

ORDINANCE NO. 1986-70

AN ORDINANCE of the Township of Franklin, County of Susquehanna, and State of Pennsylvania, regulating and controlling the use and operation of engine-powered vehicles, including snowmobiles and recreational vehicles, in the Township of Franklin to be known as the Recreational Vehicle Ordinance.

BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained as follows:

SECTION ONE: DEFINITIONS

ENGINE-POWERED VEHICLES shall be construed to include all wheeled and belt-driven vehicles powered by internal combustion engines, including but not limited to motorcycles, motor bikes, trail bikes, motor scooters, snowmobiles, all terrain vehicles, etc.; but shall not be construed to include properly licensed motor vehicles operated upon the public highways, streets, roads and private driveways in accordance with law, agricultural equipment used in the course of farming or commercial equipment being properly used in the trade or business of the owner or by such owners' employees or agents.

PRIVATE RESIDENCE shall be construed to include all houses, apartments, mobile homes and other permanent structures occupied by one or more persons as their primary home and residence; but shall not include temporary vacation housing nor the private residence (as defined herein) of the owner or operator of any motor-powered vehicle operated upon the land of such owner.

OFFICER shall mean any uniformed policeman authorized to act within Franklin Township, any game warden and any officer appointed by the Board of Supervisors to act hereunder.

SECTION TWO: (a) On and after the effective date hereof, it shall be unlawful for any person to operate, cause to be operated or to participate in the operation of any engine-powered vehicle upon the public roads, streets, highways, sidewalks or alleys situate within the Township of Franklin.

(b) On and after the effective date hereof, it shall be unlawful for any person to operate, cause to be operated or to participate in

the operation of any engine-powered vehicle between the hours of 9:00 p.m. and 7:00 a.m., prevailing time, within a distance of one-half mile of any private residence situate in the Township of Franklin without first obtaining the prior written consent of the owner or owners of such private residence or residences, whether for pleasure or profit.

(c) On and after the effective date hereof, it shall be unlawful for any person to operate, cause to be operated or to participate in the operation of any engine-powered vehicle in any area of Franklin Township, except that portion of the Township designate as R-1, Rural Residential, as shown on the zoning map of the Township as the same may be amended; and further except the area in any R-1 zone within one-half mile of any two residences located in any other zone; provided, however, that this section shall not prohibit the use of engine-powered vehicles in other areas of the Township when such use is either incidental to demonstration for sale by a commercial vendor; incidental to moving or transporting the vehicles to or from a private residence and confined to the operator's private residence; or attendant to operation in a public park where such use is expressly authorized permitted. Nothing contained herein shall be construed to prohibit the use of power-mowers, garden tractors, snow blowers, or similar instruments or vehicles when such use is incidental to home, lawn or garden work or maintenance.

SECTION THREE: Upon conviction of any violation hereunder before a court of competent jurisdiction including justice of the peace or district magistrate, upon the complaint of an officer or private citizen in accordance with law, any person so convicted shall be sentenced to pay a fine in the amount of \$25.00 for the first offense and \$35.00 for each proceeding, quent offense, together with the costs of any such proceeding, said fines to accrue to the benefit of the Township of Franklin.

SECTION FOUR: The Township Supervisor shall, upon cause being shown and where specific enforcement of the provisions of this Ordinance may cause undue hardship, issue a permit for specific and limited use of engine-powered vehicles. Application for such permit shall be made in writing and set forth the name and address of the applicant and the nature of the hardship.

SECTION FIVE: This Ordinance shall be in effect and become effective upon

adoption and approval by the Board of Supervisors.

ADOPTED and APPROVED this 7th day of October, 1986

TOWNSHIP OF FRANKLIN
BOARD OF SUPERVISORS

BY:

Robert E. Dianna

Chairman

Clark H. Berg

Harvey W. Rosenblatt

ATTEST:

Dorothy A. Carter
Secretary