



UTICA BOROUGH COUNCIL
PO BOX 66
UTICA, PA 16362

**REGULATION OF ATV, SIDE BY SIDE AND SNOWMOBILE USE ON DESIGNATED
BOROUGH ROADS/STREETS**

ORDINANCE No. 03-24

AN ORDINANCE OF THE BOROUGH OF UTICA, COUNTY OF VENANGO, AND COMMONWEALTH OF PENNSYLVANIA, TO DESIGNATE CERTAIN ROADWAYS WITHIN THE BOROUGH AS ATV, SIDE BY SIDE AND SNOWMOBILE ROADS, TO ENACT CERTAIN CONDITIONS ON THE USE OF ATVS, SIDE BY SIDES AND SNOWMOBILES ON DESIGNATED ROADS/STREETS DESIGNATED AS ATV, SIDE BY SIDE AND SNOWMOBILE ROADS/STREETS, 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 snowmobile roads, pursuant to 75 Pa. C.S.A. Section 7722; and;

WHEREAS, the Council of the Borough have 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 ATVs, side by sides and snowmobiles; and

WHEREAS, the Council of the Borough have determined to adopt this Ordinance regarding ATV, side by side and snowmobile roads/streets.

NOW THEREFORE, IT IS HERBY ENACTED AND ORDAINED, 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 sixty-four (64) inches and a maximum dry weight of four-thousand (4,000) 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: designated 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 uses strictly for the grooming of snowmobile trails.

SECTION 2: DESIGNATION OF ATV ROADS/STREETS AND OPERATION OF ATVS, SIDE BY SIDES AND SNOWMOBILES UPON DESIGNATED ROADS/STREETS

Subject to the restrictions provided in this Ordinance, ATVs, side by sides and snowmobiles may be operated on ALL Utica Borough roads and streets within the Borough boundaries, to be shared with vehicular traffic, with the EXCEPTION OF KRAFT HILL ROAD, which shall NOT be so designated. Furthermore, portions of certain roads and streets in the Borough are designated as Pennsylvania Department of Transportation (PennDOT) maintained roads/streets and ARE NOT designated as ATV, side by side and snowmobile roads/streets, and said roads/streets include the following:

- a. Academy Street from the border of Frenchcreek Township to the intersection with Grant Street
- b. Grant Street from the intersection with Academy Street to the intersection with Third Street; and
- c. Third Street/Utica Road from the intersection with Grant Street to the border with Canal Township

No ATV, side by side or snowmobile shall enter upon private property without the consent of the owner.

SECTION 3: SIGNAGE

Adequate notice of the designation as snowmobile, side by side and ATV roads/streets shall be posted sufficiently and prominently on each of the roads/streets shown on Section 2 to give notice of the designation.

SECTION 4: PERMIT

No person shall operate an ATV, side by side or a snowmobile on a designated road/street unless the ATV, side by side or snowmobile displays a current and valid Borough sticker. A fee of fifty (\$50.00) per year for the privilege of using the designated roads/streets for operation of an ATV, side by side and/or snowmobile shall be paid to obtain a Borough sticker. The fifty (\$50.00) fee shall be paid to the Venango County Treasurer as the designated collection agency on behalf of the Borough. The amount of said fee may be changed by the Borough by Resolution. 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 5: 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 Borough that is not designated as an ATV, side by side or snowmobile street/road. This Section shall not prohibit any person from operating an ATV, side by side or snowmobile 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 roads, 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/street and shall yield to vehicular traffic.
- c. No ATV, side by side or snowmobile shall be driven at a speed in excess of twenty-five (25) miles per hour.
- d. The hours of operation of ATVs, side by sides and snowmobiles on designated Borough roads/streets is 6:00 am to 10:00 pm.
- e. 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.
- f. No person under 16 years of age may operate an ATV, side by side or snowmobile on a designated road/street, except that a person less than 16 years of age who possesses a Pennsylvania Department of Natural Resources (DCNR) issued safety certificate to operate a snowmobile. He/she may operate a snowmobile on designated roads/streets provided that he/she is accompanied by and under direct supervision of a person 18 years of age or older.
- g. All ATVs, side by sides or 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.
- h. No ATV, side by side or snowmobile shall be operated on the designated roads/streets 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 registration sticker. No insurance policy shall be cancelled unless prior notice of at least ten days is provided to the Borough.

SECTION 6: VIOLATIONS

Any violation of this Ordinance shall be a summary offense punishable upon conviction by fines of not less than fifty (\$50.00) not more than two-hundred (\$200.00) plus the costs of prosecution, and/or imprisonment of not more than ten (10) days.

SECTION 7: SEVERABILITY

If any provision of the 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 8: EFFECTIVE DATE

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

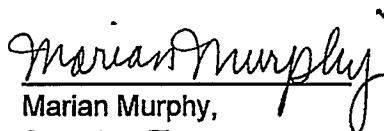
SECTION 9: REPEALER

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

Duly presented, ordained, and enacted at a regular meeting of the Utica Borough Council on the

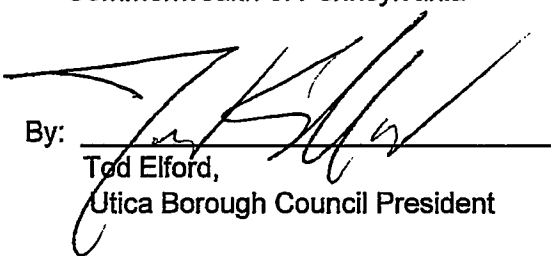
12TH day of NOVEMBER, 2024

ATTEST:

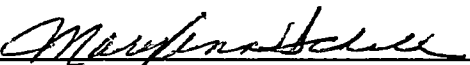

Marian Murphy,
Secretary/Treasurer
Utica Borough

Borough of Utica, County of Venango,
Commonwealth of Pennsylvania

By:


Ted Elford,
Utica Borough Council President

By:


MaryAnn Schell,
Utica Borough Mayor