

ORDINANCE NO. 2010 - 3

AN ORDINANCE AMENDING CHAPTER 103 OF THE CODE OF HILLTOWN TOWNSHIP TO INCLUDE REGULATION OF THE USE OF MOTORIZED DIRT BIKES, MINI BIKES, ALL-TERRAIN VEHICLES, GO CARTS, SNOWMOBILES AND ANY OTHER MOTORIZED VEHICLE MODIFIED, DESIGNED OR USED FOR RECREATIONAL PURPOSES

The Board of Supervisors of Hilltown Township desires to amend Chapter 103 of the Code of Hilltown to provide the regulation of the use of motorized dirt bikes, mini bikes, all-terrain vehicles, go carts, snowmobiles and other motorized vehicles modified, adopted, designed or otherwise used for recreational purposes within Hilltown Township to protect and preserve the health, safety, welfare and quality of life of both residents and the general public.

ARTICLE 1 – Section 103-1. Definitions is hereby amended to include the following terms and definitions:

“All-Terrain Vehicle” or “ATV” as defined in §7702, Definitions, Chapter 77, Snowmobiles and All-Terrain Vehicles, of Title #75, Pennsylvania Vehicle Code, as adopted and amended.

“Motorized Dirt Bike”, shall mean a motorized two (2) wheeled vehicle or motorcycle being capable of cross-country travel on natural terrain without benefit of a road or trail. This definition shall include any motorized vehicle designed, modified or otherwise used for the same purpose.

“Other Motorized Vehicle” shall mean, for the purpose of this ordinance, any motor vehicle designed, modified, adopted or otherwise used for the same purpose as an ATV, Motorized Dirt Bike or Snowmobile.

“Snowmobile” as defined in §7702, Definitions, Chapter 77, Snowmobiles and All-Terrain Vehicles, of Title #75, Pennsylvania Vehicle Code, as adopted and amended.

“Lot(s)” shall mean a Lot or parcel of land in the Township of Hilltown which is part of an approved subdivision, the plan or map of which has been recorded with the Bucks County Recorder of Deeds, or lawful Lot or parcel of land described by metes and bounds, the deed of which has been recorded with the Bucks County Recorder of Deeds office, or one for which the Township has granted a waiver from planning.

“Specified Motor Vehicles” shall mean all vehicles delineated in this Section, and regulated by this Ordinance.

ARTICLE 2 – Sections Renumbered:

The following existing Sections of Chapter 103 shall be renumbered as follows:

Section 103-12. Notice of Violation shall be renumbered Section 103-13;

Section 103-13. Time Frame for Compliance shall be renumbered Section 103-14;

Section 103-14. Remedies not Mutually Exclusive shall be renumbered Section 103-15;

Section 103-15. Violations and Penalties shall be renumbered Section 103-16;

Section 103-16. Owners Severally Responsible shall be renumbered Section 103-17;

Section 103-17. Inspection of Premises shall be renumbered Section 103-18.

ARTICLE 3 – Regulation of Motorized Dirt Bikes, Mini Bikes, All Terrain Vehicles, Go Carts, Snowmobiles and any other vehicle modified, adopted, designed or used in a similar fashion are hereby regulated as follows:

Section 103-12 Operation of All Terrain Vehicle, ATV, Motorized Dirt Bike, Other Motorized Vehicle and Snowmobile.

No person shall operate or permit anyone to operate a motorized dirt bike, mini bike, all terrain vehicle, go cart, snowmobiles or any other vehicle modified, adopted, designed or otherwise used and operated for recreational fashion:

- A. All Specified Motor Vehicles shall be operated with a federally approved spark arrestor, the noise may not exceed 99 decibels at a distance of twenty inches at idle, and mufflers may not be removed or altered to increase motor noise, or have a cut out by-pass or similar device.
- B. No more than three (3) Specified Motor Vehicles shall be operated on a Lot at the same time.
- C. The operation of Specified Motor Vehicles for recreation use shall be permitted between the hours of 9 A.M. and 7 P.M., prevailing time, on Monday through Saturday. The operation of Specified Motor Vehicles for recreational use on Sundays shall be between the hours of 11 A.M. and 5 P.M., prevailing time. Specified Motor Vehicles may be operated on a Lot for no longer than two hours at a time; and there shall be a one hour rest period between each two hour time period of Specified Motor Vehicle operation.

- D. No person shall make or cause to be made any noise which is offensive to the ordinary sensibilities of the residents of Hilltown Township, which noise renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.
- E. The following are exemptions from regulation of this Ordinance:
1. Any Specified Motor Vehicle used by the Township or other governmental agency conducting official business.
 2. Any Specified Motor Vehicle actively being used for agricultural purposes.
 3. Any Specified Motor Vehicle actively being used for snow and/or ice removal purposes or maintenance of real property.
 4. Any Specified Motor Vehicle being operated in accordance with a duly Declared State of Emergency by the Governor of this Commonwealth for an actual emergency purpose.
 5. Any medically certified physically handicapped or disabled or mentally impaired person (per the Americans with Disabilities Act) requiring assistance accessing the property and the use of a specified motor vehicle is the only means to gain such access.

ARTICLE 4 – SEVERABILITY

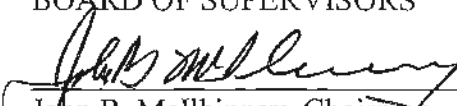
The Sections of this Ordinance are severable; and if any Section or part thereof is found to be unconstitutional or unenforceable, then such determination shall not affect the validity of the remaining Sections or parts thereof.

ARTICLE 5 – EFFECTIVE DATE

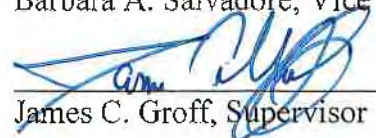
This Ordinance shall take effect five (5) days following enactment.

Enacted and Ordained by the Board of Supervisors of Hilltown Township, Bucks County, Pennsylvania on the 26th day of July 2010.

HILLTOWN TOWNSHIP
BOARD OF SUPERVISORS


John B. McIlhinney, Chairman


Barbara A. Salvadore, Vice Chairperson


James C. Groff, Supervisor