

## **Village of North Troy**

### **Ordinance Regulating All-Terrain Vehicle use on Village Roads**

#### **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 Village of North Troy Trustees hereby adopts the following civil ordinance regulating the time, manner, and location of operation of all-terrain vehicles on Village Roads.

#### **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 village and to protect the animals, property, and environment of the Village.

#### **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 64 inches with two-wheel ATVs having permanent, full-time power or both wheels, and having a dry weight of less than 1700 pounds, when used for cross-country travel on trails or on any one of the following or a combinations 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 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 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.
- B. All-Terrain vehicles may be operated only on town/village-maintained roads.
- C. 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.
- D. All speed limits and traffic control devices apply to the operation of ATVs on village roads unless otherwise posted.

- E. ATVs may not be operated on village roads between 10 PM and 7 AM.
- F. All village roads open for ATV travel must be appropriately signed.
- G. DOT approved helmets are required to ride all VASA trails and participate in all VASA events. This includes all drivers and passengers for both traditional ATVs and UTVs.

**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/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 Trustees 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:**

**DATE:**

  
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3/8/2022  
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Questions regarding the foregoing adopted ordinance may be directed to April Descheneau, Village of North Troy Clerk, at 160 Railroad Street, North Troy, Vermont 05859 - (802)988-4700 or villagenorthtroy1@comcast.net.