

ORDINANCE 174

ATV AND MOTORCYCLE ORDINANCE

AN ORDINANCE REGULATING THE USE OF ALL –TERRAIN VEHICLES (ATV’S) AND MOTORCYCLES WITHIN THE ELSINORE TOWN LIMITS.

BE IT ORDAINED BY THE TOWN COUNCIL OF ELSINORE UTAH:
THAT ATV’S AND MOTORCYCLES BE OPERATED IN A SAFE MANNER IN AND AROUND ELSINORE TOWN.

1. DEFINITION.

ATV’S* AND MOTORCYCLES* SHALL BE DEFINED AS ALL UN-LICENSED RECREATIONAL VEHICLES HAVING A SEAT DESIGNED TO BE STRADDLED BY THE OPERATOR AND DESIGNED TO BE CAPABLE OF TRAVEL OVER UNIMPROVED TERRAIN, AS DEFINED IN 41-22-2 U.C.A., EXCLUDING SNOWMOBILES.

*REFERRED AS VEHICLE OR OFF-HIGHWAY VEHICLE.

2. REGISTRATION OF VEHICLE-APPLICATION-ISSUANCE OF STICKERS AND CARD-PROOF OF PRPOERTY TAX PAYMENT-RECORDS.

(A) UNLESS EXCEPTED UNDER SECTION 41-22-9, NO PERSON MAY OPERATE OR TRANSPORT AND NO OWNER MAY GIVE ANOTHER PERSON PERMISSION TO OPERATE OR TRANSPORT ANY ATV OR MOTORCYCLE ON THE STREETS OF ELSINORE UNLESS THE VEHICLE HAS BEEN REGISTERED UNDER THIS CHAPTER OF THE CURRENT YEAR.

3. VEHICLE EQUIPMENT REQUIREMENTS

- (A) BRAKES ADEQUATE TO CONTROL THE MOVEMENT OF AND TO STOP AND HOLD THE VEHICLE UNDER NORMAL OPERATING CONDITIONS AND
- (B) HEADLIGHTS AND TAILLIGHTS WHEN OPERATED BETWEEN SUNSET AND SUNRISE AND
- (C) A NOISE CONTROL DEVICE.

4. PROTECTIVE HEADGEAR REQUIREMENTS – OWNER DUTY

(A) A PERSON UNDER THE AGE OF 18 MAY NOT OPERATE OR RIDE ON A MOTORCYCLE, ATV OR MOTOR DRIVEN CYCLE ON THE STREETS OF ELSINORE UNLESS THE PERSON IS WEARING PROPERLY FITTED, SAFETY RATED, PROTECTIVE HEAD GEAR DESIGNED FOR MOTORIZED VEHICLE USE.

5. RESTRICTIONS ON USE OF PRIVATELY OWNED LANDS WITHOUT PERMISSION-UNLAWFUL FOR PERSON TO TAMPER WITH SIGNS OR FENCING ON PRIVATELY OWNED LAND

(A) NO PERSON SHALL OPERATE OR ACCOMPANY A PERSON OPERATING AN OFF-HIGHWAY VEHICLE UPON PRIVATELY OWNED LAND OF ANY OTHER PERSON, FIRM OR CORPORATION WITHOUT PERMISSION FROM THE OWNER OR PERSON IN CHARGE.

6. OPERATION BY PERSONS UNDER 16 YEARS OF AGE

(A) NO PERSON UNDER 16 YEARS OF AGE MAY OPERATE AND NO OWNER MAY GIVE ANOTHER PERSON WHO IS UNDER 16 YEARS OF AGE PERMISSION TO OPERATE AN OFF –HIGHWAY VEHICLE ON THE STREETS OF ELSINORE UNLESS THE PERSON IS UNDER THE DIRECT VISUAL SUPERVISION OF A VALID DRIVER’S LICENSE HOLDER 18 YEARS OLD OR OLDER.

7. SUPERVISION, SAFETY CERTIFICATE, OR DRIVER LICENSE REQUIRED

- (A) A PERSON MAY NOT OPERATE AND AN OWNER MAY NOT GIVE THAT PERSON PERMISSION TO OPERATE AN OFF-HIGHWAY VEHICLE ON THE STREETS OF ELSINORE UNLESS THE PERSON :
 - (1) IS UNDER THE DIRECT SUPERVISION OF A CERTIFIED OFF-HIGHWAY VEHICLE SAFETY INSTRUCTOR DURING A SCHEDULED SAFETY COURSE.

- (2) IS UNDER THE DIRECT VISUAL SUPERVISION OF A PERSON 18 YEARS OLD OR OLDER THAT HOLDS A VALID DRIVER LICENSE.
- (3) HAS A VALID DRIVER'S LICENSE OR OHV LICENSE.

8. DESIGNATION OF ATV ROUTES

TRAVEL ALONG ALL STREETS IS ALLOWED WHEN THE RIDER IS GOING DIRECTLY TO OR FROM A MOTEL, SERVICE STATION, RESTAURANT OR RESIDENCE.

WITHIN THE TOWN LIMIT, CERTAIN STREETS ARE DESIGNATED AS ATV ROUTES TO BE USED FOR THE PURPOSE OF ACCESS TO AND FROM STATE AND FEDERAL LANDS WHEREIN ATV OPERATION IS AUTHORIZED.

THE STREETS SO DESIGNATED ARE: 200 EAST, FROM TOWN LIMIT ON THE NORTH TO 100 SOUTH, WEST TO 300 WEST, NORTH TO MAIN STREET, WEST TO MOUNTAIN ROAD

SEE MAP.

9. SPEED/REGULATIONS

THE MAXIMUM SPEED FOR ATV'S IN ELSINORE SHALL BE THE POSTED SPEED LIMITS (OR LIMIT FOR RESIDENTIAL AREAS – 25 MPH) AND SHALL BE OPERATED IN ACCORDANCE WITH ALL OTHER APPLICABLE MOTOR VEHICLE LAWS AND REGULATIONS.

10. REPEALER.

ALL PREVIOUS ORDINANCES REGARDING OHV'S, ATV'S AND MOTORCYCLES HEREBY ARE REPEALED.

11. EFFECTIVE DATE.

THIS ORDINANCE SHALL TAKE EFFECT ON PASSAGE.

PASSED THE 11TH DAY OF JULY, 2000