

THE CITY OF WARWICK
STATE OF RHODE ISLAND

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

Approved.....Mayor

AN ORDINANCE AMENDING CHAPTERS 40 AND 42 OF THE CODE OF
ORDINANCES OF THE CITY OF WARWICK TO AUTHORIZE THE
IMPOUNDMENT AND DESTRUCTION OF UNREGISTERED
OFF-ROAD RECREATIONAL VEHICLES THAT
ARE USED UNLAWFULLY ON PUBLIC ROADS

Be it ordained by the City of Warwick:

Section I: Chapter 40, Article I, Section 33 of the City of Warwick Code of Ordinances is hereby amended as follows:

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 means to control the operation of a snowmobile or recreational off-road vehicle.

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

Recreational off road vehicle means 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- or four-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 means 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.

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

3
4 (b) *Registration:*

5
6 (1) All snowmobiles and recreational off-road vehicles must be registered with
7 the Rhode Island Department of Environmental Management as provided
8 by state statute.

9
10 (2) No person shall place, store, or keep any snowmobiles or recreational off-
11 road vehicles that are not registered in accordance with state law upon
12 public or private land, including any buildings thereon, zoned, or used for
13 residential purposes.

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15 (c) *Operations:* Except when a state of emergency has been declared by the governor
16 or the mayor allowing snowmobiles to be used on city streets, it shall be unlawful
17 for any person to operate a snowmobile or recreational off-road vehicle upon any
18 roadway within the city limits, except on private property with the express written
19 permission to do so by the owner of said private property.

20
21 (d) *Enforcement:*

22
23 (1) The Warwick police department shall have the authority to enforce the
24 provisions of this section and to promulgate rules and regulations necessary
25 to implement and enforce this section.

26
27 (2) The Warwick police department shall have the authority to impound,
28 subject to forfeiture, any snowmobile or recreational off-road vehicle found
29 to be in violation of this section in addition to any civil penalties imposed
30 by the municipal court, as a result of the illegal activity and operation of
31 these vehicles.

32
33 (3) No impounded snowmobile or recreational off-road vehicle shall be
34 released until final disposition of all criminal and/or civil charges relating
35 to the operation or storage of any recreational off-road vehicle, nor until
36 proof of ownership and proper registration according to state statute is
37 verified and applicable towing and storage charges paid.

38
39 (4) Upon order of a justice of the municipal court, any impounded snowmobiles
40 or recreational off-road vehicles subject to forfeiture may be destroyed by
41 the municipality.

42
43 (e) *Violations and penalties:* Any person who violates, fails or refuses to comply with
44 the provisions of this section shall be subject to a fine of not more than \$500.00 or
45 by imprisonment not exceeding 30 days or both for each separate offense. The
46 continuation of such violation for each successive day shall constitute a separate

1 offense, and the person or persons allowing or permitting the continuation of the
2 violation may be subject to penalties as provided herein for each separate offense.
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5 Section II: Chapter 42, Article I of the City of Warwick Code of Ordinances is hereby amended
6 by adding thereto the following section:
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8 **Sec. 42-16. Violations relating to impounded unregistered off-road recreational**
9 **vehicles and snowmobiles.**

10
11 (a) The municipal court is hereby authorized to order the destruction of any vehicle or
12 snowmobile impounded in accordance with Section 40-33 of the Code of
13 Ordinances.
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15

16 Section III: This Ordinance shall take effect immediately upon its passage and publication as
17 prescribed by law.
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19 SPONSORED BY: COUNCILMAN SINAPI
20 COUNCILWOMAN TRAVIS
21 COUNCILAMN MCELROY
22 COUNCILMAN LADOUCEUR
23 COUNCILMAN RIX

24
25 COMMITTEE: ORDINANCE
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