

Town of Chebeague Island Code of Ordinances
Chapter 21 – Roads and Paths
Article I – Off-Highway Vehicles

OFF-HIGHWAY VEHICLE ORDINANCE

**of the Town of Chebeague Island
MAINE**

PURSUANT TO 12 MRSA Section § 13157-A

Adopted by the Town Meeting:

Effective:

Attest:

Town Clerk

Seal:

**Town of Chebeague Island
Off-Highway Vehicle Ordinance**

Purpose

It is the intent and purpose of this ordinance to protect private property and assure the safe operation of Off-Highway Vehicles.

Definitions

The following definitions shall apply in the interpretation of this ordinance:

Off-Highway Vehicle (OHV). Any vehicle designed primarily for off-highway use, including All-terrain Vehicles (ATV), Utility Vehicles, mini-trucks, or golf carts (see special rules pertaining to golf carts). A motor driven, off-road, recreational vehicle capable of cross-country travel on land, snow, ice, marsh, swampland or other natural terrain. It includes, but is not limited to, a multi-track, multi-wheel 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 ordinance, “all terrain vehicle” does not include a snowmobile; an airmobile; a construction or logging vehicle used in performance of its common functions; a farm vehicle used for farming purposes; a vehicle used exclusively for emergency, military, law enforcement or fire control purposes.

Off-Highway Vehicle (OHV) Operation:

- (1) OHV’s operated on public ways/streets must be properly insured.
- (2) OHV’s operated on public ways must be properly registered.
- (3) All-Terrain Vehicle operators under the age of 18 must wear a helmet on public ways. OHV’s with roll-over protection systems or cab enclosures and passenger restraint systems are not subject to this rule.
- (4) Operation of OHV’s on private property must conform to Maine statute/law:
 - (a) Any person operating an all-terrain vehicle upon the land of another shall stop and identify himself and produce the state registration certificate required pursuant to 12 M.R.S.A. section 7854 upon the request of the land owner, his duly authorized representative, constable, or deputy sheriff.

(b) No person shall operate an all-terrain vehicle on the land of another after forbidden to do so by the owner thereof, the owner's agent, constable, or deputy sheriff, either personally or by appropriate notices posted conspicuously on that property.

(5) OHV's may be operated at night with functioning headlight(s) and tail/brake light(s).

(6) OHV's must observe all applicable and/or posted speed limits.

Golf Carts:

The operation of golf carts shall be permitted on the roads of Chebeague Island if in compliance with the following requirements:

(1) The operator of a golf cart must possess a valid drivers license in any class.

(2) Unless equipped with and utilizing suitable headlights and taillights as determined by Title 29A, Section 1904-5-A and Section 1905-1, such golf carts shall be operated only in daylight, not earlier than one-half hour before sunrise and not later than one-half hour after sunset.

(3) Such carts shall keep to the extreme right of the roadway, shall not exceed a speed of ten (10) miles per hour; and shall obey all traffic laws applicable to motor vehicles.

(4) Each golf cart shall be equipped with an auditory warning device, a visual safety flag on a whip antenna of at least six (6) feet in height; slow vehicle markings; and display a town issued sticker on the cart showing annual registration with the Town of Cumberland.

Violation of Regulations

It shall be unlawful for any person to violate any provisions of this ordinance.

Penalty

Any person, firm or corporation violating any provision of this ordinance shall be punished by a fine of \$25 dollars for the first offense, and \$100 for each offense thereafter.

Severability

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Should any provisions of this ordinance be declared invalid for any reason, such declaration shall not affect the validity of other provisions or of this ordinance as a whole, it being the legislative intent that the provisions of this ordinance shall be severable and remain valid notwithstanding such declaration.