

TOWN OF MONTVILLE
NOTICE OF ADOPTION OF ORDINANCE

Notice is hereby given that the Town Council of the Town of Montville, at a regular meeting held June 8, 2026 adopted the following Ordinance.

ORDINANCE NO. 2026-04

Chapter 370, Article III
All-Terrain Vehicles Ordinance

- § 370-18 Declaration of Policy.**
- § 370-19 Definitions.**
- § 370-20 Prohibition.**
- § 370-21 Penalties.**
- § 370-22 Sign Posting Required for All-Terrain Dealers.**
- § 370-23 Sale of Gasoline for Illegal Purposes.**
- § 370-24 Appeal.**

§ 370-18 Declaration of Policy.

As authorized under C.G.S. Section 14-390 and 14-390m, the Police Chief and Public Safety Commission have become concerned with unregistered and unsafe vehicle use in Montville. Therefore, all-terrain vehicles, mini bikes, mini motorcycles and dirt bikes on streets and public property are prohibited.

§ 370-19 Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section:

All-terrain vehicle means a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the commissioner of motor vehicles to be unsuitable for operation on the public highways and also defined as any three (3) or more wheeled motorized vehicle, generally characterized by large, low-pressure tires, a seat designed to be straddled by the operator and handlebars for steering, which is intended for off-road uses by an individual rider on various types of non-paved terrain. Such vehicles

do not include trail bikes, golf carts, agricultural tractors, farm implements and construction machines.

All-terrain vehicle dealer means any person engaged in the business of manufacturing, selling, leasing or renting all-terrain vehicles, mini bikes, as defined by this section, mini-motorcycles, as defined by this section, or dirt bikes, as defined by this section, at retail having a regular and established place of business within the Town.

Dirt bike shall mean a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain and not designed for travel on a highway.

Mini-motorcycle shall mean a vehicle that has not more than three (3) wheels in contact with the ground, has a manufactured seat height of less than twenty-six (26) inches measured at the lowest point on top of the seat cushion without the ride, and is propelled by an engine having a piston displacement of less than fifty (50) c.c.

Pocket bikes, mini bikes, mini sport bikes, mini dirt bikes, chopper scooters, motor scooters, bicycles with helper motors, and any other similar vehicle (hereinafter collectively "mini bikes") shall mean any wheeled vehicle designed to transport one (1) or more persons that is powered by any type of motor.

As used in this section, "all-terrain vehicle", "mini bike", "mini motorcycle" and "dirt bike" shall not include the following:

- (1) Any registered "motorcycle" as defined in General Statute § 14-1(61);
- (2) Any registered "motor vehicle" as defined in General Statute § 14-1(60);
- (3) Any moped that meets Federal Department of Transportation guidelines for use on streets and is approved by the State of Connecticut Department of Motor Vehicles for use on streets, provided, however, the moped is operated pursuant to all applicable state laws, rules, and regulations and all Town ordinances;
- (4) Any wheelchair or similar mobility assisting device utilized by a person with a physical disability or whose ambulatory mobility has been impaired due to age or physical ailment;
- (5) Any self-propelled snow plow, snow blower or lawn mower when used for the purpose for which it was designed and operated at a speed not to exceed four (4) miles per hour;
- (6) Any vehicle owned or leased by the Town; and
- (7) Any electronic assistive mobility device such as a wheelchair.
- (8) Electric ("E") Bikes as defined in General Statutes § 14-1.

§ 370-20 Prohibitions

(1) It shall be unlawful for any person to operate an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike and/or for any owner of an all-terrain vehicle, mini bike, motorcycle, or dirt bike to knowingly permit the operation of his/her all-terrain vehicle, mini bike, mini motorcycle, or dirt bike on any street or sidewalk in the Town or on any public property, including but not limited to school property, playgrounds and parks, within the Town.

(2) It shall be unlawful for any person to ride as a passenger on an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike and/or for any owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike to knowingly permit any person to ride as a passenger on his/her all-terrain vehicle, mini bike, mini motorcycle, or dirt bike operated in violation of subsection (1) above.

(3) It shall be unlawful for any person to operate an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike, ride as a passenger on an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike, on any private property within the Town, without first obtaining the permission of the property owner if the property is not owned by the operator, passenger, and/or owner of the all-terrain vehicle, mini bike, mini motorcycle, or dirt bike. Notwithstanding, it shall not be unlawful to operate the same on private property unless the owner of the private property makes a complaint to the Town.

(4) This section shall not be applicable to any dirt bike being operated upon any road or highway provided that, (i) said dirt bike is properly and validly registered with the Connecticut Department of Motor Vehicles and (ii) is being operated in compliance with all applicable motor vehicle laws of the state.

§ 370-21 Penalties.

(1) Any person who operates an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike in violation of subsection 370-20(1) and/or 370-20 (2) above, or is the owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike who knowingly permits its operation in violation of subsection 370-20 (1) and/or 370-20 (2) above, shall be handed a written warning or fined one hundred twenty-five dollars (\$125.00) for a first violation, shall be fined one thousand five hundred dollars (\$1,500.00) for a second violation, and shall be fined two thousand dollars (\$2,000.00) for a third or subsequent violation.

(2) Any person aged sixteen (16) or older who rides as a passenger on an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike in violation of subsection 370-20(2) above, or is the owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike who knowingly permits a passenger to ride on his/her all-terrain vehicle, mini bike, mini motorcycle, or dirt bike in violation of subsection 370-20(2), shall be fined two hundred fifty dollars (\$250.00).

(3) Any police officer that observes any person in violation of this section may detain such person for purposes of enforcing the provisions of this section. Any all-terrain vehicle used in violation of this section may be seized by any police officer and may be forfeited to the Town, subject to any bona fide lien, lease or security interest in the all-terrain vehicle, including, but not limited to, a lien under General Statutes § 14-66c.

(4) Any all-terrain vehicle ordered forfeited pursuant to this section shall be either (i) sold at public auction conducted by the Town pursuant to Connecticut General Statute § 14-390, with the proceeds of such sale being paid to the finance director of the Town who shall deposit such proceeds into the general fund of the municipality, or (ii) be destroyed by the Town.

§ 370-22 Sign Posting Required for All-Terrain Dealers.

Each all-terrain vehicle dealer in Montville offering for sale, lease or rental any all-terrain vehicle, mini bike, mini motorcycle, or dirt bike shall post this section in a prominent location at said all-terrain vehicle dealer's place of business. Any all-terrain vehicle dealer who violates any provision of this section shall be fined one hundred and fifty dollars (\$150.00).

§ 370-23 Sale of Gasoline for Illegal Purposes.

No retail dealer of gasoline shall sell, offer for sale, or attempt to sell, any article or product represented as gasoline for use in an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike as defined in this Ordinance, unless that vehicle is conveyed to and from the retailer's premises by a registered motor vehicle, as defined in General Statute § 14-1, as may be amended, and no individual shall purchase or attempt to purchase gasoline for this purpose.

(1) Signs with the words "FUELING OF UNAUTHORIZED VEHICLES PROHIBITED" in English and "PROHIBIDO DESPACHAR GASOLINA A VEHICULOS NO AUTORIZADOS" in Spanish at least one (1) inch in height with a contrasting margin shall be posted at all dispensing locations. The location of warning signs shall be based on local conditions but shall be visible and legible from all gas pumps, subject to zoning sign permits.

(2) An individual or retail dealer of gasoline who violates any provision of subsections (1) and/or (2) of this section shall be fined two hundred dollars (\$200.00) per each day the violation occurs.

§ 370-24 Appeal.

An appeals hearing process shall be made available to the owner or lien holder prior to forfeiture of a motorized recreational vehicle, as provided in Connecticut General Statute § 7-152c, as amended.

This ordinance shall become effective thirty (30) days from the date of its adoption.

Dated at Montville, Connecticut this 9th day of June 2026.
Katie Haring, Montville Town Clerk