

**TOWN OF WESTON**  
**ALL TERRAIN VEHICLE ORDINANCE**

**PURPOSE**

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

**DEFINITIONS**

For the purpose of this ordinance, an "ATV Access Route" shall be defined as a public way or part thereof owned and maintained by the Town of Weston and designated by the Selectboard as an ATV Access Route. Such designated ATV Access Routes are to be used by the public to travel from ATV trail to ATV trail.

"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, multi-wheel or low-pressure tire vehicle; a motorcycle or related 2-wheel, or 3-wheel or belt driven vehicle; an amphibious vehicle; or other means of transportation deriving motive power from a source other than muscle or wind. For purpose 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 Way" means a town road owned and maintained by the Town of Weston, over which the general public has a right to pass.

**SIGNS**

The Town of Weston Selectboard shall cause such designated areas to be marked by appropriate signage in accordance with Title 12, M.R.S.A. Section 13157-A(6)(H).

**OPERATION**

Operation of All-Terrain Vehicles (ATV) shall be as determined by the State of Maine, according to Title 12, M.R.S.A., Title 29-A, M.R.S.A. and this ordinance.

Operation of ATVs on Town of Weston designated public ways shall be in accordance with the State of Maine, according to Title 12, M.R.S.A., Section 13157-A (6)(H), (7), (8), (9), (10) and (11) and by this ordinance as outlined by the following:

- 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 route users including, but not limited to, bicyclists, pedestrians and horses.
- All ATV operators shall not exceed the posted ATV speed limit and must be on the extreme right of the public way.
- All ATV operators shall remain on the paved surface of the public way unless properly posted signage indicates otherwise.
- ATV operation on designated public ways shall be prohibited between November 30<sup>th</sup> and May 15<sup>th</sup>. Exclusions to this rule are allowed per Title 12 M.R.S.A. Section 13157-A (6)( E) (F)(G).

#### **PENALTY**

The municipal officers or their agents shall enforce this ordinance in accordance with State law. Any person who violates any section of this ordinance commits a civil violation for which a forfeiture no to exceed two hundred dollars (\$200.00) may be adjudged. Other penalties may be adjudicated under State of Maine Titles 12 and 29-A, M.R.S.A. by any and all law enforcement agencies having jurisdiction in the Town of Weston.

#### **SEVERABILITY**

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

#### **ATV ACCESS ROUTES**

The following are designated as ATV Access Routes by the Selectboard of Weston:

- Harris Hill Road from Peek-a-Boo Mountain Road to Nineteen Rod Road
- Harris Hill Road from Tower Road to the access to the Aroostook Riders ATV Club trail just west of Samantha Lane

#### **EFFECTIVE DATE**

This ordinance shall become effective immediately upon approval by the Selectboard of Weston.

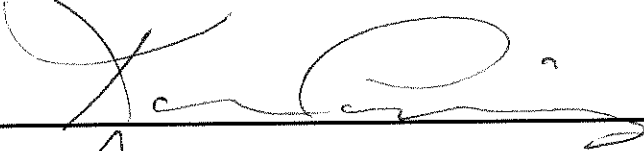
**Town of Weston**

**All-Terrain Vehicle (ATV) Ordinance**

We, the Selectboard of Weston, hereby approve this ATV ordinance on the 25<sup>th</sup> day of August, 2022.



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Personally appeared before me the above named:

Michael Cheetham

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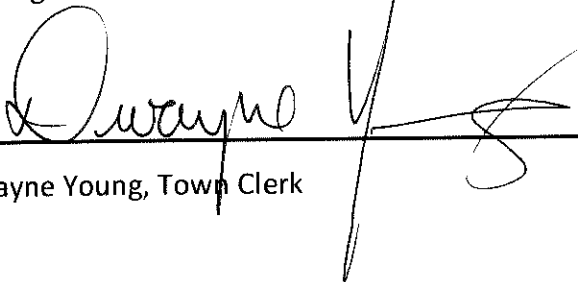
Karen Cummings

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Dennis Clark

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And signed of their own free will.



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Dwayne Young, Town Clerk