

KEATING TOWNSHIP
McKEAN COUNTY, PENNSYLVANIA

ORDINANCE NO. 105

AN ORDINANCE OF THE TOWNSHIP OF KEATING DESIGNATING
TOWNSHIP ROADS AND STREETS AS ATV ROADS; RESTRICTING THE
USE OF ATVS HEREUNDER PURSUANT TO THE VEHICLE CODE;
AND PROVIDING FOR PENALTIES PURSUANT TO THE VEHICLE CODE

WHEREAS, the Vehicle Code, specifically 75 Pa. C.S.A. Section 7722, authorizes local authorities to designate and determine such roads within its jurisdiction as ATV roads; and

WHEREAS, the Board of Township Supervisors of the Keating Township desire to adopt an Ordinance designating all roads in the jurisdiction of the Keating Township as ATV roads,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Township Supervisors of the Keating Township; and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1. TITLE.

This article shall be known as and may be cited as the "Keating Township ATV Road Ordinance".

SECTION 2. DEFINITIONS.

The following words and phrases, when used in this article, shall have the meanings ascribed to them in this Section, except where the context or language clearly indicates or requires a different meaning:

All Terrain Vehicle or ATV. A motorized off highway vehicle traveling on four or more off highway tires, capable of traversing all types of terrain, including water, and which has: (A) a maximum width of fifty inches (50 in.) and a maximum dry weight of one thousand two hundred pounds (1,200 lbs.); or (B) a width which exceeds fifty inches (50 in.) or a dry weight which exceeds one thousand two hundred pounds (1,200 lbs.) This definitions shall not include off-road motor vehicles used exclusively as utility vehicles for strictly agricultural purposes.

Street or Road. A highway, other than an alleyway, within the jurisdiction of, and

corporate limits of Keating Township.

Township. Keating Township, McKean County, Pennsylvania.

Vehicle Code. The Pennsylvania Vehicle Code, 75 Pa. C.S.A. Section 101, *et seq.*, as amended and supplemented from time to time.

SECTION 3. DESIGNATION OF ROADS.

All Township roads located within Keating Township, McKean County, Pennsylvania, are hereby designated as ATV roads. All such roads shall be shared with vehicular traffic.

SECTION 4. OPERATION OF ATVS ON DESIGNATED ROADS

Notwithstanding any restriction otherwise imposed herein, ATVs may be operated upon all Township roads. ATVs shall be operated in conjunction with the normal vehicular traffic thereon. All ATVs shall remain on Township roads and shall not enter private property without the express consent of owner or lessor thereof. No ATV utilizing a Township road hereunder shall cross any waterway except by bridge or other Township-erected and controlled structure.

SECTION 5. RESTRICTION ON USE.

It shall be unlawful for any person to operate an ATV on any highway, street or road in the Township, other than as provided for in this Ordinance. Any and all persons operating an ATV on any highway, street or road in the Township shall do so, and being in compliance with, all licensure, equipment, age, speed and all other restrictions and regulations contained in the Vehicle Code and its applicable subsections. Notwithstanding, this Ordinance shall not prohibit any person from operating an ATV on any other highway, street or road in the Township.

- A. As authorized by Section 7721 of the Vehicle Code for emergency and bridge crossings and for direct crossing of streets or two-lane highways; or
- B. For special ATV events authorized in advance and for which the street is closed as provided in Section 7723 of the Vehicle Code.

SECTION 6. CONFORMITY WITH VEHICLE CODE.

Every person operating an ATV upon Township roadways shall be subject to and shall operate said ATV in full conformity and compliance with all provisions of the Vehicle Code, any regulations promulgated thereunder, and all other applicable acts of law. This Ordinance is not intended to limit any provision or scope of authority of the Vehicle Code or any other Act or law under the Commonwealth of Pennsylvania.

SECTION 7. PENALTIES.

Any person who violates any provision of this Ordinance shall be subject to the penalties prescribed in Section 7752 of the Vehicle Code.

SECTION 8. SEVERABILITY.

The provisions of this Ordinance shall be severable, and if any provisions or phrase shall be held unconstitutional or invalid, such decision shall not be affect the validity of any remaining provisions or phrases hereof.

SECTION 9. REPEALER.

Except as set forth hereafter, all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 10. EFFECTIVE DATE.

This Ordinance shall become effective five (5) days from the date of final passage.

ORDAINED AND ENACTED into law by the Board of Township Supervisors of Keating Township on this ____ day of _____, 2021.

KEATING TOWNSHIP

ATTEST:

DAVID S. McCLAIN, Chairman

TRUDI BOWSER, Secretary

DOUGLAS A. COVERT

ROBERT W. WHEELER