

ARTICLE – OFF-ROAD VEHICLES

To see if the Town will vote to amend the provisions of the Blackstone Code, Chapter 114, (VEHICLES, OFF-ROAD) by deleting the existing Sections 114-1 and 114-2 and substituting therefore the following revised sections:

Section 114-1 Written permission required for use in certain areas. No person shall use or operate for recreation use a motorized off-road vehicle, including but not limited to minibikes, trail bikes, all-terrain vehicles (ATV's) or snowmobiles, or a similar motorized vehicle which is eligible for registration under Chapter 90B of the General Laws of the Commonwealth, on (1) any Town-owned property, except public roads and streets, or (2) private property, without prior written consent of the Town authority or landowner having the responsibility for the management of such property. Any such consent shall be temporary in nature, shall specify the period of time during which it is in force and shall be subject to the prohibitions, restrictions and requirements of all general laws, including, without limitation, Massachusetts General Laws, Chapter 90B.

Furthermore, unless a permit for such recreational use is obtained from the Blackstone Police Department, no such consent shall be granted for any parcel(s) of land with an area less than 1 acre, nor for any land within 200 feet of any residence other than the residence of the owner of the parcel(s) on which the consent is granted. Operation of such recreational vehicles shall be limited to the hours of 9:00 AM to 7:00 PM, and to a maximum of 2 hours during this time period on any day.

Section 114-2 Enforcement. The provisions of this article may be enforced by the Blackstone Police Department. Violators, including operating a motorized off-road vehicle or granting permission for such use that is not in compliance with the provisions of 114-1, shall be subject to a fine. Said fine shall be \$50 per offense and shall be enforced by the appropriate enforcing person and be enforced in the method provided in Section 21D of Chapter 40 of the Massachusetts General Laws, Noncriminal Disposition of Certain Violations. Violations of Chapter 90B shall be punishable as indicated in said Chapter 90B.

- **Planning Board supports this article because it tightens up the rules for ATV's, minibikes and other off-road vehicles by restricting use on parcels of less than an acre or within 200 feet of a residence, and limiting use to 2 hours on any single day and only within the hours of 9 AM to 7 PM.**
- **The article also clarifies that such use restrictions apply only to RECREATIONAL use of such vehicles. It does not restrict their use for tasks such as snow plowing, carrying wood, or similar work in one's yard.**