

ORDINANCE PROHIBITING THE OPERATION OF ALL TERRAIN VEHICLES ON PUBLIC PROPERTY

WHEREAS, the Town of West Hartford has seen an increase in the number of individuals operating all-terrain vehicles ("ATV") upon West Hartford public streets, parking lots, and other municipally owned or controlled property; and

WHEREAS, the increased use of ATVs has raised concerns regarding the noise emanating from ATVs, the dirt raised up into the air by operation of ATVs, as well as concerns for the safety and well-being of pedestrians and other licensed vehicles in proximity to ATVs; and

WHEREAS, the reckless or careless operation of ATVs carries an increased risk of injury to any person or property within the Town; and

WHEREAS, prohibiting the use of ATVs upon public streets, parking lots, and other municipally owned or controlled property is necessary in order to promote and protect the safety, health and general welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT:

Section One. *Chapter 168 of the Code of the Town of West Hartford is hereby amended by the addition of the following thereto:*

§ 168-33 Definitions and interpretation.

All terms used in this article shall be interpreted in accord with the definitions thereof set forth in C.G.S. Title 14, as that title may be amended or recodified from time to time, except that the following defined terms shall have the meaning indicated herein:

MOTORIZED SCOOTER

A wheeled device other than a motor vehicle consisting of a platform of metal, wood, plastic or any other material designed for recreational purposes to carry its user in an erect position and which is propelled by the use of a small motor. The term "motorized scooter" shall not be construed to include either: a wheelchair or any similar device used to provide transportation for any disabled person; or a "Segway" or any similar device used to provide transportation for any person who possesses a valid motor vehicle operator's license.

POCKET MOTORCYCLE

A two-wheeled vehicle other than a motor vehicle, bicycle with helper motor or a motorized scooter and which is propelled by an internal combustion engine, electric motor or other mechanical means; is capable of carrying a rider and/or passenger at a speed in excess of five miles per hour; and is designed to replicate the general appearance of a motorcycle, regardless of the scale of the replication.

§ 168-34 Use of public streets prohibited.

- A. No person may operate any motorized scooter or pocket motorcycle within the limits of any public street.
- B. No person may ride as a passenger in or upon a motorized scooter or pocket motorcycle within the limits of a public street.
- C. In addition to the issuance of a citation, any police officer who observes a violation of this section may take the pocket motorcycle or motorized scooter in question into the custody of the West Hartford Police Department or have it towed to a storage facility at the owner's expense, to be held until such time as adequate arrangements are made by a responsible adult for it to be transported to an appropriate location. If no such arrangements are made within 72 hours, said pocket motorcycle or motorized scooter shall be deemed to be abandoned.

§ 168-35 Operation prohibited.

- A. No person shall operate an all-terrain vehicle or ride as a passenger in or upon an all-terrain vehicle on any land under the jurisdiction of the Town of West Hartford, including but not limited to streets, sidewalks, parks, or any other property owned or leased by the Town. The prohibition in this section shall not apply to a person operating or riding in all-terrain vehicle with the permission of the Town Manager or his or her designee or by an on-duty peace officer, as defined in C.G.S. § 53a-3(9).
- B. In addition to the issuance of a citation, any police officer who observes a violation of this section may take the all-terrain vehicle in question into the custody of the West Hartford Police Department or have it towed to a storage facility at the owner's expense, to be held until such time as adequate arrangements are made by a responsible adult for it to be transported to an appropriate location. If no such arrangements are made within 72 hours, said all-terrain vehicle shall be sold at public auction pursuant to C.G.S. §14-390.

[§ 168-35] § 168-36 Prohibition of traffic obstructions in intersections.

The Town of West Hartford hereby designates the following intersections to be marked and posted in the manner required by C.G.S. § 14-250b(b) for the purpose of enforcement under C.G.S. § 14-250b(a):

- A. New Park Avenue at 470 New Park Avenue Driveway to CTfastrak Station.
- B. New Britain Avenue (State Route 71/173) and Somerset Street.
- C. Raymond Road at 103 Raymond Road Emergency Vehicle Access Driveway.
- D. Route 4 (Farmington Avenue) at Everett Avenue.

(HART)

October 26, 2021

Approved as to form and legality:

Dallas C. Dodge, Corporation Counsel