

CITY OF VINELAND

ORDINANCE NO. 2022-11

ORDINANCE PROHIBITING THE SALE AND DISPENSING OF GASOLINE OR OTHER TYPE OF FUEL INTO THE FUEL TANK OF AN ALL-TERRAIN VEHICLE OR DIRT BIKE WHICH IS IN VIOLATION OF N.J.S.A. 39:3C-17 AND DRIVEN TO SUCH FUELING STATION UNDER ITS OWN POWER.

WHEREAS, City Council of the City of Vineland has declared all-terrain vehicles or dirt bikes 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 of the citizens of the City, those operating vehicles and pedestrians and has designated such vehicles as contraband and subject to forfeiture in accordance with N.J.S.A. 2C:64-1 et seq.; and

WHEREAS, illegally operated vehicles need fuel to function and many times are illegally operated to public fueling stations where fuel is purchased and dispensed; and

WHEREAS, it is incumbent upon gas stations to refuse the sale and dispensing of gasoline or other types of fuel to illegal and illegally operated vehicles contrary to N.J.S.A. 39:3C-17 as the same are deemed to be contraband and to knowingly assist in the operation of such vehicles by providing fuel therefore is to be implicit in such violation and

WHEREAS, City Council finds it to be in the best interest of the City to prohibit the sale and dispensing of fuel into the fuel tank of an all-terrain vehicle or dirt bike which is in violation of N.J.S.A. 39:3C-17 and driven to such fueling station under its own power, which will assist in reducing the illegal operation of all-terrain vehicles and dirt bikes upon public streets, roads and rights-of- way.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that public gas stations shall be prohibited from selling and dispensing gasoline or other type of fuel into the fuel tank of an all-terrain vehicle or dirt bike which is violation of N.J.S.A. 39:3C-17 and driven to such fueling station under its own power and shall be subject to such penalties as set forth in Chapter 1, Article 2 of the Code of the City of Vineland.

BE IT FURTHER ORDAINED that it shall be a rebuttable presumption that an all-terrain vehicle or dirt bike driven to a fueling station and is untagged is in violation of N.J.S.A 39:3C-17 and therefore should be refused fuel.

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

---

President of Council

Approved by the Mayor:

---

Mayor

ATTEST:

---

City Clerk