

**TOWNSHIP OF CENTER**

**ORDINANCE NO.3-95**

**AN ORDINANCE OF THE TOWNSHIP OF CENTER ESTABLISHING INSTRUCTIONS ON THE OPERATION OF OFF-ROAD VEHICLES ON PRIVATE PROPERTY AND TOWNSHIP PROPERTY; PRESCRIBING VIOLATIONS AND PENALTIES AND ESTABLISHING RULES AND REGULATIONS FOR THE LAWFUL OPERATION OF SUCH VEHICLES.**

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Center pursuant to Sections 65712 and 65734 of the Second Class Township Code, and it is hereby ordained and enacted by and with the authority of the same as follows:

**SECTION 1. Operation restricted.**

It shall be unlawful for any person to operate any motor vehicle, including but not limited to a motorcycle, motorbike, motor scooter, all-terrain vehicle or snowmobile, upon any private property without the permission of the owner or owners thereof and on any property owned by Center Township without the permission of the proper township officials.

**SECTION 2. Permission to operate on private property required.**

Prior to operating any such vehicle as hereinbefore described on private property, the operator must request and receive the permission of the owner of the property. Where private property is owned by more than one (1) person, it shall be insufficient compliance with this section to request and receive the permission of any one (1) of the owners, if the operator has reason to know that another owner objects thereto. It is the intent of this section to prohibit the operation of such off-road vehicles on property owned by more than one (1) person if any of the owners object but to permit an operator who has received permission from one (1) of the owners to presume that he has permission of all the owners unless he has reason to know otherwise.

**SECTION 3. Permission to operate on township property required.**

Prior to operating any such vehicle as hereinbefore described on property owned by Center Township, the operator must request and receive the permission of a majority of the Township Supervisors.

**SECTION 4.****Trails or other permitted areas.**

The Supervisors, by resolution, may establish trails or otherwise places permitting the operation of such vehicles as are hereinbefore described on public property owned by Center Township. Such resolutions may limit the operation of such vehicles to such days of the week, hours of the day or otherwise as the Supervisors see fit. Such resolutions may also limit the number of vehicles to be operated at any given time or attach any other conditions to the operation of such vehicles as the Supervisors see fit.

**SECTION 5.****Revocation of permission; removal of vehicle.**

Any permission granted hereunder may be revoked at the will of the private property owner respecting private property and of the township officials respecting public property. Upon request of any owner of private property, the operator shall immediately remove his vehicle from the private property. Upon request of the township officials granting permission to operate the vehicle on public property, the operator shall immediately remove his vehicle from such public property.

**SECTION 6.****Operation near residential dwellings.**

Irrespective of compliance with the foregoing sections of this chapter, it shall be unlawful for any person to operate any motor vehicle, including but not limited to a motorcycle, motorbike, motor scooter, all-terrain vehicle or snowmobile, upon private property or upon property that is owned by Center Township, that is located within one thousand (1,000) feet of a residential dwelling. The aforesaid one thousand foot restriction shall not apply to a residential dwelling that is owned by a person who has given his or her permission to operate a motor vehicle under the provisions of this chapter.

**SECTION 7.****Violations and penalties.**

Any person violating any of the provisions of this chapter shall, upon conviction thereof, be sentenced to pay a fine in an amount not less than one hundred dollars (\$100.00) and not exceeding three hundred dollars (\$300.00), together with costs of prosecution.

**SECTION 8.      Severability.**

If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Township of Center that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ORDAINED AND ENACTED THIS 5th DAY OF Sept, 1995.

TOWNSHIP OF CENTER

BY: Tony Cunadio  
Chairman, Board of Supervisors

ATTEST:

Verna J. Lugo  
Township Secretary