

TOWN OF ISLE LA MOTTE, VERMONT

ORDINANCE REGULATING ALL TERRAIN VEHICLES

SECTION I. AUTHORITY.

Pursuant to the 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 Isle La Motte 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, safety, welfare and convenience of the inhabitants of and visitors to Isle La Motte in connection with the operation of all-terrain vehicles, including, without limitation, to protect the health and safety of all-terrain vehicle operators, residents of and visitors to the Town, public and private property, animals and the natural environment of the Town.

SECTION III. DEFINITIONS.

A. "All-terrain vehicle," or "ATV," means any non-highway recreational vehicle, except snowmobiles, when used for cross-country travel on trail or on any one of the following or a combination thereof: water, snow, ice, marsh, swampland and natural terrain.

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 in motion or at rest.

SECTION IV. OPERATION OF ATVs.

A. All ATVs must be registered and operated according to the requirements of 23 V.S.A. Chapter 31. In order for an ATV to legally operate on a town road that is open to ATV use, the ATV must be registered and have one or more working headlights and a working red rear light, all of which must be on during operation, thirty minutes after sunset until thirty minutes before sunrise. Said ATV must have a correct, current number plate, brakes in good mechanical condition, a USFS qualified spark arrester and a muffler system that produces a noise level not to exceed 82 decibels (A scale) at 50 feet.

B. All-terrain vehicles may be operated only on the following town highways:

1. All Class II roads unless otherwise posted
2. All Class III roads unless otherwise posted
3. All Class IV roads unless otherwise posted

C. All-terrain vehicles shall not be operated on public bike paths or hiking trails, on VAST snowmobile trails, or as otherwise prohibited by law.

D. All posted speed limits and traffic control devised apply to the operation of ATVs on Town highways with a maximum speed limit not to exceed 35 MPH.

E. ATVs may not be operated within the Town between 10 p.m. and 7 a.m. Sunday through Saturday.

F. ATVs shall not be operated on the Town's recreation fields, on any public green, in any burial ground, on any school playground, or in the parking lot of any place of religious worship, hospital or nursing home in the Town.

G. ATV operators must have a valid driver's license.

H. All owners of ATVs operated in accord with the ordinance must have liability insurance.

I. ATV operators must wear a helmet unless operating an ATV equipped with a roll bar.

SECTION V. PENALTIES.

First offense..... \$25.00, waiver fee \$15.00

Second offense..... \$50.00, waiver fee \$30.00

Third and each subsequent offense..... \$100.00, waiver fee \$75.00

SECTION VI. ENFORCEMENT. This is a civil ordinance and shall be enforced by the Town Constable or any certified law enforcement officer through the Judicial Bureau.

SECTION VII. INCONSISTENCY; SEVERABILITY. This ordinance is intended to be in addition to any other federal, state and local laws, ordinances or regulations pertaining to all-terrain vehicles, including the provisions of 23 V.S.A. Chapter 31. If any provision of this ordinance is inconsistent with, and not pre-empted by, the provisions of such other laws, ordinances and regulations, the stricter requirement shall apply. If any section of this ordinance is found by a court of competent jurisdiction to be invalid, such provision shall be severable and such finding shall not invalidate any other part of this ordinance.

SECTION VIII. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the Isle La Motte 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.

 Selectboard Chair

 Selectboard Member

 Selectboard Member

Any questions or concerns can be directed to the Isle La Motte Town Office.

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Full contents of ordinance can also be examined on the Town website: www.islelamotte.us