

BOROUGH OF SUGARCREEK

ORDINANCE NO. 303 OF 2025

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF SUGARCREEK, VENANGO COUNTY, PENNSYLVANIA TO DESIGNATE CERTAIN ROADWAYS WITHIN THE BOROUGH AS ATV AND UTV ROADS, TO ENACT CERTAIN CONDITIONS ON THE USE OF ATVS AND UTVS ON DESIGNATED ROADS, TO ENACT CERTAIN FEES FOR THE USE OF ROADS DESIGNATED AS ATV AND UTV ROADS, TO IMPOSE PENALTIES FOR VIOLATIONS, AND TO ENACT CERTAIN OTHER RESTRICTIONS ON THE USE OF ATVS AND UTVS.

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 (75 Pa.C.S.A. § 7722); and

WHEREAS, the Borough Council has determined that it is in the best interest of the residents of the Borough and will promote the public health, safety and welfare to enact an Ordinance governing the use of all-terrain vehicles (ATVs) and utility task vehicles (UTVs), also known as side by sides; and

WHEREAS, the Borough Council has determined to adopt this Ordinance regarding ATV and UTV roads.

BE IT ORDAINED AND ENACTED, by the Council of the Borough of Sugarcreek, Pennsylvania, and it is hereby ordained and enacted by the authority of the same:

Section 1 – Definitions

For purposes of this Ordinance the following definitions shall apply:

- a. An all-terrain vehicle (ATV) or utility task vehicle (UTV), also known as a side by side, shall mean a motorized off-highway vehicle which travels on three (3) or more tires, and which has a maximum width of sixty-four (64) inches and a maximum dry weight of four thousand (4,000) pounds, or a width which exceeds sixty-four (64) inches or a dry weight which exceeds four thousand (4,000) pounds.
- b. Where used in this Ordinance, the term UTV shall also mean a side by side vehicle.
- c. The term ATV or UTV shall 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 offroad motor vehicles used exclusively as utility vehicles for agricultural or business operations and only incidentally operated or moved upon the highway.

- d. 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 forty-eight (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 and UTV Roads

Those Borough streets, roads and highways identified on attached Exhibit A, to the extent located within the Borough, are hereby designated as ATV and UTV roads to be shared with vehicular traffic.

Section 3 – Operation of ATVs and UTVs Upon Designated Roads

Subject to the restrictions provided in this Ordinance, ATVs and UTVs may be operated upon all of the designated Borough streets, roads and highways identified on Exhibit A. No ATV or UTV shall enter upon private property without the consent of the owner.

Section 4 – Signage

Adequate notice of the designation as an ATV or UTV road 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 or UTV on a designated road unless the ATV or UTV displays a current and valid Borough sticker. A fee of \$50.00 per year for the privilege of using the designated roads for operation of an ATV or UTV shall be paid to obtain a Borough sticker. The \$50.00 user fee shall be paid to the Venango County Treasurer as the designated collection agency on behalf of the Borough. The aforesaid fee is intended solely to defray some of the costs of signage and administration of the ATV and UTV road 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 or UTV on any highway, street or road in the Borough that is not designated as an ATV or UTV road. This section shall not prohibit any person from operating an ATV or UTV on highways, streets or roads in the Borough 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 or UTV events authorized in advance.

- b. All ATVs and UTVs shall be operated on the right side of the road and shall yield to vehicular traffic.
- c. No ATV or UTV shall be driven at a speed beyond the posted speed limit, but, in no event, in excess of thirty-five (35) miles per hour.
- d. All operators of ATVs and UTVs shall obey all of the provisions of the Pennsylvania Motor Vehicle Code and any regulations thereunder.
- e. No person under sixteen (16) years of age may operate an ATV or UTV on a designated road, unless the individual holds a safety certificate to operate an ATV or UTV and is under the direct supervision of a person eighteen (18) years of age or older, who shall be deemed the legal guardian of the person under sixteen (16) years of age for purposes of enforcement of this Ordinance.
- f. All ATVs and UTVs 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 or UTV 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 Borough annually with the application for a registration sticker. No insurance policy shall be cancelled unless prior notice of at least ten (10) days is provided to the Borough.
- h. All ATVs and UTVs shall only be operated, in accordance with this Ordinance, between thirty (30) minutes after dawn and thirty (30) minutes before dusk, prevailing time.

Section 7 - Snowmobiles Excluded

No person shall operate a snowmobile on street, road or highway designated as an ATV or UTV road in the Borough. By the adoption of this Ordinance, the Borough specifically excludes the use of snowmobiles on any Borough street, road or highway.

Section 8 – Violations

Any violation of this Ordinance shall be a summary offense punishable upon conviction by fine of not less than \$50.00 nor more than \$200.00 plus the costs of prosecution, and in default of payment, imprisonment of not more than ten (10) days.

Section 9 – 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 10 – Effective Date

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

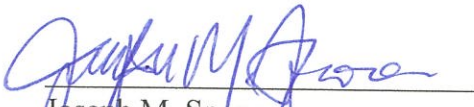
Section 11 – Repealer

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

APPROVED this 5th day of March, 2025.

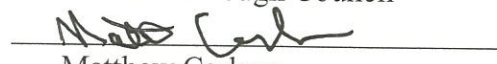
ATTEST

SUGARCREEK BOROUGH



Joseph M. Sporer,
Borough Secretary



James Speth,
President of Borough Council


Matthew Carlson,
Mayor

VOTING FOR: 3

VOTING AGAINST: 2

**APPROVED ROADS FOR ATV AND UTV USE IN BOROUGH OF
SUGARCREEK**

Allenbaugh Road

Beatty Run Road

Causeway Drive

Cherrytree Road

Independent Road/Foster Road

Keely Road

Lamberton Road

Martin Hill Road

Old Route 322

Pine Road

Seysler Road

Shaffer Run Road

Sleepy Hollow Road

Vincent Road

Warren Road

Whitman Road

EXHIBIT "A"