

**Town of Westfield**  
**Ordinance Regulating All-Terrain Vehicle (ATV) Use on Town Highways**

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**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 Westfield hereby adopts the following civil ordinance regulating the time, manner and location of operation of all-terrain vehicles on Town Highways.

**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 or both wheels, and having a dry weight of less than 1700 pounds, when used for cross-country travel on trails or on any one of the following or a combinations 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 titled and as provided in section 1201 of this title. An ATV shall not include an electric personal assistive mobility device.
- 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" means the Vermont All-Terrain Vehicle Sportsman's Association.

**Section IV. Operation of ATVs:**

- A. All ATVs must be registered and operated according to the requirements of 23 V.S.A. Chapter 31.
- B. All-terrain vehicles may ONLY be operated on town maintained roads. See map.
- C. All-terrain vehicles shall not be operated on public bike paths or hiking trails or on VAST snowmobile trails unless the property owner has signed a VASA Landowner Permission Form.
- D. All speed limits and traffic control devices apply to the operation of ATVs on Town highways unless otherwise posted.
- E. ATVs may not be operated on town highways between 9:00 PM and 8:00 AM.
- F. ATVs may not be operated on town highways between November 15th and May 15th.
- G. All Town Highways open for ATV travel must be appropriately signed.
- H. Department of Transportation (DOT) approved helmets are strongly suggested for all ATV and UTV riders and passengers while on town roads.

**Section V. Penalties:**

First Offense...\$100; waiver fee \$55

Second Offense... \$150; waiver fee \$100

Third and each subsequent offense...\$300; waiver fee \$225

**Section VI. Enforcement:**

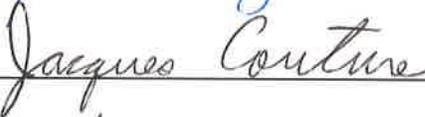
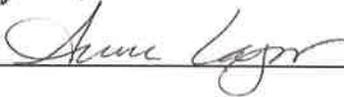
This is a civil ordinance and shall be enforced by/through the Judicial Bureau.

**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.

Dated at the Town of Westfield in the County of Orleans and State of Vermont this 15th day of April, 2019.

**Westfield Selectboard Signatures:**

  
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The above ordinance was adopted by the Selectboard of the Town of Westfield on April 15, 2019, and shall become effective, pursuant to the provisions of 24 V.S.A. §1971, et seq, sixty days from the date of its adoption, to wit, on June 14, 2019 unless a petition for a vote on the question of disapproving the same shall be filed in accordance with the provisions of Section 1973 (b) of Title 24, Vermont Statutes Annotated, which section provides that a petition for a vote on the question of disapproving an ordinance of rule shall be signed by not less than five percent (5%) of the qualified voters of the municipality, and presented to the legislative body or the clerk of the municipality within forty five (45) days following the date of adoption of the ordinance or rule by the legislative body.

Questions regarding the foregoing adopted ordinance may be directed to LaDonna Dunn, Westfield Town Clerk, whose address is 38 School Street, Westfield, Vermont 05874, and whose telephone number is (802) 744-2484.