

BOROUGH OF COKEBURG, WASHINGTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 190

An ordinance of the Borough of Cokeburg to prohibit the use of "minibikes", as defined more fully herein, on Cokeburg Borough property.

WHEREAS, the Borough of Cokeburg is a municipal corporation with all said and recited powers and authorities set forth by the Legislature of the Commonwealth of Pennsylvania, and, particularly the power and authority to regulate activity within the Borough to promote the health, safety and welfare of residents of the Borough and to protect and conserve the property and water supply of the Borough of Cokeburg, and,

WHEREAS, the Borough of Cokeburg desires to exercise said authority in this circumstance; and,

WHEREAS, the Council of the Borough of Cokeburg has determined that the use of vehicles (more fully defined below as "minibike(s)") on the real estate of the Borough jeopardizes the health, safety and welfare of the residents of the Borough, by, but not limited to, the following:

- (1) interfering with the use of the park and community areas of the Borough by other residents by causing excessive noise and danger of collisions with pedestrians, and, (2) causing substantial erosion and deterioration of the real estate of the Borough surrounding its water supply and facilitating potential contamination thereof; and,

WHEREAS, it is the desire of Council to restrict the use of

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said minibikes in furtherance of alleviating the above concerns;

NOW THEREFORE, the Council of the Borough of Cokeburg does hereby resolve and ordain the following:

1. No persons shall operate or permit the operation of a minibike, as defined herein, upon the streets, alleys or other real estate of the Borough of Cokeburg.

2. Definitions: As used in this Ordinance, the following terms shall have the meanings indicated:

MINIBIKE - a motor-driven pedicycle, or motor-cycle not permitted to be operated on the streets or highways of the Commonwealth as set forth in the Pennsylvania Motor Vehicle Code; and any other motorized vehicle designed to operate on three (3) or fewer wheels, as well as all vehicles commonly known as "minibikes", "dirt bikes" and "all-terrain vehicles (ATV'S)."

PERSON - A natural person, firm, partnership, association or corporation.

3. VIOLATIONS AND PENALTIES - Any person violating the provisions of this chapter or any parent or natural guardian permitting the violation of any provisions of this chapter by their children and/or others under their guardianship, shall, upon conviction hereof, be subject to a fine in the amount of Five Hundred (\$500.00) Dollars per violation.

4. All ordinances which are inconsistent with this ordinance, or, are in any way not compatible with the terms of this ordinance, are hereby repealed.

5. Should any court of competent jurisdiction determine

that any portion of this ordinance is void or invalid, all other portions shall remain in full force or effect.

ADOPTED THIS 11th DAY OF May, 2005.

ATTEST:

Sally Conshoh
BOROUGH SECRETARY

BOROUGH OF COKEBURG:

Carol Lancia
PRESIDENT OF COUNCIL

(BOROUGH SEAL)

EXAMINED AND APPROVED BY ME THIS 11th DAY OF APRIL, 2005.

ATTEST:

Sally Conshoh
BOROUGH SECRETARY

Bernard Lickert
MAYOR
(Sgd)

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