

**TOWN OF TWO RIVERS  
MANITOWOC COUNTY WISCONSIN  
ORDINANCE #2023-04**

**AN ORDINANCE DESIGNATING ALL-TERRAIN/UTILITY TERRAIN VEHICLE  
ROUTES AND REGULATING THE OPERATION OF ALL TERRAIN/UTILITY  
TERRAIN VEHICLES**

**Section 1 - Intent**

The Town of Two Rivers, Manitowoc County adopts the following all-terrain/utility terrain route for the operation of all-terrains/utility terrains (ATV/UTV) upon the roadways listed in Section 3.

Following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this route(s) has been created.

**Section 2 - Statutory Authority**

This ordinance and the routes created are adopted pursuant to the powers of the Town, together with the authority under section 23.33 (8) (b) and (11), Wis. Stats., and Section NR 64.12, Wisconsin Administrative Code. In the event any provision of this ordinance is inconsistent with or in conflict with any portion of section 12022, Wis. Stats., then section 23.33, Wis. Stats. Shall control and be applicable.

The applicable provisions of 23.33 regulating ATV/UTV are incorporated herein by reference.

**Section 3 - Routes**

All **Town of Two Rivers** roads are designated ATV/UTV routes *EXCEPT* Woodland Drive South of State Highway 310. **County Highways in the Town of Two Rivers are NOT UTV/ATV routes where the posted speed limit is over 35 miles per hour.**

**Section 4 - Conditions**

As a condition for the use of this route, the following conditions shall apply to all operators (and passengers);

- A. All ATV/UTV operators shall observe posted roadway speed limits.
- B. All ATV/UTV operators shall ride single file on the extreme right side of roadway and travel with the flow of traffic.
- C. All ATV/UTV operators shall observe a speed limit of 35 miles per hour or the posted speed limit, whichever is less and slow the vehicle to 10-mph or less when operating within 150 feet of a dwelling.
- D. Routes must be signed in accordance with NR 64.12, and NR 64.12(7)c.

- E. ATV/UTVs shall only operate between the hours of 5am and 10pm
- F. Operators shall observe all posted regulatory signs.
- G. Operators shall yield right of way to pedestrians and other vehicles.
- H. Operators shall be at least 16 years of age and possess a valid Driver's License.
- I. Operators shall wear the required safety gear.
- J. No ATV/UTV shall be left unattended on a Town roadway.
- K. Any ATV/UTV unable to reach a speed of 25 miles per hour shall always display a slow-moving vehicle triangle visible on the rear of such vehicle according to the Wisconsin State Statutes and Administrative Code governing SMV emblems while in operation on any roadway.
- L. No ATV/UTV shall be operated on any road or route within the Town unless it conforms to all noise, registration, and other equipment requirements per Wisconsin Statutes, Administrative Code, or the Code of Ordinances of the Town.

**Section 5 - Enforcement**

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin.

**Section 6 - Penalties**

Wisconsin state all-terrain/utility terrain penalties as found in s. 23.33 (13) (a) Wis. Stats., are adopted by reference.

**Section 7 - Severability**

The provision of this ordinance shall be deemed severable, and it is expressly declared that the Town would have passed the other provisions of this ordinance irrespective of whether one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons circumstances shall not be deemed affected.

**Section 8 - Effective Date**

This ordinance becomes effective upon passage and publication and installation of roadway signs.

Passed this 11th day of December, 2023.

Town of Two Rivers Town Board

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Steve Pohl, Chairman

Attest this date \_\_\_\_\_

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Bonnie L. Timm Clerk/Treasurer