

**HARMONY TOWNSHIP  
FOREST COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2011-1**

**ATV ORDINANCE**

AND NOW, this 9<sup>th</sup> day of May, 2011, the Supervisors of Harmony Township, Forest County, Pennsylvania, do hereby enact and ordain as follows:

WHEREAS, the Supervisors of Harmony Township are by virtue of the laws and constitution of the Commonwealth of Pennsylvania, including the provisions of the Act of 1976, June 17 P.L. 162, No. 81, Section 1, 75 Pa.C.S.A. Section 7722, empowered to designate highways, roads or streets as ATV and snowmobile roads; and

WHEREAS, the Supervisors wish to adopt an Ordinance designating all roads of the Harmony Township roadways as ATV and snowmobile roads.

NOW, THEREFORE, the Supervisors of Harmony Township do ENACT and ORDAIN, and it is hereby ENACTED and ORDAINED for Harmony Township, Forest County, Pennsylvania, as follows:

1. **DESIGNATION OF ROADS.**

All Township roads located within the Township of Harmony, Forest County, Pennsylvania, are hereby designated as ATV and snowmobile roads. All such roads shall be shared with vehicle traffic.

2. **DEFINITIONS.**

A. **All Terrain vehicle or ATV.** A motorized off highway vehicle traveling on three or more low pressure inflatable tires, capable of traversing all types of terrain, including water.

B. **Snowmobile.** An engine driven vehicle designed to be driven over snow or ice utilizing sled type runners, or skis, or endless tract or belt tread, or any combination of these or other similar means of contact with the surface upon which it is operated.

3. **OPERATION OF ATV'S UPON DESIGNATED ROADS.**

Pursuant to the restrictions as otherwise herein provided, ATVs and snowmobiles may be operated upon all of the aforesaid Township roadways. Said ATVs and snowmobiles shall be operated in conjunction with the normal vehicular traffic thereon. All vehicles must remain on the designated areas and in no way shall enter private property without the consent of the owner or lessor or cross any waterway.

4. **RESTRICTION ON USE.**

It shall be unlawful for any person to operate an ATV or snowmobile on any highway, street or road in Harmony Township other than as provided in Article 3 above. Provided, however, nothing in this Ordinance shall prohibit any person from operating an ATV or snowmobile on any other highway, street or road in Harmony Township:

A. As authorized by Section 7721 of the Pennsylvania Motor Vehicle Code for emergency and bridge crossing 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 blocked off as provided in Section 7723 of the Pennsylvania Motor Vehicle Code.

5. **AGE RESTRICTION.**

No person between ten (10) years of age and fifteen (15) years of age shall operate a snowmobile or ATV on any street or road within the jurisdiction of the Township, unless he is under the direct supervision of a person eighteen (18) years of age or older and unless he holds a valid and appropriate safety certificate from the Commonwealth or a valid and approved certificate issued under authority of another state or province of Canada.

6. **NOISE RESTRICTION.**

All ATVs must be equipped with a muffler in good working order and the sound intensity produced by the ATV may not exceed the requirements set forth in Chapter 51, Section 51.92 of the Pennsylvania Motor Vehicle Code.

7. **CONFORMITY WITH PENNSYLVANIA MOTOR VEHICLE CODE.**

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

8. **PENALTIES.**

Any person who violates any provision of Articles 3 or 4 of this Ordinance shall be subject to the penalties prescribed in Section 7752(a) of the Pennsylvania Motor Vehicle Code.

9. **SEVERABILITY.**

The provisions of this Ordinance shall be severable, and if any provision or phrase shall be held unconstitutional or invalid, such decision shall not affect the validity of any remaining provisions or phrases hereof, it being the intention of the Supervisors to enact and adopt each section independently of every other section.

10. **EFFECTIVE DATE.**

This Ordinance shall become effective upon the expiration of five (5) days after the date of adoption.

IN WITNESS WHEREOF, the Supervisors of Harmony Township have caused this Ordinance to be adopted this 9<sup>th</sup> day of May, 2011.

**HARMONY TOWNSHIP SUPERVISORS**

ATTEST: (seal)

Karla Beach  
Secretary

Dennis W. Beach

William R. Hall

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