

ORDINANCE PROHIBITING STREET TAKEOVERS AND RELATED RECKLESS ACTIVITIES

BE IT ORDAINED, that the Town of Sterling does hereby adopt the following ordinance:

§-1. PURPOSE

The purpose of this ordinance is to promote the public health, safety, and welfare by prohibiting and penalizing the organization, participation in, or spectating of street takeovers within the Town of Sterling. Street takeovers pose a serious threat to public safety, interfere with the normal flow of traffic, and disrupt community order. This ordinance is adopted pursuant to the authority granted by Public Act 25-80.

§-2. DEFINITIONS

For this ordinance, the following definitions shall apply:

- A.** “All-terrain vehicle” means a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the State of Connecticut Commissioner of Motor Vehicles to be unsuitable for operation on the public highways and is not eligible for registration under Chapter 246 of the Connecticut General Statutes.
- B.** “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 Connecticut General Statutes § 14-1.
- C.** “Mini-motorcycle” means a vehicle that (1) has 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.
- D.** “Motorcycle” means a two- or three-wheeled motor vehicle capable of transporting or carrying one or more persons, such as a dirt bike, trail bike, motor-cross, endurance, or a flat-track.
- E.** “Participate” means to operate or ride in a vehicle involved in a street takeover.
- F.** “Organize” means to arrange, promote, or facilitate a street takeover event, including through social media or other communication platforms.
- G.** “Spectate” means to be present at the location of a street takeover and observe the event, regardless of whether they arrived intending to do so.
- H.** “Street Takeover” means the unlawful and willful act of impeding or blocking the normal flow

of traffic on a public street, highway, or parking lot to engage in, facilitate, or spectate activities such as reckless driving, vehicle stunts, street racing, burnouts, doughnuts, or any similar activity.

§-3. PROHIBITED CONDUCT

It shall be unlawful for any person to:

- A.** Organize, promote, facilitate, or participate in a street takeover.
- B.** Recklessly operate a motor vehicle during a street takeover.
- C.** Attend or spectate a street takeover with the intent to observe or encourage the event.
- D.** Without limitation, any person acting in violation of this ordinance where such violation causes damage to private or municipal property, the person shall be liable for civil damages to fully repair or replace the same. This includes damage to trees, shrubs, open space, fences or other property.

§-4. PENALTIES

A. Fines:

1. First offense: Fine not exceeding **\$1,000**
2. Second offense: Fine not exceeding **\$1,500**
3. Each subsequent offense: Fine not exceeding **\$2,000**

B. Vehicle Seizure and Forfeiture:

1. In addition to any fine herein, any all-terrain vehicle, dirt bike, mini-motorcycle, or motorcycle used in violation of this Ordinance shall become subject to impoundment, and to confiscation by and forfeiture to the Town of Sterling. The First Selectman or any authorized State Police officer is hereby authorized to confiscate any all-terrain vehicle, mini-motorcycle, or motorcycle used in violation of this Ordinance, and to hold same as evidence in any related criminal proceeding, pending disposition.
2. If the Town of Sterling confiscates an all-terrain vehicle, dirt bike, mini-motorcycle, or motorcycle used in violation of this ordinance, it may follow the procedures set forth in Public Act 25-80 and sell it at a municipally conducted public auction.
3. If the Town of Sterling confiscates an all-terrain vehicle, dirt bike, mini-motorcycle, motorcycle or other similar unauthorized vehicle, and such vehicle remains unclaimed for

DRAFT Street Takeover Ordinance

more than 90 days, the Town of Sterling may destroy the vehicle in accordance with state law.

4. Vehicles used in repeated offenses may be forfeited to the State of Connecticut under applicable law.
5. Any vehicle impounded only may be released to the owner upon proof of registration, subject to payment of any and all fines, towing and storage fees

§_-5. ENFORCEMENT

The First Selectman and the Connecticut State Police shall be authorized to enforce the provisions of this ordinance. Such officers may issue citations, seize vehicles, and initiate proceedings for license suspension, vehicle forfeiture, and vehicle destruction in accordance with applicable law.

§_-6. SEVERABILITY

If any provision of this ordinance is found to be invalid or unenforceable by a court of competent jurisdiction, such provision shall be severed, and the remainder of the ordinance shall remain in full force and effect.

§_-7. EFFECTIVE DATE

This ordinance shall take effect fifteen (15) days after publication in accordance with the Connecticut General Statutes.