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## TOWN OF GREENWICH

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### Executive Summary

#### Proposed Town Ordinance - Vehicle Use & Street Takeovers

**Purpose** This proposed Town Ordinance (TO), developed in response to Public Act 25-80 aims to proactively address illegal vehicle activity and mitigate potential displacement effects that may arise when nearby jurisdictions enact and enforce their own ordinances.

**Scope of Ordinance** The ordinance targets two specific types of unlawful incidents occurring within town boundaries:

- **Operation of Recreational Vehicles on Public Property** Involves unauthorized use of snowmobiles, ATVs, dirt bikes, and mini-motorcycles on town streets, parks, and other public areas.
- **Street and Parking Lot Takeovers** Refers to coordinated or impromptu actions where individuals block or dominate public streets or parking lots, often for illegal drag racing, stunt driving, or large unauthorized gatherings.

#### Enforcement Authority Granted

- Empowers the municipality to seize vehicles involved in either incident type.
- Permits subsequent sale or destruction of these vehicles in accordance with due process.
- Provides a framework for maintaining public safety and deterring future violations.

**Strategic Importance** By implementing this ordinance, the town ensures it is not left vulnerable to increased illegal activity displaced from neighboring jurisdictions. It complements statewide efforts to curb reckless vehicle use and reinforces community safety.

## **Prohibited Use of Certain Vehicles on Public Property and Illegal Street Takeovers**

1. No person shall operate a snowmobile, all -terrain vehicle, dirt bike, or mini-motorcycle on public property.
  - a. Snowmobile means any self-propelled vehicle designed for travel on snow or ice, except vehicles propelled by sail.
  - b. All-terrain vehicle means a self-propelled vehicle, except a dirt bike or mini-motorcycle, designed to travel over unimproved terrain that has been determined by the Commissioner of Motor Vehicles to be unsuitable for operation on the public highways and is not eligible for registration under Chapter 246 of Connecticut General Statutes.
  - c. Dirt Bike means a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain and not designed for travel on a highway, as defined in section 14-1 of the Connecticut General Statutes, and does not include an all-terrain vehicle, as defined in section 14-739, or a motor-driven cycle, as defined in section 14-1 of the Connecticut General Statutes.
  - d. Mini-motorcycle means a vehicle, as defined in Connecticut General Statutes 14-1, that has (1) not more than three wheels in contact with the ground, (2) has a manufactured seat height of less than twenty-six inches measured at the lowest point on top of the seat cushion without the rider, and (3) is propelled by an engine having a piston displacement of less than 50 c.c.

2. No person(s) shall organize, participate in or gather with intent to observe and actually observe a street takeover.

Street Takeover means taking over a portion of a public highway or parking area by blocking or impeding the regular flow of traffic with intent to cause disorder or create a nuisance for other users of such highway or parking area as defined by Connecticut General Statute 14-224(c)(1).

3. Town of Greenwich employees and employees of Greenwich Emergency Medical Services conducting official business in accordance with their departments policies are exempt from this ordinance.

4. Penalties

a) The penalties for a violation of section 1 of this ordinance are as indicated herein:

- i. First Offense is five hundred dollars (\$500.00); Second Offense is one thousand dollars (\$1,000.00); Third or Subsequent Offense is one thousand five hundred dollars (\$1,500.00) and
- ii. seizure and forfeiture to the Town of Greenwich of such snowmobile, all-terrain vehicle, dirt bike, or mini-motorcycle for a violation of such ordinance, subject to any bona fide lien, lease or security interest in the snowmobile, all-terrain vehicle, dirt bike, or mini-motorcycle, including, but not limited to, a lien under Connecticut General Statute 14-66c.
- iii. Any snowmobile, all-terrain vehicle, dirt bike or mini-motorcycle ordered forfeited pursuant to said ordinance shall be sold at public auction conducted by the Town of Greenwich or shall be destroyed by the municipality. The

proceeds of any sale shall be deposited into the general fund of the Town of Greenwich.

- iv. No snowmobile, all-terrain vehicle, dirt bike or mini-motorcycle shall be forfeited under this ordinance to the extent of the interest of an owner or lienholder by reason of any act or omission committed by another person if such owner or lienholder did not know and could not have reasonably known that such snowmobile, all-terrain vehicle, dirt bike or mini-motorcycle was being used or was intended to be used in violation of this ordinance, and such owner or lienholder collects such snowmobile, all-terrain vehicle, dirt bike or mini-motorcycle not later than ninety days after the date, whichever is later, and the police department (1) posts notice on the Town of Greenwich website indicating that such snowmobile, all-terrain vehicle, dirt bike or mini-motorcycle shall be forfeited if not collected within such ninety-day period, and (2) mails such notice to such owner or lienholder. In the event the snowmobile, all-terrain vehicle, dirt bike or mini-motorcycle is to be returned to the owner or lienholder, all towing and other related charges must be paid by said owner or lienholder before the item is returned.

- b) The penalties for a violation of section 2 of this ordinance are as indicated herein:

- i. First Offense is five hundred dollars (\$500.00); Second Offense is one thousand dollars (\$1,000.00); Third or Subsequent Offense is one thousand five hundred dollars (\$1,500.00) and

- ii. the impoundment of any vehicle used in violation of this section until such time as any fines imposed pursuant to this subsection are paid, including but not limited to, towing fees. The vehicle is deemed forfeited to the Town of Greenwich, if, after six months following such impoundment, the owner or lienholder of such impounded vehicle has failed to pay such fines and related charges pursuant to this subsection.