SNOWMOBILES

SECTION 1. AUTHORITY. Under the authority granted in 24 V.S.A. Chapter 59 and 23 V.S.A. § 3210, the Selectboard of [town name] hereby adopts the following civil ordinance regulating the time, manner and location of operation of snowmobiles within the town.

SECTION 2. PURPOSE. The purpose of this ordinance is to protect the public health and safety and to preserve the residents' right to quiet enjoyment of their homes and properties.

SECTION 3. DEFINITIONS. For the purposes of this ordinance, the following words and / or phrases shall be defined as follows:

(a) "Operate" includes an attempt to operate and shall be construed to cover all matters and things connected with the presence and use of snowmobiles within the Town of [_____] whether they be in motion or at rest;

(b "Snowmobile" means a self-propelled vehicle intended for off-road travel primarily on snow, having a curb weight of not more than 453.59 kg (1,000 lbs.), driven by track or tracks in contact with the snow and steered by a ski or skis in contact with the snow;

(c) "VAST" means the Vermont Association of Snow Travelers;

(d) "Trails maintenance assessment" (TMA) means a permit issued by VAST granting use of Vermont snowmobile trails on public and private land;

(e) "Public land" means all land that is either owned or controlled by a local, state or federal governmental body.

(f) Other definitions found in 23 V.S.A. § 3201 are incorporated by reference.

SECTION 4. OTHER LAWS. This ordinance is in addition to all state laws regulating the operation of snowmobiles.

SECTION 5. SIGNAGE. Placement and maintenance of all signs regulating snowmobile operation on public lands, on VAST trails, at crossings of trails over highways or sidewalks, and on town highways or sidewalks which have been opened by the Selectboard for snowmobile traffic shall be the responsibility of VAST.

SECTION 6. SPEED LIMITS. The speed limit on town highways opened for snowmobile traffic shall be [____] m.p.h. and the speed limit on sidewalks opened for snowmobile traffic shall be [____] m.p.h.

SECTION 7. SINGLE FILE; RACING. Snowmobile travel on town highways and sidewalks which have been opened for their use shall be single file. No racing shall be allowed.

SECTION 8. OPERATION IN CEMETERIES; OPERATION CLOSE TO CERTAIN BUILDINGS.

(a) No snowmobile may be operated within any public or private burial ground within the Town.

(b) No snowmobile may be operated within the parking area of any school, church, hospital or nursing home within the town.

(c) ATVs may not be operated within the Town between 9 P.M. and 7 A.M. Monday through Friday or between 10 P.M. and 9 A.M. on Saturday and Sunday.

SECTION 9. 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 $125.00

SECTION 10. ENFORCEMENT. The [name of town] [constable?, police?, etc.] shall be the designated enforcement officers. They shall issue complaints and may be the appearing officer at any hearing.

SECTION 11. 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 12. EFFECTIVE DATE. This ordinance shall become effective 60 days after its adoption by the _____ Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

_____ _____
_____ Date
_____
Signatures

ADOPTION HISTORY:

1. Agenda item at regular Selectboard meeting held on _____.
2. Read and approved at regular Selectboard meeting on _____ and entered in the minutes of that meeting which were approved on _____.
3. Posted in public places on _____.
4. Notice of adoption published in the _____newspaper on _____ with a notice of the right to petition.
5. Other actions [petitions, etc.]

VLCT Model Ordinance, 2001