

## Part 7 Recreational Vehicles

### § 10-701. Definitions.

*Occupant* - a person who regularly resides on the property in question.

*Owner* - any person who has legal or equitable title to the property on which a recreational vehicle is being operated.

*Person* - an individual, group of individuals, a partnership, firm, association or any other entity.

*Recreational vehicle* - all motorized vehicles, designed or re-designed or otherwise being used for off-road recreational use including, but not limited to the following:

- A. Motorcycles.
- B. Trail bikes.
- C. All terrain vehicles (ATV's).
- D. Go carts.
- E. Snowmobiles.
- F. Any other similar motorized vehicle (excluding battery-operated vehicles).

The term "recreational vehicle" shall not include motorized vehicles for law enforcement, fire, emergency, military, or other authorized government purposes, or off- road motorized vehicles used as utility vehicles for agriculture, husbandry, lawn care, snow removal or business operations.

(Ord. 2006-07, 10/9/2006)

### § 10-702. Operation and Use of a Recreational Vehicle on Private Property.

The following regulations shall apply for the use of a recreational vehicle on private real property:

A. *Owner or Occupant.* Only the owner, occupant, permitted guests and family may operate a recreational vehicle on private real property subject to the restrictions outlined herein.

B. *Setback Requirements.*

(1) A person operating a recreational vehicle must remain at least 150 feet from any adjoining property line.

(2) It shall not be a violation of this Section to operate a motorcycle or similar on-road vehicle within the required setback for purposes of ingress and egress from or onto a driveway, or to operate a recreational vehicle within the required setback for purposes of loading or unloading.

(3) It shall not be a violation of this Part to operate a recreational vehicle without the original equipment exhaust within 50 feet of a property line for purposes of test driving, provided that the test driving does not last longer than a total of 15 minutes per day.

C. *Additional Restrictions.* In the event that a recreational vehicle is operated between 150 feet and 250 feet of an adjoining property line, the following additional restrictions shall apply:

- (1) No more than two recreational vehicles may be operated at the same time.
- (2) A person may operate a recreational vehicle only between the hours of 8 a.m. to 8 p.m., prevailing time.
- (3) An operator or operators may ride a recreational vehicle for no longer than a total of 1 hour at a time with a 2-hour rest period between the next operation of a recreational vehicle.
- (4) Operation of a recreational vehicle over 250 feet from an adjoining property line: the above restrictions shall not apply.

D. *Dust.* A person shall not generate or permit to be generated, as a result of the use or operation of any recreational vehicle, any dust to cross over onto an adjoining or adjacent property that will interfere with the reasonable use and enjoyment of the residential use of the property, either inside or outside.

E. *Equipment Exhaust.* All recreational vehicles shall be fitted with the original equipment exhaust while in operation (except as exempted under paragraph .B.3 above).

(Ord. 2006-07, 10/9/2006)

#### **§ 10-703. Operation and Use of a Recreational Vehicle on Township Property.**

No person shall operate a recreational vehicle on Township property without the express written consent of the Township.

(Ord. 2006-07, 10/9/2006)

#### **§ 10-704. Enforcement and Penalty.**

1. A violation of this Part shall be deemed a public nuisance, and shall subject the owner of the property and/or any person operating a recreational vehicle in violation of this Part to summary enforcement proceedings.

2. The Northern Regional Police Department (or successor police department) and such persons as may be designated by resolution of the Board of Supervisors are authorized to make an initial determination of a violation of this Part, and to enforce the provisions of this Part. An initial determination of a violation of this Part shall result in a verbal warning to the owner, occupant or operator of the recreational vehicle.

3. A second or subsequent violation of this Part shall be subject to summary enforcement proceedings and upon being found guilty thereof shall subject the violator to a fine of \$250 for a second offense (following a verbal warning), \$500 for a third offense, and \$750 for a fourth and each offense thereafter. Upon a default in payment of a fine and upon a guilty finding of a third or subsequent offense the violator may be subject to a term of imprisonment up to the maximum allowed by law for a summary offense. Each day that a violation continues or each Section of this Part that is found to be violated shall be considered a separate violation.

(Ord. 2006-07, 10/9/2006)

**§ 10-705. Miscellaneous Provisions.**

1. To the extent applicable, this Part incorporates by reference thereto the provisions of and rules and regulations relating to the “Pennsylvania Snowmobile and All Terrain Vehicle Law,” 75 Pa. C.S.A. § 7701 *et seq.*
2. The use of the singular shall include the plural. The use of headings is for convenience only.
3. The Sections of this Part are severable, and if any Section or part thereof is found to be unconstitutional or unenforceable, then such finding shall not affect the validity of the remaining sections or parts thereof.
4. This Part shall be effective 5 days after adoption.

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