AMENDMENT NO. 144 TO PEPIN COUNTY ORDINANCE 179

CHAPTER 7.07 – ALL TERRAIN/ UTILITY TASK VEHICLE ROUTES (ATV/UTV)

THAT THE CODE OF ORDINANCES BE AMENDED BY RESCINDING AND REPLACING CHAPTER 7, ALL TERRIAN/UTLITIY TASK VECHICLE ROUTES AND MAP:

BE IT ORDAINED BY THE COUNTY BOARD OF SUPERVISORS OF PEPIN COUNTY:

7.07 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE AND TITLE

(1) STATUTORY AUTHORIZATION. This ordinance is adopted pursuant to the authority of Wis. Stat. §§ 23.33(4)(d)3b, 23.33(8)(b), 23.33(11), 23.33(11)(am)3 and 59.02, as each may be amended. In addition, the provisions of Wis. Stat. § 23.33 and the provisions of Wisconsin Administrative Code Ch. NR 64 regulating ATV operations are hereby adopted and incorporated herein as each may be amended.

(2) PURPOSE AND INTENT. Pepin County adopts the following ATV/UTV routes for the operation of ATV/UTVs upon the roadways listed in Section 3. Following consideration of the recreational value of ATV/UTV use to Pepin County and the potential impacts to the public's health, safety, and welfare, this Ordinance is created and adopted.

(3) ROUTES. (Am.#119- 05/15/2019; Am.#134-12/15/2021; Am# 144, 04/21/2026)

A. All County Roads in Pepin County are ATV/UTV routes unless otherwise posted. The Highway Commissioner shall have the authority to temporarily close routes for safety, maintenance, or any other appropriate reasons (such as repeated complaints from residents, or damage caused by ATV/UTVs). Such closures shall be subject to review and final determination by the Pepin County Highway Committee at the next regularly-scheduled County Highway Committee meeting. The Pepin County Highway Department shall erect signage indicating route closure. A copy of a map showing the routes with closures shall be kept on file at the Pepin County Highway Department.

B. U.S. HIGHWAY 10 BRIDGE CROSSING

Under WI. Statute 23.33(4)(d)3.b and 23.33(11)(am)3, Pepin County authorizes the operation of all-terrain vehicles (ATV) and Utility terrain vehicles (UTV) to cross U.S. Highway 10 Bridge, DOT #B460041.

The Access point to the U.S. Highway 10 bridge from the City of Durand is the intersection of U.S. Highway 10 and East Main Street. Continue East onto the U.S. Highway 10 bridge and exit to the left at the first Intersection, County Road P and U.S. Highway 10.

The Access point to the U.S. Highway 10 bridge from the Town of Waubeek is the intersection of U.S. Highway 10 and County Road P. Continue west onto the U.S. Highway 10 bridge and exit at the first intersection, U.S. Highway 10 and East Main Street.

Any person crossing such bridge shall comply with the following:

1) Cross the bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing.

2) Stay as far to the right of the roadway or shoulder as practicable.
3) Stop the vehicle prior to entering the roadway.
4) Yield the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway or shoulder.
5) Exit the highway as quickly and safely as practicable after crossing the bridge.

(4) CONDITIONS. The operation of ATVs and UTVs on any portion of a Pepin County Trunk Highway designated as an ATV/UTV route shall be subject to the following:

A. Operation shall be subject to all provisions of Wis. Stat. § 23.33., which is adopted and incorporated as part of this ordinance by reference to Wis. Stat. § 23.33(11).

B. All ATV/UTV operators shall observe a speed limit of not more than 35 MPH or the posted roadway speed limit, whichever is lower.

C. All ATV/UTV operators shall ride single file on the extreme righthand portion of road (not the ditch).

D. All ATV/UTV operating on Pepin County roads must display a lighted headlamp and tail lamp at all times.

E. All ATV/UTV operators born on or after January 1, 1988 shall possess a valid DNR issued ATV Safety Certificate.

F. On all roads shared with another jurisdiction the most restrictive ordinance shall apply.

G. All ATV/UTV drivers must comply with the age restrictions set forth under Wis. Stat. § 23.33(5)

H. The Pepin County ATV/UTV Club is responsible for purchasing and paying for maintenance of signage. Pepin County is responsible for installing signs at the Club's expense.

I. All ATV and UTV operators and passengers under the age of 18 must wear helmets as required by Wis. Stat. § 23.33(3g).

J. Operating while under the influence of an intoxicant is prohibited per Wis. Stat. § 23.33(4c).

K. Pepin County, as the unit of government that designates the routes, is responsible by statute to post the proper route signs. Route signage must be clearly understandable. The Pepin County Highway Department, as the maintaining authority of the highway's designated ATV/UTV routes, shall initially install the legally required signage.

L. All ATV and UTV operators and passengers shall comply with all regulations set forth in the Wisconsin Statutes and the Wisconsin Administrative Code, as each may be amended, while operating in Pepin County.

(5) ENFORCEMENT. This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

This ordinance or designated portions of any routes may be cancelled at any time by a majority decision of the Pepin County Board.

(6) PENALTIES. The State of Wisconsin All-Terrain Vehicle penalties as found in Wis. Stat. § 23.33(13)(a), are adopted by reference.

(7) SEVERABILITY. The provisions of this ordinance shall be deemed severable, and it is expressly declared that Pepin County would have passed the other provisions of this ordinance irrespective of whether or not 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 person's circumstances shall not be deemed affected.

(8) EFFECTIVE DATE. This ordinance becomes effective upon the passage by the Pepin County Board of Supervisors and publication by the Pepin County Clerk as required by Wis. Stat. § 59.14.

Date of Publication: 4-30-2026

RECOMMENDED BY THE PEPIN COUNTY HIGHWAY COMMITTEE:

Tom Miller
Highway Committee Chair

COMMITTEE MEMBERS VOTE

In favor 4 Oppose ~~0~~ Absent 1 Abstain ~~0~~

COUNTY BOARD ACTION:

X ADOPTED
_____ DEFEATED
_____ TABLED

by the Pepin County Board of Supervisors on this 21st day of April, 2026

In favor 12 Oppose 0 Absent 0 Abstain 0

Audrey Bauer
County Clerk

Tom Miller
County Board Chair