

## **TOWN OF BAKERSFIELD ALL TERRAIN VEHICLE ORDINANCE**

THIS ORDINANCE IS IN EFFECT FROM APRIL 1 TO DEC. 1ST  
BETWEEN THE HOURS OF 7:00 A.M. AND 10:00 P.M.

TO PERSONS HOLDING A VALID DRIVERS LICENSE OR HAVING COMPLETED AN APPROVED ATV SAFETY TRAINING PROGRAM AND HAVE CERTIFICATION WITH THEM. The select board of the Town of Bakersfield, in the County of Franklin and the State of Vermont, in accordance with Title 23, V.S.A. 1971-1983 hereby adopt this ordinance regulating the use of All Terrain Vehicles, in the Town of Bakersfield and described as follows:

- 1) As used in this ordinance "All Terrain Vehicle or ATV" means any non-highway recreational vehicle, except snowmobiles, 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.
- 2) The use of ATV's is authorized on all town roads located East of 108 in the Town of Bakersfield except TR#1 (Boston Post Road) TR#3 from #108 to Town Garage.
- 3) An ATV may be operated only in accordance with V.S.A. Title 23 Chapter 31, Section 3501-3518 and will be enforced.
- 4) ATV signs have to be posted to notify motorists that ATV's are on the road. These are NOT Trail signs.
- 5) Travel by ATV's will be single file, to the right, with headlights on , at a rate of speed not to exceed 25 MPH.
- 6) An ATV may not be operated unless registered pursuant to this chapter 31 or any other section of this Title 3502-3504, as stated in the All Terrain Vehicle Operator's Manual, by the State of Vermont and the Vermont Statutes Annotated, Title 23, 1999 Cumulative Supplement for use in 1999-2000 except when operated:
  1. On the property of the owner of the ATV
  2. Off the Highway, in a ski area while being used for the purpose of grooming snow, maintenance or in rescue operations
  3. Solely on privately owned land when the operator is specifically invited to do so and has on his person the written consent of the owner
- 7) The registration of an ATV does not constitute a license to cross or operate an ATV on Private lands that do not have trails.
- 8) ATV's must have stock exhaust not modified in any way in order to be operated in the Town of Bakersfield
- 9) ATV's operated in the town of Bakersfield MUST have a valid Town usage sticker displayed in plain view to access trails.
- 10) Parking of any trailer or vehicle used to transport an ATV shall not be on the Town's recreation fields, 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, school, or municipal building in the Town.

11) ATVs shall not be operated on the Town's recreation fields, 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, school, or municipal building in the Town.

12) Liability Insurance is mandatory for an ATV operated in the Town of Bakersfield.

13) If any portion of the Ordinance is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected. A violation of this Ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. Title 2974a and 1977 et seq. A civil penalty of not more than \$800 may be imposed for this violation of this civil ordinance, and the waiver fee shall be set at \$100 for the first offense, \$200 for the second offense within a six-month period, and \$300 for all subsequent offenses within a six-month period, Each day that the violation continues will constitute a separate violation of this ordinance.

14) The Town of Bakersfield accepts no liability for the operation of ATV's on Town Highways as listed per item 2.