

**TOWN OF GLOVER, VERMONT
ORDINANCE**

REGULATING 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. 3510, the Select Board of the Town of Glover 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 trail or on any one 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.

SECTION IV. OPERATION OF ATVs.

A. All ATVs must be registered and operated according to the requirements of 23 V.S.A. Chapter 31. In order for an ATV to legally operate on a town road that is open to ATV use, the ATV must be registered and have one or more working headlights and a working red rear light, all of which must be on during operation, thirty minutes after sunset until thirty minutes before sunrise. It must have a correct, current number plate, brakes in good mechanical condition, a USFS qualified spark arrester and a muffler system that produces a noise level not to exceed 82 decibels (A scale) at 50 feet.

B. All-terrain vehicles may be operated only on the following town highways:

1. All Class II roads unless otherwise posted
2. All Class III roads unless otherwise posted
3. All Class IV roads unless otherwise posted

C. All-terrain vehicles shall not be operated on public bike paths or hiking trails or on VAST snowmobile trails.

D. All posted speed limits and traffic control devised apply to the operation of ATVs on Town highways with a maximum speed limit not to exceed 35 MPH.

E. ATVs may not be operated within the Town between 10 p.m. and 7 a.m. Sunday through Saturday.

F. ATVs shall not be operated on the Town's recreation field, on the public green in the center of town, in any burial ground, on the school playground or in the parking lot of any church, hospital or nursing home in the Town.

G. ATV operators must have a valid driver's license.

H. All owners of ATVs operated in accord with the ordinance must have liability insurance.

I. ATV operators must wear a helmet or be operating an ATV with a roll bar.

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 the Town Constable or any certified law enforcement officer 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 upon its adoption by the Glover Select Board 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.

August 20, 2008

Keone Maher, Select Board Chair
Jason M. Choquette, Select Board Member