

TOWNSHIP OF UPPER PROVIDENCE
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 615

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER PROVIDENCE, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF UPPER PROVIDENCE, CHAPTER 209 *PARKS AND RECREATION AREAS*, ARTICLE 1 *GENERAL PARK RULES AND REGULATIONS*, SECTION 209-2 *DEFINITIONS* BY ADDING OR AMENDING DEFINITIONS FOR “E-BIKES”, “RECREATIONAL MOTORIZED DEVICES”, “MOTOR VEHICLES”, “PARKS”, AND “PEDESTRIAN”; ADDING A NEW SECTION 209-10A *RECREATIONAL MOTORIZED DEVICES* ESTABLISHING REGULATIONS RELATED TO THE USE OF RECREATIONAL MOTORIZED DEVICES WITHIN TOWNSHIP PARKS AND OPEN SPACE; LEAVING THE REMAINDER OF THE ORDINANCES IN FULL FORCE AND EFFECT; INCLUDING A REPEALER CLAUSE; EFFECTIVE IMMEDIATELY.

WHEREAS, the Board of Supervisors of the Township of Upper Providence (the “Board”) is duly empowered by Section 65607 of the Second Class Township Code, 53 P.S. § 65607, to enact regulations that protect and advance the health, safety, and welfare of the citizens of the Township; and

WHEREAS, various types of recreational motorized devices have become popular in recent years and are frequently observed being used within Township-owned or controlled parks, open spaces, and trails; and

WHEREAS, the unregulated use of these devices poses a significant safety risk to other using the Township-owned or controlled parks, open spaces, and trails; and

WHEREAS, Montgomery County and the Pennsylvania Department of Conservation and Natural Resources have developed and adopted policies related to the use of such devices within lands that they own or control; and

WHEREAS, the Board deems it necessary in the interest of public safety to enact certain regulations for the safe use of these devices within Township-owned or controlled parks open spaces, and trails; and

NOW THEREFORE, be it **ORDAINED** and **ENACTED**, by the Board of Supervisors of the Township of Upper Providence, Montgomery County, Commonwealth of Pennsylvania, as follows:

Section 1. Chapter 209 *Parks and Recreation Areas*, Article 1 *General Park Rules and Regulations*, Section 209-2 *Definitions* is hereby **REPEALED** and **REPLACED** with the following new provisions:

§ 209-2 Definitions

E-BIKE

A pedalcycle not more than 100 pounds with two or three wheels more than 11 inches in diameter, manufactured or assembled with an electric motor system rated at not more than 750 watts (1 horsepower) and equipped with operable pedals and capable of a speed not more than 20 miles per hour on a level surface when powered by the motor source only. The term does not include wheelchairs or other power-driven mobility devices operated for or by individuals with mobility disabilities.

RECREATIONAL MOTORIZED DEVICE

Any wheeled device having a gasoline, electric, or similar motor capable of carrying one or more persons for recreational purposes. This definition includes but is not limited to the following specific devices: dirt bikes; e-bikes; one-wheels (self-balancing electric skateboard with a single tire); motorized scooters and skateboards; minibikes; all-terrain vehicles ("ATV"); go-carts; and snowmobiles. This term shall not include motor vehicles or motorized devices utilized for business, maintenance, or governmental and law enforcement purposes operating with the approval of the Township. The term shall also be exclusive of wheelchairs and other power-driven mobility devices operated for or by individuals with mobility disabilities.

MOTOR VEHICLE

A passenger car, truck, motorcycle, or other vehicle that is allowed to travel on Pennsylvania highways and which is regulated by the Pennsylvania Vehicle Code, 75 Pa.C.S.A. § 101 *et seq.*

PARK

Any park, playground, tot lot, bicycle and/or walking trail, nature preserve or sanctuary, picnic area, pavilion, skate park, athletic field, undeveloped public property and open space, and the grounds surrounding any public building owned, leased, maintained by or dedicated to Upper Providence Township. This term shall also include

any trails or public amenities which have been dedicated to the Township or are open for use by the public.

PEDESTRIAN

Any person traveling on foot, including those using mobility aids such as wheelchairs or other power-driven mobility devices operated for or by individuals with mobility disabilities.

Section 2. Chapter 209 *Parks and Recreation Areas*, Article 1 *General Park Rules and Regulations* is hereby **AMENDED** by adding a new Section 209-10A Recreational Motorized Devices, which shall read as follows:

§ 209-10A Recreational Motorized Devices.

1. All persons operating a recreational motorized device shall be subject to all duties applicable to the operator of such devices under the Pennsylvania Vehicle Code (Title 75), except as to special provisions contained in Chapter 35 of the Pennsylvania Vehicle Code and except as to those provisions of the Pennsylvania Vehicle Code that by their nature can have no application. This includes but is not limited to appropriate titling and registration requirements set forth by the Pennsylvania Department of Transportation.
2. A person operating a recreational motorized device shall operate the device in a safe and appropriate manner and shall not be used to carry more persons than the number for which the device is designed and equipped.
3. All operators of recreational motorized devices under the age of twenty-one (21) must wear a helmet at all times while operating the device.
4. Recreational motorized devices shall not produce noise in excess of 80 decibels as measured on the A-weighting scale at a distance of 25 feet from the source of such noise emission.
5. All recreational motorized devices must remain on asphalted or concreted pathways at all times while operating in Township parks. These devices are prohibited from being used on grass, fields, or open spaces within the parks, including but not limited to shelters, courts, playgrounds, and picnic areas.

6. All operators of recreational motorized devices must be at least 16 years of age.
7. The maximum speed limit for recreational motorized devices on pathways in public parks is 15 miles per hour.
8. All operators of recreational motorized devices must yield the right-of-way to pedestrians and non-motorized devices at all times while in Township parks. This includes:
 - a. Reducing speed and preparing to stop when approaching pedestrians or non-motorized devices;
 - b. Giving an audible signal before overtaking and passing pedestrians and non-motorized devices; and
 - c. Maintaining a safe distance from pedestrians and non-motorized devices at all times.
9. Recreational motorized devices may only be operated in Township parks from dawn to dusk.
10. Upper Providence Township will install appropriate signage and markings to inform park users that regulations related to recreational motorized devices exist.
11. The parent or guardian of any child or ward shall not authorize or knowingly permit a child/ward to violate any of the provisions of this ordinance relating to the operation of recreational motorized devices.
12. Police officers and other code enforcement officials of the Township are authorized to enforce the provisions of this ordinance.

SECTION 3. Repealer

Any and all other Ordinances or parts of Ordinances in violation of or in conflict with the terms, conditions, and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION 4. Severability

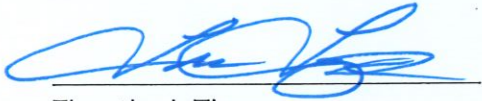
The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part, or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable, or unconstitutional, the Board hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part, or provision of this Ordinance.

SECTION 5. Effective date


This Ordinance shall become effective immediately upon adoption.

ORDAINED and **ENACTED** an ordinance of the Board of Supervisors of the Township of Upper Providence this 20th day of October, 2025.

Attest:


Timothy J. Tieperman,
Township Secretary

**TOWNSHIP OF UPPER PROVIDENCE
BOARD OF SUPERVISORS**


William Starling, Chair