

Chapter 146

VEHICLES, ALL TERRAIN

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[HISTORY: Adopted by the Borough Council of the Borough of Montoursville 11-15-1982 as Ord. No. 284. Amendments noted where applicable.]

GENERAL REFERENCES

Vehicles and traffic — See Ch. 150.

§ 146-1. Title.

This chapter shall be known as the "Montoursville Minibike, Dirt Bike and All-Terrain Vehicle Ordinance."

§ 146-2. Purpose.

The purpose of this chapter is to regulate and control the use of minibikes within the Borough of Montoursville and thereby promote the health, safety and welfare of the children and other minibike operators of the Borough of Montoursville.

§ 146-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

MINIBIKE — A motorcycle, a motor-driven cycle or a motorized pedicycle, all as defined in the Pennsylvania Motor Vehicle Code,¹ whose definitions are incorporated herein by reference, or any other motorized vehicle designed to operate on three (3) or fewer wheels, as well as all vehicles commonly known as "minibikes," "dirt bikes" and "all-terrain vehicles (ATV'S)."

PERSON — A natural person, firm, copartnership, association or corporation.

¹ Editor's Note: See 75 Pa.C.S.A. § 101 et seq.

RECREATION AREA — An area within the borough's recreation area which is designated specifically for operation of minibikes and belonging to the Borough of Montoursville. Operation of minibikes shall only be permitted within a designated area of the borough recreation lands as such area is from time to time designated by the Borough Council.

§ 146-4. Operation permitted only in designated areas; license required; waiver and indemnity agreement.

- A. No person shall operate or permit the operation of a minibike, dirt bike or all-terrain vehicle upon the streets, alleys or other property of the Borough of Montoursville, except within a designated area or areas of the borough recreation property, and without first having obtained a license permitting operation within the designated area of the borough recreation land and signing appropriate waiver and indemnity agreements.
- B. All persons under the age of eighteen (18) years who request a license shall be required to be accompanied by his or her parents or natural guardians. Parents or natural guardians shall be required to accept full responsibility for the minor and shall also be required to sign a waiver agreement as well as an indemnity agreement.
- C. The waiver agreement shall be in such form as may from time to time be provided by the Borough of Montoursville and shall waive any and all claims by or on behalf of the minor and/or the minor's parents or natural guardians or the licensee against the Borough of Montoursville for any injuries or damages arising out of the operation of minibikes upon borough property.
- D. The indemnity agreement shall be in a form which shall be as from time to time prescribed by the Borough of Montoursville and shall indemnify the Borough of Montoursville against any and all claims, demands, expenses, suits and causes of action by the licensee, his parents or natural guardians arising out of the operation of minibikes upon borough property.

§ 146-5. Issuance of license; renewal; fees.

- A. Upon registration and signing of the appropriate forms and payment of the license fee, applicants for a license shall be issued a license which shall be prominently displayed upon the minibike, dirt bike or all-terrain vehicle by placing the same on the side of the gas tank or as designated by the Borough of Montoursville.
- B. Licenses shall be renewed at least annually and shall identify the minibike to be operated by make, year and serial number.
- C. License fees shall be determined from time to time by resolution of the Council.

§ 146-6. Operation outside of designated areas prohibited; registration and license required.

- A. No person shall operate a minibike, dirt bike or all-terrain vehicle within the Borough of Montoursville in any area other than the area designated for such purpose within the borough recreation lands.
- B. No person shall operate or permit to be operated a minibike within a designated area of the borough recreation land without first registering with the borough offices of the Borough of Montoursville and securing a license in the manner hereinabove prescribed in this chapter.

§ 146-7. Violations and penalties.²

Any person violating the provisions of this chapter or any parent or natural guardian permitting the violation of any provisions of this chapter shall, upon conviction thereof, be subject to the penalty set forth in Chapter 1, General Provisions, Art. II, General Penalty.

² Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

