
Snowmobiles & All Terrain Vehicles

TOWN OF EAST WINDSOR

The following ordinance was adopted at a Special Town Meeting duly warned and held on September 27, 2007.

ORDINANCE ENTITLED “TOWN ORDINANCE REGULATING THE USE OF SNOWMOBILE AND ALL TERRAIN VEHICLES IN THE TOWN OF EAST WINDSOR, HARTFORD COUNTY, CONNECTICUT”

Be it ordained and enacted by the town meeting of East Windsor in the state of Connecticut per Connecticut general statutes, chapter 255, section 14-390 as follows:

ARTICLE I

The Town of East Windsor regulates the use of snowmobiles and all-terrain vehicles in accordance with the Connecticut General Statutes, Chapter 255, Sections 14-379 through 14-390 including the modifications and additions found in the following Articles.

ARTICLE II

Definitions:

- a) “Town” means the Town of East Windsor in Hartford County, Connecticut.
- b) “All-terrain vehicle” is further defined to include *motorcycles, motorized dirt bikes, motorized go-karts, or any other motor vehicles, registered or unregistered, which are being used for off road recreational purposes.*
 - 1) *“Motorcycle” means a two-wheeled motor vehicle resembling a heavy bicycle, sometimes having two saddles and a sidecar with a third wheel. This Ordinance refers to motorcycles when they are being used off-road.*
 - 2) *“Motorized dirt bike” means a lightweight motorcycle equipped with rugged tires and suspension; an off-road motorcycle designed for riding cross country or over unpaved ground.*
 - 3) *“Motorized go-kart” means a small low motor vehicle with four wheels and an open framework used for racing and recreation.*
- c) “Commissioner” means the Commissioner of Motor Vehicles in the State of Connecticut.
- d) “Operate” means to control the course of or otherwise use a snowmobile or all-terrain vehicle.
- e) “Operator” means the person who controls the course of and operation of the snowmobile or all-terrain vehicle.
- f) “Owner” means the owner of the snowmobile or all-terrain vehicle. “C.G.S.” means Connecticut General Statutes.
- g) “db(A)” means the standard abbreviation for “A weighted sound level in decibels”.
- h) “Soft test site” means any test site having the ground surface covered with grass, other ground cover, or similar acoustically absorptive material.
- i) *“R.P.M.” means revolutions per minute.*

ARTICLE III

Section 1 –(MODIFICATIONS TO C.G.S., CH. 255, SEC. 14-380, *in bold and italics*)

The provisions of this sections shall not apply (1) to the operation of a snowmobile or all-terrain vehicle on premises owned or leased by the owner of such snowmobile or all-terrain vehicle or (2) to the operation of a snowmobile *or all-terrain vehicle* in any organized contest as long as such snowmobile *or all-terrain vehicle* holds a valid, effective registration awarded by this state or by another state or the United States.

ARTICLE IV

Section 1 –ENFORCEMENT: CARRYING OF VEHICLE REGISTRATION AND WRITTEN LANDOWNER’S PERMISSION.

The written permission of the landowner or his agent shall be carried on such snowmobile or all-terrain vehicle and shall be available for inspection whenever such vehicle is being operated.

No person operating a snowmobile or all-terrain vehicle shall refuse upon request to produce to an authorized law enforcement officer, *per C.G.S. Ch. 255, Sec. 14-386*, the registration of the vehicle and the written permission of the landowner or his agent upon whose property such snowmobile or all-terrain vehicle is being operated. *The use of snowmobiles or all-terrain vehicles on private land without the owner’s permission constitutes unlawful trespass.*

Upon request by an authorized law enforcement officer and upon the failure of the operator to produce said registration and/or written permission of the landowner or his agent upon whose property such vehicle is being operated,

the authorized law enforcement officer making such request shall stop the operator from any further use of his snowmobile or all-terrain vehicle and shall escort the operator with his vehicle to a location accessible to a commercial **towing service**.

From this location the snowmobile or all-terrain vehicle shall be moved at the vehicle owner's expense to a central location designated by the East Windsor Police Department. The snowmobile or all-terrain vehicle shall remain at this designated location until the owner of the vehicle will claim said vehicle **by providing** valid proof of ownership of the vehicle, paying **all applicable** towing charges and storage fees, and signing for the return of the vehicle. **(Some minor rewording of sentence for clarification.)**

With the failure of the operator of the snowmobile or all-terrain vehicle to produce to an authorized law enforcement officer a valid registration of said vehicle and/or written permission of the landowner or his agent upon whose property such vehicle is being operated, such an operator or the parents or the guardian of the operator, when the operator is a minor, shall pay a fine of:

- a) Fifty (50) dollars for the first offense,
- b) Seventy-five (75) dollars for the second or subsequent offenses,
exclusive of towing charges, storage fees, or any other charges that may have **been incurred as a result of the vehicle having been impounded**

ARTICLE V

Section 1 --OPERATING HOURS, MINORS ACCOMPANIED BY GUARDIANS, MINIMUM DISTANCE FROM ADJACENT PROPERTY LINES.

The operation of **a** snowmobile or all-terrain vehicle **within** the Town of East Windsor shall be in compliance with the following regulations:

- a) The hours of operating a snowmobile or all-terrain vehicle shall be **from** 8:00 AM **until** 9:00 PM.
- b) No person under sixteen (16) years of age shall operate a snowmobile or all-terrain vehicle unless accompanied by a parent or guardian or unless the said vehicle is operated on property **owned or leased by the vehicle owner**.
- c) No person shall operate a snowmobile or all-terrain vehicle less than twenty-five (25) feet from any adjoining property line, except for **an authorized law enforcement officer, per C.G.S. Ch. 255, Sec. 14-386**, while on duty and acting within the scope of his/her employment.

ARTICLE VI

Section 1 --NOISE POLLUTION

No person operating a snowmobile or all-terrain vehicle within the boundary lines of East Windsor shall exceed or be the cause of exceeding the maximum noise levels established by this ordinance.

- a) Sound Level Measurements: Sound level measurements shall be taken at least a minimum of one (1) foot outside of the emitter's and inside of the receptor's property line and a minimum of four (4) feet off the surface of the ground. **All tests will be considered being done on a "soft test site". The vehicle being tested will operate its motor in its normal full R.P.M. range while the sound level measurements are being taken.** The sound level measurement at the said location shall not exceed the "Noise Level Standards" established by Section 3c of this ordinance. **The** person conducting such sound measurement shall have been trained in the **proper** operating technique of the sound measuring instrument.
- b) Sound Level Meter shall be a sound level measuring instrument which will conform, at a minimum, to the operational specifications of the American National Standards Institute for Sound Level Meters ST. 4-1971 (Type s2A).
- c) Noise Level Standards – The following are the noise level standards applicable to this ordinance: **Mixed zones will use the lower of the applicable db(A)s. (Night hours have been eliminated and the agricultural zone was added to Business. Emitter zones were eliminated as irrelevant.)**

Zone in Which Receptor is Located

	<i>Industrial</i>
<i>dB(A)</i>	<i>Business & Agricultural</i>
	<i>db(A)</i>
	<i>Residential</i>
	<i>db(A)</i>
<i>70</i>	<i>66 61</i>

Section 2 --MUFFLERS

Each snowmobile or all-terrain vehicle operated by an internal combustion engine shall be provided with muffler(s) designed to prevent excessive, unusual, or unnecessary exhaust noise. ***Said*** muffler(s) shall be maintained by the snowmobile or all-terrain vehicle owner in good working order and in constant operation.

No person, including ***a*** snowmobile or all-terrain vehicle dealer or repairer, shall install or use upon said vehicle a muffler(s) lacking interior baffle plates or other effective muffling devices, a gutted muffler, a muffler cut-out, ***a*** straight exhaust, or any other mechanical device which will amplify the noise emitted by such vehicle. In addition, all mufflers ***shall*** be equipped with spark arrestors.

ARTICLE VII

Section 1 --FINES

Noncompliance with ARTICLE V and ARTICLE VI, of this ordinance shall each constitute a violation and shall carry a fine of fifty (50) dollars for each violation.

ARTICLE VIII

Section 1 --DISCLAIMER CLAUSE

If any article or section or portions of this ordinance be found in conflict with federal and/or state statutes and/or declared invalid by a court of competent jurisdiction, such conflict or invalidity shall not affect the balance of this ordinance.

Said ordinance shall become effective fifteen (15) days from publication thereof.

Ord. 07-02

Attest: _____
Karen W. Gaudreau CMC, CCTC
Town Clerk of East Windsor

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