

THE CITY OF WARWICK
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 40
MISCELLANEOUS PROVISIONS AND OFFENSES

ARTICLE I
IN GENERAL

No..... Date.....

Approved.....Mayor

Be it ordained by the City of Warwick:

Section I. Chapter 40 Article I of the Code of Ordinances of the City of Warwick is hereby amended to add the following:

Sec. 40-33. – Snowmobiles and recreational off-road vehicles.

(a) Definitions:

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Operate. To control the operation of a snowmobile or recreational off-road vehicle.

Operator. A person who operates or is in actual control of a snowmobile or recreational off-road vehicle.

Recreational off road vehicle. A motorized or electronic vehicle designed to travel over unimproved terrain including but not limited to minibikes, dirt bikes, all-terrain vehicles, and any other three (3) or four (4) wheel vehicle regardless of type or design. This shall not be construed to include golf mobiles or golf carts, riding lawn mowers, electric bicycles or garden tractors, which are not registered as farm vehicles.

Register. The act of registering a snow mobile or recreational off-road vehicle, as defined in this section, in accordance with RI General Laws § 31-3-2.2.

Snowmobile. A vehicle designed for travel on snow or ice in a natural terrain steered by wheels, skis or runners.

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(b) Registration:

(1) All snowmobiles and recreational off-road vehicles must be registered with the Rhode Island Department of Environmental Management as provided by state statute.

(2) No person shall place, store, or keep any snowmobiles or recreational off-road vehicles that are not registered in accordance with state law upon public or private land, including any buildings thereon, zoned, or used for residential purposes.

(c) Operations:

It shall be unlawful for any person to operate a snowmobile or recreational off-road vehicle within the city limits of the City of Warwick, except on private property totaling at least two and a half (2.5) acres in area and with the express permission to do so by the owner or occupant of said private property.

(d) Enforcement:

(1) The Warwick Police Department shall have the authority to enforce the provisions of this ordinance and to promulgate rules and regulations necessary to implement and enforce this ordinance.

(2) The Warwick Police Department shall have the authority to impound any snowmobile or recreational off-road vehicle found to be in violation of this ordinance.

(3) No impounded snowmobile or recreational off-road vehicle shall be released until final disposition of all criminal and/or civil charges relating to the operation or storage of any recreational off-road vehicle, nor until proof of ownership and proper registration according to state statute is verified and applicable towing and storage charges paid.

(e) Violations and penalties:

Any person who violates, fails or refuses to comply with the provisions of this section shall be subject to a fine of not more than \$500.00 or by imprisonment not exceeding 30 days or both for each separate offense. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be subject to penalties as provided herein for each separate offense.

Section II. This Ordinance shall take effect upon passage and publication as prescribed by law.

SPONSORED BY: COUNCILWOMAN TRAVIS
COUNCILMAN LADOUCEUR
COUNCILMAN HOWE

COMMITTEE: ORDINANCE