

**TOWN OF GEORGIA
TRAVEL ON TOWN TRAILS POLICY**

SECTION 1. AUTHORITY. This is a municipal policy under authority of 19 V.S.A. §§ 301(8)(B) and 1111.

SECTION 2. PURPOSE. The purpose of this Travel on Town Trails Policy (the "Policy") is to protect public safety, and prevent environmental damage and pollution caused by vehicular traffic on trails. 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, snowmobiles, all terrain vehicles as defined in 23 V.S.A. § 3501, class 1 and 2 "e-bikes," or electric personal assistive mobility devices.
- 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, or an individual seeking to use and work on a Trail.
- d. *Trails* shall mean all Trails within the meaning of 19 V.S.A. Section 301(8) in the Town of Georgia (the "Town").
- e. *Use and Work* shall include any and all excavating or digging within the right-of-way limits of a Legal Trail, as well as those activities identified in 19 V.S.A. § 1111 that are prohibited in a town highway right-of-way without a permit first being issued by the legislative body.

SECTION 4. ACTIVITY PROHIBITED. Use and Work on all Trails and the operation of a motor vehicle on all Trails are prohibited unless the Owner has either a valid permit issued by the Town, or has entered into a license agreement with the Town. The discharge of firearms on Trails is also prohibited.

TOWN OF GEORGIA
PERMIT TO OPERATE A MOTOR VEHICLE
ON _____ TRAIL

PURSUANT TO THE TRAVEL ON TOWN TRAILS POLICY, THE _____
TRAIL, as defined in the Policy, the Georgia Selectboard hereby issues this permit to
operate a motor vehicle on the trail to:

- A. _____ (land owner/resident of the trail) and
his/her invited guests); such permit to be valid so long as he/she is an
owner/resident; or
- B. _____, a person determined by the Georgia
Selectboard to have a legitimate need to operate a motor vehicle on the trail, such
permit to expire one year from this date.

Date

For the Selectboard

Send to
Conservation
For review.

**TOWN OF GEORGIA
TRAVEL ON TOWN ~~LEGAL~~ TRAILS POLICY
TRAILS # 1,3,4 AND 5 (NO LEGAL TRAIL 2)**

Emailed Chris +
Suzanna
4/3/2023

SECTION 1. AUTHORITY. This is a municipal policy under authority of 19 V.S.A. §§ 301(8)(B) and ~~1111~~.

SECTION 2. PURPOSE. The purpose of this Travel on Town Trails Policy (the "Policy") is to protect public safety, and prevent environmental damage and pollution caused by vehicular traffic on trails. 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, snowmobiles, all terrain vehicles as defined in 23 V.S.A. § 3501, class 1 and 2 "e-bikes," or electric personal assistive mobility devices.~~ Means any power-driven vehicle which is normally used for carrying persons or good by road including cars, trucks, motorcycles and atv's.
- 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, or an individual seeking to use and work on a Trail.
- d. *Trails* shall mean all Trails within the meaning of 19 V.S.A. Section 301(8) in the Town of Georgia (the "Town").
- e. *Use and Work* shall include any and all excavating or digging within the right-of-way limits of a Legal Trail, ~~as well as those activities identified in 19 V.S.A. § 1111 that are prohibited in a town highway right-of-way without a permit first being issued by the legislative body.~~

SECTION 4. ACTIVITY PROHIBITED. Use and Work on all Trails and the operation of a motor vehicle on all Trails are prohibited unless the Owner has either a valid permit issued by the Town, or has entered into a license agreement with the Town. The discharge of firearms on Trails is also prohibited.

SECTION 5. PERMITS AND LICENSES.

- a. Permits or licenses shall be issued only to residents of or persons owning property abutting Trails or their branches or to persons who, in the judgment of the Selectboard, have been found to have a legitimate need to operate a vehicle on a Trail.
- b. The only acceptable permit shall be one entitled "TOWN OF GEORGIA PERMIT TO OPERATE A MOTOR VEHICLE ON THE *NAMED* TRAIL" and signed by the members of the Georgia Selectboard. One copy of the permit shall be issued to the permittee and one copy shall be filed with the Georgia Town Clerk. The Town may also enter into License Agreements with Owners who propose either improvements to a Trails, use a Trail for access to private properties, or for other private purposes allowed in the reasonable exercise of the Georgia Selectboard's discretion pursuant to its authority to control Trails in the Town.
- c. Permits shall be valid for residents and property owners so long as they continue to be residents or property owners. ~~Visitors of homeowners will not need a permit to visit.~~ All other permits shall be renewed annually. License Agreements may run with the land or may terminate upon completion of the proposed private use, depending on the circumstances.

SECTION 8. SEVERABILITY. If any portion of this Policy is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Policy shall not be affected.

SECTION 9. EFFECTIVE DATE: This Policy shall become effective upon passage.

Adopted this ____ day of ~~February, 2023.~~

GEORGIA SELECTBOARD

~~Doug Bergstrom, Chair~~

~~Gary Wright, Vice Chair~~

~~Dawn Penney~~

~~Carolyn Branagan~~

Carl Rosenquist

**TOWN OF GEORGIA
PERMIT TO OPERATE A MOTOR VEHICLE
ON _____ TRAIL**

PURSUANT TO THE TRAVEL ON TOWN ~~LEGAL~~ TRAILS POLICY, THE
_____ TRAIL, as defined in the Policy, the Georgia Selectboard hereby
issues this permit to operate a motor vehicle on the trail to:

- A. _____ (landowner/resident of the trail) and
his/her invited guests); such permit to be valid so long as he/she is an
owner/resident; or
- B. _____, a person determined by the Georgia
Selectboard to have a legitimate need to operate a motor vehicle on the trail, such
permit to expire one year from this date.

Date

For the Selectboard

TOWN OF GEORGIA
TRAVEL ON TOWN LEGAL TRAILS ORDINANCE
TRAILS #1, #3, #4, and #5 (NO TRAIL #2)

SECTION 1. AUTHORITY. This is a municipal Ordinance under authority of 19 V.S.A. §§ 301(8) A and 24VSA §§ 1971 & 2291(14)

SECTION 2. PURPOSE. The purpose of this travel on Town Legal Trails Ordinance (the "Ordinance") is to protect public safety, and prevent environmental damage and pollution caused by vehicular traffic on trails. 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*, Means any power-driven vehicle which is normally used for carrying persons or goods by road including cars, trucks, motorcycles and ATV's.
- 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, partnership or association, holding legal title to a motor vehicle, or having exclusive right to the use or control thereof, or an individual seeking to use and work on a Trail.
- D. *Trails* shall mean all Trails within the meaning of 19 V.S.A. Section 301(8) in the Town of Georgia (the "Town").
- E. *Use and Work* shall include any and all excavation or digging within the right-of-way limits of a Legal Trail.

SECTION 4. ACTIVITY PROHIBITED. Use and Work on all Trails and the operation of a motor vehicle on all Legal Trails are prohibited unless the owner has either a valid permit issued by the Town, or has entered into a license agreement with the Town. The discharge of firearms on Legal Trails is also prohibited. Personal mobility devices such as motorized wheelchairs and scooters are not banned, but the trails are not maintained to specifically accommodate these devices.

SECTION 5. PERMITS

- A. Permits shall be issued to persons owning property abutting the trail, or persons residing on property abutting the trail with permission of the landowner, or persons who in the judgment of the Select Board, have been found to have a legitimate need to operate a vehicle on a Trail. (Visitors to the property owners will not require a permit)
- B. The only acceptable permit shall be one entitled "TOWN OF GEORGIA PERMIT TO OPERATE A MOTOR VEHICLE ON THE *NAMED* TRAIL" and signed by the members of the Georgia Selectboard. One copy of the permit shall be issued to the permittee and one copy shall be filed with the Georgia Town Clerk. The Town may also enter into License Agreements with Owners who propose either improvements to a Trails, use a Trail for access to private properties, or for other private purposes allowed in the reasonable exercise of the Georgia Select Board's discretion pursuant to its authority to control Trails in the Town.
- C. Permits issued as a means for primary access to land shall be valid for property owners and residents as long as they continue to be property owners or residents. All other permits shall be renewed annually.

SECTION 6. Permission for the use of legal trails to access properties for logging and sugaring activities shall not be unreasonably withheld by the Select Board. The trail shall be left in as good or better condition as when permission was granted. The Select Board may require that the logger or property owner provide an adequate amount of funds into an escrow account to be available in the event that the logger or property owner fails to restore the trail to an acceptable condition.

SECTION 7. SEVERABILITY. If any portion of this Ordinance is held unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

SECTION 8. ENFORCEMENT: Penalties. Any violation(s) of this ordinance is subject to a civil penalty of \$100 a day. Each day the violation continues shall constitute a new offense.

SECTION 9. EFFECTIVE DATE: This Ordinance shall become effective 60 days from the date of adoption.

Adopted this _____ day of _____, 2023.

GEORGIA SELECT BOARD

Devon Thomas Chair

Shannon Jenkins Vice Chair

Carl Rosenquist

Jamie Comstock

Nicholas Martin

Received for record

_____ day _____ 2023 Attest: Cheryl Letourneau, Town Clerk _____

TOWN OF GEORGIA
PERMIT TO OPERATE A MOTOR VEHICLE ON TRAIL# _____

PURSUANT TO THE TRAVEL ON TOWN LEGAL TRAILS Ordinance,
THE _____ TRAIL, as defined in the Ordinance, the Georgia Select board hereby
issues this permit to operate a motor vehicle on the trail to:

- A. _____ (Landowner/resident of the trail and his/her invited guests); such permit
to be valid so long as he/she is an owner/resident; or
- B. _____, a person determined by the Georgia Select board to have a legitimate
need to operate a motor vehicle on the trail, such permit to expire one year from this
date.

Date

For the Select board