

Town of Richford

Ordinance Regulating All-Terrain Vehicle use on Town Highways

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 Richford hereby adopts the following civil ordinance regulating the time, manner, and location of operation of all-terrain vehicles on Town Highways.

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 72" inches with two-wheel ATVs having permanent, full-time power or 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 in 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 (AAA); (2) (A) and (B); (3)(A), (B), (C) and (D); (4)(A) and (B) and (5) of this titled 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 are in motion or at rest.

C. "VASA" means the Vermont All-Terrain Vehicle Sportsman's 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. (All VASA bylaws can be viewed at <http://vtvasa.org>)

B. A valid VASA Trail Access Decal (TAD) must be attached to the front and rear of the ATV.

C. All-Terrain vehicles may be operated only on the following Town Highways:

Marvin Rd. (Richford portion)

River St.

Smith Rd.

Nickson Rd.

Johnson Rd.

Mtn. View Rd.

Benson Rd.

Noyes St.

Troy St.

Province St.

Berry Rd. (Richford portion)

Pinnacle Rd.

Golf Course Rd.

Main St.

Hardwood Hill Rd.

Drew Rd.

North Branch Rd. (Richford portion)

S. Richford Rd. (Richford portion)

Guilmette Rd.

McAllister Rd.

Gendron Rd.

Wightman Hill Rd.

Prive Hill Rd. (Richford portion)

Combs Rd.

Coy Rd.

Coons Rd.

105-A (only after approval from VTRANS)

Stevens Mill Slide Rd.

Corliss Rd.

East Richford Slide Rd. (Richford portion)

(Also included are a few short sections of highway 105 that will only be permitted after the approval from VTRANS)

D. Town Highways may be added or deleted at the discretion of the Selectboard without amending this ordinance.

E. All-terrain vehicles shall not be operated on public bike paths or hiking trails or on V.A.S.T. snowmobile trails unless the property owner has signed a VASA Landowner Permission Form.

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

G. ATVs may not be operated on Village roads/streets between 10 PM and 7 AM. (village streets are considered anywhere inside the agreed location set forth by Richford Selectboard and QLAC, these locations will be well marked by QLAC)

H. All Town Highways open for ATV travel must be appropriately signed.

I. All ATV's must carry insurance.

J. VASA bylaws do read that helmet safety is required (although not a state law at this time).

Section V. Penalties.

First Offense...\$100; waiver fee \$55

Second Offense... \$150; waiver fee \$100

Third and each subsequent offense...\$300; waiver fee \$225

Section VI. Enforcement.

This is a civil ordinance and shall be enforced by 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 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.

SIGNATURES: Changes made 10-21-19

DATE:

Andrew Derby	<u>Andrew Derby</u>	<u>10-21-19</u>
Sherry Paquette	<u>Sherry J Paquette</u>	<u>11/4/19</u>
Jacques Desautels	<u>Jacques Desautels</u>	<u>10-21-19</u>
Scott Coons	<u>Scott Coons</u>	<u>10-21-19</u>
Linda Collins	<u>Linda Collins</u>	<u>10-31-19</u>