

TOWN OF WORCESTER  
ORDINANCE REGARDING TRAVEL ON EAGLE LEDGE TRAIL

Section 1. Authority

This is a civil ordinance adopted under authority of 24 VSDA 1971, 24 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, co partnership 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 its end mark by town sign "END OF TOWN TRAIL".

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. Permits may also be issued to persons or organizations that, in the judgment of the Selectboard, have been found to have a legitimate need to operate a vehicle on Eagle Ledge Trail and or its branch known as Shepard Hill Road. Each request for permits either permanent or temporary must be submitted in writing to the Selectboard and are not valid until approved, signed and dated by the Selectboard.
- (b) The only acceptable permit shall be a numbered written permit entitled "TOWN OF WORCESTER PERMIT TO OPERATE A MOTOR VEHICLE ON EAGLE LEDGE TRAIL" and related vehicle placard signed and dated by the members of the Worcester Selectboard.
- (c) The permit and one original copy shall be filed with the Worcester Town Clerk. Up to 2 copies of the numbered permit and associated numbered placard shall be issued at no charge to residents or persons owning property on Eagle Ledge Trail or its branches. Each placard must be accompanied by the numbered written permit for authorized use of Eagle Ledge Trail or its branches and the placard must be displayed and clearly visible thru the front windshield of the vehicle. Permits shall be valid for residents and property owners as long as they continue to be residents or property owners on Eagle Ledge Trail or its branches. Additional permits and placards may be purchased at a fee of \$5.00 each.
- (d) All non resident or persons not owning property that desire access to the Eagle Ledge Trail or its branches can obtain a 1 year temporary permit and associated temporary numbered placard from the Town of Worcester. The associated numbered permit and placard must be signed

by the Town of Worcester Selectboard before it is valid and will be valid for 1 year (365 days) from the date of signature. The 1 year temporary numbered permit and it's associate numbered placard must be in possession of the permit holder and the placard must be displayed and clearly visible thru the front windshield of the vehicle owned and operated by the permit holder. The temporary numbered access placard and written permit will be issued on a one year annual basis at a fee of \$5.00 for each permit. This permit is valid only to the person that it is issued it is not transferable

(e) All organizations who have a just and legitimate need to operate a vehicle or vehicles on Eagle Ledge Trail and or its branch known as Shepard Hill Road, must submit a formal request in writing or in person to the Selectboard. Upon approval the Selectboard can issue to the organization a permit for access to the trails listed until further notice and will be filed with the town and appropriate officer of the requesting organization. Organization permits are subject to review by the Selectboard at any time with just cause and may be revoked with 90 days legal notice to the organization.

#### Section 6. Penalties

Any person who is found operating a motor vehicle on Eagle Ledge Trail and or the branch known as Shepard Hill Road or who allows another person to operate their motor vehicle on Eagle Ledge Trail and or the branch known as Shepard Hill road without a permit shall be fined \$200.00 with a waiver fee of \$50.00.

If the owner and operator of a vehicle being operated without a permit are not the same person the owner and operator shall each be liable for the fine of \$200.00 or the waiver fee of \$50.00.

#### Section 7. 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.

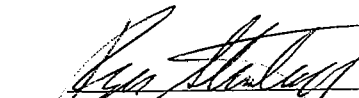
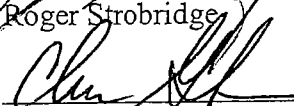
#### Section 8. Severability

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 9. 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 it adoption.

Adopted 5 Aug 2013  
Worcester Selectboard

  
\_\_\_\_\_  
Roger Strobidge  
  
\_\_\_\_\_  
Cheri Goldstein

\_\_\_\_\_  
Ted Lamb

✓

**TOWN OF WORCESTER, VERMONT**

**NOTICE OF AMENDMENT OF ORDINANCE**

On August 5, 2013 the Selectboard of the town of Worcester, Vermont adopted amendments to  
the existing

**TOWN OF WORCESTER  
ORDINANCE REGARDING TRAVEL ON EAGLE LEDGE TRAIL**

**Section 1. Authority**

This is a civil ordinance adopted under authority of 24 V.S.A. 1971, 24 V.S.A. 304(5).  
This notice is published pursuant to 24 V.S.A. Section 1972 to inform the public of these amendments and of the citizens' right to petition for a vote to disapprove the ordinance.

**SUMMARY OF AMENDMENT TO ORDINANCE**

**1. Statement of 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.

**2. Principal Provisions**

a. The amendments more clearly identify the definition of what the permit is, how it is to be used, how the permits are issued and the related fines.

**3. List of Section Headings**

- Article 1. Authority
- Article 2. Purpose
- Article 3. Definition
- Article 4. Activity Prohibited
- Article 5. Permits
- Article 6. Penalties
- Article 7. Enforcement Officers
- Article 8. Severability
- Article 9. Notice and Effective Date

**FULL TEXT**

The full text of the Ordinance is available at the Town Clerk's office 20 Worcester Village Road,  
Worcester, Vermont and may be examined during regular office hours.

**CITIZENS' RIGHT TO PETITION FOR VOTE**

Title 24 V.S.A. Section 1973 grants citizens the right to petition for a vote at a special or annual Town Meeting to disapprove the amendments adopted by the Selectboard. To exercise this right, citizens must present to the Selectboard or the Town Clerk a petition for a vote on the question of disapproving the amendments signed by not less than 5 percent (5%) of the Town's qualified voters. The petition must be presented within forty-four (44) days following the date of the adoption of the amendments. Unless a petition requesting a vote is filed pursuant to 24 V.S.A. Section 1973, the amended Ordinance regarding travel on Eagle Ledge Trail in Worcester shall become effective sixty (60) days from the date of said adoption.

**PERSON TO CONTACT**

Additional information pertaining to this Ordinance may be obtained by contacting Sandra Ferver, Town Clerk, at the Town Clerk office by calling (802) 223-6942 during regular office hours.

Adopted by the Worcester Selectboard on 8/5/13

Signatures

**ADOPTION HISTORY:**

1. Agenda item at regular Selectboard meeting held on 08/05/2013.
2. Read and approved at regular Selectboard meeting on 08/05/2013 and entered in the minutes of that meeting which were approved on 8/19/2013.
3. Posted in public places on 8/6/2013
4. 4 Notice of adoption published in the Times Argus newspaper on 8/13/13 with a notice of the right to petition.
5. Other actions EFFECTIVE DATE: OCTOBER 4, 2013