

## **TOWN OF SWAN'S ISLAND ALL-TERRAIN VEHICLE ORDINANCE**

The purpose of this Ordinance is to authorize the operation of all-terrain vehicles on designated roadways in the Town of Swan's Island, pursuant to the authority given to the Town by Title 12 MRSA Section 13157-A (6)(H).

### **Definitions**

For the purpose of this Ordinance, an ATV Access Road shall be defined as a public way maintained by the Town of Swan's Island and designated by the Selectmen as an ATV Access Road. Such designated public ways are only to be used by the public to gain access to ATV trails.

"All-terrain vehicle" or "ATV" means a motor-driven, off-road, recreational vehicle capable of cross-country travel on land, snow, ice, marsh, swampland or other natural terrain. For purposes of this subpart, "all-terrain vehicle" or "ATV" does not include an automobile as defined in Title 29-A, section 101, subsection 7; an electric personal assistive mobility device as defined in M.R.S.A. Title 29-A, section 101, subsection 22-A; a truck as defined in M.R.S.A. Title 29-A, section 101, subsection 88; a snowmobile; an airmobile; a construction or logging vehicle used in performance of its common functions; a farm vehicle used for farming purposes; or a vehicle used exclusively for emergency, military, law enforcement or fire control purposes.

"Public Ways" shall mean the following roads:

- Atlantic Road from the intersection with the Ferry Road to the intersection with Red Point Road
- Rose Hill Road from the intersection with the Atlantic Road to the intersection with the Atlantic Loop Road
- Atlantic Loop Road
- Staples Ridge Road from the intersection with the Atlantic Road to the Old Red Point Road
- Finger Road
- Goose Pond Road from the intersection with the Atlantic Road to the Intersection with the LeMoine Road
- LeMoine Road
- Stockbridge Hill Road
- Minturn Road from intersection of Stanley Point Road to and around the Loop.
- Stanley Point Road from the Intersection of the Minturn Road to the intersection of the Goose Pond Road
- Lily Pond Road
- Quarry Pond Road
- Harbor Road from intersection of Grindle Hill Road to Morse's Hill Road
- Morse's Hill Road

- Steamboat Hill
- Tainter Road

### **Signs**

The Selectmen shall cause such areas to be designated by appropriate signs in accordance with Title 12 M.R.S.A. Sec. 13157-A (H) as said statute may be amended.

### **Operation**

Operation of All Terrain Vehicles (ATVs) shall be as determined by the State of Maine, according to MRSA Title 12, Title 29A and this Ordinance.

All ATV operators must obey and comply with all properly posted signs.

All ATV operators will proceed with caution when approaching/passing all non-motorized trail users including, but not limited to, bicyclists, hikers, and horses.

ATV operators shall not exceed 20 MPH when traveling on designated ATV access roads and must be on the right side of the public way and travel in single file..

ATV operation on designated roadways shall be between 8 AM to sunset, except the Harbor, Morse's Hill, Steamboat Hill and Tainter Roads shall be between 6 AM to sunset..

Operators of ATVs under the age of 18 must have taken a training course approved by the Maine Department of Inland Fisheries and Wildlife. Operators must have a valid driver's license. Operators and passengers under the age of 18 must wear helmets.

ATVs must have working headlights, taillights, brake lights, speedometer and mirror.

### **Registration**

All ATVs operating on Town roads must be registered annually with the Town Clerk. Proof of liability insurance will be required. The Clerk will issue a registration decal that must be affixed to the ATV for a fee of \$20.00.

### **Penalty**

A person who violates this Ordinance commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. In addition to this the Town's reasonable costs and attorneys fees will be assessed."

**Review**

A review of this Ordinance will be conducted annually.

**Severability**

Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby.

**Certification of Ordinance**

I hereby attest that this is a true copy of the Swan's Island All-Terrain Vehicle Ordinance, as adopted by the Swan's Island Board of Selectmen December 14, 2016.

Gwen J. May  
Town Clerk