

## **Article XI All Terrain Vehicles (ATV)**

### **Sec. 14-1101 Purpose**

The purpose of this Ordinance is to authorize the operation of 4-wheel all-terrain vehicles on designated roadways in the Town of Houlton, pursuant to the authority given to the Town by Title 12 M.R.S.A. Section 13157 (A)(6)(H).

### **Sec. 14-1102 Definitions**

For the purpose of this Ordinance, an ATV Access Road shall be defined as a public way maintained by the Town of Houlton and designated by the Town Council 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. "All-terrain vehicle" or "ATV" includes, but is not limited to, a multitrack, multiwheel or low-pressure tire vehicle; a motorcycle or related 2-wheel, 3-wheel or belt-driven vehicle; an amphibious machine; or other means of transportation deriving motive power from a source other than muscle or wind. 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" means town streets and avenues not specifically excluded in this ordinance.

For purposes of this ordinance, excluded streets shall include:

- Main Street (Winter Street west to Union Square)
- Broadway Street
- Water Street
- Kendall Street
- Mechanic Street
- Court Street (Military Street north to Water Street)
- Pleasant Street (Winter Street west to Mechanic Street)
- Prospect Street
- Powers Avenue
- Military Street (Kelleran Street west to Kendall Street) All State roads including, Route 1, Route 2A (Bangor and Military Streets), and Route 2 (Smyrna Street)

**Sec. 14-1103 Signs**

The Police Chief 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.

**Sec. 14-1104 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 10 MPH when traveling on designated ATV access roads and must be on the extreme right of the public way.

ATV operation on designated roadways shall be prohibited between November 30<sup>th</sup> and May 15<sup>th</sup>. Exclusions to this rule is are allowed per Title 12 M.R.S.A. Section 13157-6 (E) (F) (G).

ATV operation on designated roadways shall be prohibited between sunset and sunrise.

**Sec. 14-1105 Penalty**

Any person who violates any section of this Ordinance commits a civil violation for which a forfeiture not to exceed two hundred dollars (\$200.00) may be adjudged.

This ordinance shall be enforced by the Houlton Police Department.

**Sec. 14-1106 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.