

TOWN OF WEST FAIRLEE ORDINANCE ON  
**ALL TERRAIN VEHICLES**

**ARTICLE 1. 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 West Fairlee hereby adopts the following civil ordinance regulating the time, manner, and location of operation of all-terrain vehicles (ATVs) within the town.

**Article 2. Purpose.** The purpose of this ordinance is to protect the health and safety of operators of ATVs and of the residents of the Town and to protect the animals, property and environment of the Town.

**ARTICLE 3. Definitions.**

- A. "All-terrain vehicle," or "ATV," means any non-highway recreational vehicle, except snowmobiles, when used for cross-country travel on trails 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 they be in motion or at rest.

**ARTICLE 4. Operation of ATVs.**

- a. All ATVs must be **registered** and operated according to the requirements of 23 V.S.A. Chapter 31.
- b. The maximum speed limit is **10 mph when passing any home** on town roads.
- c. When more than one ATV is on a town road, travel will be done in a **single file**.
- d. ATVs may not be operated within the town after **10:00 p.m.**, unless there is an emergency.
- e. ATVs may be operated from **May 1<sup>st</sup> through November 30<sup>th</sup>** only on the following town highways—at a maximum speed limit of **10 mph**:

Back Street	Middlebrook Road
Beanville Road (to the Vershire line)	Wild Hill Road
Blood Brook Road	

- f. —at a maximum speed limit of **15 mph**:

Bear Notch Road	King Hill Road
Beaver Meadow Road	Marsh Hill Road
Brushwood Road	Robinson Hill Road
Buck Hill Road	Scrabble Hollow Road
Jennings Road	Scrouton Hill Road
Kidderhood Road	

g. Consideration should be given at all times for the rights of others.

**ARTICLE 5. Penalties and Enforcement.** A civil penalty of not more than \$50 per violation may be imposed for violation of this ordinance. This is a civil ordinance and shall be enforced by the selectboard and constable through the Vermont Judicial Bureau.

**ARTICLE 6. 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.

**ARTICLE 7. Effective Date.** This ordinance shall become effective 60 days after its adoption by the West Fairlee 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.

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SIGNATURES

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DATE

ORDINANCE ADOPTION HISTORY:

1. Agenda item at regular Selectboard meeting held on July 6, 2004.
2. Read and approved at regular Selectboard meeting on July 19, 2004 and entered in the minutes of that meeting (which will be approved on August 2, 2004).
3. Posted in public places on July 21, 2004.
4. Notice of adoption published in the *Journal Opinion* newspaper on July 28, 2004 with a notice of the right to petition.