



TOWN OF STRAFFORD
P. O. Box 27
Strafford, Vermont 05072

Town Office 1-802-765-4411
Town Garage 1-802-765-4550

**TOWN OF STRAFFORD
ORDINANCE FOR TOWN TRAIL #14**

SECTION 1. AUTHORITY. This is a civil ordinance adopted under authority of 24 V.S.A. §§ 1971 and 2291(14), and 19 V.S.A. § 304 (a)(5).

SECTION 2. PURPOSE. The purpose of this ordinance is to prevent environmental damage and pollution caused by vehicular traffic on trails. Such damage and pollution are hereby deemed to be a public nuisance.

SECTION 3. DEFINITIONS. For purposes of this ordinance, the following definitions shall apply:

- a. *Motor Vehicle* shall include all vehicles propelled or drawn by power other than muscular power, except tractors used entirely for work on the farm, vehicles running only upon stationary rails or tracks, motorized highway building equipment, road making appliances, or implements of husbandry.
- b. *Operate, operating or operated* as applied to motor vehicles shall include *drive, driving and driven* and shall also include an attempt to operate, and shall be construed to cover all matters and things connected with the presence and use of motor vehicles, whether they be in motion or at rest.
- c. *Owner* shall include any person, corporation, co-partnership or association, holding legal title to a motor vehicle, or having exclusive right to the use or control thereof.
- d. *Trail* shall mean the Legal Trail extending from the junction of Town Highway #6 and Town Trail (formerly Town Highway) #14 for a distance of .45 miles.

SECTION 4. ACTIVITY PROHIBITED. The operation of a motor vehicle is prohibited on the Town Trail #14 unless the operator of the vehicle has a valid permit issued by the Selectboard.

SECTION 5. PERMITS.

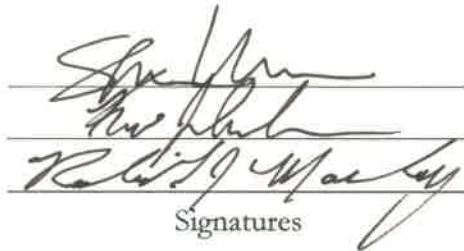
- a. Permits shall be issued only to residents of or persons owning property on the Trail or its branches or to persons who, in the judgment of the Selectboard, have been found to have a legitimate need to operate a vehicle on the Trail.
- b. The only acceptable permit shall be one entitled "TOWN OF STRAFFORD PERMIT TO OPERATE A MOTOR VEHICLE ON TOWN TRAIL #14" and signed by the members of the Strafford Selectboard. One copy of the permit shall be issued to the permit tee and one copy shall be filed with the Strafford Town Clerk.
- c. Permits shall be valid for abutting property owners so long as they continue to be abutting property owners. All other permits shall be renewed annually.

SECTION 6. PENALTIES. Any person who operates a motor vehicle on the Town Trail #14 or who allows another person to operate their motor vehicle on Town Trail #14 without a permit shall be fined \$50.00, with a waiver fee of \$35.00. If the owner and the operator of a vehicle being operated without a permit are not the same person, the owner and the operator shall each be liable for the fine of \$50.00 or the waiver fee of \$35.00.

SECTION 7. ENFORCEMENT OFFICERS. Enforcement shall be performed by the Town Constable or by any officer of the Orange County Sheriff s Department or by any other Vermont law enforcement officer.

SECTION 8. SEVERABILITY. If any portion of this ordinance is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected.

SECTION 9. EFFECTIVE DATE: This ordinance shall become effective 60 days after its adoption by the Strafford Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.



Signatures

June 23, 2010
Date

ADOPTION HISTORY:

1. Agenda item at regular Selectboard meeting held on June 23, 2010
2. Read and approved at regular Selectboard meeting on June 23, 2010 and entered in the minutes of that meeting which were approved on _____
3. Posted in public places on June 28, 2010
4. Notice of adoption published in the Valley News newspaper on _____ with a notice of the right to petition.
5. Other actions (petitions, etc.)