HAZLETON CITY COUNCIL
WORK SESSION AGENDA
May 26, 2020

**DISCUSSION**- Proposed Operation and Use of Recreational Vehicles- *(See attached document)*.

**ORDINANCES**- None

**RESOLUTIONS**- None
Operation and Use of Recreational Vehicles.

(A) Recreational Vehicles shall be permitted to be operated on private property within the City of Hazleton provided that it is done so in accordance with Pennsylvania Vehicle Code, specifically 75 PA C.S. Section 7701 et seq. and all other applicable state laws.

(B) No person shall operate a Recreational Vehicle on or over the private property of another without the written permission of the property owner, which written permission shall be carried on the person of the operator.

(C) No person shall operate, cause to be operated or to participate in the operation of any Recreational Vehicle upon any public roads, streets, highways, sidewalks or alleys within the City of Hazleton, except:

(1) On highways and streets for a short distance when necessary to cross a bridge or culvert.

(2) On highways and streets during periods of emergency when so declared by the City of Hazleton.

(3) On highways and streets for special motorized vehicle events of limited duration that are conducted according to a prearranged schedule under permit from the City of Hazleton.

(4) On a street or two-lane highway at an angle of approximately 90° to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing; provided that the Recreational Vehicle is brought to a complete stop before crossing the highway, and the operator yields the right-of-way to all oncoming traffic that constitutes an immediate hazard.

(D) A person operating a Recreational Vehicle on permitted private property must remain at least two hundred and fifty (250′) from any adjoining or adjacent property line of another, and must remain at least two hundred and fifty (250′) feet from that adjoining or adjacent property line.
(E) The operation of four or more Recreational Vehicles at one time on private property requires zoning approval as a recreational facility. A private property owner may not permit a Recreational Vehicle on private property without being able to provide the amount of private property necessary to comply with this Ordinance, including permitting the operation of the Recreational Vehicle on the private property without the necessity of traveling over or crossing private property of another, or a public road, street, alley, sidewalk or highway to gain access to that private property.

(F) Where a private property owner provides a track, course, or one or more obstacles on the private property for use of a Recreational Vehicle, zoning approval for a recreational facility is required.

(G) It shall be unlawful for any person to operate a Recreational Vehicle between the hours of 9 p.m. and 7:00 a.m., prevailing time, Monday through Sunday.

(H) No person shall operate a Recreational Vehicle in any manner which creates dust which crosses onto any adjoining or adjacent property. Visible dust, mud or debris shall not leave the private property boundaries of the property upon which the Recreational Vehicle is authorized to operate.

(I) No person shall operate, allow, or permit the operation of a Recreational Vehicle within Two Hundred and Fifty (250’) feet of any type of livestock.

(J) No person shall operate, allow or permit the operation of a Recreational Vehicle within fifty (50’) feet a stream, creek, waterway, drainage way, wetland, or floodplain.

(K) No person shall operate a Recreational Vehicle without an effective and suitable muffler on the engine of the vehicle which efficiently deadens or muffles the noise of the exhaust.

(L) No person owning or operating a fueling or gasoline station within the City of Hazleton shall disperse or permit another to disperse gasoline from a pump directly into a Recreational Vehicle unless the Recreational Vehicles is securely fastened on a licensed trailer connected to a licensed hauling vehicle during fueling; and the licensed hauling vehicle has transported the Recreational Vehicle to and from the gasoline or fueling station.

(M) All persons are hereby prohibited from dispersing gasoline from gasoline pumps located at a gasoline or fueling station directly into any Recreational Vehicle unless the Recreational Vehicles is securely fastened on a licensed trailer connected to a licensed hauling vehicle during fueling; and the licensed hauling vehicle has transported the Recreational Vehicle to and from the gasoline or fueling station.

(N) All Recreational Vehicles shall be registered.

Penalties for Violation. The penalty for a violation of this Ordinance shall be forfeiture of the vehicle; provided that, if the value of the vehicle, in its current condition, is in excess of two
thousand dollars ($2,000), or if the defendant does not own the vehicle and the owner did not know and could not reasonably have known that the vehicle would be used in violation of this Section, a civil penalty of two thousand dollars ($2,000) shall be imposed. All offenders convicted of violating this Ordinance shall also pay the costs of prosecution, including court costs and reasonable attorney fees. Any person guilty of a violation of the within Ordinance may also be subject to civil proceedings for damages and/or injunctive relief by the City of Hazleton, a property owner or any other person injured or damaged by such violation. Both criminal and civil proceedings may be commenced against a person violating the within Ordinance and commencement of any such proceedings shall not constitute an election of remedies preventing the commencement of the other proceedings against such violator.