

# Town of Weston

## Ordinance Regulating Snowmobiles

### **SECTION 1: AUTHORITY**

Under the authority granted in 24 V.S.A. Chapter 59 and 23 V.S.A. §3210, the Selectboard of the Town of Weston hereby adopts the following civil ordinance regulating the time, manner and location of operation of all snowmobiles in the Town of Weston.

### **SECTION 2: PURPOSE**

The purpose of this ordinance is to protect the public health and safety of operators of snowmobiles; to protect animals, property and the environment of the town; 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) "Snowmobile" means a self-propelled vehicle intended for off-road travel on snow covered trails and natural terrain.
- 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 snowmobiles within the Town of Weston whether they be in motion or at rest.
- c) "VAST" means the Vermont Association of Snow Travelers.
- d) Grooming equipment not included as a snowmobile.

### **SECTION 4: OTHER LAWS**

A. All snowmobiles must be registered and operated according to the requirements of 23 V.S.A. Chapter 29.

B. This ordinance is in addition to all state laws regulating the operation of snowmobiles.

### **SECTION 5: OPERATION OF SNOWMOBILE IN WESTON**

A. It shall be unlawful for any person to operate a snowmobile upon any regularly plowed street, road, or highway in Weston, except that a snowmobile may be operated on the following town highways: See Schedule A attached hereto and made a part hereof.

B. Every person operating a snowmobile upon a town highway shall operate said snowmobile in single file, as near to the right hand side of the highway as practicable, exercising due care when passing a standing vehicle, cross-country skier or horse and rider, provided that it shall be unlawful for a snowmobile to pass to the left of a moving automobile upon any highway.

C. No racing shall be allowed.

D. It shall be unlawful for a person to cross a highway on a snowmobile except in the following manner:

- a) The crossing shall be made at approximately right angles to the direction of traffic on the street or highway, and;
- b) The snowmobile shall be brought to a complete stop before entering the traveled portion of the highway, and;
- c) The driver of the snowmobile shall yield the right of way to all motor vehicles approaching on the highway.

### **SECTION 6: SPEED LIMITS**

It shall be unlawful for any person to operate a snowmobile upon any regularly plowed highway within the Town of Weston at a speed in excess of twenty-five (25) miles per hour.

### **SECTION 7: SIGNAGE**

Placement and maintenance of all signs regulating snowmobile operation on public lands, on VAST trails, at crossings of trails over highways, and on town highways which have been opened by the Selectboard for snowmobile traffic shall be the responsibility of the Town of Weston. All signage required by this Ordinance shall be supplied and paid for by VAST.

### **SECTION 8: HOURS OF OPERATION**

Snowmobiles may not be operated on public lands, on VAST trails, at crossings of trails over highways, and on town highways which have been opened by the Selectboard for snowmobile traffic between 10 P.M. and 7 A.M. Monday through Sunday.

### **SECTION 9: PENALTIES**

- First Offense..... \$50.00, waiver fee \$30.00
- Second Offense..... \$75.00, waiver fee \$50.00
- Third and each subsequent offense..... \$100.00, waiver fee \$125.00

### **SECTION 10: ENFORCEMENT**

A. It shall be a violation of this Ordinance for any person to do any act forbidden or fail to perform any act required in this Ordinance.

B. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this Ordinance.

C. This is a civil ordinance and shall be enforced by law enforcement officials through the Judicial Bureau.

### **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 Weston selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

Bradford F. Arnesen \_\_\_\_\_

Denise G. Benson \_\_\_\_\_

Almon Grandall \_\_\_\_\_

**ADOPTION HISTORY:**

1. Agenda item at meeting held on 11/13/07 + 11/27/07.
2. Read and approved at meeting on 11/27/07 and entered in the minutes of that meeting which were approved on \_\_\_\_\_.
3. Posted in public places on 12/4/07.
4. Notice of adoption published in *The Message* on 12/5/07 with notice of the right to petition.
5. Other actions \_\_\_\_\_

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### Schedule A

The following is the list of the town highways upon which snowmobile operation is allowed:

1. **Chester Mountain – Crossing Only:** Approximately 0.6 miles northeast from the intersection of Route 100 and Chester Mountain Road (near a watering trough).
2. **Jenny Coolidge Brook – Access:** Intersection of Greendale Road and Jenny Coolidge Brook Road, traveling west along Jenny Coolidge Brook Road for 1.6 miles on the unplowed portion of Jenny Coolidge Brook Road.
3. **Greendale Road – Access:** Intersection of Greendale Road and Jenny Coolidge Brook Road, traveling north along Greendale Road for 1.3 miles on the unplowed portion of Greendale Road.
4. **Moses Pond Road – Access:** Intersection of Parker Lane and Moses Pond Road, traveling north for 2.2 miles along Moses Pond Road on the plowed portion and 1 mile on the unplowed portion of Moses Pond Road.
5. **Lawrence Hill Road – Crossing Only:** Approximately 762 feet north from the intersection of Moses Pond Road and Lawrence Hill Road.
6. **Jacquith Road and Town Trail (Andlinger Driveway) – Access:** Intersection of Jacquith Road and Town Trail continues west Town Trail (Andlingers Driveway) approximately 0.3 miles from above noted intersections, traveling north on Jacquith Road passes the Monroe/Bettman residence and the Goodwin's hunting camp to the intersection of Jacquith Road and Trout Club Road.