

TOWN OF DANVILLE ORDINANCE REGULATING SNOWMOBILE and ALL TERRAIN VEHICLES

SECTION I. AUTHORITY. Under authority granted in 24 V.S.A. Chapter 59, 24 V.S.A. § 2291(4), and 23 V.S.A. § 3210 and §3510, the Selectboard of the Town of Danville hereby adopts the following ordinance regulating the manner and location of operation of snowmobiles and all-terrain vehicles within the town.

SECTION II. PURPOSE. The purpose of this ordinance is to protect the health and safety of operators of snowmobiles and 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. "Snowmobile" means any non-highway recreational vehicle specifically designed for use for cross-country travel on snow covered trails and natural terrain.
- B. "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.
- C. "Operate" shall include any attempt to operate and shall be construed to cover all matters and things connected with the presence and use of Snowmobiles and All-terrain vehicles whether they be in motion or at rest.

SECTION IV. OPERATION.

- A. All snowmobiles and ATVs must be registered and operated according to the requirements of 23 V.S.A. Chapters 29(1) and 31.
- B. Snowmobiles and All-terrain vehicles may be operated only on the following town highways:
 - 1. Class IV roads, unless posted otherwise.
 - 2. Class III roads, unless posted otherwise.
- C. All-Terrain Vehicles may travel on the following portions of Bruce Badger Memorial Highway between McDowell Road and Partridge Road and between Webster Hill Road and Crystal Avenue, and on the North Danville Road between Tampico Road and Jamison Road.
- D. Speed limits for snowmobiles and ATV's while operating on town highways will be a maximum of 25MPH and all snowmobiles and ATV's must be in single file, follow all traffic rules and control devices that apply to the Town highway, vehicles must have liability insurance and be registered, the operators must be at least 16 years old and wear a helmet.

E. Snowmobiles and ATVs shall not be operated on any other Class II roads other than ATV's noted above in Section III, Paragraph 3, except to cross at a 90 degree angle on any Village street, the public green in the center of town, on the grounds of the waste water treatment plant, on the fire district watershed, on any burial ground, on the historic site at Greenbanks Hollow, on the school playground, on the Town's recreation field, in the parking lot of any church, any school, health clinic, nursing home, or senior citizen housing in the Town.

SECTION V. PENALTIES.

First offense..... \$25.00, waiver fee \$15.00
Second offense \$50.00, waiver fee \$30.00
Third and each subsequent offense \$100.00, waiver fee \$75.00

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 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 Danville Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

SEPT 18, 2008
DATE

Michael K. Wash
Marion E. Sweeney
Dwight R. Penhale

SIGNATURES DANVILLE SELECTBOARD

Adoption History

1. Agenda item at regular Selectboard meeting held on SEPT 4, 2008
2. Read and approved at regular Selectboard meeting on SEPT 18, 2008 and entered in the minutes of that meeting which were approved on OCT 3, 2008.
3. Posted in public places on SEPT 22, 2008
4. Notice of adoption published in the CAUCONIAN newspaper on SEPT 24, 2008 with a notice of the right to petition.
5. Other actions [petitions, etc.] NONE

A true copy: Virginia W. Morse
Virginia W. Morse, Town Clerk