

**LOWER SAUCON TOWNSHIP  
NORTHAMPTON COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2008-02**

**AN ORDINANCE OF THE TOWNSHIP OF LOWER SAUCON,  
NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING CHAPTER  
112, NUISANCES, OF THE CODE OF THE TOWNSHIP OF LOWER  
SAUCON BY PLACING CERTAIN RESTRICTIONS ON THE  
OPERATION OF TWO OR MORE WHEEL ALL-TERRAIN, OFF-ROAD,  
AND SIMILAR TYPES OF VEHICLES WITHIN THE MUNICIPAL  
BOUNDARIES OF LOWER SAUCON TOWNSHIP**

**WHEREAS**, Lower Saucon Township is a Township of the Second Class, Optional Plan, located in Northampton County, Pennsylvania; and

**WHEREAS**, Lower Saucon Township desires to amend Chapter 112 (Nuisances), Section 112-5 (Enumeration of Nuisances) by adding an additional subsection U, governing the operation of all-terrain, off-road, and similar types of vehicles within the municipal boundaries of Lower Saucon Township; and

**WHEREAS**, the Township of Lower Saucon believes that this amendment to Chapter 112 of the Code of the Township of Lower Saucon is in the best interests of the public health, safety, and welfare of the citizens of Lower Saucon Township.

**NOW, THEREFORE BE IT ENACTED AND ORDAINED** by the Council of the Township of Lower Saucon, Northampton County, Pennsylvania, as follows:

**SECTION 1: AMENDMENT**

Chapter 112 (Nuisances), Section 112-5 (Enumeration of Nuisances) of The Code of the Township of Lower Saucon is hereby amended by adding subsection U as follows:

- U. All-Terrain and Off-Road vehicles (hereinafter referred to as “ATVs”) may be operated during daylight hours, from dawn to dusk, so long as the ATV is operated at least one hundred (100’) feet away from the property line of any property adjacent to the property on which the ATV is being operated. For the purposes of this Section, the 100 ft. restriction shall also apply to the Right Of Way line of any public street or roadway. No ATVs may be operated during the hours from dusk to dawn. The term “ATVs” shall include, but not be limited to, snowmobiles, motor driven vehicles having either two or more wheels commonly known as trail bikes, dirt bikes, and mini bikes, and all other vehicles commonly used for off-road purposes, whether licensed or not by the Commonwealth of Pennsylvania.

01-30-08 Draft  
04-17-08 Rev.  
05-21-08 Final

Operation of an ATV shall mean any use of the ATV. This Section shall not apply to ATVs when the same are being used for residential gardening, property maintenance, or agricultural purposes. The provisions of this subsection U shall not apply to the two annual Steel City Hill Climb events sponsored by the Bushkill Valley Motorcycle Club located on Northampton County Tax Map Parcels # N7-18-1 and #N7SE4-19-2A. All other activities conducted on that property shall be subject to the restrictions contained herein.

## **SECTION 2: VIOLATIONS AND PENALTIES**

The provisions contained in Chapter 112 – Section 112-6 of the Code of the Township of Lower Saucon shall apply to the provisions contained in subsection U above.

## **SECTION 3: SEVERABILITY**

If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any other remaining provisions, sentences, clauses, sections, or parts of this ordinance. It is hereby declared as the intent of the Council of Lower Saucon Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

## **SECTION 4: REPEALER**

All ordinances and parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

## **SECTION 5: EFFECTIVE DATE**

This Ordinance shall become effective five (5) days after enactment.

**ENACTED AND ORDAINED** this 21<sup>st</sup> day of May, 2008 at a regularly scheduled public meeting.

ATTEST:

**LOWER SAUCON TOWNSHIP**

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Glenn C. Kern  
Council President