

## **ORDINANCE 2017-132**

### **An Ordinance Restricting the Use or Operation of Motorcycles and ATVs Within the Town; and Rescinding Ordinance 2005-92 and Any Other Ordinance Heretofore Pertaining to the Use or Operation of Motorcycles within the Town and Prohibiting the Use, Operation or Maintenance of Race Tracks within the Town**

#### **BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ROLLING HILLS:**

**SECTION 1 – Purpose and Intent.** The purpose of this Ordinance is to provide reasonable regulations for the use and operation of motorcycles and ATVs within town limits and public and private property, and to establish the elements of disturbing the peace.

**SECTION 2 – Definitions.** For purposes of this Ordinance, the following terms are defined as follows:

1. Person. A “person” includes an individual, partnership, corporation, the State of Wyoming and its agencies.
2. All Terrain Vehicle. “All Terrain Vehicle” (ATV) means a motorized flotation-tired vehicle of not less than three (3) low pressure tires, but not more than six (6) tires, that is limited in engine displacement.
3. Motorcycle. “Motorcycle” means a motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground but which may have attached thereto a sidecar for the purpose of transporting a single passenger.
4. Owner. “Owner” means a person, other than a lien holder having the property in or title to any ATV or motorcycle, entitled to the use and possession thereof.
5. Operate. “Operate” means to ride in or on and control the operation of any motorized vehicle.
6. Race Track. “Race Track” means any circular, oval or irregular tract whereby motorcycles and ATVs complete a circuit for competitive purposes.
7. Competition. For purposes of this Ordinance, “Competition” shall include two (2) or more individuals competing against one another, or one (1) person racing against time.

#### **SECTION 3 – Restrictions.**

1. Location. No motorcycle or ATV shall be used or operated on town property except on a dedicated street with a licensed vehicle, and by persons possessing a valid driver’s license.
2. Race Tracks. No person shall construct, keep, maintain or use a paved or unpaved race track or drag strip for motorcycles, ATVs or any motorized vehicle within the town, nor shall any owner, lessor or renter of real property allow the same on property under his or her control.
3. Night-time Operation. Unless an exception applies, no motorcycles or ATVs shall be used within the town between 9:00 p.m. and 7:00 a.m.
4. Exceptions. The restrictions described in Section 3 shall not apply in the following circumstances:
  - (a) Commuting to and from a person’s residence for bona fide reasons other than recreational;
  - (b) In cases of an emergency; and,
  - (c) For use related to a person’s residence such as snow removal or agricultural needs/purposes, farming and lawn maintenance.

**SECTION 4 – Penalties.** Any person who violates this ordinance shall be guilty of a misdemeanor and shall be fined in an amount not to exceed Seven Hundred Fifty Dollars (\$750.00).

**APPROVED, PASSED AND ADOPTED** this 1<sup>st</sup> day of August, 2017.  
Mayor Jon O. Maines