

ORDINANCE NO. 1 OF 2024
TOWNSHIP OF President
COUNTY OF VENANGO
COMMONWEALTH OF PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF President, VENANGO COUNTY, PENNSYLVANIA (TOWNSHIP) TO DESIGNATE CERTAIN ROADWAYS WITHIN THE TOWNSHIP AS ATV, SIDE BY SIDES AND SNOWMOBILE ROADS, TO ENACT CERTAIN CONDITIONS ON THE USE OF ATVS, SIDE BY SIDES AND SNOWMOBILES ON DESIGNATED ROADS, TO ENACT CERTAIN FEES FOR THE USE OF ROADS DESIGNATED AS ATV, SIDE BY SIDES AND SNOWMOBILE ROADS, TO IMPOSE PENALTIES FOR VIOLATIONS, AND TO ENACT CERTAIN OTHER RESTRICTIONS ON THE USE OF ATVS, SIDE BY SIDES AND SNOWMOBILES.

WHEREAS, the Pennsylvania Motor Vehicle Code authorizes municipalities to designate certain highways, roads and streets as ATV and snowmobile roads, pursuant to 75 Pa. C.S.A. Section 7722; and

WHEREAS, the Supervisors of the Township have determined that it is in the best interest of the residents of the Township and will promote the public health, safety and welfare to enact an Ordinance governing the use of ATVs, side by sides and snowmobiles; and

WHEREAS, the Supervisors have determined to adopt this Ordinance regarding ATV and snowmobile roads.

NOW, THEREFORE, be it ordained and enacted as follows.

Section 1 – Definitions

For purposes of this Ordinance the following definitions shall apply:

- a. An all-terrain vehicle, side by side or ATV shall mean a motorized off-highway vehicle which travels on three or more tires and which has a maximum width of 64 inches and a maximum dry weight of 4000 pounds or a width which exceeds 64 inches or a dry weight which exceeds 4000 pounds.
- b. The term ATV does not include snowmobiles, trail bikes, motorboats, golf carts, aircraft, dune buggies, automobiles, construction machines, trucks or home utility machines, military, fire, emergency and law enforcement vehicles, implements of husbandry, multipurpose agricultural vehicles, vehicles used by the Pennsylvania Department of Transportation or any vehicle that is not required to be registered under the Motor Vehicle Code. This term also does not include off-road motor vehicles used

exclusively as utility vehicles for agricultural or business operations and only incidentally operated or moved upon the highway.

- c. Snowmobile means an engine driven vehicle which is all of the following: designed to travel over snow or ice, has an endless belt track or tracks, is steered by a ski or skis and has an overall width of 48 inches or less. The term does not include a farm tractor, construction equipment, military vehicle, vehicle with inflatable tires or machinery used strictly for the grooming of snowmobile trails.

Section 2 – Designation of ATV Roads

Those Township roads identified on attached Exhibit A, to the extent located within the Township, are hereby designated as ATV, side by side and snowmobile roads, to be shared with vehicular traffic.

Section 3 – Operation of ATVs, Side by Sides and Snowmobiles Upon Designated Roads

Subject to the restrictions provided in this ordinance, ATVs, side by side and snowmobiles may be operated upon all of the designated Township roadways shown on Exhibit A. No ATV, side by side or snowmobile shall enter upon private property without the consent of the owner.

Section 4 – Signage

Adequate notice of the designation as snowmobile, side by side and ATV roads shall be posted sufficiently and prominently on each of the roads shown on Exhibit A to give notice of the designation.

Section 5 – Permit

No person shall operate an ATV, side by side or a snowmobile on a designated road unless the ATV, side by side or snowmobile displays a current and valid Township sticker. A fee of \$50 per year for the privilege of using the designated roads for operation of an ATV, side by side and/or snowmobile shall be paid to obtain a Township sticker. The \$50 user fee shall be paid to the Venango County Treasurer as the designated collection agency on behalf of the Township. The aforesaid fee is intended solely to defray some of the costs of signage and administration of the ATV/snowmobile program and shall not be deemed to be a tax.

Section 6 – Use Restrictions

- a. It shall be unlawful for any person to operate an ATV, side by side or snowmobile on any highway, street or road in the Township that is not designated as a snowmobile or ATV street. This section shall not prohibit any person from operating an ATV, side by side or snowmobile on

highways, streets or roads in the Township as authorized by the Pennsylvania Motor Vehicle Code for emergency and bridge crossing and for direct crossing of streets and highways; or for special ATV events authorized in advance.

- b. All ATVs, side by sides and snowmobiles shall be operated on the right side of the road and shall yield to vehicular traffic.
- c. No ATV, side by side or snowmobile shall be driven at a speed in excess of 35 miles per hour.
- d. All operators of ATVs, side by sides or snowmobiles shall obey all of the provisions of the Pennsylvania Motor Vehicle Code and any regulations thereunder.
- e. No person under 16 years of age may operate a snowmobile, side by side or ATV on a designated road unless the individual holds a safety certificate to operate a snowmobile and is under the direct supervision of a person 18 years of age or older.
- f. All ATVs, side by sides and snowmobiles shall be equipped with a muffler in good working order and the sound produced shall not exceed the noise limitations provided in the Pennsylvania Motor Vehicle Code.
- g. No ATV, side by side or snowmobile shall be operated on the designated roads unless the operator has in effect a policy of automobile liability insurance that complies with the minimum liability limits set forth in the Pennsylvania Motor Vehicle Code. Proof of insurance shall be provided to the Township annually with the application for a registration sticker. No insurance policy shall be cancelled unless prior notice of at least ten days is provided to the Township.

Section 7 – Violations

Any violation of this Ordinance shall be a summary offense punishable upon conviction by fine of not less than \$50 nor more than \$200 plus the costs of prosecution, and in default of payment, imprisonment of not more than ten (10) days.

Section 8 – Severability

If any provision of this Ordinance shall be found to be unconstitutional or invalid by any court of competent jurisdiction, such determination shall not affect the validity of the remaining provisions of this Ordinance. This Ordinance is specifically declared to be severable.

Section 9 – Effective Date

This Ordinance shall be effective at the earliest date provided by law.

Section 10 – Repealer

All Ordinances and parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Enacted this 14th day of November, 2024.

President Township

Attest:

Janet H. Beebe
Township Secretary

By James T. Kittiger

By James W. Meagher

By John W. Bailey