ARTICLE IV. RECREATION ACTIVITIES ON PUBLIC WAYS[1]

DIVISION 1. GENERALLY[2]

Sec. 50-261. Purpose.

The purpose of this ordinance is to authorize the operation of ATVs on designated roadways in the Town of Lisbon.

(C.M. of 11-14-2017, V. 2017-281)

Sec. 50-262. Definitions.

Accompanied by adult. "Accompanied by an adult" means, with respect to operation of an ATV, within visual and voice contact and under the effective control of a child's parent or guardian or another person 21 years of age or older.

All-terrain vehicle or ATV. "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, 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 subpart, "all-terrain vehicle" or "ATV" does not include an automobile as defined in 29-A M.R.S. § 101(7); an electric personal assistive mobility device as defined in 29-A M.R.S. § 101(22-A); a truck as defined in 29-A M.R.S. § 101(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.

ATV access route. For the purpose of this ordinance, an ATV access route shall be defined as a public way maintained by the Town of Lisbon and designated by the Town Council as an ATV access route. ATV's are only to be used by the public on such designated public ways to gain access to the Lisbon ATV Trail System.

Lisbon ATV Trail System. A designated path commonly used and maintained for ATVs which is administered, in part, by the Town of Lisbon in association with a designated ATV Trail Organization.

Public way. "Public way" means a way, owned and maintained by the State, a county or a municipality, over which the general public has a right to pass.

(C.M. of 11-14-2017, V. 2017-281)

[1]Cross reference(s)—Recreation and parks, ch. 30.

[2]Editor's note(s)—C.M. of 11-14-2017, V. 2017-281 , amended Div. 1 in its entirety to read as herein set out.
Former Div. 1, § 50-261, pertained to similar subject matter and derived from T.M. of 8-1-2006, § 2006-19.

Sec. 50-263. Use and operation of Lisbon ATV access routes.

(a) Operation of an ATV within the Town of Lisbon shall comply with 12 M.R.S. § 13157-A, Operation of ATVs.

(b) Use and operation of an ATV on a public way shall not obstruct or interfere with the use of the way by traffic or pedestrians.

(c) The Lisbon ATV access routes will be posted as OPEN ~~from June 1st thru October 31st~~ following current Maine State law on the date of opening and closing of trails, from sunrise to sunset. All other times/dates the ATV access routes will be posted as CLOSED.

(d) Each year, in the month of December, prior to the opening of the ATV access routes and Lisbon ATV Trail System, the designated ATV Committee shall be designated or re-designated by the Lisbon Town Council and an annual review of the ATV access routes and Lisbon ATV Trail system shall be conducted. The review will be performed by the Town Manager, Chief of Police or designated officer, Public Works Director, and a designated representative of the ATV Trail Committee.

(e) Operators under the age of 18 must have a valid driver's license and/or be accompanied by an adult age 21 or older.

(C.M. of 11-14-2017, V. 2017-281)

Sec. 50-264. ATV access routes.

The town council does hereby designate the following portions of public ways as ATV access routes, with travel limited to the extreme right of the public way in the same direction as motor vehicle traffic. The posted speed limit for ATV's on ATV access routes shall be ten miles per hour and signs designating the ATV access route and the speed limit shall be conspicuously posted. ATV access routes have been established using guidelines under 12 M.R.S. § 13157-A § 6(H).

(1) Miller Road.

(2) Ferry Road ~~(between Miller Rd. and Bretton Rd.).~~

~~(3) Ferry Road (From Wagg Rd Northeast to Pinewood Rd.)~~ (3) Hudon Road

(4) Wagg Road.

(5) County Road.

(6) Burrough Road (from Route 125 to Bowdoin Town Line).

(7) Gould Road ~~(from Route 125 intersection westerly to #75 Gould Road).~~

(8) Wing Street ~~(From #48 Wing Street to the Wing Street/Route 9 intersection).~~

(9) Route 9 (From intersection of Wing Street to Route 196).

(10) Route 9 (From Webster Road to Bowdoinham Road).

(11) Lisbon Street/Route 196 (From intersection of Route 9 west to #568 Lisbon Street/Route 196, Also from Route 9 intersection east on Rt 196 to Blethen Street).

(12) Lisbon St/Route 196 (From River Road to right turn onto Big Dipper property to access Androscoggin trail across from Frost Hill Ave.)

(13) Scottsdale Street.

(14) Huston Street (from intersection of Scottsdale Street westerly on Huston Street to end).

(15) Capital Avenue.

(16) Summer Street ~~(from Main Street, Rte 125, to intersection of Edgecomb Road).~~

(17) Edgecomb Road (from intersection of Summer Street westerly to ~~start of Transmission Line trail~~ Main Street).

(18) Cotton Road.

(19) Pinewoods Road ~~(from Pinewood Road Recreational fields to intersection of Ferry Road).~~

(20) Village St (From Pinewoods Road to Lisbon St/Route 196)

(21) Bowdoinham Rd (From Route 9 to Fisher Rd.)

(22) Fisher Road (From Bowdoinham Road to Bowdoin town line)

(23) River Road (From the ~~southeast end to the~~ intersection of Hudon Road at River Rd, north to ~~and~~ Lisbon St/Route 196)

(24) Frost Hill (From Route 196 Southeast to Route 9)

(25) Upland Road (From Webster Rd to Route 9)

(26) Webster Rd (From Lisbon St/Route 196 to Route 9)

(27) Androscoggin Walking trial (From Lisbon St/Route 196 [#501 Lisbon St/Route 196 across from Frost Hill Ave] under Route 196 to Sabattus River Boat Launch) only when water level permits pedestrian travel.

(28) Blethen Street

(29) Davis Street (Davis Street closed from Municipal Parking lot easterly to Rt 196 intersection. NO ATV's allowed to ride on Rt 196 from the Municipal parking lot.)

(30) Main Street from the Intersection of Summer Street north to the Gould Road/Main St intersection

(C.M. of 11-14-2017, V. 2017-281 ; C.M. of 10-16-2018, V. 2018-233 ; C.M. of 11-15-2022, Vote No. 2022-236)

Sec. 50-265. Signs.

(a) Designated ATV access routes shall be posted along the public ways to clearly define the approved access route. Posted signs shall include the ~~10~~15 MPH speed limit and the designated ATV access route. The designated ATV Trail Organization shall be responsible for production, placement and overall maintenance of the signage. This shall be done in coordination with and approval of the Lisbon Public Works Department.

~~-~~ATV Access route on roadways will be delineated by highly visible signs identifying the beginning and ending points of approved routes. Additional signs will be provided at intervals of 0.25 miles on roadways with speed limits 35 mph and below and 0.5 miles on roadways with speeds 40 mph and above. All signs will be posted conspicuously and shall have reflectorized lettering following DOT standards of signage and lettering for ATV Access Routes. Signs will be erected and maintained by ATV Clubs and will be paid for by the respective ATV clubs, working with the Lisbon Public Works department to determine sign post location and dig-safe mobilization on location of signs.

(b) Signage on Androscoggin recreational trail shall include an electronic signal or mirror to alert pedestrians to oncoming ATV traffic when approaching the blind corner under the overpass.

(C.M. of 11-14-2017, V. 2017-281 ; C.M. of 11-15-2022, Vote No. 2022-236)

Sec. 50-266. Penalty for violation of division.

Penalties for violation of this division shall be as follows:

(1) On the occasion of the first violation, the individual violator will be issued a warning which shall contain the name and address of the violator, the nature of the violation and the location of the violation.

(2) On the second and subsequent violations:

a. Second violation—$50.00 fine.

b. Third violation—$100.00 fine.

c. Fourth and subsequent violations—$200.00 fine.

(3) This ordinance shall be enforced by the Lisbon Police Department.

(C.M. of 11-14-2017, V. 2017-281)