

TOWN OF HARDWICK
ALL-TERRAIN VEHICLES ORDINANCE

SECTION I. AUTHORITY: Under authority granted in 24 V.S.A. Chapter 59, Section 2291(4) and 23 V.S.A. Section 3510, the Hardwick Select Board 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, having no less than two low pressure tires (10 pounds per square inch, or less), not wider than 64 inches with two-wheel ATVs having permanent, full-time power to both wheels, 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 section 4 of this title, only for the purposes of those offenses listed in subdivisions 2502(a)(1)(H), (N), (R), (U), (Y), (FF), (GG), (II), and (AAA); (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.~~ **"All-terrain vehicle" or "ATV" means any nonhighway recreational vehicle, except snowmobiles, having not less than two low pressure tires (10 pounds per square inch, or less); not wider than 64 inches, with two-wheel ATVs having permanent, full-time power to both wheels; and having a dry weight of less than 2,500 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 section**

4 of this title, only for the purposes of those offenses listed in subdivisions 2502(a)(1)(H), (N), (R), (U), (Y), (FF), (GG), (II), and (AAA); (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 does not include an electric personal assistive mobility device, a motor-assisted bicycle, or an electric bicycle.

- 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" shall mean Vermont All-Terrain Vehicles Sportsman Association.
- d. "CATT" shall mean Caledonia All-Terrain Travelers.

SECTION IV. OPERATION OF ATVS:

Designated roads shall be open for travel annually May 15 through November 1. ATVs may have access to the town roads listed below ~~in order~~ to maintain their trails. These vehicles must be clearly marked as maintenance vehicles. Designated roads shall be signed appropriately.

Use of ALL roads or streets shall not be allowed from 11:00 P.M. to 6:00 A.M.

Town Roads open to allow ATVs to access the VASA trails are as follows:

- a. Mackville Road from 144 Mackville Road to VT Route 14.
- b. Carey Road from VT Route 14 to the Hardwick-Woodbury Trail.
- c. Sawmill Lane.
- d. Buffalo MT Trail from VT Route 14 to the Woodbury town line.
- e. Wright Farm Road from VT Route 14/15 to the Buffalo Mountain trail.
- f. **South Main Street from Mackville Road to the Intersection of VT Route 14 and VT Route 15**
- g. Scott Road from 178 Scott Road to Nichols Pond Rd.

- h. Dutton Road from Nichols Pond Road to Brown Farm Road.
- i. Dusty Swamp Road to the Walden town line.
- j. Nichols Pond Road from the Woodbury town line to Scott Road.
- k. Kate Brook Road from VT Route 15 to Woodbury town line.

There is a speed limit of 15 miles per hour for roads A — F . There is a speed limit of 25 miles per hour for roads G - K.

- Designated roads shall be signed appropriately. CATT will erect ATV trail and crossing signs. The signs shall be erected prior to May 15th and taken down by December 1st.
- All ATVs shall be registered, display valid VASA Trail Access Decal, and carry liability insurance. ~~All riders shall wear a DOT approved helmet.~~ **All riders shall wear an approved helmet.**
- All ATVs must be operated according to the requirements of 23 V.S.A. Chapter 31.

SECTION V. PENALTIES:

First Offense	\$250, waiver fee \$150.00
Second Offense	\$500, waiver fee \$300.00
Third Offense and each subsequent.....	\$750, waiver fee \$600.00

SECTION VI. ENFORCEMENT:

This is a civil ordinance and shall be enforced by the Hardwick Police Department and/or any law enforcement agency through the Judicial Bureau.

VASA and CATT members will use a volunteer Trail Patrol to educate and monitor all VASA trails, including designated roads.

SECTION VII. SEVERABILITY: If any section of this ordinance is held by a court competent jurisdiction to be invalid, such finding shall not invalidate any

other part of this ordinance.

SECTION VIII. EFFECTIVE DATE: This ordinance shall be effective 60 days after its adoption by the Hardwick Select Board and shall supersede and replace all previous ordinances regulating the time, manner, and location of all-terrain vehicles. If a petition is filed under 24 V.S.A. 1973, the provisions of Title 24 Appendix, Section 123 (D) shall govern the effective date of this ordinance.

Adopted and signed this 21st day of April 2022.

Town of Hardwick Select Board:

Eric Remick, Chair

Ceilidh Galloway-Kane, Vice Chair

Shari Cornish

Elizabeth Dow

Danny Hale

ATTEST: Town Clerk
Town of Hardwick, VT

Updated: April 21, 2022