

TOWNSHIP OF TIOGA
TIOGA COUNTY, PENNSYLVANIA

ORDINANCE NUMBER 69

**AN ORDINANCE OF THE TOWNSHIP OF TIOGA,
TIOGA COUNTY, PENNSYLVANIA,
TO ESTABLISH REGULATIONS FOR THE OPERATION OF ALL-TERRAIN VEHICLES
ON TOWNSHIP ROADS AND PRESCRIBING PENALTIES**

WHEREAS, the Board of Supervisors of Tioga Township has determined that a vast majority of its residents are interested in operation of ATVs, dirt bikes and other off-road motorized recreational vehicles within the Township limits;

WHEREAS, the use and operation of ATVs, dirt bikes and other off-road motorized recreational vehicles within the Township limits has the potential of adversely affecting the public's health, safety and welfare if not properly regulated;

WHEREAS, the use and operation of ATVs, dirt bikes and other off-road motorized recreational vehicles in the Township of Tioga also has the potential of causing damage to private property if not regulated; and,

WHEREAS, it has become necessary to establish reasonable and responsible rules and regulations regarding the use and operation of ATVs, dirt bikes and other off-road motorized recreational vehicles in the Township of Tioga; and,

WHEREAS, the Supervisors of Tioga Township are desirous of enacting an Ordinance authorizing the use and operation of ATVs, dirt bikes and other off-road motorized recreational vehicles upon Tioga Township roads, subject to the limitation set forth herein, and providing penalties for violations of this Ordinance.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the Board of Supervisors of Tioga Township, County of Tioga, Commonwealth of Pennsylvania, as follows:

Section 1: All-Terrain vehicles.

A. As used in this section, the following terms have the meanings indicated, unless otherwise expressly stated:

ALL-TERRAIN VEHICLE ("ATV") – Any motorized vehicle with three (3) or more wheels designed for use off of paved roads which is (1) a maximum of 50 inches and a maximum dry weight of 800 pounds (Class 1 ATV, or (2) a width which exceeds 50 inches or a dry weight which exceeds 1,000 pounds (Class 2 ATV). The term ATV shall include all-terrain vehicles as described above, "quads", "quad bikes", and tandem ATV's.

OPERATOR – A person who is operating an ATV, dirt bike or other motorized recreational vehicle.

RECREATIONAL MOTOR VEHICLE – Any self-propelled motorized vehicle used for recreational purposes, including a trail bike or other all-terrain vehicle, dirt bike, motor scooter, moped or snowmobile being used for off-road recreational purposes.

TOWNSHIP – The Township of Tioga, Tioga County, Pennsylvania.

TOWNSHIP ROADS – All roads within the township limits owned and maintained by the Township of Tioga. This term specifically does not include Route 287 which is a state road.

- B. Operation on Township roads. All persons at least sixteen (16) years of age may operate an all-terrain vehicle, dirt bike or other off-road recreational motor vehicle upon Township roads, subject to the following regulations:
1. All ATV's, dirt bike or other off-road recreational motor vehicles operated upon Township roads, shall be duly registered and insured in accordance with applicable laws.
 2. No operator shall make excessive noise, traverse upon private property within the Township without permission from the landowner, or shall operate their ATV, dirt bike or other off-road recreational motor vehicle in a careless or unsafe manner.
 3. All ATV's, dirt bikes or other off-road recreational motor vehicles operated upon Township roads shall have their lights (if applicable) activated and shall utilize turn signals (if equipped) or appropriate hand signals.
 4. All persons operating ATV's, dirt bikes or other off-road recreational motor vehicles shall fully comply with posted speed limits, parking regulations, and other state and local traffic regulations.
 5. All persons operating ATV's, dirt bikes or other off-road recreational motor vehicles shall not operate between the hours of 11pm and 6am.
 6. All persons operating ATV's, dirt bikes or other off-road recreational motor vehicles upon Township roads are subject to the provisions of the Motor Vehicle Code of Commonwealth of Pennsylvania, as set forth in Title 75, Chapter 77, as amended.
- C. Penalties for violations. Any person who violates any provision of this Ordinance shall, upon conviction, be sentenced to pay a fine of \$50.00 for a first offence. Upon conviction of a second violation of any provision of this Ordinance the person shall be sentenced to pay a fine of \$200.00. Upon conviction for a third violation of any provision of this Ordinance the person shall be sentenced to pay a fine of no less than \$1,000.00 and shall be precluded from operating an ATV's, dirt bikes or other off-road recreational motor vehicle upon Township roads for a period of two (2) years.

Section 2: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are severable.

Section 3: If any sentence, clause, section or part of this Ordinance is found to be unconstitutional, illegal or invalid for any reason such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof, not been included herein.

Section 4: This Ordinance shall become effective upon enactment.


DULY ENACTED AND ORDAINED, this 8th day of September, 2020, by
The Board of Supervisors of Tioga Township, Tioga County, Pennsylvania, in lawful session duly assembled.

**BOARD OF SUPERVISORS
TOWNSHIP OF TIOGA
Tioga County, Pennsylvania**

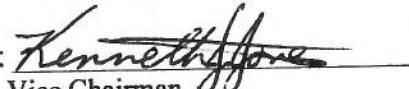
ATTEST



Secretary

By: 

Chairman

By: 

Vice Chairman

(SEAL)

By: 

Supervisor



CERTIFICATE


I, the undersigned, Secretary of the Township of Tioga, Tioga County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance which duly was adopted by majority vote of the entire Board of Supervisors at a meeting of said Supervisors duly convened according to law and held on September 8th, 2020, at which meeting a quorum was present; said Ordinance duly has been recorded in the minutes of said Supervisors; and said Ordinance remains in full force and effect, unaltered and un-amended, as of date of this Certificate.

I further certify that said Supervisors met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. 701 *et seq.*, by advertising said meeting, by posting prominently a notice of said meeting at the principal office of the Township or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to adoption of said Ordinance, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this

8th, day of September, 2020.

(SEAL)


Secretary