

Ordinance Number Assigned: **2018-600**

City of Calais
All Terrain Vehicle Ordinance

Purpose

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

Definitions

For the purpose of this Ordinance, an ATV Access Road shall be defined as all Public Ways maintained by the City of Calais. Such designated public ways are only to be used by the public to gain access to ATV trails and goods and services.

"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 all city streets and avenues not specifically excluded in this ordinance.

Excluded streets shall be:

- Main Street
- North Street
- North Street Ext
- South Street
- Baring Street
- Route #1 South
- Route #1 North
- Calais Cemetery Road
- Waterfront Walkway

The Police Chief shall cause such areas to be marked by appropriate signs in accordance with Title 12 M.R.S.A. Sec. 13157-A (H) as said statute may be amended.

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 nonmotorized trail users including, but not limited to, bicyclists, hikers, and horses.

ATV operators shall not exceed 25 MPH when traveling on designated ATV access roads and must be on the extreme right of the public way.

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 Calais Police Department.

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.

Adopted: 6/14/2018

Amended:

Repealed: