

Village of Barton

Ordinance Establishing Transit Zones For All Terrain Vehicles On Certain Village Roads

Section I. Authority: Under authority granted in 24 V.S.A Chapter 59, 24 V.S.A. § ~~section~~ 2291 (4) and 23 V.S.A. ~~section~~ § 3506 and §3510, The Trustees of Barton Village hereby adopts the following ordinance regulating the manner and location of operation of all-terrain vehicles in approved transit zones within the Village.

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, when used for cross-country travel on trails or on any 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.

Section IV. Operation:

- A. All-terrain vehicles may be operated only on the following Village roads:
 - 1. ~~Roaring Brook Road Bridge~~. Roaring Brook Rd. (Village Highway (VH) #4).
 - 2. Part of Glover Road (VH#2) ~~Route 16~~ from Roaring Brook Road Bridge, north to the #290 Glover Road property. ~~One Stop Market~~.
 - 3. Main. St. (VH #1/U.S. Route 5) from Northern Village Line southerly to Duck Pond Rd (VH #424).
 - 4. Church St. (part of VH#2) from Elm St. to Main St.
 - 5. Elm St. (VH#5) in its entirety.
 - 6. Eastern Avenue (VH#3) in its entirety.
 - 7. Pageant Park Road (VH#414) in its entirety.
- B. Vehicles may operate from 7 9am-9pm from 2nd 3rd-Saturday in May to October 1st
- C. All ATV's must be registered and operated according to the requirements of 23 V.S.A Chapter 31
- D. All vehicles must be insured at State minimum liability ratings.
- E. No one under 16 years of age may operate ~~on Village Highways. a vehicle unless accompanied by a licensed adult driver.~~
- F. The speed limit while operating in these transit zones will be at posted regulatory speeds 20 mph and all ATV's must be in a single file, follow all traffic rules and control devices that apply to the Village highway.

G. DOT approved helmets are required while vehicles are in motion.

Section V. Penalties:

First offense..... \$100.00 ~~\$50.00~~ waiver fee \$50.00 ~~\$25.00~~
Second offense..... \$200.00 ~~\$100.00~~ waiver fee \$100.00 ~~\$50.00~~
Third and subsequent offense.....\$500.00 ~~\$200.00~~ waiver fee \$250.00 ~~\$100.00~~

Section VI. Enforcement:

This is a civil ordinance and shall be enforced by law enforcement officials 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 findings 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 Barton Village Trustees. If a petition is filed under 24 V.S.A Section 1973, that statute shall govern the taking effect of this ordinance.

8 / 25 / 2008

Date (original)

May 28, 2018

Date (revision)

/S/ Justin Barton-Caplan

/S/ Cathy Swain

/S/ Nathan Sicard

Barton Village Trustees

Adoption History:

1. Agenda item at regular Trustees Meeting held on 8/11/2008
2. Read and Approved at regular Trustees meeting on 8/25/2008 and entered in the minutes which were approved on 8/25/2008
3. Posted in public places on 8/26/2008
4. Notice of adoption published in the Chronicle newspaper on 8/27/2008 with notice of right to petition
5. other actions (petition,etc.)

Revision:

1. Revision made to Section IV, subsection "A" to include additional Roads to be open to ATV travel within the Village of Barton
2. Revision made to Section IV, subsection "B" to change the operating hours from 7am to 9 pm also the season date changed to 2nd Saturday in May to October 1st

Revised on