ORDINANCE NUMBER 26-19

Whereas the continuous use of motorcycles and recreational ATVs (and other nonwork or nonwork machinery) on inappropriately sized residential lots (or the combination thereof) cause an unreasonable nuisance to nearby property owners due to noise and dust.

Whereas the difference between recreational use and using vehicles or equipment with a work purpose is whether a work task (including but not limited to mowing, cutting woody vegetation, hauling) or otherwise tending to the land or its improvements.

Whereas the City of Somerset has been asked by its citizens to place restrictions on the activity which causes the nuisance and does not restrict the use of land.

Now Therefore, be it Ordained by the City of Somerset Common Council;

It shall be a prima facia nuisance subject to the enforcement and penalties found in Ordinances 14-06 and 17-01 when a landowner uses motorcycles, recreational ATVs, (or any other non-work vehicle or non-work machinery) continuously and regularly so as to create the following conditions:

1. A path or track evidenced in the mud, dirt, or ground cover (including grass, mulch, or pavement), and,
2. Any noise that can be heard from any point on a neighboring residential property, or causes dust or any other "thing" to land on or touch a neighboring residential property.

The following schedule for fines resulting from a violation or multiple violations are set as follows:

1st offense: WARNING

2nd offense: $100

3rd offense: $200

4th and subsequent offense: $400

FIRST READING: OCTOBER 12, 2026

SECOND READING: OCTOBER 26, 2026

APPROVED: _____
ALAN KECK, MAYOR OF SOMERSET

ATTEST: _____
NICK BRADLEY, CITY CLERK