TOWN OF BRAINTREE
ORDINANCE REGULATING
ALL-TERRAIN VEHICLE SPORTSMAN USE ON TOWN HIGHWAYS

SECTION I. AUTHORITY. Under authority granted in 24 V.S.A. Chapter 59, 24 V.S.A. § 2291(4), and 23 V.S.A. § 3510, the Selectboard of the Town of Braintree hereby adopts the following civil ordinance regulating the time, manner, and location of operation of all-terrain vehicles on Town highways.

SECTION II. PURPOSE. The purpose of this ordinance is to protect the health and safety of operators of all-terrain vehicles and of the residents of the Town and to protect the animals, property and environment of the Town.

SECTION III. DEFINITIONS.

A. "All-terrain vehicle" or "ATV" means any non-highway recreational vehicle, except snowmobiles, having no less than three low pressure tires (10 pounds per square inch, or less), not wider than 64 inches, and having a dry weight of less than 1,700 pounds, 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. An ATV on a public highway shall be considered a motor vehicle, as defined in section 4 of this title, only for the purposes of those offenses listed in subdivisions 2502(a)(l)(H), (N), (R), (U), (Y), (FF), (GG), (II), and (ZZ); (2)(A) and (B); (3)(A), (B), (C), and (D); (4)(A), and (B) and (5) of this title and as provided in section 1201 of this title. An ATV shall not include an electric personal assistive mobility device.

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 all-terrain vehicles whether they are in motion or at rest.

C. "VASA" means the Vermont ATV Sportsman's Association

SECTION IV. OPERATION OF ATVs.

A. All ATVs must be registered and operated according to the requirements of 23 V.S.A. Chapter 31.

B. A valid VASA registration decal must be affixed to the ATV.

C. All ATVs operating on Town highways must have liability insurance in accordance with 23 V.S.A. Chapter 11.

D. All-terrain vehicles may be operated only on the following town highways:

1.) Old Home Hill Road (Class 4) in its entirety, privately plowed in winter. 0.06 miles
2.) Connecticut Corners Road from Old Hill Road to Thresher Road. Approximately 0.5 miles
3.) Thresher Road from Connecticut Corners Road to 12A. 1.91 miles
4.) Lemery Road from #522 to North end of road. 1.48 miles

E. All-terrain vehicles shall not be operated on public bike paths or hiking trails or on V.A.S.T. snowmobile trails unless the property owner has signed a VASA Landowner Permission form.

F. All speed limits and traffic control devices apply to the operation of ATVs on Town Highways unless otherwise posted.

G. ATVs may not be operated on Town Highways between 8 P.M. and 8 A.M.

H. ATVs may not be operated on Town Highways between November 1st and April 15th and anytime that the Town Highways are not properly posted in accordance with Subsection (I) of this Section.

I. All town highways that are open to ATVs must be so posted. These signs shall be approved by the Braintree Selectboard. Speed limit signs and stop signs shall be posted at any location where the trail enters the Town Highway. The expense of these signs and erecting, posting and maintaining of the signs shall be the responsibility of the Lost Nation ATV Club, Inc.

J. All ATV's operating on town highways must not have a modified exhaust.

SECTION V. PENALTIES.
The Municipal Authority 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.
First offense .....$275.00, waiver fee $137.50
Second offense .....$350.00, waiver fee $175.00
Third offense.....$500.00, waiver fee $250.00
A fourth offense will result in the immediate revocation of membership to the Lost Nation ATV Club, Inc. Offenses will accumulate in perpetuity, therefore offense count will not reset at the start of the new season.

SECTION VI. ENFORCEMENT. Designated enforcement officers will act in accordance with 23 V.S.A. Chapter 31 and 24 V.S.A. Chapter 59. Enforcement officers shall issue complaints and may be the appearing officer at a hearing to adjudicate a violation. The Lost Nation ATV Club, and the Town of Braintree both reserve the right to designate, appoint, and/or employ enforcement officers at their discretion.

SECTION VII. 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 pmi of this ordinance.

SECTION VIII. EFFECTIVE DATE. This ordinance shall become effective 60 days after its adoption by the Braintree Selectboard and shall supersede and replace all previous ordinances regulating the time, manner, and location of operation of all-terrain vehicles. If a petition is filed under 24 V.S.A. Section 1973, that statute shall govern the effective date of this ordinance. This ordinance shall remain in effect until one year from its effective date, at which time the Braintree Selectboard may vote to reinstate the ordinance with any modifications or adjustments that may be appropriate or necessary.

SIGNATURES:

_____	4/21/26
Daniel Burson	DATE
_____	_____
Lou Helmuth	Chelsie Brown
_____	_____
Loren Bent	Colin Evans

Adoption History

1. Agenda Item at regular Selectboard meeting held on April 21, 2026.
2. Read and approved at regular Selectboard meeting on April 21, 2026, and entered in the minutes of that meeting which were approved on _____.
3. Posted in Public Places on April 24, 2026.
4. Noticed of Adoption published in The Herald of Randolph newspaper on _____ with a notice of the right to petition.
5. Other actions [petitions, etc.]: _____