

Town of Highgate

**ALL-TERRAIN VEHICLE AND SNOWMOBILE ORDINANCE**

Effective Date – September 19, 2024

**Section I: Authority**

Under the authority granted in 24 VSA SS1971 and 23 VSA SS3510, the Town of Highgate Selectboard hereby adopts the following Civil Ordinance regulating the use of All-Terrain Vehicles, hereinafter referred to as “ATV” and Snowmobiles within the Town.

**Section II: Purpose**

This ATV and Snowmobile Ordinance is adopted to promote public health and safety by providing for the regulation of ATVs and Snowmobiles within the Town of Highgate.

**Section III: Definitions**

- 1) **ATV (All-Terrain Vehicle)** means any non-highway recreational vehicle including side by sides, 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, swamp, marsh, and natural terrain. An ATV on a highway or roadway shall be considered a motor vehicle, as defined in 23 VSA SS4. An ATV shall not include an electrical personal assistive mobility device.
- 2) **Enforcement Officer** means any law enforcement officer including Franklin County Sherrif Dept, Vermont State Police, US and VT Fish and Wildlife, US Customs and Border Patrol and any service contracted by VASA or the Town of Highgate; including individuals with the proper authority to issue Municipal tickets.
- 3) **Operate** shall include any attempt to operate and shall be construed to cover all matters and things connected with the presence and use of ATVs and snowmobiles whether they are in motion or at rest.
- 4) **Snowmobile** means any of various vehicles for travel on snow; specifically – an open vehicle for usually one or two persons with steerable skis on the front and an endless belt at the rear.
- 5) **VAST** is the Vermont Association of Snow Travelers.
- 6) **VASA** is the Vermont ATV Sportsman’s Association.

**Section IV: Specific Provisions**

**Snowmobiles –**

- 1) The use of snowmobiles is restricted to VAST Trails and private property with the permission of the owners. Snowmobiles may travel the distance required from the LVRT Trail intersection on Gore Road to the gas stations located in Highgate Center for the purpose of refueling and purchasing goods only. Travel on the Gore Road is restricted to the right side of the road, travelling in the same direction as normal

**Town of Highgate**  
**ALL-TERRAIN VEHICLE AND SNOWMOBILE ORDINANCE**

traffic; not to exceed 15 mph. The crossing at Route 78 is limited to a 90-degree angle to the parking lot of the store.

- 2) Snowmobiles must be registered with VAST to be in compliance the use of VAST Trails and the Fuel Access granted via Gore Road.
- 3) Snowmobile Use on Municipal and/or School Property is prohibited, except the section of the VAST Trail adjacent to the School and Recreation Arena. Violators will be fined double the prevailing fee.
- 4) Snowmobiles are prohibited on any Recreation fields or Playgrounds.
- 5) Snowmobiles are NOT allowed in any Cemetery.

**ATVS –**

- 1) All ATVs must be registered and operated in accordance with 23 VSA SS31.
- 2) No ATV is allowed on State Highways including Route 78, Route 7, Interstate 89 or Route 207 (except for provided Fuel Access).

- 3) VASA Members ONLY with valid Trail Access Decals, valid registration and valid insurance shall be allowed the use of the following trail on Highgate Public Roadways:

Swanton Town Line on Frontage Road, right turn onto Carter Hill Road

Follow Carter Hill Road and take a left onto Campagna Road

Campagna Road to the end and right onto St. Armand Road

St. Armand Road only to Parent Road on the left

Parent Road to the end, Left onto Tarte Road, all the way to Gore Road

Turn right onto Gore Road and immediately turn left onto Buck Road

Buck Road until the Franklin County Line

\*Trail access is given to access fuel and goods from St. Armand Road intersection with Parent Road to Highgate Village Center.

- 4) Hours of Operation on Town Highway VASA Trail – 7:00am until 9:00pm
- 5) VASA/Town Highway Trail is ONLY open April 15<sup>th</sup> until December 1<sup>st</sup> of every year. No Riding is allowed between December 1 thru April 14 of any year.
- 6) ATV riders must wear protective helmets.
- 7) No person shall operate an ATV on a Town Highway at a speed greater than 30mph and Only if slower speed is not warranted by traffic, road conditions or weather.
- 8) ATV riders must obey traffic control devices, such as stop signs and work zones.
- 9) No ATV Use is allowed on School or Municipal Property, including playgrounds, recreation fields, parks and cemeteries.
- 10) ATV use on privately owned property to include agricultural, hunting or fishing use is restricted to no closer than three feet from the traveled portion of the roadway. ATVs

**Town of Highgate**  
**ALL-TERRAIN VEHICLE AND SNOWMOBILE ORDINANCE**

operating on private property must comply with all provisions as set forth pursuant to the provisions of 23 VSA SS3506. ATVs used for agricultural, hunting or fishing purposes may cross the road to reach their destination or travel short distances on the road if they comply with all of these regulations and state law as set forth pursuant to 23 VSA SS3506.

**Section V: Penalties**

- 1) In accordance with 24 VSA SS1974 and SS1974a, any person who violates a provision of this Civil Ordinance shall be subject to a civil penalty of up to \$500. Per day for each day that such violation continues.
- 2) Any Enforcement Officer appointed by the Selectboard shall have the authority to act as an Issuing Municipal Official, to issue and pursue before the Judicial Bureau; a municipal complaint.
- 3) An Issuing Municipal Official shall have the authority to levy and collect a Waiver Fee in lieu of a civil penalty from any person who declines to contest a municipal complaint and pay the waiver fee. Offenses shall be counted on a calendar year basis as follows:
  - 1<sup>st</sup> Offense Fine \$100.00 (Waiver Fee \$75.00)
  - 2<sup>nd</sup> Offense Fine \$200.00 (Waiver Fee \$150.00)
  - 3<sup>rd</sup> Offense Fine \$500.00 (Waiver Fee \$ 300.00)

**\*\*Fines are doubled for violations on School or Municipal Property\*\***

**Section VI: Amendments**

- 1) This Ordinance may be amended by a majority vote of the Legislative body at any duly warned meeting, provided the subject appears on the agenda for that meeting.
- 2) Any Amendments to this Ordinance shall take effect in accordance with 24 VSA SS1971.

**Section VII: Appeals**

- 1) Any person cited for a violation of this Ordinance may contest the violation before a judge in the Judicial Bureau.
- 2) A judgement entered by the Judicial Bureau may be appealed under the provisions of 4 VSA SS1107.

**Section VIII: Effective Date**

Town of Highgate

**ALL-TERRAIN VEHICLE AND SNOWMOBILE ORDINANCE**

This Ordinance shall become effective sixty (60) days after its adoption by the Legislative Body, unless a petition is filed under 24 VSA SS1973, in which case said statute shall govern the taking effect of this Ordinance.

**Section IX: Enforcement**

A violation of this Civil Ordinance shall be a civil matter enforceable in the Judicial Bureau in accordance with provisions of 24 VSA SS59.

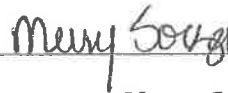
**Section X: Severability**

Any part or portion of this Ordinance shall be considered severable and, if any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provisions of the application, and to this end the provisions of this Ordinance are declared severable.

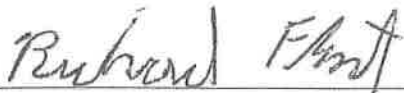
Adopted by the Highgate Selectboard on July 18, 2024. Effective Date - September 19, 2024.



Vern Brosky III, Chairman



Merry Souza, Vice Chair



Richard Flint



Kyle Lothian



Ben Lowell