

ORDINANCE NO. 07-08-07-396

**AN ORDINANCE TO REGULATE THE
OPERATION OF RECREATIONAL VEHICLES**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHELSEA,
ALABAMA AS FOLLOWS:**

§1 - Definitions:

Whenever used in this Ordinance, unless otherwise clearly indicated, the following words and phrases shall have the following meanings:

EASEMENTS: portions of private property which entitle a second party to have limited use of the private property, such as utility easements.

GROOVING: the act of driving a recreational vehicle onto a yard, grassy area or non-grassy area, spinning tires, and leaving a rut or other damage to the property.

RECREATIONAL VEHICLES: any vehicle used for recreational purposes, whether motorized or not motorized, which has two or more wheels affixed to the vehicle, and which shall include, but is not limited to, motorcycles, scooters, go-carts, ATVs (all terrain vehicles), four-wheelers and bicycles. Specifically excluded are baby strollers and wheeled vehicles required to assist the disabled.

YARD ART: any structure or decorative device on a lawn, including but not limited to, bird baths, statuary, topiary and pergolas, used to enhance the area.

§2 - Recreational Vehicles; Exception:

(a) It shall be unlawful for any person to use a recreational vehicle to vandalize public or private property by, but not limited to, “grooving”, destroying shrubbery and mutilating yard art.

(b) It shall be unlawful for any person to operate a recreational vehicle on the private property of another citizen or on easements unless the driver has written permission from the private property owner. This written permission must be present on the recreational vehicle at all times.

(c) This ordinance does not restrict the use of recreational vehicles on the private property of the owner of the recreational vehicle.

§3 - Penalties:

(a) Any person convicted of violating any part of this ordinance shall be fined \$100 for the first offense and \$200 for each successive offense in a 12 month period from the date of the first conviction.

(b) Multiple violations of this ordinance or any part thereof on any one (1) day shall constitute separate offenses.

§4 - Authority of this Ordinance:

This ordinance shall take precedence over any neighborhood covenants.

§5 - Sections and Provisions Severable:

If any section or provision of this ordinance shall be held invalid, such holding shall not affect any other section or provision of this ordinance, each of said sections and provisions being hereby declared severable.

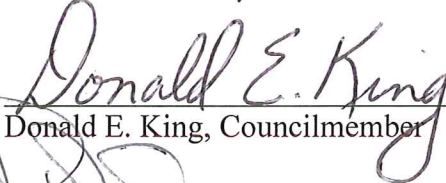
§6 - Effective date:

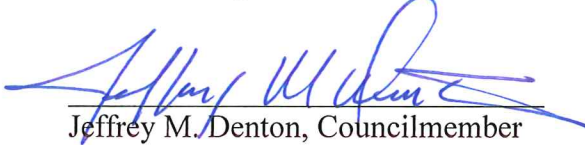
This ordinance shall become effective on and after September 4, 2007.

ADOPTED this 4th day of September, 2007


S. Earl Niven, Mayor


James V. Ferguson, Councilmember


Donald E. King, Councilmember


Jeffrey M. Denton, Councilmember


Col. John Ritchie, Councilmember


Juanita J. Champion, Councilmember

ATTEST:


Becky Landers, City Clerk

I, Becky Landers, Clerk of the City of Chelsea, Alabama, hereby certify that the above Ordinance was duly adopted by the Council of the City of Chelsea, Alabama at a regular meeting held on the 4th day of September, 2007, and that same has been published in accordance with the law, on the 5th day of September, 2007.


City Clerk