

Barry Golner
Interim Superintendent

Mark LeBlanc
Deputy Superintendent

Gregory C. Hudon
Interim Deputy Superintendent

To: Tom Golden
City Manager



From: Barry Golner
Interim Superintendent of Police



Date: May 25, 2022

Re: City Council Motion Response

Councilor Jenness/Councilor Robinson – Require City Manager Have Law Department Investigate Drafting An Ordinance Prohibiting The Sale Of Gasoline At City Filling Stations To Unlicensed And/Or Unregistered Vehicles Unless They Are On A Trailer.

In furtherance of the police department's efforts to deter the activities caused by reckless operation of dirt bikes, mini-bikes, off highway recreational vehicles and other unauthorized vehicles, we have reached out to other communities having similar problems arising from the illicit operation of dirt bikes, mini-bikes, OHRV's (Off Highway Recreational Vehicles) and other unauthorized vehicles. Of particular interest was an ordinance drafted by the City of Springfield Massachusetts. This ordinance prohibits the sale of gasoline to any of the above-mentioned vehicles unless said vehicle is conveyed to and from the filling station by a registered motor vehicle. I believe that this may help in our efforts to deter such activity. The police department will continue to explore innovative ideas to help the police and the City deal with this on-going problem.

Attached you will find the City of Springfield Ordinance for review.

AMENDING CHAPTER 178 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, AS AMENDED, BY INSERTING NEW SECTION 178-4 I, AND AMENDING CHAPTER 1, ARTICLE V SECTION 1-25

Be it ordained by the City Council, in session assembled, that the following amendments to the Revised Ordinances of the City of Springfield, as amended, be enacted:

1. CHAPTER 178 § 4 of the Revised Ordinances of the City of Springfield, as amended, is hereby amended to include new Section 178-4 I, as follows:

"Chapter 178 § 178-4 - Gasoline Stations

I. Sale of Gasoline for Illegal Purposes

(a) No owner or employee of any retail dealer of gasoline shall sell, offer for sale, or attempt to sell any article or product represented as gasoline for use in any off highway vehicle as defined in Massachusetts General Laws Chapter this ordinance, unless that vehicle is conveyed to and from the retailer's premises by a registered motor vehicle, as defined in under Massachusetts General Law Chapter 90B section 20, as may be amended, and no individual shall purchase or attempt to purchase gasoline for use in any off highway vehicle as defined in this ordinance.

(b) Signs with the words "FUELING OF ALL TERRAIN VEHICLES, MINI CYCLES, DIRT BIKES, OR OTHER UNAUTHORIZED VEHICLES PROHIBITED" in English and "PROHIBIDO DESPACHAR GASOLINA A ALL TERRAIN VEHICLES, MINI CYCLES O DIRT BIKES O A OTROS VEHICULOS NO AUTORIZADOS" in Spanish at least one (1) inch in height with a contrasting margin shall be posted at all dispensing locations. The location of warning signs shall be based on local conditions but shall be visible and legible from all gas pumps. Signage shall be provided by the City of Springfield.

(c) Any owner of any retail dealer of gasoline who violates any provision of Subsections (a) or (b) of this section who owns or is employed by a retail dealer that has been previously issued one warning as the result of a previous violation of Subsections (a) or (b) of this section shall be fined one hundred dollars (\$100.00) per occurrence. Each off highway vehicle as to which an owner or employee of any retail dealer of gasoline sells, offers for sale, or attempts to sell gasoline shall be considered a separate violation of Subsection (a) above."

2. CHAPTER 1, Article V, § 1-25 of the Revised Ordinances of the City of Springfield as amended, is hereby amended to include the following new provision:

Offense	Fine	Enforcing Personnel
Sale of Gasoline for Illegal Purposes (Chapter 178-4 I)	\$100.00	Police Department

3. The effective date for the amendments listed above shall be June 27, 2021.

Approved as to form,

Associate City Solicitor