

**TOWN OF READSBORO
SNOWMOBILE ORDINANCE**



SECTION 1. AUTHORITY. This civil ordinance is adopted by the Selectboard of the Town of Readsboro under authority of 23 V.S.A. § 3210, 24 V.S.A. §§ 2291(1), (4), (7) and 24 V.S.A. Chapter 59.

SECTION 2. PURPOSE. The purpose of this Ordinance is to promote and protect the public health, safety and welfare of the Town, and to preserve residents' rights to quiet enjoyment of homes and properties by regulating the time, manner, and location of operation of snowmobiles within the Town.

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

- A. "Enforcement Officer" means any law enforcement officer certified by the Vermont criminal justice training council.
- B. "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 whether they be in motion or at rest.
- C. "Public land" means all land that is either owned or controlled by a local, state or federal governmental body.
- D. "Snowmobile" means a self-propelled vehicle intended for off-road travel primarily on snow, having a curb weight of not more than 793.783 kg (1,750 lbs.), driven by track or tracks in contact with the snow and steered by a ski or skis in contact with the snow. The maximum width of a snowmobile shall be no more than 48 inches. An all-terrain vehicle converted to operate with tracks shall not be considered a snowmobile.
- E. "VAST" means the Vermont Association of Snow Travelers.
- F. "Trails Maintenance Assessment" (TMA) – Permit issued by VAST granting use of Vermont snowmobile trails on public and private land.
- G. "Town Highway" – all town roads and rights of way within the Town of Readsboro
- H. Other definitions found in 23 V.S.A. § 3201 are incorporated by reference.

SECTION 4. SIGNAGE/TRAIL MAINTENANCE. 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 which have been opened by the Selectboard for snowmobile traffic shall be the responsibility of VAST. Any trail maintenance on a Town Highway or Right of Way will be approved by the Selectboard, DPW Superintendent, or a designated representative of the Selectboard prior to commencing.

SECTION 5. TOWN HIGHWAYS/RIGHTS OF WAY OPENED. Pursuant to 23 V.S.A. § 3206, all town highways that are not being maintained and plowed by the Town for use by motor vehicles during the snow season are open to snowmobile traffic.

In addition, the following Town highways shall be open to snowmobile traffic, only when the VAST Trail Network is open (exception for Authorized Trail maintenance by VAST to prepare trails for opening):

- West Hill Drive from Wiley Mountain Road to Blueberry Patch
- Jarvis Hill to Depot Street to Route 100
- Tunnel Street to Railroad Alley
- Railroad Alley through Town sand pit, crossing Branch Hill to Readsboro Store
- Main Street/Route 100 from Lions Club parking to Readsboro Store
- Branch Hill from O'Hearn's to Readsboro Store
- Lower Section of Ruba Road
- Williams Road
- Rue Madeline From Trailhead to LT#1
- Goldmine Road from Trailhead to powerline
- Smith Road from Class 4 to TH #17
- Daubney Drive from Trailhead to LT #1

SECTION 6. SPEED LIMITS AND TRAFFIC CONTROL DEVICES. All posted speed limits and traffic control devices on Town highways shall apply to the operation of snowmobiles. Notwithstanding the above, no person shall drive a snowmobile on a public right of way at a speed greater than is reasonable and prudent under the conditions, having regard to the actual and potential hazards there existing. In every event, speed shall be controlled as necessary to avoid collision with any person, vehicle, snowmobile, or other object on or adjacent to the snowmobile trail.

SECTION 7. TIME OF OPERATION. Snowmobiles may not be operated between the hours of 10 pm and 6 am.

SECTION 8. SINGLE FILE; RACING. Snowmobile travel on town highways which have been opened for their use shall be single file. No racing shall be allowed.

SECTION 9. OPERATION ON PUBLIC PROPERTY AND CEMETERIES. Snowmobiles may be parked on the following public property: Town owned land surrounding the Band Stand (provided that adequate snow cover is present). Snowmobiles shall not be operated within any public or private burial ground within the Town, as per 23 V.S.A. § 3206(13).

SECTION 10. PENALTIES.

An Enforcement Officer is authorized to recover civil penalties for violations of this Ordinance for operation in excess of local speed limit, operation during hours when snowmobiling is prohibited, failure to operate in single file or engaging in racing as set out below:

- 1st Offense: \$100 fine. Waiver amount: \$50
- 2nd Offense: \$250 fine. Waiver amount: \$125
- 3rd Offense: \$500 fine. Waiver amount: \$250

For any of the above offenses, an Enforcement Officer is authorized to recover a waiver fee, in lieu of a civil penalty, in the stated amount, for any person who declines to contest a municipal complaint and pays the waiver fee.

The penalties and waiver amounts for the following violations are as set by the State of Vermont pursuant to 23 V.S.A. § 3207 and posted by the Judicial Bureau:

- Operation on a highway that is maintained during the snow season but that has not been opened for use by the Selectboard. 23 V.S.A. § 3206(b)(2)
- Operation within a public burial ground. 23 V.S.A. § 3206(b)(13)
- Operation on a sidewalk that has not been opened for travel by the Selectboard. 23 V.S.A. § 3206(b)(15)
- Operation of snowmobile in unreasonable manner including but not limited to operating a snowmobile at a speed greater than is reasonable and prudent under the conditions. 23 V.S.A. § 3206(17).

SECTION 11. ENFORCEMENT. The violation of this ordinance shall be a civil matter which may be enforced in the Vermont Judicial Bureau in accordance with the provisions of 24 V.S.A. §§ 1974a and 1977 et seq. For purposes of enforcement in the Judicial Bureau, any Enforcement Officer shall have the authority to issue tickets and may be the appearing officer at any hearing.

SECTION 12. OTHER LAWS. This Ordinance is in addition to all other ordinances of the Town of Readsboro and all applicable laws of the State of Vermont. All ordinances or parts of ordinances, resolutions, regulations, or other documents inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.


SECTION 13. 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.

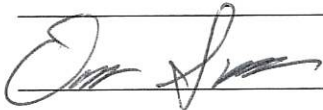
SECTION 14. EFFECTIVE DATE. This Ordinance shall become effective 60 days after its adoption by the Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this Ordinance.

Date of adoption by the Selectboard: _____

Signatures of Selectboard members:







ADOPTION HISTORY:

1. Agenda item at regular/special Selectboard meeting held on 9/14/22.
2. Read and approved at regular/special Selectboard meeting on 9/28/22 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.]