

Town of Barnet, Vermont
Ordinance for Regulating All-Terrain Vehicles

SECTION I. AUTHORITY. Under authority granted in 24 V.S.A. Chapter 59, 24 V.S.A. § 2291(4), and 23 V.S.A. § 3510, the Selectboard of the Town of Barnet hereby adopts the following civil ordinance regulating the time, manner, and location of operation of all-terrain vehicles within the town.

SECTION II. PURPOSE. The purpose of this ordinance is to protect the health and safety of operators of all-terrain vehicles and of the residents of the Town and to protect the animals, property and environment of the Town.

SECTION III. DEFINITIONS.

- A. "All-terrain vehicle," or "ATV," means any non-highway recreational vehicle, except snowmobiles, having no less than two low pressure tires (10 pounds per square inch, or less), not wider than 60 inches with two-wheel ATVs having permanent, full-time power to both wheels, and having a dry weight of less than 1,700 pounds, when used for cross-country travel on trails or on any one of the following or a combination thereof: land, water, snow, ice, marsh, swampland, and natural terrain. An ATV on a public highway shall be considered a motor vehicle, as defined by section 4 of this title, only for the purposes of those offenses listed in subdivisions 2502(a)(1)(H), (N), (R), (U), (Y), (FF), (GG), (II), and (ZZ); (2)(A) and (B); (3)(A), (B), (C), and (D); (4)(A) and (B) and (5) of this title and as provided in section 1201 of this title. An ATV shall not include an electric personal assistive mobility device.
- B. "Operate" shall include any attempt to operate and shall be construed to cover all matters and things connected with the presence and use of all-terrain vehicles whether they be in motion or at rest.
- C. "VASA" means the Vermont All Terrain Vehicle Association.

SECTION IV. OPERATION OF ATVs.

- A. All ATVs must be registered and operated according to the requirements of 23 V.S.A. Chapter 31.
- B. A valid VASA plate must be attached to the front of the ATV.
- C. All-terrain vehicles may be operated only on the following town highways:
 - 1. On _____ from E-911 address number _____ to _____
from May 15 through October 1.
- D. All-terrain vehicles shall not be operated on public bike paths or hiking trails or on VAST snowmobile trails unless property owner has signed a VASA Landowner Permission form.

E. All speed limits and traffic control devices apply to the operation of ATVs on Town highways unless otherwise posted.

F. ATVs may not be operated within the Town between 9 P.M. and 8 A.M.

SECTION V. PENALTIES.

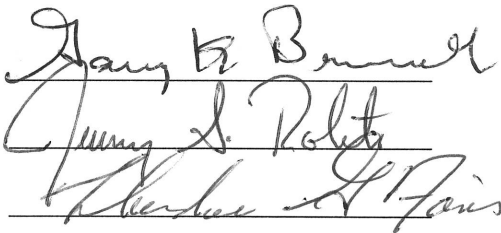
First offense \$50.00, waiver fee \$35.00
Second offense \$100.00, waiver fee \$70.00
Third and each subsequent offense \$250.00, waiver fee \$225.00

SECTION VI. ENFORCEMENT. This is a civil ordinance and shall be enforced by the constable through the Judicial Bureau.

SECTION VII. SEVERABILITY. If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

SECTION VIII. EFFECTIVE DATE. This ordinance shall become effective 60 days after its adoption by the Town of Barnet Selectboard and shall supersede and replace all previous ordinances regulating the time, manner, and location of operation of all terrain vehicles. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

SECTION IX. ANNUAL REVIEW. Section IV.C. shall be reviewed annually with local VASA club and Selectboard at first regularly-scheduled Selectboard meeting following Annual Town Meeting.



SIGNATURES


DATE

Adoption History

Town of Barnet, Vermont, Ordinance for Regulating All-Terrain Vehicles

1. Agenda item at regular Selectboard meeting held on May 10, 2010.
2. Special Selectboard meeting for hearing of public comment held on May 17, 2010.
3. Read and approved at regular Selectboard meeting on May 24, 2010 and entered in the minutes of that meeting which were approved on June 14, 2010.
4. Posted in public places on June 2, 2010.
5. Notice of adoption published in the Caledonian-Record newspaper on June 4, 2010 with a notice of the right to petition.
6. No petition received as of July 7, 2010 deadline.
7. Took effect on July 23, 2010.