

TOWN OF BETHEL
ORDINANCE FOR THE TRAVEL ON TOWN OWNED PROPERTY

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(5).

SECTION 2. PURPOSE. The purpose of this ordinance is to prevent environmental damage and pollution caused by vehicular traffic on Town owned property. 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 snowmobiles, 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.

SECTION 4. ACTIVITY PROHIBITED. No motorized vehicles shall be operated on any Town owned property without the express consent of the Legislative Body of the Town of Bethel or as may be more generally granted under the context of Vermont laws.

SECTION 5. PENALTIES. Any person who operates a motor vehicle on Town owned property or who allows another person to operate their motor vehicle on Town owned property without the express consent of the Legislative Body 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 6. ENFORCEMENT OFFICERS. Enforcement shall be performed by the Bethel Town Constable or by any officer of the Windsor County Sheriff's Department or by any other Vermont law enforcement officer.

SECTION 7. 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 8. EFFECTIVE DATE: This ordinance shall become effective 60 days after its adoption by the Bethel Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

Passed and adopted by the Bethel Board of Selectmen of the Town of Bethel, State of Vermont on this 14th day of June, 2010.

Selectmen: _____
Neal Fox, Chair

Bill Richards

Joe De Freitas

Attest by Town Clerk: _____

Effective August 14, 2010.