

CITY OF VINELAND

ORDINANCE NO. 2022- 10

ORDINANCE DECLARING AN ALL-TERRAIN VEHICLE OR DIRT BIKE OPERATED ON A PUBLIC STREET, HIGHWAY OR RIGHT OF WAY IN VIOLATION OF N.J.S.A. 39:3C-17 AN IMMEDIATE THREAT TO THE PUBLIC HEALTH, SAFETY OR WELFARE AND DESIGNATING SUCH VEHICLES AS CONTRABAND SUBJECT TO FORFEITURE.

WHEREAS, N.J.S.A. 39:3C-35 states that a snowmobile, all-terrain vehicle or dirt bike is prohibited from operating on a public street, highway or right of way unless properly registered, operated and insured in accordance with N.J.S.A. 39:3C-17 and allows the vehicle to be impounded until proof is provided of registration and insurance; and

WHEREAS, despite the legislation, the City of Vineland, as well as many other municipalities in the State and other States have experienced an increase in illegally operated all-terrain vehicles and dirt bikes upon the public streets, highways and rights of way, causing a threat to the public welfare by interfering with pedestrian and vehicle traffic, and resulting in traffic accidents and further eluding the Vineland Police Department causing further dangerous conditions and

WHEREAS, City Council of the City of Vineland declares that an all-terrain vehicle or dirt bike operated on any public street, highway, or right of way in violation of N.J.S.A. 39:3C-17 poses an immediate threat to the public health, safety or welfare and hereby designates such all-terrain vehicles or dirt bikes so operated as contraband subject to forfeiture in accordance with the provisions of N.J.S.A. 2C:64-1 et seq. An all-terrain vehicle or dirt bike so forfeited pursuant to the provisions of N.J.S.A. 2c:64-1 et seq. as authorized hereby shall be disposed of in accordance with the provisions of N.J.S.A. 2C:64-6 or at the discretion of the City Council or such other agency funding the prosecution, may be destroyed.

WHEREAS, City Council of the City of Vineland finds that this will provide the Vineland Police Department and the residents with an avenue of removing illegal vehicles from the streets highways and rights of way and finds it to be in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Vineland declares an all-terrain vehicle or dirt bike operated on any public street, highway, or right of way in violation of N.J.S.A. 39:3C-17 poses an immediate threat to the public health, safety or welfare and hereby designates such all-terrain vehicles or dirt bikes so operated as contraband subject to forfeiture in accordance with the provisions of N.J.S.A. 2C:64-1 et seq. An all-terrain vehicle or dirt bike so forfeited pursuant to the provisions of N.J.S.A. 2c:64-1 et seq. as authorized hereby shall be disposed of in accordance with the provisions of N.J.S.A. 2C:64-6 or at the discretion of the City Council or such other agency funding the prosecution, may be destroyed.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, that portion so determined to be unenforceable, shall be void and the balance hereof shall remain in full force and effect.

This Ordinance shall take effect upon adoption and publication according to law.

Passed first reading: January 25, 2022

Passed final reading: February 8, 2022

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President of Council

Approved by the Mayor:

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Mayor

ATTEST:

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City Clerk