

TOWN OF HYDE PARK
ALL TERRAIN VEHICLE ORDINANCE
DRAFT Amendments 2019

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 Hyde Park hereby adopts the following civil ordinance regulating the time, manner, and location of operation of all-terrain vehicles within the town.

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, when used for cross-country travel on trails or on any one of the following or a combination thereof: water, snow, ice, marsh, swampland and natural terrain and, as allowed on public highways identified in this Ordinance.
- 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 OF ATVs.

- A. All ATVs must be registered and operated according to the requirements of 23 V.S.A. Chapter 31. All ATV's to be maintained with "manufacturer's original or equal to" equipment (muffler, lighting, brakes, safety equipment, etc.).
- B. All riders must carry registration and proof of insurance certificates on their person or on the machine at all times. All riders shall belong to the Vermont ATV Sportsman Association (VASA) carry proof of membership and display the VASA plate on the ATV.
- C. All-terrain vehicles may be operated only on the following town highways:
 - 1. Any unpaved Class III town highway; ~~and~~
 - 2. Class IV town highways, as identified on the Official Town Highway Map; and
 - 2-3. The following town highways, or segments thereof, including Class 2 or Class 3 town highways and being paved or unpaved:-

Ref#	Road Name - TH#	Begin	End	Length (miles)
1	Grimes Road (Paved) - TH36	VT100	Windy Knob Road - TH93W/ End of Pavement	0.36
2	Barnes Road (Paved) - TH06	Grimes Road (Gravel) - TH36	Whitcomb Island Road - TH35	0.20
3	Whitcomb Island Road - TH35	Barnes Road (Paved) - TH06	End of Paved Bridge	0.04
4	North Hyde Park Road (Paved) - TH03	Cooper Hill Road - TH10	Thompson Hill Road - TH75	0.80
5	North Hyde Park Road (Paved) - TH03	Centerville Road - TH01	Longmore Hill Road - TH31	0.70
6	Centerville Road (Paved) - TH01	North Hyde Park Road - TH03	Mead Road TH39 / End of Pavement	0.50
7	Centerville Road (Class 2) - TH01	Mead Road TH39 / End of Pavement	McKinstry Hill Road - TH13	0.90
8	Center Road (Paved) - TH01	Cleveland Corners Road - TH50	McKinstry Hill Road - TH13	1.92
9	Cleveland Corners Road (Paved) - TH50	Center Road - TH01	Easterly to End of Pavement	0.22
10	Cleveland Corners Road (Paved) - TH07	Fagnant Farm Road - TH50	Davis Hill Road - TH40 / End of Pavement	1.00
			Total	6.64

4. The Selectboard may list specific unpaved Class III and Class IV roads where ATV's may be operated or not operated, by an Annual Posting and Public Notice of roads open to ATV use as per this Ordinance.

- D. All-terrain vehicles shall not be operated on public bike paths or hiking trails or on V.A.S.T. snowmobile trails or private lands (without landowner permission), town owned recreation fields, public greens, in any burial ground, on the school playground or in the parking lot of any church, hospital, town or village owned building or nursing home in the Town.
- E. All speed limits, traffic control devices and rules of the road apply to the operation of ATVs on Town highways opened for use. Maximum speed limit shall be 25mph. Riders to maintain single file on the right side of the road.
- F. ATVs may not be operated within the Town between 9 P.M. and 7 A.M. Monday through Friday or between 10:00 P.M. and 7:00 A.M. on Saturday and Sunday.

SECTION V. PENALTIES.

First offense \$100.00, waiver fee \$50.00
Second offense\$200.00, waiver fee \$100.00
Third and each subsequent offense\$500.00, waiver fee\$250.00

SECTION VI. ENFORCEMENT. This is a civil ordinance and shall be enforced by any duly elected or appointed police officer, or enforcement official appointed by the Selectboard with enforcement powers within Hyde Park, 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 Hyde Park 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.

Selectboard Signatures and Date Signed

**TOWN OF HYDE PARK
PO BOX 98
HYDEPARK,VT 05655
(802)888-2300**

The Clerk of the Town of Hyde Park, Lamoille County, Vermont, in accordance with the provisions of 24 V.S.A. §1975, hereby certifies that the adoption of this ordinance has been conducted in accordance with the procedures established in 24 V.S.A. §§1972 - 1973 including:

1. The adoption of the ordinance appeared as an agenda item at the regular Selectboard meeting held on

1. The ordinance was read and approved at the above regular Selectboard meeting held on _____ and entered into the minutes of that meeting which were approved on _____.

2. The ordinance was posted in at least five conspicuous locations in town within fourteen (14) days: Town Offices, Hyde Park Post Office, North Hyde Park Post Office, Lanpher Memorial Library

3. A concise summary of the ordinance was published in the News & Citizen newspaper on _____ accompanied by information as to where the full text may be examined, the right of voters to petition for a vote, and the name, address and telephone number of a person who is available to answer questions.

4. Notice to petition: Deadline to file: -
None filed: X Date filed: N/A

Signed TOWN CLERK _____