not be deemed affected.

(k) *Effective date.* This section shall be effective upon passage and publication and proper signage as required by law.


Effective 9/27/25

Adopted this 22nd day of September 2025



Mary Greuel, Mayor

ATTEST:



Christy Stover, Clerk-Treasurer