**NEW ORDINANCE REGULATING THE USE OF MOTORCYCLES WITHIN THE CITY OF RAVENSWOOD, WEST VIRGINIA**

 **WHEREAS,** the Common Council and the Board of Parks and Recreation Commissioners have provided many recreational and other venues with the City; and

 **WHEREAS,** the Common Council finds that the abuse, misuse, and/or destruction of City parks and other City venues is detrimental to the enjoyment of those citizens who wish to use those recreational and other venues; and

 **WHEREAS,** the Common Council finds that it is vital to the ongoing availability, vitality, and care of said venues that the regulation of their use in necessary; and

 **NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE COMMON COUNCIL OF THE CITY OF RAVENSWOOD, THAT TITLE 6 OF THE CITY OF RAVENSWOOD MUNICIPAL CODE SHALL BE REPEALED, AMENDED, AND REENACTED TO READ AS FOLLOWS:**

 [**6.28.010 Definitions - All-Terrain Vehicles**](https://ravenswood.municipalcodeonline.com/book?type=ordinances#name=6.28.010_Definitions_-_All-Terrain_Vehicles)**,**  **Utility-Terrain Vehicles, Golf Carts, Motorcycles, and Motor Vehicles.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. As used in this chapter:

ALL-TERRAIN VEHICLE or ATV: Any motor vehicle, designed for off-highway use and designed to travel on not less than three low-pressure tires, having a seat or saddle designed to be straddled by the operator and handlebars for steering control and intended by the manufacturer to be used by a single operator or by an operator and no more than one passenger.

UTILITY-TERRAIN VEHICLE: Any motor vehicle with four or more low-pressure tires designed for off-highway use having bench or bucket seating for each occupant and a steering wheel for control.

GOLF CART: A motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes that is not capable of exceeding speeds of 20 miles per hour; and which has not less than three (3) tires.

As used in this chapter, all-terrain vehicles shall mean all-terrain vehicles and utility-terrain vehicles.

 MOTORCYCLE: "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

MOTOR VEHICLE: "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except motorized wheelchairs.

(Ord. passed 8-19-2003) (Am. Ord. passed 10-04-16) (Am. Ord. passed)

[**6.28.020 Prohibition Of Operation And Use Of All-Terrain Vehicles**](https://ravenswood.municipalcodeonline.com/book?type=ordinances#name=6.28.020_Prohibition_Of_Operation_And_Use_Of_All-Terrain_Vehicles)**, Utility-Terrain Vehicles and Motorcycles, and Motor Vehicles.**

The riding, operation, or other use of all-terrain vehicles, utility-terrain vehicles (unlicensed) or motorcycles (unlicensed) for transportation or recreational purposes within or upon the streets, alleys, sidewalks, parking lots, and other realty owned, leased or controlled property by the City or any of its Boards, Authorities, or Commissions is prohibited. The riding, operation or other use of all-terrain vehicles, utility-terrain vehicles, motor vehicles or motorcycles, whether licensed or not, is specifically prohibited upon any property or venue under the authority or control of the Ravenswood Board of Parks and Recreation Commissioners (“BOPARC”); Provided, that, properly licensed motorcycles and motor vehicles may be operated on those properties or venues that have roadways suitable for and normally traveled by said vehicles.

(Ord. passed 8-19-2003) (Am. Ord. passed 10-04-16) (Am. Ord. passed)

[**6.28.030 Exceptions**](https://ravenswood.municipalcodeonline.com/book?type=ordinances#name=6.28.030_Exceptions)

1. Notwithstanding any other provisions of this code, it shall not be an offense for any person to lawfully ride or operate any such all-terrain vehicle, utility-terrain vehicle, motor vehicle or motorcycle upon any governmentally-owned realty not owned or controlled by the City or any of its Boards, Authorities, or Commissions located within the corporate limits of the City.
2. Notwithstanding any other provision of this code, it shall not be an offense for any person licensed to operate a motor vehicle within the City of Ravenswood, to ride, operate, or otherwise use an all-terrain vehicle, utility-terrain vehicle, motor vehicle or motorcycle upon a designated parade route, when such person is a duly registered and recognized participant in any such permitted parade, provided that such all-terrain vehicle , utility-terrain vehicle or motorcycle riding or operation occurs in conjunction with the parade.
3. Notwithstanding any other provision of this code, it shall not be an offense for any person licensed to operate a motor vehicle within the City of Ravenswood, to ride, operate, or otherwise use an all-terrain or utility-terrain vehicle on the streets, alleys, sidewalks, parking lots, and other realty-owned, leased, or controlled property by the City or any of its Boards, Authorities, or Commissions for purposes of snow removal, if such vehicle is affixed or attached with implements or equipment specifically designed for that purpose, and to be used on such vehicles.
4. Notwithstanding any other provision of this code, it shall not be an offense for any person licensed to operate a motor vehicle within the City of Ravenswood, to ride, operate, or otherwise use an all-terrain vehicle , utility-terrain vehicle or motorcycle on the streets, alleys, sidewalks, parking lots, and other realty-owned, leased, or controlled property by the City or any of its Boards, Authorities, or Commissions during a period of emergency when the emergency has been so declared by the Mayor.
5. Notwithstanding any other provision of this code, it shall not be an offense for any person to ride or operate a farm tractor when used for mowing or other yard work, lawnmowers, snow removal equipment, and handicapped assistance devices when used by a handicapped person.
6. Notwithstanding any other provision of this code, it shall not be an offense for any person licensed to operate a motor vehicle, who is eighteen (18) years of age or older, or who is sixteen (16) years of age or older and is accompanied by a licensed driver eighteen (18) years of age or older, within the City of Ravenswood, to ride, operate, or otherwise use a golf cart on the streets, alleys, parking lots, and other realty-owned, leased, or controlled property by the City or any of its Boards, Authorities or Commissions, provided that:
	1. An annual registration fee of $50.00 has been paid to the City;
	2. The golf cart has affixed to its body on the left-hand side a current, unexpired registration sticker issued by the City;
	3. The golf cart is operated between sunrise and sunset only, unless it is equipped with headlights, brake lights, and turn signals; and
	4. That no Board, Authority or Commission has, through resolution, prohibited such use on property controlled by them.

(Ord. passed 8-19-2003) (Am. Ord. passed 10-04-16) (Am. Ord. passed )

**(Strike-throughs indicate language that was deleted from the original ordinance and underlined language indicates new provisions)**

The foregoing Ordinance was introduced and read at the regular meeting of the Common Council of the City of Ravenswood on \_\_\_\_\_\_\_\_\_\_\_\_, 2022. On the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2022, after the second reading of said Ordinance, \_\_\_\_\_\_\_\_\_\_\_\_\_\_ moved for the adoption of said Ordinance and authorization for the Honorable Josh Miller, Mayor of the City of Ravenswood, to sign said Ordinance. The motion was seconded by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. After discussion, the Common Council of the City of Ravenswood adopted the foregoing Ordinance and authorization \_\_\_\_\_\_\_\_\_ present voting for the Ordinance and authorization and \_\_\_\_\_\_\_\_\_\_\_\_\_against.

CITY OF RAVENSWOOD

 By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Josh Miller, Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jared Bloxton, Recorder

I, the undersigned, being the duly appointed, qualified and acting Clerk of the City of Ravenswood, hereby certify that the foregoing Ordinance is a true, correct and accurate copy as duly and lawfully passed and adopted by the governing body of the City on the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kimberly Benson, City Clerk/Treasurer