

## VILLAGE OF BARTON

### AMENDMENT TO THE ORDINANCE ESTABLISHING TRANSIT ZONES FOR ALL-TERRAIN VEHICLES ON CERTAIN VILLAGE ROADS

Under the authority granted in 24 V.S.A. Chapter 59, 24 V.S.A. § 2291 (4), and 23 V.S.A. § 3506 and § 3510, the Trustees of Barton Village hereby amend Section IV (A) and Section IV (B) of the Ordinance Establishing Transit Zones for All-Terrain Vehicles on Certain Village Roads by striking the same in its entirety, and replacing the same with the following:

(A) All-terrain vehicles fully conforming to the requirements of 23 V.S.A. Chapter 31 may, in accordance with the provisions of 23 V.S.A. § 3506(b)(1) of the Vermont Statutes Annotated, be operated on all public highways within the Village of Barton, in accordance with the requirements of 23 V.S.A. Chapter 31 of the Vermont Statutes Annotated as well as the requirements set forth in subparagraph (c) of this Section.

(B) All-terrain vehicles may operate from 7:00am to 9:00pm, 365 days a year.

In all other respects, said Ordinance is hereby ratified and confirmed.

/S/ Regina Lyon, Trustee

August 25, 2008

Date (Original)

/S/ Marilyn Prue, Trustee

/S/ Ellis Merchant, Trustee

October 14, 2024

Date (Amendment)

The above ordinance was adopted by the Village of Barton Board of Trustees on October 14, 2024 and shall become effective, pursuant to the provisions of 24 V.S.A. § 1971, et seq, sixty (60) days from the date of its adoption, to wit, on December 13, 2024, unless a petition for a vote on the question of disapproving the same shall be filed in accordance with the provisions of 24 V.S.A. § 1973(b), which section provides that a petition for a vote on the question of disapproving an ordinance or rule shall be signed by not less than five percent (5%) of the qualified voters of the municipality, and presented to the legislative body or the clerk of the municipality within forty-five (45) days following the date of adoption of the ordinance or rule by the legislative body.

Questions regarding the foregoing adopted ordinance may be directed to Vera LaPorte, Barton Village Business Manager, PO Box 519, Barton, VT 05822, whose telephone number is 802-525-4747. The full text of this ordinance may be examined at the Barton Village Office at 17 Village Square, Barton, VT 05822 or online at [www.bartonvt.com](http://www.bartonvt.com).

## 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. § 2291(4) and 23 V.S.A. § 3506 and § 3510, the Trustees of Barton Village hereby adopt 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 Rd. (Village Highway [VH #4]).
  - 2. Part of Glover Road (VH #2) from Roaring Brook Road Bridge, north to the #290 Glover Road property.
  - 3. Main St. (VH #1/US 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 7am-9pm from 2<sup>nd</sup> Saturday in May to October 1<sup>st</sup>.
- C. All ATVs 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.

- F. The speed limit while operating in these transit zones will be at posted regulatory speeds and all ATVs 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, waiver fee \$50.00  
 Second offense.....\$200.00, waiver fee \$100.00  
 Third and subsequent offense.....\$500.00, waiver fee \$250.00

**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.

08/25/2008  
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 08/11/2008.
2. Read and approved at Regular Trustees meeting on 08/25/2008 and entered in the minutes of that meeting which were approved on 08/25/2008.
3. Posted in public places on 08/26/2008.
4. Notice of adoption published in the Chronicle newspaper on 08/27/2008 with notice of right to petition.
5. Other actions (petition, etc.).

## **Amendment History**

### First Amendment

1. Amendment made to Section IV, subsection "A" to include additional roads to be open to ATV travel within the Village of Barton on 05/28/2018.
2. Amendment made to Section IV, subsection "B" to change operating hours from 7:00am to 9:00pm and change the season dates to the second Saturday in May to October 1 on 05/28/2018.

### Second Amendment

1. Agenda item at Regular Trustees Meeting held on 09/09/2024.
2. Amendments read and approved at Regular Trustees meeting held on 10/14/2024 and entered into the minutes of that meeting which were approved on 10/28/2024:
  - a. Amendment made to Section IV, subsection "A" to include all public highways to be open to ATV travel within the Village of Barton.
  - b. Amendment made to Section IV, subsection "B" to change the operating dates to 365 days a year.
3. Posted in five (5) public places on 10/15/2024.
4. Notice of adoption published in the Chronicle newspaper on 10/23/2024 with notice of right to petition.
5. Other actions (petition, etc.).