

SNOWMOBILE RESTRICTIONS ORDINANCE

Adopted: 2/11/91

Effective: \_\_\_\_\_

FORSYTH TOWNSHIP

ORDINANCE NO.        #1-91

SNOWMOBILE RESTRICTIONS ORDINANCE

ARTICLE I

TITLE, PURPOSE AND SCOPE

SECTION 1.01 - TITLE - This Ordinance shall be known as the Forsyth Township Snowmobile Restrictions Ordinance.

SECTION 1.02 - PURPOSE - The purpose of this Ordinance is to protect the public health, safety and general welfare of the residents of Forsyth Township by restricting the use of snowmobiles within the defined areas of Forsyth Township, so that within those areas, the use of snowmobiles shall not create a nuisance or cause danger to the health, safety or welfare of the community by their operation.

SECTION 1.03 - SCOPE - From and after the effective date of this Ordinance, no person shall operate a snowmobile within the defined areas of Forsyth Township, as defined below, except as specifically allowed by this Ordinance.

ARTICLE II  
DEFINITIONS

SECTION 2.01 - DEFINITIONS

Defined areas of Forsyth Township - The areas of Forsyth Township within which the operations of snowmobiles are hereby restricted are the plats of Austin, Fralick Heights, Riverbend, Gwinn, New Swanzy, and the entire area which was formerly known as the KI Sawyer Air Force Base.

Designated Snowmobile Trail - The designated snowmobile trail through the defined areas of Forsyth Township is that route as shown on the map which is attached to, and incorporated within this Ordinance.

Operate a Snowmobile - To operate a snowmobile is to drive the snowmobile or cause it to move by operation of its engine or motor for any distance, except in conjunction with the loading or unloading of the snowmobile onto or from a trailer for its transport, but only as is required.

ARTICLE III  
PROHIBITIONS

SECTION 3.01 - PROHIBITIONS - No person shall operate a snowmobile within the defined areas of Forsyth Township except upon the designated snowmobile trail, unless a person is going from their residence to the designated trail or returning to their residence from the trail, or unless a person is going from the designated trail to a business in the Township or returning from such business place to the trail, and all such deviations from the designated trail shall be at a speed of 5 mph or less.

SECTION 3.02 - Any activity prohibited by this Ordinance, and any condition created thereby, is declared to be a nuisance.

ARTICLE IV  
ENFORCEMENT

SECTION 4.01 - ENFORCEMENT - This Ordinance shall be enforceable by the Forsyth Township Chief of Police, employees of the Forsyth Township Police Department or such other employees or agents of Forsyth Township as the Township Supervisor may designate.

ARTICLE V  
SEVERABILITY, REPEAL, PENALTY

SECTION 5.01 - SEVERABILITY - If any portion of the Ordinance should be determined to be invalid or unenforceable by a court, the remainder shall be considered severable and shall remain in full force and effect.

SECTION 5.02 - REPEAL - This Ordinance shall not be construed to repeal any prior ordinances or resolutions of Forsyth Township regarding the operation of snowmobiles within the Township.

SECTION 5.03 - PENALTY - Any person who violates this Ordinance shall be punished by a fine of not more than five hundred dollars (\$500.00) at the discretion of the court, together with costs of said prosecution. The Township specifically preserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purposes of obtaining an injunction, restraining order, damages, money judgment or other appropriate relief to prevent, enjoin or abate a violation of this Ordinance.

ARTICLE VI

SECTION 6.01 - This Ordinance, or summary thereof, shall be published in one (1) issue of the Mining Journal and the Ordinance shall be effective thirty (30) days after such publication.

Adopted: February 11, 1991

Amended: March 16, 2006

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Bonnie Hartzell, Township Clerk