

Town of Vershire
Ordinance Regulating
All-Terrain Vehicle use on Town Highways

§ I. Authority

Under the 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 Vershire hereby adopts the following civil ordinance regulating the time, manner and location of operation of all-terrain vehicles on all town highways.

§ 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.

§ III. Definitions

- A. "All-terrain vehicle" or "ATV" means any non-highway recreational vehicle, except snowmobiles, having no less than three low pressure tires (10 pounds per square inch or less), not wider than 64 inches, 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 Title 23 VSA Section 4, only for the purpose of those offenses listed in subdivision 2502(a)(1)(H), (N), (R), (U), (Y), (FF), (GG), (II), and (ZZ); (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.

§ IV. Operation

- A. All ATV's must be registered and operated according to the requirements of 23 V.S.A Chapter 31. A valid Vermont license plate must be attached to the ATV.
- B. All-terrain vehicles may be operated on all gravel roads and the following paved Town roads:
 - a. South Vershire Road
 - b. Vershire Center Road

- C. All-terrain vehicles shall not be operated on bike paths or hiking trails or V.A.S.T snowmobile trails unless the operator has a signed permission from the landowner whose property the trail or path crosses. This permission must be carried with the operator at the time of crossing.
- D. All traffic control devices apply to the operation of ATV's on Town highways. The speed limit for ATV's in Vershire shall be 25 miles per hour on Class 3 roads and 15 miles per hour on Class 4 roads.
- E. ATV's shall only be operated on Town highways between May 1st and December 15th.

§ V. Penalties

- First offense.....\$50.00 waiver fee \$35.00
- Second offense.....\$100.00 waiver fee \$70.00
- Third and each subsequent offense.....\$250.00 waiver fee \$225.00

§ VI. Enforcement

This is a civil ordinance and shall be enforced by local and state law enforcement through the Judicial Bureau.

§ 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.

§ VIII. Effective Date

This ordinance was initially adopted on May 20, 2014. This revision is adopted on January 4, 2022, and shall become effective in 60 days. It shall supersede and replace all previous Town ordinances regulating the time, manner, and location of operation of all-terrain vehicles.

Pursuant to the provisions of Title 24 V.S.A. § 1973, the citizens of the Town of Vershire have the right to petition for a vote on the amended ordinance by presenting a petition signed by not less than 5% of the qualified voters to the Town Clerk or the Selectboard within 44 days following the date of adoption. If no petition is presented, this ordinance shall become effective on March 5, 2022.

Vernal Stone
Vernal Stone, Chair

January 4, 2022
Date

[Signature]
Kenneth Bushey

January 4, 2022
Revision/Amend Date

[Signature]
Nicole White-Fogarty