

**TOWNSHIP OF BUSHKILL
NORTHAMPTON COUNTY, PENNSYLVANIA
ORDINANCE NO. 2026-**

**AN ORDINANCE
PROHIBITING AND REGULATING THE USE AND OPERATION OF MOTORIZED
VEHICLES, BICYCLES, PEDALCYCLES WITH ELECTRIC ASSIST,
INCLUDING BATTERY-OPERATED E-BIKES WITHIN
THE BUSHKILL TOWNSHIP RECREATION COMPLEX;
PERMITTING PEDALCYCLES WITH ELECTRIC ASSIST WITHIN DESIGNATED
TOWNSHIP OPEN SPACE PRESERVES SUBJECT TO SPECIFIC CONDITIONS;
PROVIDING FOR EXEMPTIONS, ENFORCEMENT, IMPOUNDMENT, AND
PENALTIES FOR VIOLATION THEREOF.**

WHEREAS, the Township of Bushkill is committed to promoting public Safety, protecting recreational facilities and natural resources, preserving passive recreational opportunities, and establishing uniform regulations pertaining to the use of motorized vehicles, bicycles, and pedalcycles with electric assist on Township owned recreational properties.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Bushkill Township, Northampton County, Pennsylvania (the Township), and is hereby enacted and ordained by authority of the same, pursuant to the provisions of the Second-Class Township Code, Act of May 1, 1933, P.L. 103, as amended (53 Pa. C.S.), and pursuant to the authority granted by law, as follows:

DEFINITIONS:

For purposes of this Ordinance:

Bushkill Township Recreation Complex: shall mean the Township-owned recreational complex including all athletic fields, playgrounds, courts, walking paths, parking areas, buildings, pavilions, and other recreational improvements.

Designated Trail: shall mean a trail, path, or route specifically designated by the Township for bicycle or Pedalcycle with electric assist use through signage, mapping, or official Township action.

Motorized Vehicle: Shall mean any vehicle propelled in whole or in part by an internal combustion engine or electric motor, including but not limited to motorcycles, dirt bikes, minibikes, all-terrain vehicles (ATVs), utility terrain vehicles (UTVs), golf carts, go-carts, mopeds, electric scooters, and any other motorized conveyance.

Pedalcycle: shall have the meaning assigned in 75 Pa. C.S. § 102, as amended.

Pedalcycle with electric assist (E-Bike): shall have the meaning assigned in 75 Pa.C.S. §102, as amended.

Township Open Space Preserve: shall mean any Township owned passive recreation area, natural area, greenway, conservation area, or trail property designated by resolution of the Board of Supervisors.

ARTICLE I

BUSHKILL TOWNSHIP RECREATION COMPLEX

SECTION 1. PROHIBITED VEHICLES:

1. The operation of all Motorized Vehicles within the Bushkill Township Recreation Complex is prohibited. This prohibition specifically includes:
 - a) Pedalcycles with Electric Assist (E-Bikes), regardless of class.
 - b) Electric scooters.
 - c) Motorcycles.
 - d) Dirt bikes.
 - e) Mopeds.
 - f) All-Terrain Vehicles (ATVs).
 - g) Utility Task Vehicles/Side by Side (UTVs).
 - h) Golf Carts.
 - i) Any electric-powered or gasoline-powered recreational vehicle.
2. No exception shall be made for a Pedalcycle with Electric Assist that otherwise complies with the Pennsylvania Vehicle Code.

SECTION 2. PERMITTED VEHICLES:

1. Only non-motorized pedalcycles are permitted within the Bushkill Township Recreation Complex.
2. Pedalcycles may be operated within the Bushkill Township Recreation Complex only on trails or pathways designated by the Township for bicycle use.
3. Pedalcycles are prohibited on athletic fields, playgrounds, courts, landscaped areas, sidewalks, or any location not designated for pedalcycle travel.

ARTICLE II

BUSHKILL TOWNSHIP OPEN SPACE PRESERVES

SECTION 1. PERMITTED VEHICLES:

1. Pedalcycles and Pedalcycles with electric assist are permitted within Bushkill Township Open Space Preserves only on trails authorized for such use, provided they:
 - a) Weigh no more than one hundred (100) pounds.

- b) Has fully operable pedals.
 - c) Has an electric motor rated at no more than seven hundred fifty (750) watts.
 - d) Is not capable of exceeding twenty (20) miles per hour on a level surface when powered solely by the electric motor.
 - e) Complies with the Pennsylvania Vehicle Code.
 - f) Operation of a Pedalcycle with electric assist using the electric motor without pedaling (throttle-only operation) is prohibited on all designated trails.
2. Any electric-powered bicycle or device exceeding these specifications shall be considered a prohibited Motorized Vehicle.
 3. Operators of Pedalcycles with electric assist shall operate at a safe speed under existing conditions and shall yield the right-of-way to pedestrians and equestrians where applicable.
 4. The Board of Supervisors may designate individual trails where bicycles or Pedalcycles with Electric Assist are prohibited for public safety, environmental protection, maintenance, or resource preservation.

SECTION 2. PROHIBITED VEHICLES:

1. Except as specifically permitted above, all other Motorized Vehicles are prohibited within the Bushkill Township Open Space Preserves.

ARTICLE III

SECTION 1. EXEMPTIONS:

1. The provisions of this Ordinance shall not apply to authorized Township vehicles or personnel performing maintenance, law enforcement, emergency response duties, contractors performing authorized Township work, as well as individuals with disabilities operating ADA-compliant mobility devices, as permitted by applicable law.
2. The Township may install signs identifying permitted and prohibited uses of Township recreational properties. Failure to erect or maintain signs at every entrance or location shall not invalidate enforcement of this Ordinance.

ARTICLE IV
ENFORCEMENT, VIOLATIONS, AND PENALTIES

SECTION 1. ENFORCEMENT:

1. This Ordinance shall be enforced by the Bushkill Township Police Department and other Township officials as may be authorized by law.
2. Any person violating this Ordinance shall immediately cease operation of the vehicle or activity upon the lawful order of a law enforcement officer or authorized Township official.
3. Any prohibited motorized vehicle operated in violation of this Ordinance may be ordered removed from Township property. If the operator refuses to comply with a lawful order, cannot be identified, or if the vehicle presents a continuing public safety hazard or interferes with the safe use and enjoyment of Township property, the Bushkill Township Police Department may remove, tow, or cause the impoundment of the vehicle. The owner shall be responsible for all towing, storage, and other lawful costs associated with the removal or impoundment of the vehicle.

SECTION 2. VIOLATIONS AND PENALTIES:

1. Any person who violates any provision of this Ordinance, including any parent, guardian, or other person having legal responsibility for a minor, shall, upon conviction before a Magisterial District Judge in a summary proceeding, be guilty of a summary offense and shall be sentenced to pay a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), plus the costs of prosecution. In default of payment of the fine and costs, the defendant may be sentenced to imprisonment for a period not exceeding ninety (90) days, as authorized by law.
2. Each day or portion thereof during which a violation continues shall constitute a separate offense. Each separate provision of this Ordinance that is violated shall also constitute a separate offense.
3. The penalties provided herein shall be in addition to any costs associated with the removal, towing, storage, or impoundment of a vehicle and shall not preclude the Township from pursuing any other remedy available at law or in equity.

SEVERABILITY

The provisions of this Ordinance, and all parts thereof, are severable and if any part of this Ordinance and Chapter or Clause or Sentence hereof is for any reason found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining provisions of this Ordinance or any part thereof. It is hereby declared to be the intent of the

Board of Supervisors of Bushkill Township that this Ordinance would have been adopted had such unconstitutional or invalid Section not been included in this Ordinance.

REPEALER

All Ordinances or parts thereof inconsistent herewith are hereby repealed.

EFFECTIVE DATE

This Ordinance shall become effective five (5) days from date of adoption.

ORDAINED AND ENACTED, This _____ day of _____, 2026, by
the Board of Supervisors of Bushkill Township.

TOWNSHIP OF BUSHKILL

BY: _____

ATTEST: BRIEN KOCHER, Chairman

BELINDA ROBERTS, Secretary