

\*

TOWN OF WORCESTER  
ORDINANCE REGARDING TRAVEL ON EAGLE LEDGE TRAIL

Section 1. Authority

This is a civil ordinance adopted under authority of 24 VSA 1971, 24 VSA 2291(14) and 19 VSA 304(5).

Section 2. Purpose

The purpose of this ordinance is to prevent environmental damage and pollution caused by vehicular traffic on the Eagle Ledge Trail. 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, copartnership or association, holding legal title to a motor vehicle, or having exclusive right to the use or control thereof.

(d) "Eagle Ledge Trail" shall mean the Legal Trail extending from Town Highway # 7 to the Worcester-Elmore town line, and the branch known as "Shepard Hill Trail" extending to the Worcester-Woodbury town line.

Section 4. Activity prohibited

The operation of a motor vehicle is prohibited on Eagle Ledge Trail unless the operator of the vehicle has a valid permit issued by the Worcester Selectboard.

Section 5. Permits

(a) Permits shall be issued only to residents or persons owning property on Eagle Ledge Trail or its branches or to persons who, in the judgement of the Selectboard, have been found to have a legitimate need to operate a vehicle on Eagle Ledge Trail.

(b) The only acceptable permit shall be one entitled "TOWN OF WORCESTER PERMIT TO OPERATE A MOTOR VEHICLE ON EAGLE LEDGE TRAIL" and signed by the members of the Worcester Selectboard. One copy of the permit shall be issued to the permittee and one copy shall be filled with the Worcester Town Clerk.

(c) Permits shall be valid for residents and property owners so long as they continue to be residents or property owners. All other permits shall be renewed annually.

#### Section 6. Penalties

Any person who operates a motor vehicle on Eagle Ledge Trail or who allows another person to operate their motor vehicle on Eagle Ledge Trail without a permit 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 Worcester Constable or by any officer of the Washington 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. Notice and effective date

This ordinance shall be entered into the minutes of the Town Records and shall be posted in at least five (5) conspicuous places in town. A concise summary of it shall be published in the Times Argus within fourteen (14) days of its adoption accompanied by information as to where the full text of it may be examined, the right of the voters to petition for a vote, and the name, address and telephone number of a person who is available to answer questions about it. This ordinance shall become effective sixty (60) days after its adoption by the Worcester Selectboard unless a petition signed by five (5) percent of the qualified voters in the Town of Worcester asking for a vote on the question of disapproving the ordinance is filed with the Town Clerk or the Selectboard within forty four (44) days after the adoption of this ordinance. If such petition is filed, the Selectboard shall call a special meeting to vote on that question and the ordinance shall become effective at the end of that meeting unless a majority of those voting on the question disapproves the ordinance or sixty (60) days after its adoption.

Adopted June 16 1997

Worcester Selectboard

Walt Bador  
Walt Bador  
Dick Dodge  
Dick Dodge

Libby Turner  
Libby Turner