

TOWNSHIP OF ELDRED
JEFFERSON CONTY, PENNSYLVANIA
ORDINANCE # 2-2015

AN ORDINANCE OF THE TOWNSHIP OF ELDRED, JEFFERSON COUNTY, PENNSYLVANIA, PROVIDING FOR THE OPERATION OF ALL TERRAIN VEHICLES OR ATV VEHICLES ON ALL TOWNSHIP ROAD PROPERLY POSTED, ESTABLISHING DEFINITIONS, RESTRICTIONS ON USE, AGE AND NOISE RESTRICTIONS, AND PENALTIES FOR VIOLATION OF THE SAME.

AND NOW, this 4th day of August, 2015 the ELDRED TOWNSHIP SUPERVISORS, by and through its Supervisors at a duly authorized meeting do hereby ENACT AND ORDAIN as follows:

WHEREAS, the ELDRED TOWNSHIP SUPERVISORS Is empowered by virtue of the laws of the Commonwealth of Pennsylvania, 75 Pa. C.S.A. Section 7722, to designate highways, roads or streets as ATV – snowmobile roads; and

WHEREAS Eldred Township wishes to adopt an Ordinance designating ALL MARKED ROADS OF Eldred Township, excluding state highways, as ATV – snowmobile roads.

NOW THEREFORE, know all men by these presents, the said Eldred Township does ENACT AND ORDAIN, and it is hereby enacted and ordained as follows:

1. DESIGNATION OF ROADS.

All Township Roads within the Township of Eldred, Jefferson County, Pennsylvania, excluding State highways, are hereby designated as ATV – snowmobile roads. All such roads shall Be shared with vehicle traffic.

2. DEFINITIONS.

a. All terrain vehicle's or ATV vehicle's are described as motorized off highway vehicles traveling on three (3) or more low pressure inflatable tires, capable of traversing all types of terrain, including water, as set forth in detail in 75 PA. C.S.A. 7702.

b. Snowmobile is defined as an engine driven vehicle designed to be driven over snow or ice utilizing sled type runners, or skis, or endless tract or belt tread, or any combination of these similar means of contact, with the surface upon which it is operated, also further defined in 75 Pa. C.S.A. 7702.

3. OPERATION OF ATV'S – SNOWMOBILE UPON DESIGNATED ROADS.

Pursuant to the restrictions as otherwise contained herein, ATV'S – snowmobiles may Be operated on all of said Township Roads properly posted. Said ATV'S– snowmobiles Shall be operated in conjunction with the normal vehicular traffic thereon. All vehicles Must remain on the designated areas and in no way shall enter private property without the consent of the owner or lessor or cross any waterway. Posting shall be as set forth in Pa. Code 51.83. Any person operating such ATV'S – snowmobiles shall comply with the Requirements as set forth in 75 Pa. C.S.A. 7001-7753. All such operations are subject to the Following provisions:

A. All such vehicles must display a valid DCNR license plate, display a valid township sticker, And possess a current certificate of insurance. All such vehicles shall display a valid Township sticker which can be obtained at the Township building for a cost of \$20.00

- B. All such vehicles must be driven on the extreme right side of the road and must yield to regular traffic.
 - C. All such vehicles must be driven at a speed not to exceed 35 miles per hour.
 - D. All such vehicles must remain on the designated areas and in no way shall enter private Property without the consent of the owner or lessor or cross any waterways.
 - E. Drivers must operate said ATV or snowmobile in conformity with the provisions of the Pennsylvania Motor Vehicle Code (obey stop signs, stop lights, etc.) This ordinance is not intended to limit any provisions or scope of authority of the Pennsylvania Motor Code or any other Act.
 - F. All such vehicles shall not be permitted on Township Roads between the hours of 11:00pm and 4:00am.
4. RESTRICTION ON USE. It shall be unlawful for any person to operate an ATV – snowmobile on any road in Eldred Township other than as provided in Article 3 above. Provided, However, nothing in this Ordinance shall prohibit any person from operating an ATV– Snowmobile on any other highway or road in Eldred Township.
- a. As authorized by Section 7721 of the Pennsylvania Vehicle Code for emergency and bridge crossing and for direct crossing of two-lane highways: or
 - b. For special ATV events authorized in advance and for which the road is blocked off as provided in Section 7723 of the Pennsylvania Vehicle Code.

5. AGE RESTRICTION.

No person under 16 years of age may operate a snowmobile, ATV on the road Designated under Section 7722 of the Vehicle Code (relating to designation of snowmobile and ATV roads) as open to snowmobile, ATV and vehicular traffic. A person Under 16 years of age who holds the appropriate safety certificate may operate a Snowmobile – ATV on roads designated under Section 7724(b) (relating to operation On private or state property) as open to snowmobile – ATV and vehicular traffic Providing he is under the direct supervision of a person 18 years of age or older.

6. NOISE RESTRICTION.

All ATV– snowmobiles must be equipped with a muffler in good working order and The sound intensity produced by the said vehicle may not exceed the requirements as set Forth in 75 Pa. C.S.A. 7743 and Chapter 51, Section 51.92 of the Pennsylvania Motor Vehicular Code.

7. CONFORMITY WITH PENNSYLVANIA MOTOR VEHICLE CODE.

Every person operating an ATV – snowmobile upon Township land shall be subject To and shall operate said ATV – snowmobile in conformity with the provisions of the Pennsylvania Vehicle Code, the regulation, if any promulgated thereunder, and all other Applicable acts of law including the requirement of insurance. This ordinance is not Intended to limit any provisions or scope of authority of the Pennsylvania Vehicle Code Or any other Act.

8. PENALTIES. Any person who violates any provision of this Ordinance shall be subject to Prescribed in Section 7752 of the Vehicle Code designated a summary offense and shall upon Conviction:

- a. For a first offense, be sentenced to pay a fine of not less than \$50.00 nor more than \$200.00 and costs of prosecution and, in default of payment of the fine or costs, shall Be imprisoned for not more than ten(10) days.
- b. For a subsequent offense, be sentenced to pay a fine of not less than \$100.00 nor more than \$300.00 and costs of prosecution and, in default of the payment of the fine or costs, shall be imprisoned for not more than 30 days.

9. SEVERABILITY.

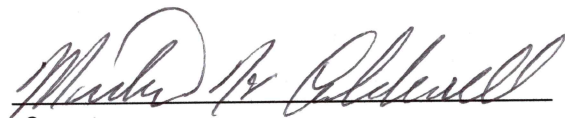
The provisions of this Ordinance shall be severable, and if any provisions or phrase shall be Held unconstitutional or invalid, such decision shall not affect the validity of any remaining Provisions or phrases hereof, it being the intention of the Township Supervisors to enact And adopt each section independently or every other section.

10. EFFECTIVE DATE.

This Ordinance shall become effective upon the expiration of five (5) days after the date of adoption.

IN WITNES WHEREOF, Eldred Township Supervisors has caused this Ordinance to be adopted this 4th day of August, 2015.

ATTEST:


Secretary

ELDRED TOWNSHIP SUPERVISORS


Gordon R. Greeley, Chairman