

**DELAWARE TOWNSHIP, MERCER COUNTY, PENNSYLVANIA  
ORDINANCE NO. O-01-2023**

**AN ORDINANCE DESIGNATING CERTAIN TOWNSHIP ROADS  
UPON WHICH ALL TERRAIN VEHICLES MAY TRAVEL**

**BE IT ENACTED** by the Board of Supervisors of Delaware Township, Mercer County, Pennsylvania, in lawful session assembled, and **IT IS HEREBY ENACTED** by authority of the same that:

**SECTION 1. Definitions:**

A. “All-Terrain Vehicles” or “ATV”:

A motorized off-highway vehicle which travels on three or more tires and which has:

- (1) a maximum width of 50 inches and a maximum dry weight of 1,200 pounds;

or

- (2) a width which exceeds 50 inches or a dry weight which exceeds 1,200 pounds.

An ATV may be referred to as a Class I ATV, and an ATV described in paragraph (2) may be referred to as a Class II ATV. This term does not include snowmobiles, trail bikes, motorboats, golf carts, aircraft, dune buggies, automobiles, construction machines, trucks or home utility machines; military, fire, emergency and law enforcement vehicles; implements of husbandry; multipurpose agricultural vehicles; vehicles used by the department; or any vehicle that is or is required to be registered under Chapter 13 of the Pennsylvania Vehicle Code (relating to registration of vehicles). In addition, this term does not include off-road motor vehicles used exclusively as utility vehicles for agricultural or business operations and incidentally operated or moved upon the highway.

B. Department:

The Department of Conservation and Natural Resources of the Commonwealth of Pennsylvania.

C. Headlamp:

A major lighting device used to provide general illumination ahead of the vehicle.

D. Highway:

The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular traffic.

E. Street:

A highway, other than an alley, within the corporate limits of a political subdivision.

F. Tail lamp:

A device to designate the rear of the vehicle by a warning light.

**SECTION 2.** The following highways within the Township of Delaware, Mercer County, Pennsylvania are designated as special All-Terrain Vehicle roads. All roads below will share the road with vehicular traffic:

Hopper Road	Keystone Road
Rock School Road	Patricia Circle
West Patricia Road	East Patricia Road
Lucille Drive	Jean Drive
Willadell Road	McDowell Road
Beil Hill Road	Spook Hill
Bend Hill Road	Creek Road
Quarry Road	Young Road
Wasser Road	Pew Road
Haas Road	East Lake Road
Shearer Road	Kremis Road
Frye Road	Mill Street
Homer Road	Line Road
Grove Road	Folk Road
Heckman Road	Bower Road
Redfoot Road	Hamburg Road
Bush Road	River Road
Stull Road	St. John's Road
Salem Road	

**SECTION 3.** All All-Terrain Vehicles must be registered with the Department and insured. The operator of any All-Terrain Vehicle must be 16 years or older and carry a registration certificate. The ATV must display a registration plate and expiration sticker, as required by Pennsylvania law. The registration plate must be affixed to the back of the ATV.

**SECTION 4.** Designation of certain highways as ATV roads of the Township of Delaware does not impose liability on the Township of Delaware for any property damage or personal injury that may result from the use of the ATVs on said roads.

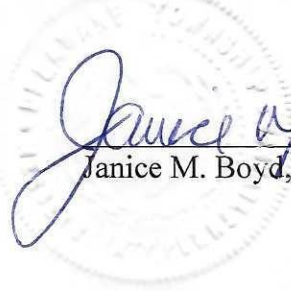
**SECTION 5.** Severability. The provisions of this Ordinance shall be severable and, if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, such shall not affect the validity of any of the remaining provisions of said Ordinance.

**SECTION 6.** Repealer. All Ordinances or parts of Ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance. Ordinance No. 12-2016-01 is repealed in its entirety.

**SECTION 7.** This Ordinance shall become effective as the date of enactment.

**ENACTED** by the Board of Supervisors of Delaware Township, Mercer County, Pennsylvania, in lawful session assembled, this 3<sup>rd</sup> day of May, 2023.

**ATTEST:**



*Janice M. Boyd*  
Janice M. Boyd, Secretary/Treasurer

**DELAWARE TOWNSHIP  
BOARD OF SUPERVISORS:**

By: *Daniel P. Nagel*  
Daniel P. Nagel, Chairman

*William E. Anthony*  
William E. Anthony, Vice-Chairman

*George D. Cadman*  
George D. Cadman, Supervisor