

# Idaho Local Off-Highway Vehicle Ordinances 2023

## Idaho Department of Parks and Recreation

### Motorized Trails

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# ADA COUNTY OHV ORDINANCES

## CHAPTER 3

### OFF ROAD VEHICLES

#### SECTION:

6-3-1: Short Title And Purpose

6-3-2: Definitions

6-3-3: Vehicle Operation Restricted

6-3-4: Exceptions To Restrictions

6-3-5: Penalty

6-3-1: SHORT TITLE AND PURPOSE:

This chapter shall be known and cited as the ADA COUNTY OFF ROAD VEHICLES

ORDINANCE. The purpose of this chapter is to regulate the use of off road vehicles and to prohibit their operation on private land without permission of the owner of the land. (Ord. 102, 10-29-1980)

6-3-2: DEFINITIONS:

For the purposes of this chapter, the following definitions shall apply. Any other words and phrases not defined in this chapter shall be given their ordinary, commonly understood and accepted meanings.

**BUSINESS INVITEE:** Any individual who, during the course of his business, is required to enter upon the property of another with the implied consent of the owner of the property.

**DRIVEWAY:** A path (paved or unpaved) leading from a garage or house to a street used especially by automobiles.

**ELECTRONIC POWER-ASSISTED BICYCLE (E-BIKE):** A vehicle having two (2) tandem wheels or two (2) parallel wheels and one forward wheel, any two (2) of which are not less than twelve inches (12") in diameter, that is designed to be operated by human power with the assistance of an electronic motor that has a power output of no more than seven hundred fifty (750) watts that: a) is incapable of propelling the vehicle at a speed of more than twenty (20) miles per hour; and b) disengages or ceases to function when the vehicle's brakes are applied. An E-bike is not a vehicle for purposes of this chapter.

**ESTABLISHED OFF ROAD MOTOR VEHICLE RESERVATION TRAIL:** Any area set aside as a public recreation site with specific use in areas permitted for off road motor vehicles by any local, State or Federal governmental agency, or any private property formally designated by the Board of County Commissioners through appropriate zoning approvals for off road motor vehicle use.

**INVITEE:** Any individual entering upon the property of another with the implied consent of the owner of the property.

**MOTOR VEHICLE:** Every self-propelled device in which any person or property is or may be transported, either on or off the public roadway, except those vehicles which are designed and used primarily as farm implements for drawing plows, mowing machines, or other implements of husbandry or heavy equipment employed for logging, grading or developing public or private lands. Motor vehicles, for the purposes of this chapter, shall include, but are

not limited to, any motorcycle, motorized tricycle, four-wheel drive automobile or truck, any multiwheeled all-terrain vehicle, and conventional passenger automobiles or trucks. E-bikes are not motor vehicles for the purposes of this chapter.

OWNER: The titled owner of record as established in the Offices of the Ada County Recorder, or the contract purchaser, lessee or renter of such property. (Ord. 102, 10-29-1980; amd. Ord. 882, 4-17-2018)

#### 6-3-3: VEHICLE OPERATION RESTRICTED:

A. The riding, operating or driving of a motor vehicle shall be done in a lawful manner with required equipment and licensing upon a public highway. Unlicensed motor vehicles or motor vehicles without required equipment as well as properly licensed and registered vehicles are restricted to established off road motor vehicle reservation trails or private property pursuant to this chapter.

B. It shall be unlawful and a misdemeanor for any person to ride, operate or drive any motor vehicle or E-bike on privately owned property within Ada County including any private unpaved road except for: 1) the owners of such property, or 2) those who have on their persons at the time of riding, operating or driving said motor vehicle, written permission from the owner of such private property. (Ord. 102, 10-29-1980; amd. Ord. 188, 3-31-1988; amd. Ord. 882, 4-17-2018)

#### 6-3-4: EXCEPTIONS TO RESTRICTIONS:

This chapter is not meant to affect in any way the right of a business invitee to enter upon the land of another in pursuit of his business, nor to affect the right of an invitee to approach any private residence by way of a driveway when said invitee approaches a house with implied consent of the owner. (Ord. 102, 10-29-1980)

#### 6-3-5: PENALTY:

Violation of this chapter shall be punishable as provided by Idaho Code, section 18-113 as it may from time to time be amended and/or retitled. (Ord. 102, 10-29-1980; amd. Ord. 603, 1-30-2006)

# BLAINE COUNTY OHV ORDINANCES

## CHAPTER 2 SNOWMOBILES

### SECTION:

5-2-1: Definitions

5-2-2: Snowmobiles Prohibited

5-2-3: Allowed Use

5-2-4: Required Equipment

5-2-5: Driver's License Required

5-2-6: Towing

5-2-7: Pole And Flag

5-2-8: Regulations

5-2-9: Prohibited Acts

5-2-10: Snowmobile Operation In Closed Areas Prohibited

5-2-11: Warm Springs Closure

5-2-12: Penalty

### 5-2-1: DEFINITIONS:

As used in this Chapter, the following words and terms shall have the meanings ascribed to them in this Section:

**PUBLIC ROAD:** Any street, County road or other public thoroughfare under the jurisdiction of Blaine County.

**SNOWMOBILE:** Any self-propelled recreational vehicle under one thousand (1,000) pounds unladen weight designed primarily for travel on snow or ice which may be steered by tracks, skis or runners. (Ord. 72-1, 2-14-72)

### 5-2-2: SNOWMOBILES PROHIBITED:

No person shall drive or allow to be driven on a public road any snowmobile except as provided in this Chapter. (Ord. 72-1, 2-14-72)

### 5-2-3: ALLOWED USE:

A snowmobile may be operated on public roads where such public road is drifted or covered with snow to such an extent that travel thereon by other motor vehicles is impeded and may be operated on that portion of the road which is not maintained or utilized for the operation of conventional motor vehicles. The Board may authorize other public roads on which snowmobiles may be driven. (Ord. 72-1, 2-14-72)

### 5-2-4: REQUIRED EQUIPMENT:

No snowmobile may be operated on a public road unless equipped with at least one head lamp and one tail lamp which shall be lighted at all times during such operation and unless equipped with a suitable braking device which may be operated by either hand or foot. (Ord. 72-1, 2-14-72)

### 5-2-5: DRIVER'S LICENSE REQUIRED:

No snowmobile may be operated on any public road unless the driver holds a valid driver's license. (1996 Code; Ord. 72-1, 2-14-72)

### 5-2-6: TOWING:

No person or sled may be towed by any snowmobile upon any public road; provided, however, that a sled or trailer which is specifically designed for towing by a snowmobile may be towed under the provisions of this Chapter if such sled or trailer contains runners and is solidly attached to the pulling snowmobile by a steel tongue fastened solidly to the snowmobile and the sled or trailer; and provided further, that no such sled or trailer may be utilized unless equipped with sufficient warning lights to give warning of its presence. (Ord. 72-1, 2-14-72)

#### 5-2-7: POLE AND FLAG:

Every snowmobile when operated upon a public road must have attached to the body of the vehicle a pole or rod of at least six feet (6') in height on which pole or rod is attached a colored or fluorescent flag of at least one and one-half feet by two feet (1 1/2' x 2') in diameter in order that the snowmobiles may be seen at a distance and over deep snow, in the interest of public safety. (Ord. 72-1, 2-14-72)

#### 5-2-8: REGULATIONS:

- A. Every snowmobile must yield right of way at all times to every other vehicle.
- B. When two (2) or more snowmobiles are traveling together, they shall proceed in single file.
- C. No person shall operate a snowmobile in any residential area in such a manner as to create a disturbance or nuisance. (Ord. 72-1, 2-14-72)

#### 5-2-9: PROHIBITED ACTS:

It shall be unlawful for any person to drive or operate any snowmobile in the following manner:

- A. Speed: At a rate of speed greater than reasonable or proper under all existing conditions.
- B. Intoxicating Liquor: While under the influence of intoxicating liquor, narcotics or habit-forming drugs.
- C. Careless Or Reckless: In a careless or reckless manner so as to endanger the person or property of another or to cause injury or damage to either.
- D. Lights: Without a lighted head and tail light.
- E. Physical Or Mental Disability: Operation of a snowmobile or permitting such operation by any person who by reason of physical or mental disability is incapable of operating the snowmobile as required for safety under the prevailing circumstances.
- F. Muffler: Without an adequate muffler.
- G. Residential Neighborhood: Operation of a snowmobile in a residential neighborhood in such a manner as to create a disturbance or nuisance.
- H. Hours: Before the hour of eight o'clock (8:00) A.M. and after ten o'clock (10:00) P.M. (1996 Code; Ord. 72-1, 2-14-72)

#### 5-2-10: SNOWMOBILE OPERATION IN CLOSED AREAS PROHIBITED:

It shall be unlawful for any person to operate a snowmobile upon a road or in an area either of which has been designated by the United States Forest Service or other Federal agency having jurisdiction over said land or the Blaine County Commissioners as closed to snowmobiling. Provided, however, that any person may operate a snowmobile upon a road or in an area designated by the United States Forest Service or other Federal agency or the Blaine County Commissioners as closed to snowmobiling if the snowmobile operator has obtained an access permit from the United States Forest Service or Blaine County Sheriff. Access permits will only be issued upon a showing of necessity for protection of property or persons. All designated roads and areas shall be posted with signs informing the public of a closure to snowmobiles; and said designation shall take effect upon the posting of said notices. (Ord. 76-2, 1-30-76)

5-2-11: WARM SPRINGS CLOSURE:

Pursuant to a recommendation from the U.S. Forest Service, the Board of County Commissioners hereby designates as closed to snowmobile travel and operation the following described area of Blaine County:

Sawtooth National Forest lands within one-eighth (1/8) mile on either side of and including the Ketchum-Featherville Forest Development Road No. 70227, known locally as the Warm Springs Road, within the Warm Springs Elk Winter Range Area, from Lower Broad's Ranch (H.E.S. No. 293) in the SW1/4 of Section 15, Township 4 North, Range 17 East, Boise Meridian, west to a point where the road crosses Placer Creek in Section 6, Township 3 North, Range 16 East, Boise Meridian.  
(Ord. 76-2, 11-30-76)

5-2-12: PENALTY:

Any violation of this Chapter shall be a misdemeanor, and any person found guilty of a violation of this Chapter shall be subject to penalty as provided in Section 1-4-1 of this Code.  
(1996 Code; Ord. 76-2, 11-30-76)



# BONNER COUNTY OHV ORDINANCES

## CHAPTER 5 SNOWMOBILES

### SECTION:

2-501: Title

2-502: Purpose

2-503: Definitions

2-504: General Applicability And Prohibitions

2-505: Establishment Of Fees

2-506: Payment And Collection Of Fees

2-507: Use Of User Fee Revenues

2-508: Operator Qualifications

2-509: Equipment

2-510: Regulations For Operation

2-511: Designated Roadways

2-512: Penalties

2-501: TITLE:

This chapter shall be known as the BONNER COUNTY SNOWMOBILE ORDINANCE. (Ord. 380, 10-21-1999)

2-502: PURPOSE:

The purpose of this chapter shall be to provide for the regulation of the operation of snowmobiles on trails and roadways designated and maintained by Bonner County, and to provide for the collection of a voluntary user fee from those who use and benefit from said trails, in order to partially cover the cost of maintenance efforts. (Ord. 380, 10-21-1999)

2-503: DEFINITIONS:

The definitions listed in this section shall apply throughout this chapter:

**GROOMED TRAIL:** A snowmobile trail that is maintained upon public or private property located within Bonner County and maintained by funds collected by a "trail maintenance fee".

**OPERATOR:** Each person who operates and is in physical control of the snowmobile.

**SNOWMOBILE:** Every self-propelled device upon any combination of skis, skids, tracks or endless belts, in and upon or by which any person or property is or may be transported or drawn upon snow or snow covered surface areas, and expressly includes devices known as "snowmobiles" or "ski-mobiles".

**TRAIL MAINTENANCE FEE:** The annual voluntary user fee charged by Bonner County for the ability of an operator to operate a snowmobile upon a maintained trail.

**TRAIL MAINTENANCE STICKER:** A payment receipt issued by Bonner County that may be affixed to the snowmobile as a convenient way for the operator to demonstrate that the operator has paid the voluntary maintenance fee.

**WINTER SEASON:** That period of time from November 1 to April 15. (Ord. 380, 10-21-1999)

#### 2-504: GENERAL APPLICABILITY AND PROHIBITIONS:

A. From the effective date as required by law, all operators of "snowmobiles", as defined in section 2-503 of this chapter, upon maintained trails within the boundaries of Bonner County, may display voluntary proof that the operator has paid the annual voluntary trail maintenance fee for use of said trail or trails.

B. The operation of any vehicle other than a "snowmobile", as defined in section 2-503 of this chapter, upon a maintained trail, with the exception of duly authorized emergency vehicles, is expressly prohibited, regardless of the payment of use fee by the operator. (Ord. 380, 10-21-1999)

#### 2-505: ESTABLISHMENT OF FEES:

The Bonner County board of commissioners is hereby authorized to adopt a voluntary maintenance program to effect the purposes of this chapter. Said voluntary fees shall be set forth in a resolution of the board. (Ord. 380, 10-21-1999)

#### 2-506: PAYMENT AND COLLECTION OF FEES:

A. The voluntary user fees provided for in this chapter shall be collected by the snowmobile advisory committee east/west at such locations as the committee from time to time authorizes and directs.

B. Upon payment of the voluntary annual fee, the payer shall be issued a written receipt that identifies the operator being credited with payment by name and address. The receipt shall be considered to be issued to the named operator as an individual. The snowmobile advisory committee east/west shall also provide the payer with a suitable decal sticker that the payer may display on a snowmobile as evidence that the operator thereof has paid the annual voluntary fee. (Ord. 380, 10-21-1999)

#### 2-507: USE OF USER FEE REVENUES:

The annual revenues derived from the payment of said voluntary user fees shall be used and distributed as follows:

One hundred percent (100%) shall be placed in the county snowmobile fund to be used only for the county snowmobile groomer operation, including equipment, maintenance on any groomed trails, posting signs, supplies, fuel and wages for operation of the equipment. (Ord. 380, 10-21-1999)

#### 2-508: OPERATOR QUALIFICATIONS:

No person shall operate a snowmobile upon Bonner County roadways and trails unless designated herein. (Ord. 380, 10-21-1999)

#### 2-509: EQUIPMENT:

No snowmobile shall be operated on the roadways of Bonner County, as designated herein, unless it is equipped with the following:

A. At least one and not more than two (2) headlights sufficient to render clearly discernible persons and vehicles at a distance of two hundred fifty feet (250') ahead.

B. At least one tail lamp and brake lamp which, when lighted, shall emit a red light plainly visible to the rear at a distance of two hundred fifty feet (250').

C. At least one brake which may be operated by hand or foot. (Ord. 380, 10-21-1999)

#### 2-510: REGULATIONS FOR OPERATION:

A. It shall be unlawful to operate a snowmobile at a speed in excess of twenty (20) miles per hour on the county roadways as designated herein;

B. No sled, toboggan, inner tube, or any other similar equipment or device, shall be towed by a snowmobile upon the roadways of Bonner County, as designated herein, unless the item being towed is a disabled snowmobile or a trailer manufactured for towing behind a snowmobile;

C. No person on skis, snowboards or similar devices shall be towed behind a snowmobile on the roadways of Bonner County, as designated herein;

D. All snowmobile drivers utilizing the roadways of Bonner County, as designated herein, shall abide by the same traffic rules required of motorized vehicle operators in the state of Idaho and shall comply with the speed limits designated in subsection A of this section;

E. All snowmobiles operated on the roadways of Bonner County, as designated herein, shall be operated only in a single file manner on the extreme right hand side of the designated routes described herein and attached hereto;

F. Operations of snowmobiles on the roadways of Bonner County, as designated herein, shall be limited to ingress and egress to snowmobile trails and said roadways are not to be used as a place of recreation for snowmobiles. (Ord. 380, 10-21-1999)

#### 2-511: DESIGNATED ROADWAYS:

It shall be unlawful to operate a snowmobile upon any roadway in Bonner County, except those designated county roadways and trails for use upon which to operate a snowmobile are identified herein. Said road designations may be amended by resolution of the board. Bonner County roads authorized for use are those portions of:

- A. Caribou Creek Road;
- B. Baldy Road;
- C. Ruen Road;
- D. Dry Creek Road;
- E. Lightning Creek Road;
- F. The bridge over the Priest River on Dickensheet Road;
- G. Main Street in Coolin from its intersection with the Dickensheet Road at Coolin Corners through Coolin to the eastern most public launching ramp on Priest Lake in Coolin;
- H. Johnson Creek Road;
- I. Trestle Creek Road. (Ord. 380, 10-21-1999)

#### 2-512: PENALTIES:

Any violation of subsection 2-504B of this chapter shall be a misdemeanor with a fine of three hundred dollars (\$300.00) or thirty (30) days in jail, or both. (Ord. 380, 10-21-1999)

# BONNEVILLE COUNTY OHV ORDINANCES

176-96 Snowmobile Trails and Road Closures  
229-17 Restricted Snowmobile Area

# CARIBOU COUNTY OHV ORDINANCES

## ORD 82-01 PROHIBITING SNOW MACHINE ON OR NEAR STUMP CREEK RIDGE

ORDINANCE NO. 82-1

AN ORDINANCE PROHIBITING SNOW MACHINE OR OTHER OVER-SNOW VEHICLES ON CERTAIN PROPERTIES LOCATED ON OR NEAR STUMP CREEK RIDGE IN CARIBOU COUNTY, IDAHO; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE; AND ESTABLISHING EFFECTIVE DATE FOR THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CARIBOU COUNTY, IDAHO AS FOLLOWS:

Section 1. No person shall drive or operate a snow machine, snowmobile, or other over-snow vehicle upon lands on or near the Stump Creek Ridge located in Caribou County, Idaho, from November 15 to April 15 of each and every year. Said properties on which the operation or driving of snow machines, snowmobiles, or other over-snow vehicles is prohibited is more specifically described as follows:

Township 7 South, Range 46 East, B.M., Caribou County, Idaho

Section 8: N $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
 Section 9: NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Section 10: W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Section 11: Lots 1 & 2;  
 Section 15: All;  
 Section 16: E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Section 22: All;  
 Section 23: Lots 1,2,3 and 4, W $\frac{1}{2}$ ;  
 Section 26: Lots 1 and 2, NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Section 27: Those portions of the NE $\frac{1}{4}$  and the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  north of the Stump Creek Road.

Section 2. The Sheriff of Caribou County, or other governmental police authority may operate snow machines, snowmobiles or other over-snow vehicles upon the above described property when necessary in case of emergency or in the pursuit of public service activities. All other governmental or private persons desiring to operate snow machines, snowmobiles, or other over-snow vehicles upon the above described property shall first obtain the permission of the United States Bureau of Land Management area manager, or, in regard to Section 16 described above, the permission of the director of the Idaho Department of Public Lands.

Section 3. Any person, persons or entity violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed \$300.00 or confinement in the county jail for a period not to exceed six months, or by both such fine and imprisonment.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARIBOU COUNTY, IDAHO this 19 day of June, 1982.

BOARD OF COUNTY COMMISSIONERS

By Robert E. Anderson  
 ROBERT E. ANDERSON,  
 Chairman

Attest:

Elaine S. Johnson  
 Elaine S. Johnson  
 Clerk

To newspaper  
 6-18-82

## ORD 84-01 PROHIBITING SNOW MACHINES ON OR NEAR RABBIT HILL

ORDINANCE NO. 84-1

AN ORDINANCE PROHIBITING OPERATION OF SNOW MACHINES, SNOWMOBILES, OR OTHER OVER-SNOW VEHICLES ON CERTAIN PROPERTIES LOCATED ON OR NEAR RABBIT HILL LOCATED EAST OF SODA SPRINGS CITY LIMITS, IN CARIBOU COUNTY, IDAHO; PROVIDING A PENALTY FOR VIOLTION OF THIS ORDINANCE; AND ESTABLISHING EFFECTIVE DATE FOR THIS ORDINANCE.

WHEREAS, it has been determined by the Board of County Commissioners of Caribou County, Idaho, that persons are operating snow machines, snowmobiles, or other over-snow vehicles on lands hereafter described and are using said vehicles to harass, chase, and intimidate wildlife, and

WHEREAS, the Board of County Commissioners has deemed it necessary to curtail the operation of said vehicles upon the following described lands in order to prevent said molestation of wildlife.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CARIBOU COUNTY, IDAHO, AS FOLLOWS:

Section 1. No person shall drive or operate a snow machine, snowmobile, or other over-snow vehicle upon land on or near Rabbit Hill located in Caribou County, East of Soda Springs, Idaho, from December 1 to April 1 of each and every year. Said properties on which the operation or driving of snow machines, snowmobiles, or other over-snow vehicles is prohibited is more specifically described as follows:

Township 6 South, Range 42 East, Boise Meridian:

Section 4: All.

Section 5: E $\frac{1}{2}$  to the East boundary line of the city limits of Soda Springs Idaho, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ .

Section 8: NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

Section 9: N $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ .

Section 2. The Sheriff of Caribou County, or other governmental police authority may operate snow machines, snowmobiles or other over-snow vehicles upon the above described property when necessary in case of emergency or in pursuit of public service or police activities. All other governmental or private persons desiring to operate snow machines, snowmobiles, or other over-snow vehicles upon the above described property shall first obtain the persmission of the Board of County Commissioners of Caribou County, Idaho.

Section 3. Private property owners located within the above described area shall have the right to operate snow machines, snowmobiles, or other over-snow vehicles on lands owned by them within said area solely for the purpose of maintaining fences, livestock or for other

reasons necessary to maintain their livelihood. Said persons shall not operate snow machines for recreational purposes within the described area.

Section 4. Any person, persons or entity violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed \$300.00 or confinement in the county jail for a period not to exceed six months, or by both such fine and imprisonment.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

# CASSIA COUNTY OHV ORDINANCES

## CHAPTER 4

### SNOWMOBILE ADVISORY BOARD

#### SECTION:

2-4-1: Board Established

2-4-2: Offices

2-4-3: Definitions

2-4-4: Members

2-4-5: Meetings

2-4-6: Officers

2-4-7: Miscellaneous Matters

2-4-8: Relationship with Board Of County Commissioners

2-4-1: BOARD ESTABLISHED: There is established among the three counties of Cassia, Minidoka and Power, a snowmobile advisory board to advise the respective County Commissioners regarding the just and appropriate expenditures of the funds received from the state of Idaho, and from any other sources, for snowmobile purposes. The advisory board shall also advise the Commissioners in matters related to the establishment and maintenance of parking and unloading areas on public and private property. This advisory board serves at the pleasure of the Commissioners.

2-4-2: OFFICES: The office of the Cassia County snowmobile advisory board shall be located at the Commissioners' Chambers in the Cassia County, Idaho Courthouse at 1459 Overland Avenue in Burley, Cassia County, Idaho.

#### 2-4-3: DEFINITIONS:

BOARD: The Cassia County snowmobile advisory board.

COMMISSIONERS: The respective Boards of County Commissioners of Cassia County, Idaho, Minidoka County, Idaho and Power County, Idaho.

COUNTY: Cassia County, Idaho, Minidoka County, Idaho and/or Power County, Idaho.

PUBLIC OFFICE: Any position held on the Cassia County snowmobile advisory board or employment by and through the Board, in which the normal and usual duties are conducted on behalf of the County or the Board.

PUBLIC OFFICER: Any person holding public office for the County, whether elected, appointed or hired.

#### 2-4-4: MEMBERS:

A. Number, Election and Term of Office:

1. Number of members: The number of members of the board shall be five (5), unless and until otherwise determined by the commissioners.

2. Qualifications to be a member. Candidates to serve as a member of the advisory board shall be active snowmobilers representing snowmobile clubs, organizations, or merchants engaged in the sale or rental of snowmobiles, or are a member of the general public actively engaged in the sport of snowmobiling.



### 3. Appointment:

The members of the board shall be appointed by the Commissioners as follows: one (1) resident each from Cassia County, Minidoka County and Power County, with two (2) at large members, which members must be a resident of one of the three counties. There can be no more than two (2) board members from the same county at the same time, except as hereafter provided for in paragraph 2-4-4 A.3.(b).

a. In the event that there is no willing volunteer from a county, then the seat will be filled from the remaining counties for the duration of one term as an interim appointment. When the interim appointment expires, the seat should once again be made available to the original county.

b. Each County will appoint its seated board member; Cassia County will take recommendations from Minidoka and Power Counties for the at large appointments and will make the final selection on these two seats.

### 4. Terms:

a. All appointments by the commissioners to this advisory board shall be for a term of four (4) years, to commence on the second Monday of September after the date of appointment.

b. Except for the initial appointment following adoption of these regulations at which event the appointees representing the three (3) county positions on this advisory board shall serve from time of appointment until the second Monday of September, 2014 and the appointees to the two (2) at large positions shall serve for an initial term from time of appointment until the second Monday of September, 2012.

c. Conflict of Interest: Any action or any decision or recommendation by a person acting in a capacity as a public official with respect to this advisory board, the effect of which would be to the private pecuniary benefit of the person or a member of the person's household, or a business with which the person or a member of the person's household is associated is a conflict of interest. Conflicts of interest are prohibited and may be cause for removal of the member from the advisory board.

B. Duties And Powers: The board members shall be responsible for the oversight of snowmobile trail grooming and facility development within the county and to advise the commissioners regarding the priorities for expenditures of snowmobile funds and the just and equitable division of such funds, and shall fulfill all duties assigned to them by the commissioners, which powers and duties shall include the following:

1. Responsibility for Monies: Responsibility for all monies received by it, from fees for snowmobile purposes, and any other monies received from other sources for snowmobile purposes.

2. Keeping of Monies: It shall safely keep, or cause to be safely kept, all monies and equipment coming into its care, custody, or possession in strict compliance with the provisions of the public depository law of the state of Idaho and other applicable laws.

3. Formulation and Filing of Plans: It shall formulate in writing, and file in its office; all future plans adopted by it from time to time in connection with the conduct of the business of the board, and also file a copy of the same with the commissioners.

4. Records: It shall keep, or cause to be kept, proper records of its proceedings, business transactions, and true and proper accounts of all monies received by it and expended or on hand. Copies of said records shall be on file with the commissioners.

5. Vouchers: It shall require proper vouchers, evidencing all disbursements of money.

6. Inspection: It shall allow open inspection by any taxpayer or voter within the county during all regular hours of its records.

7. Purchase Recommendations: It shall recommend to the commissioners, when appropriate, that purchases be made of property as may be needed for snowmobile recreation purposes.

8. Powers Restricted: It shall not have the power to create or contract any indebtedness.

C. Vacancies: Any vacancy in the board occurring by reason of the change in residency, death, resignation, disqualification, removal or inability to act of any board member, or otherwise, shall be filled for the unexpired portion of the term by the commissioners.

D. Resignation: Any board member may resign at any time by giving written notice to the chairman of the board, and the commissioners. Unless otherwise specified in such written notice, such resignation shall take effect upon receipt thereof by the commissioners and acceptance of such resignation shall not be necessary to make it effective.

E. Removal: Any board member may be removed with or without cause at any time by the commissioners at a regular meeting of the board of county commissioners for which notice of that purpose has been given. Any board member missing three (3) consecutive meetings will be considered for removal from the board.

F. Salary and Benefits: No salary shall be paid to the members of the board for their services, and the members do not receive County benefits, but the members of the board may be paid for their actual and necessary expenses out of the funds provided for snowmobile purposes, upon prior approval of the claims for the same by the commissioners.

#### 2-4-5: MEETINGS:

##### A. Annual or Regular Meetings; Notice:

1. Annual Meeting: A regular annual meeting of the snowmobile advisory board shall be held in November of each year at a regular meeting of the commissioners, at the courthouse, in Burley, Idaho.

2. Regular Meetings: The advisory board shall meet on the second Tuesday of each month from November through March at 4:00 p.m. at the Cassia County Courthouse, Commission Chambers Room #3, 1459 Overland Avenue, Burley, Idaho. Meeting notice and agenda notice requirements shall be as required by Idaho's Open Meeting Law.

3. Open Meetings: All meetings of the board shall be open to the public, and notice shall be given in compliance with the open meeting laws of the state of Idaho.

##### B. Special Meetings; Notice:

1. Time and Location: Special meetings of the board shall be held whenever called by the chairman, or by three (3) or more board members, at such time and place as may be specified in the respective notices, or waivers of notice thereof.

2. Notice: Notice of special meetings shall be mailed directly to each board member, addressed to his residence or usual place of business, at least two (2) days before the date

on which the meeting is to be held, or shall be delivered to him personally, or given to him orally, not later than the day before the day on which the meeting is to be held.

3. Notice Not Required: Notice of any special meeting shall not be required to be given to any board member who shall attend any such meeting without protesting prior to or at its commencement the lack of notice to him, or who submits signed waiver of notice, whether before or after the meeting. Notice of any adjourned meeting shall not be required to be given.

4. Open Meetings: All special meetings of the board shall be open to the public. Notice and agenda requirements for special meetings shall be given in compliance with the open meeting laws of the state of Idaho.

C. Chairman: At all meetings of the board, the chairman of the board shall preside. If there shall be no chairman or he shall be absent, then the vice chairman shall preside.

D. Quorum and Adjournments:

1. Quorum: At all meetings of the board the presence of a majority of the entire board shall be necessary and sufficient to constitute a quorum for the transaction of business.

2. Adjournment: When a quorum is not present, a majority of the board members present may adjourn the same until a quorum is present.

E. Manner Of Action:

1. Votes: At all meetings of the board each member present shall have one vote.

2. Action by Majority: The action of a majority of the board present at any meeting at which a quorum is present shall be the act of the board. Any action authorized in writing by all of the board members entitled to vote thereon, and filed with the minutes of the board, shall be the act of the board, with the same force and effect as if the same had been passed by unanimous vote at a duly called meeting of the board.

2-4-6: OFFICERS:

A. Number, Qualifications, Election and Term of Office: The officers of the board shall consist of a chairman, a vice chairman, and a secretary. The chairman, vice chairman, and secretary are required to be members of the board appointed by the Commissioners. These officers of the board shall be elected by the board at the regular meeting of the board held in November of each year. The chairman, vice chairman and secretary shall serve for a term of two (2) years, commencing with the date of their election.

B. Resignation: Any officer of the board may resign at any time by giving written notice of such resignation to the Cassia County Commissioners and to the chairman or secretary of the board. Unless otherwise specified in such written notice, such resignation shall take effect upon receipt thereof by the Cassia County Commissioners and the written or formal acceptance of such resignation shall not be necessary to make it effective.

C. Removal: Any officer of the board may be removed as such officer by the vote of the board with or without cause, and a successor elected by the board at any time. Such removal will not affect the membership of that person as an advisory board member.

D. Vacancies: Vacancies in board offices created by reason of change of residency, death, resignation, removal, inability to act, or disqualification may at any time be filled for the unexpired portion of the term by the board.

E. Duties Of Officers: Officers of the board shall, unless otherwise provided by the board, each have such powers and duties as generally pertain to their respective offices, and such duties as may from time to time be specifically inferred or imposed by the commissioners.

#### 2-4-7: EMPLOYEES AND MISCELLANEOUS MATTERS:

A. Employees: The Groomer Director and Groomer operators are considered seasonal part-time employees of Cassia County. These employees will not receive Cassia County Benefits.

1. The Advisory Board shall have immediate supervision and control of all employees hereunder, which shall include the groomer director and groomer operators.

2. Management of hiring and working such employees shall comply with federal and state hiring, payment and benefit laws and regulations to protect this seasonal part-time status.

3. As Cassia County employees the Cassia County Personnel Handbook shall apply to them and employment issues, policies and procedures and they shall be subject to all rules and regulations therein set forth.

4. Hiring and wage issues for groomer director, and groomer employees and any other employee hereunder shall be recommended by the advisory board to the Board of Commissioners for Cassia County. Such hiring and wage matters shall not be finalized until approved by Change of Status form by the Cassia County Commissioners. Change of status forms can be obtained from the Auditor's Office at the Courthouse. Advisory Board Members cannot also be paid employees for any purposes herein.

5. Conflict of Interest: Any action or any decision or recommendation by a person acting in a capacity as a public official with respect to this advisory board or an employee thereof, the effect of which would be to the private pecuniary benefit of the person or a member of the person's household, or a business with which the person or a member of the person's household is associated is a conflict of interest. Conflicts of interest are prohibited and may be cause for discipline up to and including termination.

B. Expenditures: The groomer director and/or operator may make expenditures for operations, parts and labor not to exceed \$1,000.00 without Advisory Board approval. Expenditures exceeding this amount shall have Advisory Board approval. All expenditures and invoices shall be submitted to the Cassia County Auditor's Office for the regular claims approval process of Cassia County and to facilitate regular audits thereof.

C. Equipment: All equipment shall be owned by Cassia County except the Groomer which is owned by the Idaho Department of Parks and Recreation.

#### 2-4-8: RELATIONSHIP WITH BOARD OF COUNTY COMMISSIONERS:

A. General Supervision: The Board of County Commissioners of Cassia County, Idaho, is the chief executive board of Cassia County, Idaho, and as such is directly responsible for the supervision, direction and regulation of the advisory board hereunder. This Board of Commissioners will work in conjunction with the Boards of Commissioners for Minidoka and Power Counties to utilize this advisory board for its optimum value. The members of the board

shall serve under the guidance and direction of the elected board of commissioners of Cassia County, Idaho.

B. Operations and Fiscal Matters: The commissioners shall have the right and obligation to oversee the general operations of the board, and all fiscal matters regarding the board.

C. Report At Annual Commissioners Meeting: The board shall be required to be in attendance at a regular meeting of the commissioners in November of each year in order to report to the commissioners on the current status of the snowmobile fund operations, the election of new officers, appointments, expiring terms of appointment of board members and officers, and all other matters relating to the general operation and fiscal stability and integrity of the snowmobile advisory board fund.

D. Funds:

1. Submission of Request: Annually, the board shall submit a request to the Commissioners for the amount of funds required for current needs. The board shall also submit to the Commissioners a budget and operations plan for the upcoming year.

2. Expenditures: The board shall make recommendations to the Commissioners as to appropriate expenditures of the retained and reserved funds in the snowmobile account as needs arise.

3. Approval or Modification: The Commissioners shall thereafter approve or make such amendments or modifications in the snowmobile advisory board recommendations as they deem proper.

# ELMORE COUNTY OHV ORDINANCES

Elmore County  
2005-1 Elmore County Snowmobile Ordinance

## SUMMARY OF ORDINANCE 2005-1

**AN ORDINANCE INCORPORATING ENACTMENTS OF THE MOUNTAIN HOME, ATLANTA, AND GLENN'S FERRY HIGHWAY DISTRICTS ALLOWING OPERATION OF SNOWMOBILES ON CERTAIN PUBLIC ROADWAYS; REGULATING THE USE THEREOF AND PROVIDING FOR ENFORCEMENT AND PENALTIES;**

**Whereas**, Idaho Code Section 67-7109 authorized local highway districts to regulate operation of snowmobiles on public roadways, and the Mountain Home, Atlanta, and Glenn's Ferry Highway Districts have taken such actions; and

**Whereas**, Article XII, Section.2 of the Idaho Constitution authorizes county governments to enact regulations and ordinances for the health and safety of its citizens,

**THEREFORE, BE IT ORDAINED BY THE BOARD OF THE COUNTY COMMISSIONERS OF ELMORE COUNTY, IDAHO, IN LAWFUL MEETING ASSEMBLED:**

**The following is a list of sections contained in Ordinance 2005-1. A copy of the entire Ordinance is available on request at the Recorder's Office, Elmore County Courthouse, 150 South 4<sup>th</sup> East, Suite #3, Mountain Home, Idaho.**

**Section 1: SHORT TITLE**

**Section 2: DEFINITIONS**

**Section 3: AREAS OF ALLOWED OPERATIONS**

**Section 4: REGULATIONS AND RESTRICTIONS**

**Section 5: VIOLATIONS**

**Section 6: PENALTIES**

**Section 7: SEPARABILITY**

**Section 8: EFFECTIVE DATE - This Ordinance shall be in full force and effect from and after its passage, approval, and publication.**

**Section 9: This Ordinance supercedes and replaces all previous Elmore County Snowmobile Ordinances.**

**PASSED**, at a regular meeting of the Elmore County Board of County Commissioners in the City of Mountain Home, County of Elmore, State of Idaho, held on the 3<sup>rd</sup> day of March, 2005, upon which roll call vote was taken and said Ordinance duly passed by a unanimous vote as an Ordinance of Elmore County, Idaho.

**ELMORE COUNTY COMMISSIONERS**

**/S/ LARRY E. ROSE, Chairman**

**/S/ MARY EGUSQUIZA, Commissioner**

**/S/ CONNIE CRUSER, Commissioner**

**1 Publication - March 16, 2005**

## ELMORE COUNTY ORDINANCE NO 2005-1

**AN ORDINANCE INCORPORATING ENACTMENTS OF THE MOUNTAIN HOME, ATLANTA, AND GLENN'S FERRY HIGHWAY DISTRICTS ALLOWING OPERATION OF SNOWMOBILES ON CERTAIN PUBLIC ROADWAYS; REGULATING THE USE THEREOF AND PROVIDING FOR ENFORCEMENT AND PENALTIES;**

**WHEREAS**, Idaho Code Section 67-7109 authorized local highway districts to regulate operation of snowmobiles on public roadways, and the Mountain Home, Atlanta, and Glenn's Ferry Highway Districts have taken such actions; and

**WHEREAS**, Article XII, Section 2 of the Idaho Constitution authorizes county governments to enact regulations and ordinances for the health and safety of its citizens,

**THEREFORE, BE IT ORDAINED BY THE BOARD OF THE COUNTY COMMISSIONERS OF ELMORE COUNTY, IDAHO, IN LAWFUL MEETING ASSEMBLED:**

### **Section 1:     SHORT TITLE**

This Ordinance shall be known as the Elmore County Snowmobile Ordinance.

### **Section 2:     DEFINITIONS**

For the purposes of this Ordinance the terms used herein shall have the meanings assigned to them in §67-7109, Idaho Code, and said definitions are hereby incorporated herein. All words and phrases not otherwise defined herein shall have their ordinary and customary meaning.

### **Section 3:     AREAS OF ALLOWED OPERATIONS**

Snowmobiles may be operated on any maintained, groomed and recognized snowmobile trail even if that trail is on a public road or highway, providing that the trail is closed to regular motor vehicle traffic. Snowmobiles may be operated only upon the following listed public roadways that remain open to regular motor vehicle traffic:

- a. Mountain Home Highway District. In the Pine, Idaho area: All subdivision roads maintained by the Mountain Home Highway District, including Pine Meadows Subdivision, East Pine Meadows Circle, McGuire Subdivision, East Foster Road and East Norma Road, Featherville Subdivision No. 1, East Red Cedar Place, Featherville

Subdivision No. 2, East Pine Creek Road, North Phil Place, North Robin Court, North Dove Court, McCoy Bridge Road, East Baumgartner Road section 1 from Featherville east .7 miles and South Fall Creek Road Section 1 from Anderson Ranch Dam to South Lake Creek Road Junction 8.4 miles, N. Pine Featherville Road and South Pine Featherville Rd.

In the Prairie, Idaho, area; Park Subdivison, Mary Lane and Kelly Road, Blacks Creek Road, Section 1 from the Y-Stop west to the DeMint Place 6.8 miles, Long Gulch Road, from Meadow Creek Road/Prairie Road Junction to Carrico's Place 5.7 miles, Meadow Creek Section 1 from Smith Creek Road to Burnt Creek Road .7 miles, Smith Creek Road and Prairie Road Sections 1 & 2 from Smith Creek Road to the top of Pierce Creek Grade 8 miles.

b. Atlanta Highway District. All public roadways under Atlanta Highway District jurisdiction.

c. Glenns Ferry Highway District. That portion of the highway district road extending from the intersection of State Highway 20 to the Pine bridge along the section of road delineated as Highway No. 102 and Highway No. 79 as designated by the Elmore Planning and Zoning Commission and those portions of any main road under Glenns Ferry Highway District jurisdiction in the Hill City area of Elmore County.

#### **Section 4: REGULATIONS AND RESTRICTIONS**

Any snowmobile being operated upon any public roadway or highway within Elmore County, Idaho, pursuant to the exceptions delineated in I.C. §67-7109, or otherwise shall be operated subject to the following laws, regulations, and restrictions, to wit:

- a. Each snowmobile shall be operated in accordance with the rules and restrictions contained in the laws of the State of Idaho as set forth in §67-7109 and §67-7110 of the Idaho Code, which statutes are incorporated herein by reference.
- b. Each snowmobile shall be equipped with a mast or antenna displaying a red or red-orange fluorescent flag or pennant at least six (6) feet above ground level, either rectangular or triangular in shape, with the leading edge at least six (6) inches wide and the length being at least twelve (12) inches long. However, such flags are not required if the snowmobile is being operated on a maintained, groomed and recognized snowmobile trail.



- c. Each snowmobile shall be operated in single file on the extreme right hand portion of the roadway and shall yield the right-of-way to vehicular traffic on the roadway.
- d. No snowmobile may be operated by any person unless such operator shall have in his possession a current valid motor vehicle operator's license authorizing such person to operate a motor vehicle on the public highways of the State of Idaho.
- e. No snowmobile shall be operated at a speed in excess of forty-five (45) miles per hour, or any lessor Highway District posted speed, except when done in conjunction with a sanctioned public racing event.
- f. No snowmobile shall tow any person or equipment upon a public roadway or highway by any means other than a rigid tow bar, except in the event of an emergency dictated by the breakdown of a snowmobile.
- g. Each snowmobile shall yield the right-of-way to all vehicular traffic approaching from either direction, if necessary for safety of persons or property.
- h. Snowmobiles shall not be parked or left unattended on a public highway or public roadway, except in case of emergency.
- i. No person under eighteen (18) years of age shall ride on a snowmobile as operator or passenger, upon any public property, unless at all times when so operating or riding upon said snowmobile he or she is wearing a protective safety helmet of a type and quality equal to or better than standards established for such helmets by the Director of the Idaho State Department of Law Enforcement.
- j. No person shall operate a snowmobile upon the above listed public roadways if normal maintenance of the road requires that snow or ice be removed from the road surface. Neither shall any snowmobile be operated upon such roadways after snow or ice melt due to normal weather conditions.

#### **Section 5: VIOLATIONS**

From and after the effective date of this Ordinance, any person who violates any of the provisions of this Ordinance or fails to comply with any of the terms and conditions of this Ordinance shall be guilty of a misdemeanor.

**Section 6: PENALTIES**

Each violation of this Ordinance shall be punished by a fine of not less than ten dollars (\$10.00) nor more than three hundred dollars (\$300.00), or by imprisonment for not more than ninety (90) days in the County Jail, or by both such fine and imprisonment. In addition thereto the operator and/or owner of the snowmobile shall be responsible and held accountable to the owner of any lands where trees, shrubs or other property has been damaged as the result of travel over their premises.

**Section 7: SEPARABILITY**

If any clause, sentence, paragraph, section or phrase of this Ordinance or any part thereof is declared and adjudged to be illegal, invalid, or unconstitutional by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. All ordinances and parts thereof which are in conflict with the provisions of this Ordinance are hereby repealed.

**Section 8: EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

**Section 9:** This Ordinance supercedes and replaces all previous Elmore County Snowmobile Ordinances.

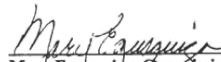
**PASSED**, at a regular meeting of the Elmore County Board of County Commissioners in the City of Mountain Home, County of Elmore, State of Idaho, held on the 3<sup>rd</sup> day of March, 2005, upon which roll call vote was duly taken and said Ordinance duly passed by a unanimous vote as an Ordinance of Elmore County, Idaho.

A summary of the Ordinance shall be published in the Mt. Home News within one (1) month after passage.

ELMORE COUNTY BOARD OF COMMISSIONERS



  
Larry E. Rose, Chairman

  
Mary Egusquiza, Commissioner

  
Connie Crusier, Commissioner

ATTEST:

  
GAIL L. BEST, Clerk

## FREMONT COUNTY OHV ORDINANCES

**1996-01** Designate Snowmobile Trails for Multiple Use with Animal-Drawn Vehicles  
 AN ORDINANCE AMENDING FREMONT COUNTY CODE 10.08.010 A, TO INCLUDE VEHICLES DRAWN BY AN ANIMAL IN THE DEFINITION OF SELF PROPELLED VEHICLES; AMENDING 10.08.020 TO ADD A PROVISION ALLOWING THE FREMONT COUNTY PARK, RECREATION AND WATERWAYS COMMISSION TO DESIGNATE CERTAIN SNOWMOBILE TRAILS FOR MULTIPLE USE WITH ANIMAL DRAWN VEHICLES; AMENDING FREMONT COUNTY CODE SECTION 10.08.030 TO ALLOW FOR MULTIPLE USE OF DESIGNATED SNOWMOBILE TRAILS WITH ANIMAL DRAWN VEHICLES; AND, PROVIDING THE EFFECTIVE DATE HEREOF.  
 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO, AS FOLLOWS:

1. Fremont County Code 10.08.010 A is hereby amended, to read as follows:
  - A. "Self-propelled vehicle" means every vehicle by which any person or property may be transported, excepting devices moved by human power, and specifically including vehicles drawn by an animal.
  
2. Fremont County Code 10.08.020 shall be amended, to read as follows:
  - A. It is unlawful for any person to drive or operate, or to be in actual physical control of, any self-propelled vehicle other than a snowmobile on snowmobile trails in the county.
  - B. The Fremont County Park, Recreation and Waterways Commission FCPRWO may annually designate certain snowmobile trails which may be utilized by self-propelled vehicles constituting vehicles drawn by an animal. Trails so designated may be used by snowmobiles and by vehicles drawn by animals. Designation of trails for such multiple use shall be based on criteria determined by the CPRWC, which criteria may set additional trail regulations, including but not limited to: hours of usage by animal drawn vehicles; trail signing; and insurance requirements for commercial users.
  
3. Fremont County Code 10.08.030 shall be amended, to read as follows:  
 Nothing in this chapter shall limit or restrict the use of snowmobile trails except as to self-propelled vehicles other than snowmobiles and trails specifically designated for multiple use with animal drawn vehicles as set out in Section 10.08.020 B.
  
4. This ordinance shall be in full force and effect, from and after its passage and publication, all as provided by law.

**1998-04** Rules and Regulations for Operating Off-highway Vehicles  
 AN ORDINANCE CREATING RULES AND REGULATIONS FOR OPERATING OFF HIGHWAY VEHICLES AND NAMING SUCH ORDINANCE; DEFINING TERMS; REQUIRING REGISTRATION; CREATING A SERIES OF INFRACTION LEVEL OFFENSES; CREATING A SERIES OF CRIMINAL OFFENSES; PROVIDING PENALTIES; ESTABLISHING A SPEED LIMIT ON GROOMED SNOWMOBILE TRAILS; AND, ESTABLISHING AN EFFECTIVE DATE.  
 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO, AS FOLLOWS:

1. Name. This act shall be known as the Fremont County Off-Highway Vehicle Act.

2. Definitions. "Off Highway Vehicle," is defined as any motorized device in, upon or by which any person may be transported and which is operated, or is intended to be operated off highways, excepting when used as implements of husbandry. Off-highway vehicles includes, but is not limited to motorbikes, all-terrain vehicles, snowmobiles, dune buggies and other vehicles intended for use off highway.

3. Registration. All off highway vehicles shall be registered and shall display current registration.

4. Infractions. It shall constitute an infraction offense for any person to drive or operate any off-highway vehicle:

- a. At a rate of speed greater than the posted limit, or reasonable and prudent under the existing condition;
- b. In a negligent manner so as to endanger the person or property of another, or to cause damage to property, where the conduct of the operator has been inattentive, careless or imprudent, in light of the circumstances then existing, or in cases where the danger to persons or property is slight;
- c. In any manner to harass, chase or annoy any wild game animals or birds or domestic animals;
- d. Without a lighted headlight and taillight between the hours of dusk to dawn;
- e. Without adequate braking devices which may be operated by either hand or foot;
- f. Upon a public roadway or highway, unless the public roadway or highway is closed to conventional vehicle travel.

5. Criminal Offenses. The following shall constitute criminal offenses:

- a. Grossly Negligent Operation. It shall be a misdemeanor criminal offense for any person to operate any off-highway vehicle carelessly and heedlessly or without due caution or circumspection, and at a speed or in such a manner as to endanger or be likely to endanger any person or property.
- b. Incorporation of State Laws. It shall be a criminal offense for any person to operate an off highway vehicle, in any manner provided for under state law pursuant to Idaho Code 18-8002 et. seq., for on highway vehicles. Idaho Code sections 18-8002 through 18-8007 are hereby incorporated in their entirety for application to off highway vehicles.

6. Penalties.

- a. Any person convicted of violating an infraction offense under this Act shall be punished by a fine of not more than \$50.00.
- b. Any person convicted of committing a misdemeanor criminal offense under this Act shall be punished by a fine of not more than \$500.00, or by imprisonment in the county jail for not more than 30 days, or by both such fine and imprisonment.
- c. Any person convicted of committing a felony criminal offense under this Act shall be punished according to the penalties established for such offense, had such offense been punishable under the applicable state law.

7. Groomed Snowmobile Trails. The maximum speed limit on any groomed snowmobile trail shall be 45 miles per hour.

8. Effective Date. This ordinance shall be in full force and effect 30 days after its passage and publication, all as provided by law.

#### **2004-01 Off-highway Vehicles (Waterways) Amending 98-04**

AN ORDINANCE AMENDING THAT PORTION OF FREMONT COUNTY ORDINANCE 98-04 BY AMENDING PARAGRAPH FOUR (4) BY ADDING A SUBPARAGRAPH h. PROHIBITING OPERATORS OF ALL OFF HIGHWAY VEHICLES FROM OPERATING SUCH VEHICLES UPON ANY PUBLIC BODY OF WATER OR WATER FLOW, INCLUDING BUT NOT LIMITED TO, LAKES, PONDS, RIVERS, STREAMS, SPRINGS OR CANALS UNLESS SUCH BODY OF WATER OR FLOW IS SO FROZEN OVER THAT IT CAN SAFELY WITHSTAND THE WEIGHT OF NONMOVING OFF ROAD VEHICLES; AND, ESTABLISHING THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO, THAT FREMONT COUNTY ORDINANCE 98-04, PARAGRAPH FOUR (4) BE AMENDED AS SET FORTH BELOW:

4. Infractions. It shall constitute an infraction offense for any person to drive or operate any off highway vehicle:

a. At a rate of speed greater than the posted limit, or reasonable and prudent under the existing condition;

b. In a negligent manner so as to endanger the person or property of another, or to cause damage to property, where the conduct of the operator has been inattentive, careless or imprudent, in light of the circumstances then existing, or in cases where the danger to persons or property is slight;

c. In any manner to harass, chase or annoy any wild game animals or birds or domestic animals.

d. Without a lighted headlight and taillight between the hours of dusk to dawn;

e. Without adequate braking devices which may be operated by either hand or foot;

f. Upon a public roadway or highway, unless the public roadway or highway is closed to conventional vehicle travel;

g. Without a safety flag, red or orange in color and a minimum of six (6) by twelve (12) inches, attached by a mast or whipstick to the off-highway vehicle at least eight (8) feet above the surface of level ground, with snowmobiles being excluded from the requirements of this single provision.

h. Upon any public body of water or water flow, including but not limited to lakes, ponds, rivers, streams, springs or canals, unless such body of water or water flow is so frozen over that it can safely withstand the weight of nonmoving off-road vehicles.

This amendment to the ordinance shall be in full force and effect, from and after its passage and publication, as provided by law.

#### **2004-02 Self-propelled Vehicles on Snow Trails**

SUMMARY OF FREMONT COUNTY ORDINANCE NO. 2004- OS

Fremont County Ordinance No. 2004. which was adopted by the Board of Fremont County Commissioners of Fremont County, Idaho on the day of 2004, may be summarized for publication as follows:

AN ORDINANCE OF FREMONT COUNTY CREATING THE FREMONT COUNTY GROOMED SNOW TRAIL PROTECTION ORDINANCE; PROVIDING A SHORT TITLE; PROVIDING A PURPOSE; PROVIDING DEFINITIONS OF SELF-PROPELLED VEHICLE, SNOWMOBILE, GROOMED SNOW TRAIL AND ACTUAL PHYSICAL CONTROL; ESTABLISHING THAT THE OPERATION OR ACTUAL PHYSICAL CONTROL OF A SELF-PROPELLED VEHICLE OTHER THAN A SNOWMOBILE ON GROOMED SNOW TRAILS WITHIN FREMONT COUNTY IS A VIOLATION OF LAW; PROVIDING THAT A VIOLATION OF THE ORDINANCE IS A MISDEMEANOR PUNISHABLE BY A FINE OF NOT LESS THAN FIFTY DOLLARS (\$50.00) NOR MORE THAN THREE HUNDRED

DOLLARS (\$300.00) OR IMPRISONMENT FOR NOT MORE THAN NINETY (90) DAYS OR BY BOTH FINE AND IMPRISONMENT; PROVIDING FOR RESTITUTION TO FREMONT COUNTY; ESTABLISHING EXCEPTIONS; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

**FREMONT COUNTY ORDINANCE NO. 2004- QQ**

AN ORDINANCE PROVIDING THAT THE OPERATION OR ACTUAL PHYSICAL CONTROL OF A SELF-PROPELLED VEHICLE OTHER THAN A SNOWMOBILE ON GROOMED SNOW TRAILS WITHIN FREMONT COUNTY IS A MISDEMEANOR. BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO AS FOLLOWS:

Pursuant to authority under Article XII, Section 2 of the Constitution of the State of Idaho and the requirements of Chapter 7 of Title 31, Idaho Code, IT IS HEREBY ORDAINED:

Section 1.0 Short title.

Section 1.1 This Ordinance shall be known and cited as the Fremont County Groomed Snow Trail Protection Ordinance.

Section 2.0 Purpose.

Section 2.1 The purpose of this ordinance is to protect groomed snow trails within Fremont County from damage inherent with the use of such trails by self-propelled vehicles other than snowmobiles; to protect Fremont County from the cost and expense of repairing and maintaining groomed snow trails after such trails have been used by self-propelled vehicles other than snowmobiles; and to protect the public from the hazards and dangers which occur when self-propelled vehicles other than snowmobiles are operated on groomed snow trails.

Section 3.0 Definitions.

Section 3.1 Except as provided herein, all words and phrases used in this Ordinance shall be given their ordinary, commonly understood and accepted meaning.

A. "Self-propelled vehicle" means every vehicle which is self-propelled and by which any person or property may be transported, excepting devices moved by human power or drawn by an animal.

B. "Snowmobile" means any self-propelled vehicle under one thousand pounds unladen gross weight, designed primarily for travel on snow or ice over natural terrain, which may be steered by tracks, skis or runners, and which is not otherwise registered or licensed under the laws of the state. All-terrain vehicles as defined by Idaho Code § 67-7101 shall not be considered snowmobiles or given snowmobile status for purposes of this ordinance.

C. "Groomed snow trail" means any trail prepared or posted for travel by the use of snowmobiles or skis and which is designated as a groomed snowmobile or ski trail on the most current Fremont County Winter Recreation Trails map. Maintenance of the trails on a regular basis is immaterial to violation of this chapter.

D. "Actual physical control" shall be defined as being in the driver's position of the self-propelled vehicle with the motor running or with the self-propelled

vehicle moving.

#### Section 4.0 Violation and Penalty.

Section 4.1 It is unlawful for any person to drive or operate, or to be in actual physical control of, any self-propelled vehicle other than a snowmobile on groomed snow trails in Fremont County. Any person who violates this Ordinance is guilty of a misdemeanor and shall be punished by a fine of not less than \$50.00 nor more than \$300, or by imprisonment for not more than 90 days, or by both such fine and imprisonment. In addition thereto, the operator and/or owner of the vehicle in violation of this Ordinance shall be ordered to pay restitution to Fremont County for any damage done to, or increased maintenance required on the groomed snow trail and for removal of the vehicle as a result of the violation.

#### Section 5.0 Exceptions.

Section 5.1 This Ordinance does not apply to snow trail maintenance vehicles operated by Fremont County employees or contractors. This Ordinance shall also not apply to Fremont County Sheriffs Office vehicles and other emergency vehicles. This Ordinance also shall not apply to tracked vehicles which are specifically designed for travel on snow and which are used by public utility or communication companies for facility and/or equipment maintenance purposes.

#### Section 6.0 Publication and Effective Date.

Section 6.1 This Ordinance shall be in full force and effect from and after its passage by the County Commissioners of the County of Fremont and its due publication as required by law.

### **2007-01 Off-highway Vehicle Safety Act**

AN ORDINANCE ADOPTING THE "OFF-HIGHWAY VEHICLE SAFETY ACT;  
" AND REPEALING FREMONT COUNTY ORDINANCES 98-04 AND 2003-03.  
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT  
COUNTY, IDAHO, AS FOLLOWS:

I. Short Title. This ordinance shall be known as the "Off-Highway Vehicle Safety Act."  
[Ordinance 98-04 and Ordinance 2003-03 are hereby repealed.]

#### II. Definitions.

A. "Off-highway vehicle" means any self-propelled or motorized device in, upon or by which any person may be transported and which is operated, or is intended to be operated off-highways, excepting when used as implements of husbandry. Off-highway vehicles include, but are not limited to motorcycles, all-terrain vehicles (ATVs), sand rails, dune buggies, snowmobiles, and any other motorized vehicle designed or used for off-highway transportation.

B. "Safety flag" means a highly visible red or orange colored piece of material no less than six inches (6") by twelve inches (12"), and of square, rectangular, triangle, or pennant shape. Long, thin streamers do not qualify as safety flags.

#### III. Infractions.

A. Registration. Operating an off-highway vehicle without a current registration displayed in a completely visible manner. A violation of this paragraph is an infraction punishable by a fine of seventy-five dollars (\$75.00).

B. Excessive Speed. Operating an off-highway vehicle at a speed in excess of the

posted speed limit, or that is reasonable and prudent under the existing conditions. Speed limits on groomed snowmobile trails shall be forty-five (45 m.p.h.) miles per hour. A violation of this paragraph is an infraction punishable by a fine of fifty dollars (\$50.00).

C. Inattentive/Careless Operation. Operating an off-highway vehicle in an inattentive, careless, or imprudent manner, given the existing circumstances, so as to slightly endanger the person or property of another. A violation of this paragraph is an infraction punishable by a fine of one hundred twenty-five dollars (\$125.00).

D. Wildlife Harassment. Operating an off-highway vehicle in a manner to harass, chase, or disturb wildlife or domestic animals. A violation of this paragraph is an infraction punishable by a fine of one hundred dollars (\$100.00).

E. Inadequate Headlight/Taillight. Operating an off-highway vehicle without a lighted headlight and taillight during the hours from dusk to dawn. A violation of this paragraph is an infraction punishable by a fine of fifty dollars (\$50.00).

F. Inadequate Brakes. Operating an off-highway vehicle without adequate braking devices (brakes may be hand-operated or foot-operated). A violation of this paragraph is an infraction punishable by a fine of fifty dollars (\$50.00).

G. Public Roadway. Operating an off-highway vehicle on a public highway or public roadway, unless the roadway is closed to automobile travel. A violation of this paragraph is an infraction punishable by a fine of one hundred dollars (\$100.00).

H. Safety Flag (Sand Dunes'). Operating an off-highway vehicle in the St. Anthony Sand Dunes Wilderness Study Area (the " Sand Dunes") without displaying a safety flag at the top position of a mast attached to the off-highway vehicle such that the safety flag is within ten inches (10") from the mast tip and at least eight feet (8') above the ground surface. A violation of this paragraph is an infraction punishable by a fine of one hundred twenty-five dollars (\$125.00).

I. Safety Helmets. No person under eighteen (18) years of age may operate an off-highway vehicle, nor ride as a passenger, unless wearing a protective safety helmet meeting standards of Idaho Code Section 49-666. A violation of this paragraph is an infraction punishable by a fine of seventy-five dollars (\$75.00).

#### IV. Misdemeanors.

A. Gross negligence. Operating an off-highway vehicle carelessly or heedlessly or without due caution or circumspection and at a speed or in a manner that endangers, or is likely to endanger, any person or property. A violation of this paragraph is a misdemeanor punishable by imprisonment not exceeding six (6) months, or by a fine not exceeding one thousand dollars (\$1,000.00), or by both such fine and imprisonment.

B. Driving Under the Influence. Operating an off-highway vehicle in a manner specified by Idaho Code Section 18-8004, governing the operation of motor vehicles while under the influence of intoxicating substances. A violation of this provision is a misdemeanor punishable by imprisonment not exceeding six (6) months, or by a fine not exceeding one thousand dollars (\$1000.00), or by both such fine and imprisonment.

V. Effective date. This ordinance shall become effective and be in full force and effect



following passage by the Board of County Commissioners and proper publication, as provided by law.

### **2012-01 Off-Highway Vehicle Safety Act**

ORDINANCE NO. 2012-01

AN ORDINANCE ADOPTING THE “ OFF-HIGHWAY VEHICLE SAFETY ACT;” AND REPEALING FREMONT COUNTY ORDINANCE 2007-01.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO, AS FOLLOWS: /

I. Short Title. This ordinance shall be known as the “Off-Highway Vehicle Safety Act.” [**Ordinance 2007-01 is hereby repealed.**]

#### II. Definitions.

A. “Off-highway vehicle” means any self-propelled or motorized device in, upon or by which any person may be transported and which are operated off-highways, excepting when used as implements of husbandry. Off-highway vehicles include, but are not limited to motorcycles, all-terrain vehicles (ATVs), sand rails, dune buggies, specialty off-highway vehicles, utility type vehicles, recreational off-highway vehicles, snowmobiles, any motor vehicle used for the purpose of recreation, over the road vehicles that are used for off road purposes, golf carts that are used in an off road capacity, vehicles typically driven on the road that are being used in an off road capacity, and any other motorized vehicle designed or used for off-highway transportation.

B. “Safety flag” means a highly visible red or orange colored piece of material no less than six inches (6”) by twelve inches (12”), and of square, rectangular, triangle, or pennant shape. Long, thin streamers do not qualify as safety flags. Safety flags must be attached to the vehicle, not attached to the rider or any of the riders personal belongings, i.e.backpack, travel bags, etc.

C. “Implements of husbandry” mean every vehicle including self-propelled units, designed or adapted and used exclusively in agricultural, horticultural, dairy and livestock growing and feeding operations when being incidentally operated.

D. “Incidentally operated” means the transport of the implement of husbandry from one farm operation to another.

#### III. Infractions.

A. Registration. Operating an off-highway vehicle without a current registration displayed in a completely visible manner. A violation of this paragraph is an infraction punishable by a fine of seventy-five dollars (\$75.00).

B. Excessive Speed. Operating an off-highway vehicle at a speed in excess of the posted speed limit, or that is reasonable and prudent under the existing conditions shall be considered excessive. A violation of this paragraph is an infraction punishable by a fine of fifty dollars (\$50.00).

C. Inattentive/Careless Operation. Operating an off-highway vehicle in an inattentive, careless, or imprudent manner, given the existing circumstances, so as to slightly endanger the person or property of another. A violation of this paragraph is an infraction punishable by a fine of one hundred twenty-five dollars (\$125.00).

D. Wildlife Harassment. Operating an off-highway vehicle in a manner to harass, chase, or disturb wildlife or domestic animals. A violation of this paragraph is an infraction punishable by a fine of one hundred dollars (\$100.00).

E. Inadequate Headlight/Taillight. Operating an off-highway vehicle without a lighted headlight and taillight during the hours from dusk to dawn. A violation of this paragraph is an infraction punishable by a fine of fifty dollars (\$50.00).

F. Inadequate Brakes. Operating an off-highway vehicle without adequate braking devices (brakes may be hand-operated or foot-operated). A violation of this paragraph is an infraction punishable by a fine of fifty dollars (\$50.00).

G. Public Roadway and Public Right-of Way. No person shall be allowed to operate an off-highway vehicle on a public highway, public roadway or public right-of-way, unless the highway, roadway or right-of-way is closed to automobile travel. This paragraph does not apply to roads that have been designated as dual-use roads. A violation of this paragraph is an infraction punishable by a fine of one hundred dollars (\$100.00).

H. Safety Flag (Sand Dunes). Operating an off-highway vehicle in the St. Anthony Sand Dunes Wilderness Study Area (the "Sand Dunes" ) without displaying a safety flag at the top position of a mast attached to the off-highway vehicle such that the safety flag is within ten inches (10") from the mast tip and at least eight feet (8') above the ground surface. A violation of this paragraph is an infraction punishable by a fine of one hundred twenty-five dollars (\$125.00).

I. Safety Helmets. No person under eighteen (18) years of age shall ride upon or be permitted to operate a motorcycle, motorbike, utility type vehicle or an all-terrain vehicle unless at all times when so operating or riding upon the vehicle they are wearing, as part of their protective equipment, a protective safety helmet meeting standards of Idaho Code Section 49-666. Exceptions are when the vehicle is operated or ridden on private property, or when used as an implement of husbandry. A violation of this paragraph is an infraction punishable by a fine of seventy-five dollars (\$75.00).

#### IV. Misdemeanors.

A. Gross negligence. Operating an off-highway vehicle carelessly or heedlessly or without due caution or circumspection and at a speed or in a manner that endangers, or is likely to endanger, any person or property. A violation of this paragraph is a misdemeanor punishable by imprisonment not exceeding six (6) months, or by a fine not exceeding one thousand dollars (\$1,000.00), or by both such fine and imprisonment.

B. Driving Under the Influence. Operating an off-highway vehicle in a manner specified by Idaho Code Section 18-8004, governing the operation of motor vehicles while under the influence of intoxicating substances. A violation of this provision is a misdemeanor punishable by imprisonment not exceeding six (6) months, or by a fine not exceeding one thousand dollars (\$1000.00), or by both such fine and imprisonment.

V. Operators. Any person operating an off-highway vehicle on any Fremont County Road, as allowed by this ordinance, must have in their possession a valid current driver's license or vehicle operator's license issued by the State of Idaho, or by any other state, pursuant to Title 49, Chapter 3, Idaho Code. Minors must be under the supervision of an adult pursuant to

the definition of supervision under Title 49, Chapter 3, Idaho Code. A violation of this paragraph is punishable pursuant to Idaho Code, Title 49,

Chapter 3.

VI. Compliance. All off-highway vehicles operated on allowed public rights of way in the County of Fremont shall comply with all the rules of the road for Idaho Code, as those rules and regulations are now constituted or as they may be hereafter amended.

VII. Severability. If any provision of this ordinance is held invalid, the remained of this ordinance shall be effective and shall remain in full force and effect unless amended or modified.

VIII. Effective date. This ordinance shall become effective and be in full force and effect following passage by the Board of County Commissioners and proper publication, as provided by law.

# GEM COUNTY OHV ORDINANCES

## CHAPTER 2 SNOWMOBILES SECTION:

6-2-1: Designated Roadways

6-2-2: Restrictions

6-2-3: Penalty

6-2-1: DESIGNATED ROADWAYS:

The segment of the county road system known as the High Valley Road is designated as a public roadway upon which properly numbered snowmobiles may be operated, such road system being more properly described as follows:

That section of the county road which turns east at Ola and proceeds in a north and easterly direction towards the Valley County boundary, more commonly known as the High Valley Road, to the intersection with Valley County, a distance of five (5) miles or less, all in the county. (Ord. 2-73, 2-13-1973)

6-2-2: RESTRICTIONS:

The operation of any snowmobile on the above road system shall be in conformity with the provisions of title 67, chapter 71, Idaho Code. In addition thereto, the operation of any snowmobile upon that portion of the county road system as described above shall be in conformity with the following restrictions: (Ord. 2-73, 2-13-1973; amd. 2002 Code)

A. Speed: No snowmobile shall be operated at a speed in excess of twenty (20) miles per hour.

B. Passing: Every operator of a snowmobile shall yield to any auto or truck, shall not overtake or pass any moving auto or truck, and shall come to a complete stop when being passed by any auto or truck regardless of which direction that auto or truck may be traveling.

C. Red Flag: Every operator of a snowmobile shall have a staff or rod securely attached to the snowmobile upon which a red flag shall be tied or fastened to the upper end and not less than six feet (6') above the road surface. The flag shall not be less than six feet (6') above the road surface. The flag shall not be less than one foot (1') in width and have a surface area of one square foot.

D. Lights: Every operator of a snowmobile shall have securely fastened to the snowmobile a lighted headlight and taillight at all times.

E. Operation On Roadway: Every operator of a snowmobile shall keep the snowmobile as near as possible against the right hand side of the roadway.

F. Valid Driver's License: Every person operating a snowmobile pursuant to this chapter shall be in possession of a current valid motor vehicle operator's license authorizing said person to operate a motor vehicle on the public highways of Idaho.

G. Minors: Any parent, guardian or legal custodian of any person under the age of eighteen (18) years who shall knowingly permit said person under the age of eighteen (18) years to operate a snowmobile in violation of this chapter shall be guilty of having violated the same.

6-2-3: PENALTY:

Any person who shall be found guilty of having violated any provision of this chapter shall be punished by a fine of not to exceed three hundred dollars (\$300.00) or by imprisonment not to exceed six (6) months or by both such fine and imprisonment. (Ord. 2-73, 2-13-1973)

## JEFFERSON COUNTY OHV ORDINANCES

Sec. 18-3. - Winter closure period for vehicle traffic on Egin-Hamer Road.

(a) That certain stretch of roadway which is partially located in Fremont County, Idaho, and partially located in Jefferson County, Idaho, which is more commonly known as the Egin-Hamer Road, is hereby closed to all vehicle traffic during its winter closure period, which is December 1 to March 31 of each year. No person shall operate a motorized vehicle on such road during such period. (b) The definition of the term "vehicle traffic" is any motorized vehicle driving on the Egin-Hamer Road. (c) Any person violating the provisions of this section shall be punished by a fine of \$100.00.

(Ord. No. 35, §§ I, III, IV, 11-9-1987; Ord. No. 2019-01, 12-10-2018; altered in 2020 codification)

## MADISON COUNTY OHV ORDINANCES

### Sec 24-2 Operation Upon Menan North Butte

It shall be unlawful for any person to drive or operate a motor vehicle upon the "Menan North Butte" located in the county, except upon roads or parking areas duly constructed thereon. However, when any such roads are posted with "No Trespassing" signs and/or barricades, it shall be unlawful to operate a motor vehicle beyond the point at which such signs and/or barricades are located.

## NEZ PERCE COUNTY OHV ORDINANCES

### CHAPTER 12.04. - OPERATION OF SNOWMOBILES ON COUNTY ROADS

#### Sec. 12.04.010. - When and where permitted to operate.

At only such times as the roadway is covered with an accumulation of snow, the operation of snowmobiles shall be permitted on the following county roads:

- (1) From the snowmobile parking lot at Waha south 0.25 miles on Waha Road to the beginning of Stagecoach Road at its intersection with Zaza Road.
  - (2) From the intersection of Zaza Road and Wapshilla Road south on Wapshilla Road to the end of Wapshilla Road.
  - (3) From the intersection of Zaza Road and Deer Creek Road east on Deer Creek Road to the Lewis County line.
  - (4) From the intersection of Zaza Road and Soldiers Meadow Road east on Soldiers Meadow Road to the Lewis County line.
  - (5) Larrabee Road.
  - (6) Any and all other roads as designated by the board through annual resolution.
- (Ord. No. 85, § 1, 1-20-2004)

#### Sec. 12.04.020. - Exclusion.

Specifically excluded from operation of snowmobiles is the PFI grade, also known as Zaza Road. The specific mention of this excluded road is not intended to authorize snowmobile use on any road other than those designated in section 12.04.010.

(Ord. No. 85, § 2, 1-20-2004)

#### Sec. 12.04.030. - Registration required; traffic regulations apply.

All snowmobiles using the designated county roads pursuant to this authorization must be numbered and registered in accordance with the requirements of the state and must obey traffic regulations, including, but not limited to, speed limits and operation upon the right side of the road.

(Ord. No. 85, § 3, 1-20-2004)



# OWYHEE COUNTY OHV ORDINANCES

## 6-1-6: MOTORCYCLES AND ATVs, DESIGNATED ROADWAYS:

A. Authority To Establish: Pursuant to Idaho Code title 49, chapter 2, the county will allow operation of unregistered motorcycles and all-terrain vehicles or ATVs on certain specified public highways and roads within the county. The board of commissioners, after consulting any appropriate representative(s) from the county road department or the county sheriff's office, are hereby authorized to establish and alter certain public highways and roads to be designated where unregistered motorcycles and ATVs may be operated. The board may consider any traffic investigation or study when establishing such highways and roads.

B. Copy Of Designated Public Highways And Roads: Public highways may be designated for such motorcycle and ATV use in accordance with a resolution adopted by the board. A copy of current public highways and roads designated for such motorcycle and ATV use is on file in the office of the clerk of the district court. (Ord. 05-03, 8-1-2005, eff. 10-1-2005)

## CHAPTER 6

### ALL-TERRAIN VEHICLES, UTILITY TYPE VEHICLES AND MOTORBIKES

#### SECTION:

6-6-1: Purpose

6-6-2: Designation Of Roads And Portions Closed To Use

6-6-3: Murphy And Bruneau Townsites

6-6-4: License And Registration Required

6-6-5: Exemptions

6-6-6: Maximum Speed Limit; Rules Of The Road

6-6-7: Penalty

6-6-8: Appendix A, Roads Or Portions Thereof Closed To Use

#### 6-6-1: PURPOSE:

A. Pursuant to Idaho Code, section 49-426(3) Owyhee County scheduled, noticed and held a public hearing so that citizens could provide input into the decision as to whether any public roads within the Owyhee County highway system should be closed to use by all-terrain vehicles, utility type vehicles and motorbikes. The prior ordinance 02-02 had designated roads and portions of roads which were open to use by such vehicles, but Idaho Code section 49-426(3) provides that all county roads would be open to such use after January 1, 2009, unless the county adopted an ordinance closing certain designated roads or portions of such roads to such use. After taking into account the testimony received at the public hearing, after considering matters of public safety and the considerable cost for search, rescue and assistance to the county, after considering testimony in favor of unlimited use and testimony in favor of even more restrictive closures, the board of county commissioners decided to designate the roads and portions of roads set forth in this chapter as closed to use of all-terrain vehicles, utility type vehicles and motorbikes. (Ord. 10-03, 12-13-2010)

#### 6-6-2: DESIGNATION OF ROADS AND PORTIONS CLOSED TO USE:

It shall be unlawful to operate or allow to be operated any all-terrain vehicle, utility type vehicle and motorbike as those terms are defined in Idaho Code, section 67-7101 on the roads and portions of roads in Owyhee County set forth in appendix A (Spread Sheet of Roads and descriptions), and generally referenced on Owyhee County maps Appendix B and Appendix C (graphic showing Reynolds Creek Road authorized crossing points), affixed to the ordinance codified herein. (Ord. 10-03, 12-13-2010; amd. Ord. 2021-01, 7-12-2021)

#### 6-6-3: MURPHY AND BRUNEAU TOWNSITES:

- A. Murphy: Roads within the Murphy townsite shall be open to all-terrain vehicles, utility type vehicles and motorbikes.
- B. Bruneau: Roads within the Bruneau townsite will be open to all-terrain vehicles, utility type vehicles and motorbikes. (Ord. 10-03, 12-13-2010)

#### 6-6-4: LICENSE AND REGISTRATION REQUIRED:

It shall be unlawful to operate or allow to be operated an all-terrain vehicle, a utility type vehicle or motorbike on any county road in the Owyhee County highway system without a license and without being registered pursuant to Idaho statute. (Ord. 10-03, 12-13-2010)

#### 6-6-5: EXEMPTIONS:

- A. Law Enforcement: Use of all-terrain vehicles, utility type vehicles and motorbikes by qualified law enforcement officers in the pursuit of legitimate law enforcement action is exempt from the provisions of this chapter.
- B. Agricultural Use: Agricultural use is exempt from the provisions of this chapter pursuant to Idaho law. (Ord. 10-03, 12-13-2010)

#### 6-6-6: MAXIMUM SPEED LIMIT; RULES OF THE ROAD:

On those county roads within the Owyhee County highway systems which are open to all-terrain vehicles, utility type vehicles and motorbikes, such vehicles shall not exceed a maximum speed limit of twenty-five (25) miles per hour. All such vehicles shall be subject to all rules of the road established by the state of Idaho and Owyhee County. (Ord. 10-03, 12-13-2010)

#### 6-6-7: PENALTY:

Pursuant to Idaho Code section 31-714, the penalty for the violation of this and like ordinances passed by the board of county commissioners shall not exceed a fine of one thousand dollars (\$1,000.00) and not to exceed six (6) months in jail, and/or both such fine and imprisonment. (Ord. 10-03, 12-13-2010)

#### 6-6-8: APPENDIX A, ROADS OR PORTIONS THEREOF CLOSED TO USE:

- A&A Road - T6S R3E section 3 to section 6 (connects only to 20 Mile Road which is closed all the way through)
- Alma Road - T5S R3E section 7 to section 8 (paved)
- Bachman Grade Road - T7S R3W section 13 to T4S R1W section 36
- Bailey Road - T1S R3W section 13 (paved)
- Bates Creek Road - T4S R1W section 24 to section 21
- Beet Dump Road - T5S R2E section 12 to section 1 (paved)
- Black Sands Road - T5S R4E section 33 to T6S R4E section 3 (paved)
- Cattle Drive - T7S R4E section 4 to T7S R5E section 5 (paved)
- China Ditch Road - T1S R3W section 12 to section 1 (paved)
- Clover Three Creek Road - T7S R6E section 27 to T10S R9E section 32
- Colyer Road - T6S R5E section 24 to section 15 (paved)

- Crane Falls Road - T6S R6E section 18 to T5S R5E section 5 (paved)
- Dairy Road - T5S R3E section 33 to T6S R3E section 9 (connects only to 20 Mile Road which is closed all the way through)
- Davis Road - T6S R4E section 25 to T6S R5E section 33 (paved)
- Hot Creek Road - T6S R5E section 26 to T7S R6E section 27 (paved)
- Hot Springs Road - T6S R6E section 19 to T7S R6E section 27 (paved)
- Lemley Road - T4S R2E section 29 to section 19 (paved)
- Millet Lane - T5S R3E section 8 to section 8 (paved)
- Missile Base Road - T6S R1E section 25 to T5S R2E section 2 (from Highway 78 to end of pavement)
- Mormon Boulevard - T6S R4E section 11 to T7S R4E section 14 (paved)
- Mud Flat Road - T10S R4W section 14 to T5S R3E section line of 26 and 27 (paved from Highway 78 to Oreana cutoff)
- Oreana Loop Road - T4S R2E section 30 to T4S R1E section 18 (paved)
- Parkinsons Road - R4S R2E section 27 to section 22 (county portion paved)
- Pleasant Valley Road - T5S R6W section 26 to T6S R6W section 13 (Oregon line; paved)
- Quail Lane - T5S R3E section 16 to section 16 (paved)
- River Road - T4S R2E section 34 to T6S R4E section 4, excluding all portions within the Grand View city limits
- Shoofly Cut Off Road - T6S R3E section 34 to T7S R5E section 18
- Silver City Road - T3S R1W section 18 to T4S R2W section 5 (paved portion from Highway 78 to Diamond Basin only)
- Strike Dam Cut Off Road - T5S R4E section 33 to section 33 (paved)
- Trout Creek Road - T5S R5W section 1 to T5S R6W section 26 (from Pleasant Valley Road to the end of Cow Creek Road)
- Upper Reynolds Creek Road - T1S R2W section 17 to T2S R3W section 36 (paved portion from Highway 78 to end of pavement)
- Vista Road - T5S R3E section 16 to section 16 (paved)
- Wilson Creek Road - T1S R3W section 2 to section 9 (paved)
- 20 Mile Road - T6S R3E section 34 to section 33 (paved)

# SHOSHONE COUNTY OHV ORDINANCES

## CHAPTER 2

### GROOMED SNOWMOBILE TRAILS

#### SECTION:

6-2-1: Title

6-2-2: Purpose

6-2-3: Definitions

6-2-4: General Applicability And Prohibitions

6-2-5: Fees

6-2-6: Payment And Collection Of Fee

6-2-7: Use Of User Fee Revenues

6-2-8: Enforcement

6-2-9: Inter-County Reciprocity

6-2-10: Special Event Waivers

#### 6-2-1: TITLE:

This chapter shall be known as the SHOSHONE COUNTY GROOMED SNOWMOBILE TRAIL ORDINANCE. (Ord. 116, 3-7-2000)

#### 6-2-2: PURPOSE:

The purpose of this chapter shall be to provide for the regulation of snowmobile trails that are groomed and maintained by Shoshone County, and to provide for the collection of a user fee from those who use and benefit from said trails, in order to partially cover the cost of such grooming and maintenance efforts. (Ord. 116, 3-7-2000)

#### 6-2-3: DEFINITIONS:

The terms listed in this section shall have the meanings set forth herein throughout this chapter:

**GROOMED TRAIL:** A snowmobile trail that is located upon public or private property within Shoshone County that is maintained with County funds.

**GROOMER FEE:** The annual user fee charged by Shoshone County for the ability to operate a snowmobile or OHV upon a groomed trail for a particular winter season.

**GROOMER STICKER:** A sticker issued by Shoshone County that must be affixed to the snowmobile or OHV to demonstrate that the operator has paid the groomer fee.

**OFF-HIGHWAY VEHICLE (OHV):** An all-terrain vehicle (ATV), motorcycle, or utility-type vehicle (UTV), under two thousand (2,000) pounds unladen gross weight, with a maximum width less than seventy four inches (74"), which is designed for travel on snow or ice or over natural terrain and is steered by tracks, skis or runners.

**OPERATOR:** Any person who operates and is in actual physical control of a snowmobile or OHV.

**REGISTRATION RECEIPT:** A document, other than a groomer sticker, approved by the Board as proof of payment of fees for the use of County snowmobile trails.

**SNOWMOBILE:** Any self-propelled vehicle under two thousand (2,000) pounds unladen gross weight, designed primarily for travel on snow or ice or over natural terrain, which may be steered by tracks, skis or runners.

**VENDOR:** Any person or entity authorized by the County to collect groomer fees and issue registration receipts and groomer stickers.

**WINTER SEASON:** That period of time from November 1 of each year to April 1 of the following year. Each winter season shall be denominated by the year in which it begins and the year in which it ends. For example, the winter season beginning on November 1, 2002 and ending on April 1, 2003, would be denominated the "2002-03" winter season. (Ord. 151, 4-14-2015)

**6-2-4: GENERAL APPLICABILITY AND PROHIBITIONS:**

A. All operators of snowmobiles and OHVs upon groomed trails within the County shall be required:

1. To pay the groomer fee prescribed by this chapter; and
2. To affix and display a groomer sticker in a conspicuous place on each snowmobile or OHV.

B. Display of a current groomer sticker upon a snowmobile or OHV shall constitute prima facie evidence that any operator of said snowmobile or OHV has paid the annual groomer fee.

C. It shall be a misdemeanor:

1. To operate a snowmobile or OHV on any groomed trail within the County without having paid the groomer fee prescribed in this chapter or a fee entitling the operator to reciprocal privileges pursuant to section 6-2-9 of this chapter; or
2. To operate any vehicle other than a snowmobile or OHV, with the exception of duly authorized emergency vehicles, upon a groomed trail in the County.

D. Failure to display a groomer sticker as required by this chapter shall constitute an infraction. (Ord. 151, 4-14-2015)

**6-2-5: FEES:**

A. Purpose: The purpose of the groomer fee established herein is to partially fund the cost of grooming and maintaining snowmobile trails serving Shoshone County.

B. Establishment Of Groomer Fee: The operator of any snowmobile or OHV to be operated on any groomed trail in the County shall pay an annual fee in an amount set by resolution of the Board. Payment of the fee shall entitle the operator to use groomed trails in the County during the current winter season. The period of authorized use shall be denoted on the groomer sticker. (Ord. 151, 4-14-2015)

**6-2-6: PAYMENT AND COLLECTION OF FEE:**

A. The fees provided for in this chapter shall be collected by the County Assessor at such locations as the County Assessor may from time to time authorize and direct, and by vendors authorized by the County to collect groomer fees and issue registration receipts and groomer stickers.

B. Upon payment of the annual groomer fee, the County Assessor or vendor shall issue a registration receipt that identifies the name and address of the operator credited with payment. The County Assessor or vendor shall also provide the payer with a groomer sticker to be attached in accordance with subsection 6-2-4A of this chapter.

C. Snowmobile dealers who wish to use groomed trails for snowmobile demonstration purposes shall be required to pay the groomer fee for each State of Idaho dealer license plate used for such demonstration purposes. The groomer sticker shall be attached to, or shall be placed adjacent to, each dealer plate to which the sticker is issued. (Ord. 151, 4-14-2015)

#### 6-2-7: USE OF USER FEE REVENUES:

The annual revenues derived from the payment of user fees shall be used and distributed as follows:

A. Eighty five percent (85%) shall be placed in the County Snowmobile Fund to be used only for the County snowmobile groomer operation, including equipment, maintenance on any groomed trails, posting signs, supplies, fuel and wages for operation of the equipment.

B. Fifteen percent (15%) shall be distributed by the Board for the purposes of fee collection and administration of this chapter. (Ord. 151, 4-14-2015)

#### 6-2-8: ENFORCEMENT:

A. Operation Without Sticker: The operator of a snowmobile or OHV who is found to be operating a snowmobile or OHV upon a groomed trail without a groomer sticker or other valid documentation of payment of the groomer fee shall be directed to immediately leave the groomed trail, and shall be barred from future use of a groomed trail until the fee is paid.

B. Failure To Comply: Failure to comply with any provision of this chapter shall result in denial of the use of any groomed trail within the County, and may also result in either civil action to enforce the payment of the applicable user fee, or criminal action for any violation of this chapter classified as a misdemeanor or infraction, or both. (Ord. 151, 4-14-2015)

#### 6-2-9: INTER-COUNTY RECIPROCITY:

A. Shoshone County shall grant reciprocal privileges to operators who have paid a groomer fee of the type described in this chapter in any county within the State of Idaho, provided the following conditions exist:

1. The groomer fee is mandatory for operators of snowmobiles or OHVs, respectively, in that county;

2. The groomer fee is enforceable pursuant to county ordinance; and

3. The amount of the groomer fee is equal to or greater than the amount of the groomer fee as set by this chapter or by subsequent resolution of the Board.

B. Reciprocal privileges shall be granted only to the extent that the county in which the groomer fee was collected allows the operator of a snowmobile or OHV to use groomed trails in that county upon proof of payment of the Shoshone County groomer fee.

C. Any operator who has paid a user fee in another county within the State of Idaho and seeks reciprocal privileges pursuant to subsection A of this section, shall provide evidence of payment, including the county of issue, the nature of the fee and the period during which the registration receipt is valid, to any duly authorized employee or agent of Shoshone County upon request. (Ord. 151, 4-14-2015)

#### 6-2-10: SPECIAL EVENT WAIVERS:

A. The Board may, by resolution duly enacted, waive any or all of the requirements set forth in this chapter with respect to operators of snowmobiles or OHVs actually participating in

special events. Said resolution shall describe the event(s) to which the waiver will apply with reasonable particularity, and shall state the provisions of this chapter to be waived.

B. No provision of this chapter that is the subject of a waiver enacted pursuant to this section shall provide the basis for any enforcement action or prosecution as to any person who is then actually participating in an event to which the waiver pertains. Nothing in this subsection shall prevent the enforcement of any provision of this chapter that is the subject of a waiver enacted pursuant to this section on the date(s) of an event to which the waiver pertains with respect to persons not then actually participating in that event.

C. For purposes of this section, the term "actually participating" shall refer to those persons who begin the event to which the waiver pertains at a designated beginning point and time, remain on the roadway(s) and/or trail(s) designated as the official route by the organizer(s) of the event at all times during the course of the event, and end the event at a designated ending point; provided, however, that de minimis deviations from the official event time and route shall not affect whether a person is considered to be actually participating in an event.

D. The Board may enter into agreements with public or private entities or persons as it may deem necessary to carry out any waiver authorized under this section. (Ord. 151, 4-14-2015)

# VALLEY COUNTY OHV ORDINANCES

## CHAPTER 5 SNOWMOBILES

### SECTION:

5-5-1: Definitions

5-5-2: Restrictions

5-5-3: Closed Public Roadways

5-5-4: Penalty

5-5-1: DEFINITIONS:

As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:

**OPERATOR:** Each person who operates or is in physical control of a snowmobile.

**OWNER:** Every person holding record title to a snowmobile and entitled to the use or possession thereof, other than a lienholder or other person having a security interest only.

**PERSON:** An individual, partnership, association, corporation, or any other body or group of persons, whether incorporated or not, and regardless of the degree of formal organization.

**PUBLIC ROADWAY:** All portions of any road or street improved, designed or ordinarily used for travel or parking of motor vehicles, which is controlled by an authority other than the state highway department, and shall include county roads. This definition does not attempt to identify controlling agency, imply jurisdiction, or validate public use of non-public roads.

**SNOWMOBILE:** Any self-propelled vehicle under two thousand (2,000) pounds' unladen gross weight, designed primarily for travel on snow or ice or over natural terrain, which may be steered by tracks, skis, or runners, and which is not otherwise registered or licensed under laws of the state of Idaho.

**WHEELED VEHICLE:** Any vehicle which travels on wheels, except fat-tired bicycles. . (Ord. 85-1, 12-21-1984, eff. 1-9-1985; amd. Ord. 21-02, - -2020)

5-5-2: RESTRICTIONS:

A. All Areas: The following restrictions apply to all areas of the county including groomed trails and roadways. It shall be unlawful for any person to drive or operate any snowmobile:

1. Disruptive Manner: In a disruptive manner, or to harass, chase or annoy any wild game animals or birds or domestic animals.

2. Lights: Without a lighted headlight and taillight, and/or strobe.

3. Carrying Passengers Or Weights: While carrying passengers or weights in excess of the capacity recommended by the manufacturers thereof.

4. Valid Registration: Without current valid registration with the current certificate of number and current registration sticker adhered to the snowmobile or user in a visible location.

5. Braking Device: Without an adequate braking device which may be operated by either hand or foot.

6. Muffler: Without an adequate muffler that limits noise to a maximum of 94 db, except when used in conjunction with public racing events.

7. Without Regard To Property: Without regard for property, plant growth, small trees, or treetops protruding through the snow, fences, etc.



B. Groomed Trails, Snowmobile Parking Lots, And Public Roadways: The following restrictions apply to all groomed trails, snowmobile parking lots, and public roadways. It shall be unlawful for any person to drive or operate any over the snow vehicle and/or park appurtenant vehicles in the following manner:

1. Speed: In excess of the posted speed or forty-five (45) miles per hour, whichever is less.
2. Single File: Other than single file on the extreme right hand side of the roadway.
3. Tracked Vehicles: Tracked vehicles over 2,000 lbs. may be permitted by the Board of County Commissioners on an annual basis for home owners, renters, or employees of businesses beyond groomed trail heads.
4. Wheeled Vehicles and Trailers: Leaving wheeled vehicles or trailers parked in a place or manner which will impede snow removal equipment or impede the flow of orderly traffic, except in designated areas. Vehicles may be towed.
5. Overnight Parking: Parking of wheeled vehicles and trailers overnight, or between the hours of midnight and 6:00 a.m., is only allowed in designated areas. Vehicles may be towed.
6. Exemption for Special Events: There shall be an exemption for special events as it pertains to use of the parking lots. The special event coordinator will work with the Parks and Recreation Director to manage parking for the special event.
7. Guidelines may be established for individual parking lots and enforced in accordance with this title.
8. Rental companies are encouraged to provide transportation for customers to trailheads and parking lots so as not to overburden parking lots.

C. Public Roadways: The following restrictions apply to public roadways where travel by wheeled vehicle or over the snow vehicles may be expected:

1. Towing: Towing any thing or person without a rigid towbar.
2. Wheeled Vehicles And Trailers: Leaving wheeled vehicles or trailers parked in a place or manner which will impede snow removal equipment or impede the flow of orderly traffic.

#### 5-5-3: CLOSED PUBLIC ROADWAYS:

A. Operation Of Snowmobiles: When a public roadway has been declared closed to operation of snowmobiles by order of the Board of County Commissioners, such roadway shall be clearly marked as closed by appropriate signs erected at the beginning and end of such closed roadway or portion thereof.

B. Travel By Wheeled Vehicles: When a public roadway is closed to travel by wheeled vehicles (groomed trails, etc.), by order of the Board of County Commissioners, such roadway shall be clearly marked as closed by appropriate signs erected at the beginning and end of such closed roadway or portion thereof.

C. The following roads and trails shall be closed to travel by wheeled vehicles and all other users except those that are allowed by IC 67-7101 and IC 67-7112, such as snowmobiles and fat-tired bicycles with required permits, from first grooming, which is when there is approximately 18" of snow, until such time as deemed safe for travel by the Valley County Road Superintendent or April 30, whichever comes first. The closures shall begin at the trailheads of Warren Wagon RD, No Business RD, High Valley RD (626), Clear Creek RD, East Side Drive from Warren Wagon Rd to the IDL Brush Creek/Twah Creek RD (.4 miles), and "Green Gate" unless mitigation plans are approved by the Board of County Commissioners. These roads are open for recreational access only during the specified dates. At this time Anderson Creek RD is exempt from this closure, but may not be in the future, as determined by the Board of County Commissioners in a public hearing process.

D. If a wheeled vehicle gets stuck on a groomed trail or closed road the operator is responsible for the removal of the vehicle to an open road and costs of the removal and repair of the groomed trail, as follows:

1. Shall contact law enforcement by dialing 911. The Sheriff's office shall contact the Valley County Parks and Recreation Director who shall determine if a tow company shall be engaged or if a snow groomer can be used.

2. The operator/owner shall sign a "Release of Liability" prior to removal of the wheeled vehicle. The Valley County Parks and Recreation Director or Sheriff shall provide the form.

3. Groomer operators are permitted to move vehicles out of the travelled way to the nearest safe location.

4. Cost of removal of the vehicle and repair of the groomed trail shall be an hourly rate of \$200.00/hour, with a mobilization fee of \$200.00. (Ord. 85-1, 12-21-1984, eff. 1-9-1985; amd. Ord. 21-02, - -2020)

#### 5-5-4: PENALTY:

A. Any person who violates any section of this chapter shall be guilty of an "infraction" as defined in Idaho Code sections 18-111 and 18-113A. Violations shall be punishable as provided in section 1-4-1 of this code.

B. Vehicles may be towed at operator or owner's expense.(Ord. 85-1, 12-21-1984, eff. 1-9-1985; amd. 2011 Code; Ord. 21-02, - -2020)

## CITY OHV ORDINANCES

# ASHTON CITY OHV ORDINANCES

## CHAPTER 10.28 SNOWMOBILES

### SECTION:

10.28.010: Operation Of Snowmobiles

10.28.020: Violation; Penalty

10.28.010: OPERATION OF SNOWMOBILES:

Regulations for the operation of snowmobiles within the city of Ashton, Idaho are as follows:

A. State Registration And Driver's License: State registration of the snowmobile and a valid driver's license are required to operate a snowmobile on the streets of Ashton. The snowmobile registration number shall be displayed in a conspicuous place.

B. State Highways:

1. No person shall operate a snowmobile on a state highway.
2. Snowmobiles must make a complete stop before crossing a state highway, shall yield the right of way to all oncoming traffic and may cross a state highway by making a ninety degree (90°) direct crossing.

C. City Streets: The streets within the city of Ashton are to be used only as a method of transportation and not as a means of recreation.

D. Stops Required: A full stop must be made at all intersections, alleys, and stop signs.

E. Single File; Right Side; Speed: Snowmobiles must travel in a single file on the right side of the streets and shall not exceed the speed of fifteen (15) miles per hour.

F. Hours: Snowmobiles may not be operated within the city of Ashton between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. unless leaving or returning to the city.

G. Private Property; Sidewalks; Posted Areas: Snowmobiles must not be operated on private property without the permission of the owner and must not be operated on sidewalks or posted areas.

H. Equipment:

1. Lights: Headlights and taillights must be on at all times during operation.
2. Brake: Snowmobiles must be equipped with a hand or a foot braking device.
3. Muffler: Snowmobiles must be equipped with an adequate muffler.

I. Attaching To Vehicles Prohibited: No person riding on a snowmobile shall attach it or himself to any vehicle on a street or roadway.

J. Parking:

1. Snowmobiles must be parked in posted areas unless parked on private property with the owner's permission.

2. No snowmobile may be parked on a sidewalk.

K. Pulling Objects: Snowmobiles shall not be used to pull any sled, trailer, or other object without a rigid hitch.

L. Careless Or Reckless Operation Prohibited: Snowmobiles must not be operated in a careless or reckless manner. (Ord. 320 § 2, 1985)

10.28.020: VIOLATION; PENALTY:

Violation of this chapter shall be a misdemeanor and is punishable by a fine not to exceed three hundred dollars (\$300.00) and/or imprisonment in the county jail for not to exceed six (6) months. (Ord. 320 § 3, 1985)

# BANCROFT CITY OHV ORDINANCES

## CHAPTER 2

### SNOWMOBILES AND ALL-TERRAIN VEHICLES

#### SECTION:

6-2-1: Purpose

6-2-2: Definitions

6-2-3: Vehicle License Required

6-2-4: Use And Operation Restrictions

6-2-5: Penalty

6-2-1: PURPOSE:

In order to assist users of vehicles commonly described as snowmobiles and all-terrain vehicles to transport snowmobiles and all-terrain vehicles from places of storage to locations for recreation or other purposes not located upon public streets, alleyways or other public thoroughfares located within the city limits, the restrictions, regulations and penalties set forth in this chapter will be enforced by the law enforcement agencies of the city and the county.

(Ord. 172, 10-18-1972, eff. 10-24-1972)

6-2-2: DEFINITIONS:

For the purpose of this chapter, the following terms shall have the meanings ascribed to them in this section:

**PUBLIC STREET:** A street, alleyway or other public thoroughfare which is maintained for winter use.

**SIDEWALK:** Sidewalks used for public use which are maintained for use in the wintertime. This term will not include sidewalks not cleaned and maintained for winter use during the periods of time when snow is on the ground.

(Ord. 172, 10-18-1972, eff. 10-24-1972)

6-2-3: VEHICLE LICENSE REQUIRED:

No person shall be allowed to operate a snowmobile or other terrain vehicle along a maintained public street, alley or thoroughfare located within the city unless he has been issued a valid Idaho state operator's license in accordance with the Idaho statutes for the purpose of operating a motor vehicle upon a public highway, and said operator will be required to have his driver's license in his possession while operating said snowmobile on the public thoroughfare. (Ord. 172, 10-18-1972, eff. 10-24-1972)

6-2-4: USE AND OPERATION RESTRICTIONS:

A. **Speed:** No snowmobile or snow machine may be operated upon any city street or thoroughfare within the city limits at a rate of speed in excess of twenty (20) miles per hour.

B. **Stopping At Intersections:** Operators of snowmobiles or other terrain vehicles on public streets in the city shall bring said snowmobile or other terrain vehicle to a full and complete stop at every intersection where two (2) or more streets or alleys cross, regardless of the type of traffic control displayed at the various intersections or in the absence of said traffic control sign or symbol.

C. **Operation On Right, Single File:** Any operation of a snowmobile or other terrain vehicle on the public streets or thoroughfares of the city shall be restricted exclusively to the extreme right hand side of said roadway while operating said snowmobile or other terrain vehicle as closely to the right hand side of the street as possible, and the operation of a snow machine directly in the lane of traffic as utilized by wheeled vehicles is prohibited. It is further prohibited to operate snowmobiles or other terrain vehicles on public streets in any manner other than single file along the extreme right hand side of the road.

D. **Headlights And Taillights:** It shall be unlawful to operate a snowmobile or other terrain vehicle on the streets of Bancroft regardless of the time of day or night or prevailing weather conditions unless the rear illuminary or taillight and the headlight or lamp are lit.

E. **Hours Of Operation:** It shall be unlawful to operate a snowmobile or other terrain vehicle within the city limits between ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. on the public streets, and

the use of a snowmobile or other terrain vehicle shall further be prohibited during any of these hours when the operation of said snowmobile or other terrain vehicle would cause a public nuisance.

F. Private Property, Permission Required: It shall be unlawful to operate any snowmobile or other terrain vehicle upon any privately owned real estate in the city limits without the express and specific consent of the legal occupant of said property.

G. Use On Sidewalks: It shall be unlawful for any person to operate a snowmobile or other terrain vehicle on any public sidewalk or walkway maintained for winter use for pedestrian traffic.

H. Crossing Street In Most Direct Route: It shall be unlawful for any snowmobile or other terrain vehicle to cross any public street except when in the most direct route across the street, this being direct and straight across the street.

I. Obey State Traffic Laws: In addition to the regulations contained herein, the operators of all snowmobiles will be required to obey all laws of the Idaho motor vehicle statute.

J. Transporting Only One Person: Operators of any snowmobile or other terrain vehicle shall not carry or otherwise transport more than one person on said machine while said vehicle is being operated on the public streets of Bancroft, irrespective of the size or age of the passenger.

K. Towing Other Devices: No sled, toboggan, trailer or any other device shall be towed by a snowmobile except by means of a rigid tow bar connecting the same to such device.

L. Main Street: It shall be unlawful for the operator of any snowmobile, snow machine, or other terrain vehicle to operate said machine or vehicle for any purpose on Main Street, except when crossing said street in accordance with the Idaho state statute at defined intersections.

(Ord. 172, 10-18-1972, eff. 10-24-1972)

6-2-5: PENALTY:

All violators of this chapter shall be guilty of a misdemeanor and shall be subject to penalty as provided in section 1-4-1 of this code.

(Ord. 172, 10-18-1972, eff. 10-24-1972; amd. 2011 Code)

# BELLEVUE CITY OHV ORDINANCES

## CHAPTER 2

### SNOWMOBILES AND OTHER SELF-PROPELLED RECREATIONAL VEHICLES

#### SECTION:

6-2-1: Compliance With Provisions

6-2-2: Driver's License Required

6-2-3: Permitted And Restricted Streets And Alleys

6-2-4: Operation Of Vehicles

6-2-5: Hours Of Operation

6-2-1: COMPLIANCE WITH PROVISIONS:

It shall be unlawful for any person to drive or allow to be driven on the streets, alleys, or public thoroughfares of the City any snowmobile or other self-propelled recreational vehicle under one thousand (1,000) pounds' unladen gross weight, designed primarily for travel on snow or ice, which may be steered by tracks, skis, or runners, except as in this chapter provided. (1983 Code § 4.201)

6-2-2: DRIVER'S LICENSE REQUIRED:

No snowmobile or other self-propelled recreational vehicle may be operated on the streets, alleys, and public thoroughfares of the City unless the driver thereof holds a valid motor vehicle driver's license issued by the State of Idaho. (1983 Code § 4.202)

6-2-3: PERMITTED AND RESTRICTED STREETS AND ALLEYS:

A. Snowmobiles or other self-propelled recreational vehicles as described herein may be driven on the streets, alleys, or public thoroughfares of the City only for access to and from snowmobile recreation areas and only upon the following described streets in the City:

1. Any north/south street except State Highway 75 and all east/west streets;
2. Any alley, except where the use of any alley would impede other traffic or cause the crossing of any street prohibited for the use of snowmobiles.

B. No snowmobile or other self-propelled recreational vehicle may cross State Highway 75 except at the intersection of State Highway 75 and Cottonwood Street and then only for access to Broadford Road, and only as in this chapter provided. (1983 Code § 4.202)

6-2-4: OPERATION OF VEHICLES:

A. Yield Right-Of-Way: Every snowmobile or other self-propelled recreational vehicle must yield the right-of-way at all times to every other vehicle. (1983 Code § 4.203)

B. Ride Single File: When two (2) or more snowmobiles or other self-propelled recreational vehicles are travelling together, they shall proceed in a single file. (1983 Code § 4.204)

C. Towing Persons, Sleds Or Trailers: No sled or person may be towed by any snowmobile or other self-propelled recreational vehicle upon the streets, alleys, or public thoroughfares of the City; provided, however, that a sled or trailer which is specifically designed for towing by a snowmobile or other self-propelled recreational vehicle may be towed under the provisions of this chapter if such sled or trailer contains runners and is solidly attached to the pulling snowmobile or other self-propelled recreational vehicle by a steel tongue fastened solidly to the snowmobile or other self-propelled recreational vehicle and the sled or trailer; and provided further, no such sled or trailer may be utilized as provided herein unless equipped with sufficient warning lights to give adequate warning of its presence to other persons or vehicles in the area of its operation. (1983 Code § 4.202)

6-2-5: HOURS OF OPERATION:

No snowmobile or other self-propelled recreational vehicle shall be operated upon the streets, alleys, and public thoroughfares of the City between the hours of ten o'clock (10:00) P.M. and eight o'clock (8:00) A.M. the following day, except when returning from a snowmobile recreation area outside the City and where such return is made in the most direct route from such area to the residence of the person operating the snowmobile or other self-propelled recreational vehicle. (1983 Code § 4.207)

# BOISE CITY OHV ORDINANCES

## CHAPTER 8

### DRIVING RULES AND REGULATIONS

#### 6-8-3: OPERATING ALL-TERRAIN VEHICLES IN CITY:

It shall be unlawful for any person to operate an all-terrain vehicle (ATV) within the City limits on any public street or highway, including controlled access highways, or upon any public property or private property open to the public, unless the vehicle is actively being used for snow removal purposes or for an agricultural, horticultural, dairy or livestock growing or feeding purpose. All other uses are strictly prohibited and a driver cited under this section shall be subject to an infraction violation, subject to penalty as provided in section 1-4-2 of this Code. (1952 Code § 10-10-10; amd. 2019 Code)



# CHALLIS CITY OHV ORDINANCES

## CHAPTER 3 SNOWMOBILES

### SECTION:

6-3-1: Definitions

6-3-2: Operators To Be Licensed

6-3-3: Equipment

6-3-4: Operation Of Snowmobiles

6-3-5: Penalties

6-3-1: DEFINITIONS:

The term "snowmobile or snow machine" shall mean every self-propelled device or machine which operates upon skids, skis, tracks, endless belts or any combination thereof, and in or upon or by which any person or property is or may be transported or drawn upon snow or snow covered surface areas, and expressly includes those devices commonly referred to as snowmobiles. (Ord. 327, 1-12-1971)

6-3-2: OPERATORS TO BE LICENSED:

Any person who does not have a license to operate motor vehicles (automobiles or trucks) as the same are generally defined or referred to under the statutes and ordinances of the state of Idaho 1 shall not be permitted to drive or operate a snowmobile in the city; and further, no owner of a snowmobile shall knowingly or wilfully allow or encourage the operation or driving of a snowmobile by an unlicensed driver within the city. (Ord. 327, 1-12-1971)

Notes

1. IC § 49-578.

6-3-3: EQUIPMENT:

No snowmobile shall be operated in the city unless equipped with the following:

A. Lights:

1. At least one headlamp sufficient to render persons or vehicles clearly visible at a distance of two hundred feet (200') or more.

2. A taillight or taillamp which shall emit a red light plainly visible at a distance to the rear of at least two hundred fifty feet (250').

B. Brake: At least one brake to be operated by hand or foot.

C. Muffler: A muffler in good working order which shall be sufficient to prevent excessive or unusual noise and annoying smoke; bypasses, cutouts or similar devices are hereby declared unlawful.

D. Fluorescent Flag: In the event that banks of snow build to a point where the height of the snowmobile is not sufficient to make it clearly visible when approaching an intersection, the operator must display a red or orange fluorescent flag at least one square foot in size at a minimum of five feet (5') above the ground upon a mast or antenna attached to the snowmobile for that purpose. (Ord. 327, 1-12-1971)

6-3-4: OPERATION OF SNOWMOBILES:

A. General Provisions: Snowmobiles shall be operated at speeds consistent with other vehicular traffic upon the avenues and thoroughfares where permitted to operate and shall observe the same traffic regulations, signs and precautions as all other vehicular traffic. Sleds, toboggans or other devices which may be towed behind the snowmobile are permitted only when attached by a solid and rigid drawbar or towbar. Operators of snow machines and snowmobiles shall observe the same rules of

operation as operators of other vehicular machines or automobiles, including, but not limited to, statutes in regard to reckless driving, driving while intoxicated, inattentive driving and the basic speed statutes 1.

B. Hours Of Operation: Snowmobiles may be operated on the streets of the city between the hours of nine o'clock (9:00) A.M. and ten o'clock (10:00) P.M.

C. Prohibited Areas Of Operations:

1. Main Street: Snowmobiles shall not at any time be operated upon Main Street of the city from its intersection with U.S. Highway 93 to the city limits on the Garden Creek Road to the west; provided, however, that snowmobiles may, after taking proper precautions of stopping at stop signs or other vehicular restriction, cross Main Street at any intersections where other vehicular traffic is permitted to cross.

2. Sidewalks: It is specifically declared unlawful to operate any snowmobile upon a city sidewalk or to park the same upon a city sidewalk. (Ord. 327, 1-12-1971)

Notes

1. IC title 49; § 18-8004.

6-3-5: PENALTIES:

Any person convicted of a violation of this chapter shall be punished by a penalty as provided for in section 1-4-1 of this code. (Ord. 327, 1-12-1971; amd. 1988 Code)

## CHAPTER 4

### ALL-TERRAIN VEHICLES

SECTION:

6-4-1: Definition

6-4-2: Operators To Be Licensed And Insured

6-4-3: Equipment

6-4-4: Operation Of ATVs

6-4-5: Penalties

6-4-1: DEFINITION:

The term "all-terrain vehicle (ATV)" shall mean every self-propelled device or machine as defined by Idaho statute. (Ord. 496A, 6-10-2008)

6-4-2: OPERATORS TO BE LICENSED AND INSURED:

Any person who does not have a license to operate a motor vehicle as the same are generally defined or referred to under the statutes and ordinances of the state of Idaho shall not be permitted to drive or operate an ATV in the city; and further, no owner of an ATV shall knowingly or wilfully allow or encourage the operation or driving of an ATV by an unlicensed driver within the city. Every operator and owner of an ATV to be operated in the city shall have effective valid liability insurance with at least the policy limits required by Idaho statute for operation of motor vehicles. (Ord. 496A, 6-10-2008)

6-4-3: EQUIPMENT:

No ATV shall be operated in the city unless equipped with the minimum equipment required by Idaho statute for operation of an ATV. (Ord. 496A, 6-10-2008)

6-4-4: OPERATION OF ATVs:

A. General Provisions: ATVs shall be operated at speeds consistent with other vehicular traffic upon the avenues and thoroughfares where permitted to operate and shall observe the same traffic

regulations, signs and precautions as all other vehicular traffic. Devices which may be towed behind the ATV are permitted only when attached by a solid and rigid drawbar or towbar. Operators of ATVs shall observe the same rules of operation and obey the motor vehicle traffic laws as operators of other vehicular machines or automobiles, including, but not limited to, traffic control devices, reckless driving, driving while intoxicated, inattentive driving and the basic rule speed statutes.

B. Hours Of Operation: ATVs may be operated on the streets of the city only between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

C. Prohibited Areas Of Operation:

1. The city council shall, by resolution, designate streets and areas in which ATVs shall not be operated at any time.

2. Sidewalks: It is specifically declared unlawful to operate any ATV upon a city sidewalk, except for snow removal, or city park, or to park the same upon a city sidewalk or city park.

3. The city council may, by resolution, restrict ATV use to specified streets and areas in the city.

D. Helmet Use: Every operator or passenger under the age of eighteen (18) years shall wear an approved DOT safety helmet.

E. Passengers: No ATV shall be operated with a passenger unless the ATV is approved by the ATV manufacturer for use with passengers. (Ord. 496A, 6-10-2008)

6-4-5: PENALTIES:

Any person convicted of a violation of this chapter shall be punished by a fine or imprisonment as provided for in section 1-4-1 of this code, in addition to any other fine or imprisonment which may be imposed by law. (Ord. 496A, 6-10-2008)

# CHUBBUCK CITY OHV ORDINANCES

## CHAPTER 10.16

### RECREATIONAL MOTOR VEHICLE OPERATION

#### SECTION:

10.16.010: Definitions

10.16.020: Operation

10.16.030: Minimum Equipment Requirements

10.16.040: Designation Of Public Areas For Use

10.16.050: Penalty

10.16.010: DEFINITIONS:

CITY: The city of Chubbuck, Idaho and geographical area lying within its corporate limits.

RECREATIONAL MOTOR VEHICLE: Any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes, including a trail bike or other all-terrain vehicle, hovercraft or motor vehicle licensed for highway operation which is being used for off road recreational purposes, including snowmobiles. (Ord. 398 §2, 1993)

#### 10.16.020: OPERATION:

No person shall:

- A. Enter and operate a recreational motor vehicle on land not his own without the written or oral permission of the owner, occupant or lessee of the land, except where otherwise allowed by law. Written permission may be given by a posted notice which specifies the kind of vehicles allowed, such as "Recreational Vehicles Allowed", or words substantially similar.
- B. Operate a recreational motor vehicle carelessly or heedlessly in disregard of the rights or the safety of others or in any manner which endangers or is likely to endanger a person or property.
- C. Operate a recreational motor vehicle in excess of twenty five (25) miles per hour on publicly owned land.
- D. Operate a recreational motor vehicle within one hundred fifty (150) yards of a public recreational area or gathering of four (4) or more people.
- E. Operate a recreational motor vehicle on public property, except in those areas designated by the city as provided in section 10.16.040 of this chapter.
- F. Post, alter, mutilate, or remove any notice or sign relating to recreational motor vehicles on property in which he has no legal interest.
- G. Enter or leave the lands of another with a recreational motor vehicle or pass from one portion of those lands to another, through a closed gate, without returning the gate to its original position. No person shall enter or leave the lands of another with a recreational motor vehicle by cutting a wire or tearing down or destroying a fence.
- H. Operate a recreational motor vehicle on any public property, including public school grounds, park property, playgrounds and recreational areas, except on specifically designated trails or in areas specifically designated for use of such vehicles.

I. In a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.

J. Upon any sidewalk or pedestrianway in the city. (Ord. 398 §2, 1993)

#### 10.16.030: MINIMUM EQUIPMENT REQUIREMENTS:

A. Standard mufflers shall be properly attached and in constant operation to reduce the noise of operation to the minimum necessary. No person shall use a muffler cutout, bypass, straight pipe or similar device on a recreational motor vehicle; and the exhaust system shall not emit or produce a sharp popping or cracking sound.

B. Brakes shall be adequate to control the movement of and to stop and hold the vehicle under all conditions of operation.

C. The following equipment shall be attached and in operating condition when a recreational motor vehicle is operated between the hours of one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise or at times of reduced visibility:

1. At least one white lamp shall be attached to the front with sufficient intensity to reveal persons and vehicles at least five hundred feet (500') ahead during the hours of darkness under normal atmospheric conditions. The headlamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle operator.

2. At least one red taillamp shall be attached to the rear, with sufficient intensity to exhibit a red light plainly visible from five hundred feet (500') to the rear during the hours of darkness under normal atmospheric conditions. (Ord. 398 §2, 1993)

#### 10.16.040: DESIGNATION OF PUBLIC AREAS FOR USE:

A. The city council may, but is not obligated to, designate areas for use of recreational motor vehicles. A designation shall be published in the official newspaper. If an area is changed, the change shall also be published in the official newspaper. A current map of designated park areas open for recreational motor vehicle use, if any, shall be kept on file in the office of the city clerk. Additionally, the chief of police, or the chief's designee, may grant approval for use of recreational motor vehicles in parades and other similar public events.

B. Unless permitted by the city council, no recreational motor vehicles, except city owned vehicles used in the course of city business, shall be used on city park property. (Ord. 398 §2, 1993)

#### 10.16.050: PENALTY:

A violation of any provision of this chapter is a misdemeanor. (Ord. 398 §2, 1993)

# COTTONWOOD CITY OHV ORDINANCES

## Chapter 10.12

### ATV AND UTV REGULATIONS

#### SECTION:

10.12.010: Definitions

10.12.020: Regulations; Penalty

10.12.010: DEFINITIONS:

**ALL-TERRAIN VEHICLE OR ATV:** Any recreational vehicle with three (3) or more tires, weighing under nine hundred (900) pounds, fifty inches (50") or less in width, having a wheelbase of sixty one inches (61") or less, traveling on low pressure tires of ten (10) psi or less, has handlebar steering and seating designed to be straddled by the operators.

**CITY STREETS:** All public highways, streets, alleys and rights of way within the city limits of the city of Cottonwood, excluding all public highways, streets and rights of way within the city limits under the jurisdiction of the Idaho department of transportation.

**UTILITY TYPE VEHICLE OR UTV:** Any recreational motor vehicle other than an ATV, motorbike or snowmobile, designed for and capable of travel over designated unpaved roads, traveling on four (4) or more low pressure tires of twenty (20) psi or less, maximum width less than seventy four inches (74"), maximum weight less than two thousand (2,000) pounds, or having a wheelbase of ninety four inches (94") or less. Utility type vehicle does not include golf carts, vehicles specially designed to carry a disabled person, implements of husbandry as defined in section 49-110(2), Idaho Code, or vehicles otherwise registered under title 49, Idaho Code. (Ord. 213 § 1, 2008)

#### 10.12.020: REGULATIONS; PENALTY:

A. All city streets are closed to operation of ATVs and UTVs except as hereafter provided.

B. All city streets shall be open for travel by ATVs and UTVs only in the following manner:

1. ATVs and UTVs may only be operated upon those portions of city streets designed and maintained for general automobile traffic. ATVs and UTVs shall not be operated on sidewalks, curbing or ditches within city streets, provided, however, that ATVs or UTVs with snow removal attachments may be temporarily operated on sidewalks for the purposes of snow removal. All ordinances of the city of Cottonwood pertaining to motor vehicle parking shall be applicable to ATVs and UTVs operated on city streets.

2. ATVs and UTVs may only be operated on city streets by persons with a valid Idaho driver's license.

3. All ATVs and UTVs operated on city streets shall have a valid current registration issued by the state of Idaho for the vehicle. Proof of registration, whether a plate or sticker, shall be displayed on the ATV or UTV in a place readily visible upon inspection. City streets shall be closed to all unregistered ATVs and UTVs.

4. All ATVs and UTVs shall be equipped with the following safety equipment as described in title 9, chapter 49 of the Idaho Code, in good working order:

a. Stop lamps 1, headlamps 2 and taillamps 3 ;

b. A mirror so located as to reflect to the operator a view of the roadway a distance of at least two hundred feet (200') to the rear of the ATV or UTV 4 ; and

c. A horn audible at least two hundred feet (200') from the ATV or UTV 5 .

5. The operator of any ATV or UTV on city streets shall have proof of valid liability insurance for the vehicle, as required by title 49, chapter 12, Idaho Code, in the operator's possession on or around

the vehicle at all times the vehicle is in operation on city streets. The operator shall display such proof of liability insurance to any peace officer requesting to examine it. No person shall be convicted of violating this section if that person produces at any time prior to conviction the certificate or proof of liability insurance covering the motor vehicle that person is accused of operating in violation of this section, where the certificate or proof of liability insurance demonstrates the existence of liability insurance described in Idaho Code section 49-1212, which was in effect at the time of occurrence of the violation.

C. Nothing in this section shall be deemed to authorize or regulate use of ATVs or UTVs on any portion of U.S. Highway 95 or any other highway, street or right of way under the jurisdiction of the Idaho department of transportation within the city limits of the city of Cottonwood.

D. The provisions of title 18, Idaho Code, pertaining to operation of motor vehicles on public highways, and chapters 6, 8, 12, 13 and 14, title 49, Idaho Code, are incorporated herein by reference and shall apply to operation of ATVs and UTVs in the city of Cottonwood, including, but not limited to, ATVs and UTVs not required to be licensed or registered under the laws of the state of Idaho.

E. Any person violating this section shall be guilty of an infraction, punishable by a fine of seventy five dollars (\$75.00). Provided, however, any violation of any provision of the Idaho Code incorporated under subsection D of this section for which the Idaho legislature has provided misdemeanor penalties shall be a misdemeanor and punishable as provided in the incorporated Idaho Code provision. (Ord. 213 § 2, 2008)

Notes

1. IC § 49-919.
2. IC § 49-905(2).
3. IC § 49-906.
4. IC § 49-940.
5. IC § 49-956.

# COUNCIL CITY OHV ORDINANCES

## CHAPTER 5 SNOWMOBILES

### SECTION:

6-5-1: Compliance With State And County Laws

6-5-2: Operation On Designated Streets

6-5-3: Speed Limit

6-5-4: Lights

6-5-5: Hours Of Operation

6-5-6: Prohibited Acts

6-5-7: Violation; Penalty

### 6-5-1: COMPLIANCE WITH STATE AND COUNTY LAWS:

All state and county laws concerning snowmobiles shall be obeyed, including drinking and driving, stopping for intersections, licensed drivers and registration of snowmobiles. (Ord. 298, 1-5-1993)

### 6-5-2: OPERATION ON DESIGNATED STREETS:

The snowmobile operator shall ride from his house directly to a designated exit street. There shall be no running up and down the street or around the block. (See the map of designated streets attached to the ordinance codified herein.) (Ord. 298, 1-5-1993)

### 6-5-3: SPEED LIMIT:

The speed limit for snowmobiles is the same as for cars. (Ord. 298, 1-5-1993)

### 6-5-4: LIGHTS:

Headlights and taillights must be in good working order and on. (Ord. 298, 1-5-1993)

### 6-5-5: HOURS OF OPERATION:

Snowmobiles may be ridden within the city limits between eight o'clock (8:00) A.M. and ten o'clock (10:00) P.M. only. (Ord. 298, 1-5-1993)

### 6-5-6: PROHIBITED ACTS:

There shall be no towing of anything and no hookybobbing. (Ord. 298, 1-5-1993)

### 6-5-7: VIOLATION; PENALTY:

Any person violating any provision of this chapter shall be deemed guilty of an infraction and, upon conviction thereof, shall be fined as provided in section 1-4-1 of this code. (Ord. 298, 1-5-1993; amd. 2015 Code)



# DONNELLY CITY OHV ORDINANCES

## Chapter 10.15

### SNOWMOBILES

Sections:

- 10.15.010 Definition.
- 10.15.020 Minimum age of drivers.
- 10.15.030 Offenses by persons owning snowmobiles.
- 10.15.040 Equipment.
- 10.15.050 Regulations for operation of snowmobiles.
- 10.15.060 Violation – Penalty.

10.15.010 Definition.  
The term “snowmobile” shall mean every self-propelled device upon a combination of skis, skids, tracks or endless belts, in and upon or by which any person or property is or may be transported or drawn upon snow or snow-covered surface areas, and expressly includes devices known as “snowmobiles” or “skimobiles.” [Ord. 45 § 1, 1971.]

10.15.020 Minimum age of drivers.

No person under the age of 14 years shall drive or operate a snowmobile in the city. [Ord. 45 § 2, 1971.]

10.15.030 Offenses by persons owning snowmobiles.

It shall be unlawful for any person to knowingly permit, allow or encourage the operation or driving of a snowmobile by a person under the age of 14 years. [Ord. 45 § 3, 1971.]

10.15.040 Equipment.

No snowmobile shall be operated in the city unless it is equipped with the following:

A. At least one and not more than two headlamps sufficient to render clearly discernible persons and vehicles at a distance of 250 feet ahead.

B. Taillamps, which when lighted shall emit a red light plainly visible at a distance of 250 feet to the rear.

C. At least one brake which may be operated by hand or foot.

D. A muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke; and no person shall use a muffler cut-out, bypass or similar device.

E. All snowmobiles operated in the city shall be equipped with a mast or antenna displaying a red or red-orange fluorescent flag or pennant a minimum of five feet above the ground; such flag or pennant shall be either rectangular or triangular in shape with the leading edge being of a minimum of six inches and the length a minimum of 12 inches. [Ord. 45 § 4, 1971.]

10.15.050 Regulations for operation of snowmobiles.

A. It shall be unlawful to drive, operate or park a snowmobile on any sidewalk in the city.

B. No snowmobile shall be operated at a speed in excess of 15 miles per hour in the city.

C. No snowmobile shall carry passengers or weights in excess of the capacity recommended by the manufacturer thereof.

- D. No sled, toboggan, trailer or any other device shall be towed by a snowmobile except by means of a rigid tow bar connecting the same to such device.
- E. No person on skis shall be towed behind a snowmobile.
- F. It shall be unlawful to drive or operate a snowmobile while under the influence of intoxicating liquor.
- G. All snowmobiles shall come to a full stop at all street intersections.
- H. All snowmobiles shall be operated only in single file on the extreme right-hand side of the street.
- I. Operation of snowmobiles on the streets of the city shall be limited to ingress and egress to and from the city; city streets are not to be used as a place of recreation for snowmobiles.
- J. No snowmobile shall be operated within the city limits after 10:00 p.m. except for the purpose of going directly to or from the place of residence of the operator of such snowmobile or to its place of storage.
- K. No person shall operate a snowmobile carelessly and heedlessly, or without due caution and circumspection and at a speed or in a manner as to endanger any person or property. [Ord. 45 § 5, 1971.]

#### 10.15.060 Violation – Penalty.

Any person convicted of a violation of this chapter shall be punished by a fine not to exceed \$100.00 or imprisonment in the city or county jail of not more than 30 days or by both such fine and imprisonment. [Ord. 45 § 6, 1971.]

# FAIRFIELD CITY OHV ORDINANCES

## CHAPTER 3

### SNOWMOBILES AND ALL-TERRAIN VEHICLES

#### SECTION:

5-3-1: Operation And Location Restrictions

5-3-2: Equipment

5-3-3: Owner Responsibility; Exceptions

5-3-4: Violation A Misdemeanor

#### 5-3-1: OPERATION AND LOCATION RESTRICTIONS:

A. Operation On City Roads: Persons shall operate a snowmobile to the far right side, shoulder, or inner slope of the ditch with the traffic on a city road that is plowed, maintained, and named in the city, and only as an avenue for entering and exiting out of the city limits. (Ord. 214, 12-9-2004; amd. 2015 Code)

B. Operation On City Property: No person shall operate a snowmobile or ATV on city property including, but not limited to: city hall, city parks, fire department or police department property or on school property. Permits may be granted to facilitate snowmobile and ATV training classes.

#### C. Places Where Riding Allowed:

1. In the bottom or outside slope of a ditch or on the far right side of city roads in the same direction as highway traffic.

2. On state and local trails, if designated as such.

3. On ice covered water to which an operator has legal access.

4. On the operator's own land.

5. On land other than that belonging to such operator, with written permission of the landowner, occupant, or lessee.

D. Crossing Of Streets Or Roadways: When making a direct crossing of a street or roadway, the following is required:

1. Bring the snowmobile or ATV to a complete stop before crossing.

2. Yield to all oncoming traffic.

3. Have both front and rear lights on when crossing city roads.

4. Cross at a ninety degree (90°) angle with respect to the road.

E. Personal Operation: No person shall operate his/her snowmobile or ATV in a careless, reckless, or heedless manner which endangers other persons or their property. Persons operating snowmobiles or ATVs are subject to applicable state and local traffic laws pertaining to vehicles.

#### F. Youthful Operation:

1. No person under the age of thirteen (13) may drive snowmobiles or ATVs across or on city roads unless accompanied by an adult with a valid license.

2. It is unlawful for the owner of a snowmobile or ATV to permit the snowmobile or ATV to be operated contrary to the provisions of this subsection F.

3. All persons under the age of eighteen (18) are required to wear a CSA, Snell or DOT approved safety helmet while operating or riding a snowmobile.

G. Speed Limits: No person shall operate a snowmobile or ATV on any city road at a speed in excess of twenty-five (25) miles per hour or the posted speed limit, whichever is less. Any snowmobile or ATV that is within one hundred feet (100') of any pedestrian must reduce its speed to ten (10) miles

per hour or under. Between ten thirty o'clock (10:30) P.M. and seven o'clock (7:00) A.M., snowmobiles and ATVs must reduce their speed to ten (10) miles per hour or less within one hundred fifty feet (150') of any dwelling. (Ord. 214, 12-9-2004)

#### 5-3-2: EQUIPMENT:

A. Headlamp: No person shall operate a snowmobile or ATV on any city road unless at the time of such operation the headlamp of such snowmobile or ATV is on.

B. Whip Flag: A brightly colored "whip flag" located a minimum of five feet (5') above the snow machine only is recommended. (Ord. 214, 12-9-2004)

#### 5-3-3: OWNER RESPONSIBILITY; EXCEPTIONS:

A. Fine For Illegal Operation; Exceptions: A person registered as owner of a snowmobile or ATV may be fined not to exceed three hundred dollars (\$300.00) if a snowmobile or ATV bearing his registration number is operated contrary to the provisions of this chapter. The registered owner may not be so fined if:

1. The snowmobile or ATV was reported as stolen to the Camas County sheriff's department at the time of the alleged unlawful act; or if
2. The registered owner demonstrates that the snowmobile or ATV either was stolen or was not in use at the time of the alleged unlawful act; or if
3. The registered owner furnishes to law enforcement officers, upon request, the identity of the person in actual physical control of the snowmobile or ATV at the time of such violation.

#### B. Persons Renting Or Leasing Exempted:

1. The provisions of this section do not apply to any person who rents or leases a snowmobile or ATV, if such person keeps a record of the name and address of the person or persons renting or leasing such snowmobiles or ATVs, the registration number thereof, the departure date and time, and the expected time of return thereof. Such record shall be preserved for at least six (6) months, and shall be prima facie evidence that the person named therein was the operator thereof at the time it was operated contrary to the provisions of this chapter.

2. The provisions of this section do not prohibit or limit the prosecution of a snowmobile or ATV operator for violating any of the provisions of this chapter. (Ord. 214, 12-9-2004)

#### 5-3-4: VIOLATION A MISDEMEANOR:

Any person who shall violate any provision of this chapter shall be guilty of a misdemeanor. (Ord. 214, 12-9-2004)

# GRACE CITY OHV ORDINANCES

## CHAPTER 3

### SNOWMOBILE, TERRAIN VEHICLE REGULATIONS

#### SECTION:

9-3-1: Purpose

9-3-2: Definitions

9-3-3: Driver's License Required

9-3-4: Obedience to Traffic Laws Required

9-3-5: Speed Limit

9-3-6: Duty to Drive to the Right

9-3-7: Regulations at Intersections

9-3-8: Operation on Sidewalks Prohibited

9-3-9: Lights Required

9-3-10: Hours Operation Prohibited

9-3-11: Operation on Certain Streets Prohibited

9-3-12: Number of Passengers Restricted

9-3-13: Operation on Private Property; Consent of Owner Required

9-3-14: Towing Other Items Prohibited

9-3-15: Penalty

9-3-1: PURPOSE:

In order to assist users of vehicles commonly described as snowmobiles and all terrain vehicles to transport snowmobiles from places of storage to locations for recreation or other purposes not located upon public streets, alleyways or other public thoroughfares located within the City limits, the following restrictions, regulations and penalties as provided in this Chapter will be enforced by the law enforcement agencies of the City. (Ord. 153, 2-16-71)

9-3-2: DEFINITIONS:

For the purpose of this Chapter, the following terms shall have the meanings ascribed to them herein:

**PUBLIC STREET:** A street, alleyway or other public thoroughfare which is maintained for winter use.

**SIDEWALK:** Those sidewalks used for public use which are maintained for use in the winter time. The term does not include sidewalks not cleaned and maintained for winter use during periods of time when snow is on the ground. (Ord. 153, 2-16-71)

9-3-3: DRIVER'S LICENSE REQUIRED:

No person shall be allowed to operate a snowmobile or other terrain vehicle along a maintained public street, alley or thoroughfare located within the City unless he has been issued a valid Idaho State operator's license in accordance with the Idaho Statutes for the purpose of operating a motor vehicle upon a public highway, and said operator will be required to have said driver's license in his possession while operating said snowmobile on the public thoroughfare. (Ord. 153, 2-16-71)

9-3-4: OBEDIENCE TO TRAFFIC LAWS REQUIRED:

In addition to the regulations contained herein, the operators of all snowmobiles will be required to obey all laws of the Idaho Motor Vehicle Statutes. (Ord. 153, 2-16-71)

9-3-5: SPEED LIMIT:

No snowmobile or snow machine may be operated upon any City street or thoroughfare within the City limits at a rate of speed in excess of fifteen (15) miles per hour. (Ord. 153, 2-16-71)

**9-3-6: DUTY TO DRIVE TO THE RIGHT:**

Any operation of a snowmobile or other terrain vehicle on the public streets or thoroughfares of the City shall be restricted exclusively to the extreme right-hand side of said roadway while operating said snowmobile or other terrain vehicle as closely to the right-hand side of the street as possible, and the operation of a snow machine directly in the lane of traffic as utilized by wheeled vehicles is prohibited. It is further prohibited to operate snowmobiles or other terrain vehicles on public streets in any manner than single file along the extreme right-hand side of the road. (Ord. 153, 2-16-71)

**9-3-7: REGULATIONS AT INTERSECTIONS:**

It shall be unlawful for the operator of any snowmobile or other terrain vehicle to cross any public street except when in the most direct route across the street, this being direct and straight across the street.

Operators of snowmobiles or other terrain vehicles on public streets in the city shall bring said snowmobile or other terrain vehicle to a full and complete stop at every intersection where two (2) or more streets cross, regardless of the type of traffic control displayed at the various intersections, or in the absence of said traffic control sign or symbol. (Ord. 153, 2-16-1971)

**9-3-8: OPERATION ON SIDEWALKS PROHIBITED:**

It shall be unlawful for any person to operate a snowmobile or other terrain vehicle on any public sidewalk or walkway maintained for winter use for pedestrian traffic except for the use of all-terrain vehicles to remove snow. (Ord. 279, 6-18-2008)

**9-3-9: LIGHTS REQUIRED:**

It shall be unlawful to operate a snowmobile or other terrain vehicle on the streets of the city regardless of the time of day or night or prevailing weather conditions, unless the rear illuminary or taillight and the head light or lamp are lit. (Ord. 153, 2-16-1971)

**9-3-10: HOURS OPERATION PROHIBITED:**

It shall be unlawful to operate a snowmobile or other terrain vehicle within the city limits between ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. on the public streets, and the use of a snowmobile or other terrain vehicle shall further be prohibited during any of these hours when the operation of said snowmobile or other terrain vehicle would cause a public nuisance. (Ord. 153, 2-16-1971)

**9-3-11: OPERATION ON CERTAIN STREETS PROHIBITED:**

It shall be unlawful for the operator of any snowmobile, snow machine or all-terrain vehicle to operate said machine or vehicle for any purpose on any of the following streets: on Main Street between Second North and Second South, except when crossing said street in accordance with Idaho state statutes at defined intersections. (Ord. 279, 6-18-2008)

**9-3-12: NUMBER OF PASSENGERS RESTRICTED:**

Operators of any snowmobile or other terrain vehicle shall not carry or otherwise transport more than one person on said machine while said vehicle is being operated on the public streets of the city irrespective of the size or age of the passengers. (Ord. 153, 2-16-1971)

**9-3-13: OPERATION ON PRIVATE PROPERTY; CONSENT OF OWNER REQUIRED:**

It shall be unlawful to operate any snowmobile or other terrain vehicle upon any privately owned real estate in the city limits without the express and specific consent of the legal occupant of said property. (Ord. 153, 2-16-1971)

**9-3-14: TOWING OTHER ITEMS PROHIBITED:**

Operators of snowmobiles and other terrain vehicles shall not pull, tow or push any other type of conveyance or item of equipment such as sleds, sleighs, toboggans, trailers, skids or skis while operating snowmobiles or other terrain vehicles on public streets in the city. (Ord. 153, 2-16-1971)

9-3-15: PENALTY:

All violators of this chapter shall be guilty of a misdemeanor and shall be subject to a fine not to exceed one hundred dollars (\$100.00) and/or imprisonment in the county jail not to exceed thirty (30) days. (Ord. 153, 2-16-1971)

# HAILEY CITY OHV ORDINANCES

## CHAPTER 10.36

### RECREATIONAL VEHICLES

#### SECTION:

10.36.010: Restrictions

10.36.020: Snowmobiles

#### 10.36.010: RESTRICTIONS:

No person shall drive or allow to be driven on the streets, alleys or public thoroughfares of the city any snowmobile, or any other self-propelled recreational vehicle under one thousand (1,000) pounds' unladen gross weight designed primarily for travel on snow or ice, which may be steered by tracks, skis or runners, except as provided in this chapter. (Ord. 298 § 1, 1970)

#### 10.36.020: SNOWMOBILES:

A. Snowmobiles and other self-propelled recreational vehicles, as described in section 10.36.010 of this chapter, may be operated upon the public streets (but not the alleys) of the city only for access to and from snowmobile recreation areas. Such operation shall be illegal in the following areas:

1. Galena Street from River Street to 1st Avenue;
2. Carbonate Street from River Street to 1st Avenue;
3. Bullion Street from River Street to 1st Avenue;
4. Croy Street from River Street to 1st Avenue;
5. Walnut Street from River Street to 1st Avenue;
6. Blaine County recreational path currently used for cross country skiing.

Operation upon Main Street and Highway 75 shall be illegal, except for expeditious crossing at permitted streets.

B. Legal operation of snowmobiles upon public streets in accordance with this chapter is limited to individuals holding a valid driver's license pursuant to Idaho Code title 49, chapter 3.

C. All snowmobiles operated upon a public street in accordance with this chapter must be equipped with at least one headlight, one taillight, and a stoplight visible from a distance of not less than two hundred fifty feet (250'). The headlight and taillight must be on at all times. All snowmobiles operated upon a public street must have an operable braking system and a flag displayed at a height which meets current snowmobile industry standards.

D. Any individual operating a snowmobile or riding upon a snowmobile on a public street must wear an approved helmet at all times.

E. It shall be illegal to operate a snowmobile pursuant to this chapter under the influence of alcohol or drugs of any kind. It shall be illegal to operate a snowmobile pursuant to this chapter in excess of fifteen (15) miles per hour.

F. If more than one snowmobile is being operated on a public street, said snowmobiles must be driven single file on the right hand side of the street. Snowmobiles shall be allowed only upon the plowed portion of a right of way and shall not be operated upon any snow bank.

G. Any snowmobile operated pursuant to this chapter shall be currently registered in the state of Idaho and display a valid sticker indicating such registration. The operator of any snowmobile in accordance herewith must carry a current certificate of liability insurance.



- H. To prevent excessive noise, all snowmobiles operated in accordance herewith shall be equipped with a muffler in good working order and in constant operation. No person shall use a muffler cutout, bypass or similar device.
- I. Towing of a disabled snowmobile without the use of a rigid towing device shall be allowed; provided, that both snowmobiles are being steered by licensed drivers.
- J. No operation of a snowmobile pursuant to this chapter shall be allowed between the hours of ten o'clock (10:00) P.M. and eight o'clock (8:00) A.M. (Ord. 675 § 1, 1995)

# HARRISON CITY OHV ORDINANCES

## CHAPTER 3 SNOWMOBILES

### SECTION:

5-3-1: Operation On Public Streets And Highways

5-3-2: Operating Requirements

5-3-3: Violation; Penalty

### 5-3-1: OPERATION ON PUBLIC STREETS AND HIGHWAYS:

A. City Streets: It is unlawful for any owner or operator of any snow vehicle, commonly known as a snowmobile to operate the same along or upon any city street, alley or thoroughfare except under the following conditions:

1. Such snowmobiles may be used on the city streets only for the limited purpose of transporting the same from one section of town to another, or to a field or other designated area where the same may be operated, and said transportation must be along the shortest feasible route. Such vehicles are not to be used for pleasure or for general operation on the city streets at any time.

2. No snowmobile may be operated upon or along any city street after nine o'clock (9:00) P.M., with the exception that such operation may be permitted after the nine o'clock (9:00) P.M. curfew for the sole and limited purpose of transporting such vehicle directly to the home of the owner or operator thereof, and for no other purpose. (1983 Code § 10.08.010)

B. State Highway 97: No snowmobiles may be operated on state highway 97 within the city limits, this being a highway as opposed to city streets of the city. (1983 Code § 10.08.050)

### 5-3-2: OPERATING REQUIREMENTS:

A. Single File: All snowmobiles operating on the city streets must travel single file, and there must be not less than a fifty foot (50') interval between two (2) or more vehicles operating on said streets.

B. Speed Limits: The speed limit shall not exceed ten (10) miles per hour.

C. Obey Traffic Laws: All vehicles operating upon the city streets must stop at all intersections and obey all applicable state, county and motor vehicle laws. (1983 Code § 10.08.020; amd. 2004 Code)

D. Equipment: All vehicles operated on the city streets for the limited purposes herein permitted shall have qualified and properly functioning mufflers, and must be properly lighted. (1983 Code § 10.08.030)

E. Valid Driver's License: All operators of snowmobiles within the city and under the terms and provisions of this chapter shall have in effect and in their possession a valid state of Idaho driver's license. (1983 Code § 10.08.040)

### 5-3-3: VIOLATION; PENALTY:

Any person violating the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof may be punished as provided in the general penalty in section 1-3-1 of this code. (1983 Code § 10.08.060; amd. 2004 Code)

# IDAHO CITY - CITY OHV ORDINANCES

## CHAPTER 4

### SNOWMOBILES; OFF-HIGHWAY VEHICLES

#### SECTION:

[6-4-1](#): Definitions

[6-4-2](#): Regulations

[6-4-3](#): Equipment Required

[6-4-4](#): Unattended Vehicle

[6-4-5](#): Right-Of-Way

[6-4-6](#): Law Enforcement Officers

[6-4-7](#): Further Restrictions

[6-4-8](#): Traffic Regulations

[6-4-9](#): Penalty

#### 6-4-1: DEFINITIONS:

As used in this chapter, the following words and terms shall have the meaning ascribed to them in this section:

**OFF-HIGHWAY VEHICLE (OHV):** An all-terrain vehicle, motorbike, specialty off-highway vehicle, utility type vehicle and as further defined by Idaho Code section 67-7101.

**OPERATOR:** A person who operates or who is in actual control of a snowmobile or OHV.

**PUBLIC STREET:** Street, road, alleyway or other public thoroughfare within the City limits of the City of Idaho City, Idaho.

**SNOWMOBILE:** Any self-propelled vehicle under one thousand (1,000) pounds unladen gross weight, designed primarily for travel on snow or ice or over natural terrain, which may be steered by tracks, skis, or runners, and which is not otherwise registered or licensed under the laws of the State. (Ord. 339, 6-25-2014)

#### 6-4-2: REGULATIONS:

A. It shall be unlawful for any person to operate or have actual control of a snowmobile or OHV under the following circumstances:

1. **Property Of Another:** On private property of another without the express permission to do so by the owner or occupant of said property.

2. **Public Property:** On public school grounds, park property, public playgrounds, cemeteries, airport runways, and the posted area in the vicinity of the City water systems and pump house, without express provisions or permission to do so by the proper public authority.

3. **Main Street:** Main Street may be used for ingress and egress to businesses or residences and crossing on arterial streets, all other traffic on said street by snowmobiles or OHVs is prohibited. Operation of snowmobiles or OHVs on the streets of the City shall be limited to ingress and egress to the City; the City streets are not to be used as a place of recreation for snowmobiles or OHVs.

4. **Registration With State:** Without having such snowmobile or OHV registered as provided for by the Statutes of this State.

5. **Driver's Licenses:** Within the right-of-way of any public street unless the operator shall have a valid driver's license, in force and issued by a state of the United States, and shall have said driver's license in his possession at the time of operating said snowmobile or OHV.

6. **Speed:** At a rate of speed in excess of fifteen (15) miles per hour.

7. Public Streets: Within or upon any public street except the extreme right hand side thereof and out of the normal traveled area of the street where possible and shall travel in single file.

8. Lights: Without having the headlight and taillight illuminated regardless of the time of day or night and regardless of the prevailing weather conditions.

9. Hours Of Use: Between the hours of twelve o'clock (12:00) midnight and six o'clock (6:00) A.M., except for the purpose of going to or from the place of residence of the operator of said snowmobile or OHV or to its place of storage.

10. Sidewalk Or Walkway: Upon any public sidewalk or walkway.

11. Pushing, Pulling Or Towing: Pushing, pulling, or towing any other type of conveyance or item of equipment upon the public streets, unless the same has a rigid tongue and swivel-type hitching device connecting the snowmobile or OHV directly to the other conveyance or equipment. (Ord. 339, 6-25-2014)

#### 6-4-3: EQUIPMENT REQUIRED:

A. All snowmobiles and OHVs operated within the City shall have the following equipment:

1. Mufflers: Manufacturer's stock grade mufflers or equivalent which are properly attached and which reduce the noise of operation of the vehicle within noise live requirements of the laws of the State; and no person shall use a muffler cutout, bypass or similar device on said vehicle.

2. Brakes: Adequate brakes in good working condition.

3. Lights: At least one headlight and one taillight, said headlight sufficient to render clearly discernible persons and vehicles at a distance of two hundred fifty feet (250') ahead. Said taillight when lighted shall emit a red light plainly visible at a distance of two hundred fifty feet (250') to the rear.

4. Fluorescent Flag: It is suggested that all snowmobiles and OHVs operated in the City be equipped with a mast or antenna displaying a red or red orange fluorescent flag or pennant a minimum of five feet (5') above the ground; such flag or pennant should be either rectangular or triangular in shape with the leading edge being of a minimum of six inches (6") and length a minimum of twelve inches (12"). (Ord. 339, 6-25-2014)

#### 6-4-4: UNATTENDED VEHICLE:

It is unlawful for the owner or operator to leave or allow a snowmobile or OHV to be or remain unattended on public property while the motor is running or with the keys for starting the vehicle left in the ignition. (Ord. 339, 6-25-2014)

#### 6-4-5: RIGHT-OF-WAY:

Snowmobiles and OHVs must yield right-of-way to all motor vehicles licensed for operation upon public highways. (Ord. 339, 6-25-2014)

#### 6-4-6: LAW ENFORCEMENT OFFICERS:

Law enforcement officers in the performance of their duties of enforcing this chapter or other laws of the State and the City may operate snowmobiles or OHVs in violation of the terms of this chapter as their duties may require. (Ord. 339, 6-25-2014)

#### 6-4-7: FURTHER RESTRICTIONS:

The City Council may, by resolution, further restrict or prohibit the operation of snowmobiles or OHVs upon the public streets or other public property within the City and may restrict, extend or change the public streets upon which snowmobile or OHV operations may take place when, in their opinion, the public safety and welfare so requires subject to the provisions of Idaho Code section 49-426. (Ord. 339, 6-25-2014)

6-4-8: TRAFFIC REGULATIONS:

Each person operating a snowmobile or OHV within the City shall strictly observe all traffic signs and signals and all other traffic rules and regulations of the State and City in addition to those rules and regulations herein set forth and shall obey the orders and directions of any peace officer authorized to direct and regulate traffic. (Ord. 339, 6-25-2014)

6-4-9: PENALTY:

Any person violating the provisions of subsection [6-4-2A6](#), "Speed", of this chapter shall be deemed guilty of an infraction, and, upon conviction thereof, shall be subject to the penalty as provided in section [1-4-1](#) of this Code. Any other violation of the provisions of this chapter shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be subject to the penalty as provided in section [1-4-1](#) of this Code. (Ord. 339, 6-25-2014)

# KAMIAH CITY OHV ORDINANCES

## CHAPTER 10.69 SNOWMOBILES

### SECTION:

10.69.010: Purpose

10.69.020: Defined

10.69.030: Operation

10.69.040: Hours Of Operation

10.69.050: Motor Vehicle License Required

10.69.060: Offenses By Persons Owning Snowmobiles

10.69.070: Required Equipment

10.69.080: Driving Regulations

10.69.090: Violation; Penalty

10.69.010: PURPOSE:

The purpose of this chapter is to regulate the operation of snowmobiles within the city limits. (Ord. 10-79 §1, 1979)

10.69.020: DEFINED:

The term "snowmobile" means every self-propelled device upon a combination of skis, skids, tracks or endless belts, in and upon or by which any person or property is or may be transported or drawn upon snow or snow covered surface areas, and expressly includes devices known as "snowmobiles" or "skimobiles". (Ord. 10-79 §2, 1979)

10.69.030: OPERATION:

It is lawful to operate a snowmobile upon all the city streets of the city of Kamiah upon the condition and subject to the restrictions set forth in this chapter. (Ord. 10-79 §3, 1979)

10.69.040: HOURS OF OPERATION:

It shall be unlawful for any person to operate a snowmobile within the city limits between the hours of ten o'clock (10:00) P.M. and ten o'clock (10:00) A.M. of the following day. Special permission may be granted by the mayor for any late hour group performance activity, upon request from an officer of the group concerned. (Ord. 10-79 §4, 1979)

10.69.050: MOTOR VEHICLE LICENSE REQUIRED:

No person who does not hold a valid motor vehicle operator's license shall drive or operate a snowmobile in the city. (Ord. 10-79 §5, 1979)

10.69.060: OFFENSES BY PERSONS OWNING SNOWMOBILES:

It is unlawful for any person to knowingly permit, allow or encourage the operation or driving of a snowmobile by a person who does not hold a valid motor vehicle operator's license. (Ord. 10-79 §6, 1979)

10.69.070: REQUIRED EQUIPMENT:

No snowmobile shall be operated in the city unless it is equipped with the following:

- A. At least one and not more than two (2) headlamps sufficient to render clearly discernible, persons and vehicles at a distance of two hundred fifty feet (250') ahead;
- B. Taillamps, which when lighted emit a red light plainly visible at a distance of two hundred fifty feet (250') to the rear;
- C. At least one brake which may be operated by hand or foot;

D. A muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cutout, bypass, or similar device. (Ord. 10-79 §7, 1979)

#### 10.69.080: DRIVING REGULATIONS:

Regulations for operation of snowmobiles are as follows:

- A. It is unlawful to drive, operate or park a snowmobile on any sidewalk in the city;
- B. No snowmobile shall be operated at a speed in excess of fifteen (15) miles per hour in the city;
- C. No snowmobile shall carry passengers or weights in excess of the capacity recommended by the manufacturer thereof;
- D. No sled, toboggan, trailer or any other device shall be towed by a snowmobile except by means of a rigid tow bar connecting the same to such device;
- E. No person on skis shall be towed behind a snowmobile;
- F. It shall be unlawful to drive or operate a snowmobile while under the influence of intoxicating liquor;
- G. All snowmobiles shall be operated in single file on the extreme right hand side of the street;
- H. No person shall operate a snowmobile carelessly and heedlessly, or without due caution and circumspection and at a speed or in a manner as to endanger or be likely to endanger any person or property. (Ord. 3-84 §1, 1983: Ord. 10-79 §8, 1979)

#### 10.69.090: VIOLATION; PENALTY:

Any person convicted of a violation of this chapter shall be punished by a fine not to exceed three hundred dollars (\$300.00) or imprisonment in the city or county jail not more than thirty (30) days or by both such fine and imprisonment. (Ord. 10-79 §9, 1979)

# LAVA HOT SPRINGS CITY OHV ORDINANCES

## CHAPTER 7 SNOWMOBILES 1

### SECTION:

6-7-1: Definitions

6-7-2: Operation Within City Limits

6-7-3: Restrictions

6-7-4: Penalty

Notes

1. IC § 67-7101 et seq.

6-7-1: DEFINITIONS:

As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:

**HIGHWAY:** All "highways" as defined by the law except for "public roadways" as defined in this section.

**OPERATOR:** Each person who operates or is in physical control of the snowmobile.

**OWNER:** Any person holding any record title to a snowmobile and entitled to the use or possession thereof, other than a lien holder or other person having a security interest only.

**PERSON:** An individual, partnership, association, corporation, or any other body or group of persons, whether incorporated or not, and regardless of the degree of formal organization.

**PUBLIC ROADWAY:** Portions of all road or street, improved or designed, or ordinarily used for travel or parking of motor vehicles, which is controlled by an authority other than the state highway department.

**SNOWMOBILE:** Any self-propelled vehicle under one thousand (1,000) pounds' unladen gross weight, designed primarily for travel on snow or ice, or over natural terrain, which may be steered by tracks, skis, or runners, and which is not otherwise registered or licensed under the laws of the state. (Ord. 1984-1, 1-18-1984)

6-7-2: OPERATION WITHIN CITY LIMITS:

Snowmobiles may not be operated within the city limits of the city from Main Street from the west city limits to Third Avenue East except where necessary to cross such streets to get from one side to the other. All other public streets within the city shall be opened to travel on snowmobiles, subject to the restrictions contained herein. (Ord. 1984-1, 1-18-1984)

6-7-3: RESTRICTIONS:

It shall be unlawful for any person:

A. **Speed:** To drive or operate any snowmobile at any rate of speed greater than that reasonable and prudent under the existing conditions.

B. **Under Influence:** To operate a snowmobile under the influence of intoxicating liquor, narcotics, or habit forming drugs.

C. **Negligent Manner:** To operate a snowmobile in a negligent manner so as to endanger the person or property of another, or to cause injury or damage to either, or to harass, chase, or annoy any wild game animals or birds or domestic animals.



- D. Lights: To operate a snowmobile without a lighted headlight and taillight between the hours of dusk and dawn and when upon crossing any public roadway or highway, or when otherwise required for the safety of others.
- E. Brakes: To operate a snowmobile without an adequate braking device which may be operated by either hand or foot.
- F. Muffler: To operate a snowmobile without an adequate muffler, except when used in conjunction with public racing events.
- G. Driver's License: To operate a snowmobile upon a public roadway or highway without a valid motor vehicle operator's license, unless the public roadway or highway is closed to other motor vehicle traffic.
- H. Sidewalks: To operate or park snowmobiles on sidewalks.
- I. Indiscriminate Operation: To operate a snowmobile indiscriminately within the city limits of the city without a distinct point of departure and point of destination. Such point of departure or destination can be either within the city or outside the city.
- J. Speed; Traffic Control: To disobey all posted speed limit and traffic control signs.
- K. Trailer Or Sled: To operate a snowmobile with a trailer or sled that does not have a fixed hitch.
- L. Right Of Way: To fail to yield the right of way to all motor vehicles and pedestrians.
- M. Hours Of Operation: To operate the snowmobile between the hours of ten o'clock (10:00) P.M., and six o'clock (6:00) A.M., except when traveling to residence by way of the designated snowmobile route.
- N. Unlicensed, Unregistered Vehicle: To operate unlicensed, unregistered snowmobiles. (Ord. 1984-1, 1-18-1984)

#### 6-7-4: PENALTY:

Any person who violates any section of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code. (Ord. 1984-1, 1-18-1984; amd. 2007 Code)

# MCCALL CITY OHV ORDINANCES

## SUBCHAPTER C. SNOWMOBILES

### SECTION:

5-6-310: Definition

5-6-320: Snowmobile Use

5-6-330: Offenses By Persons Owning Snowmobiles

5-6-340: Equipment

5-6-350: Regulations For Operation Of Snowmobiles

5-6-360: Further Traffic Rules And Regulations

5-6-370: Enforcement, Evidence, Penalties

5-6-310: DEFINITION:

"Snowmobile" means any self-propelled vehicle under one thousand (1,000) pounds' unladen gross weight, designed primarily for travel on snow or ice or over natural terrain, which may be steered by tracks, skis, or runners, and which is not otherwise registered or licensed under the laws of the state of Idaho. (Ord. 710, 1-16-1997, eff. 2-1-1997)

5-6-320: SNOWMOBILE USE:

(A) The operation of a snowmobile on any public street or public land of the city of McCall is a privilege made available to the user through an ordinance of the city creating an exception to state law that would otherwise prohibit any such use. All public lands and rights of way are closed to snowmobiles except as otherwise expressly authorized in this subchapter. (Ord. 849, 2-28-2008)

5-6-330: OFFENSES BY PERSONS OWNING SNOWMOBILES:

It shall be unlawful for any person to knowingly permit, allow or encourage the operation or driving of a snowmobile on a public road or on public property of the city of McCall:

(A) By a person who has no motor vehicle operator's license, or who has no insurance as provided by Idaho Code 49-1232, or who lacks both. (Ord. 710, 1-16-1997, eff. 2-1-1997)

(B) Unless such snowmobile has been numbered by the owner in accord with Idaho Code 67-7103. (Ord. 849, 2-28-2008)

5-6-340: EQUIPMENT:

No snowmobile shall be operated in the city, unless it is equipped with the following:

(A) At least one and not more than two (2) headlamps sufficient to render clearly discernible persons and vehicles at a distance of two hundred fifty feet (250') ahead, and at least one and not more than two (2) taillamps, which when lighted shall emit a red light plainly visible at a distance of two hundred fifty feet (250') to the rear, lighted between the hours of dusk and dawn, or when upon or crossing any public roadway or highway, or when otherwise required for the safety of others.

(B) A mast or antenna displaying a red or red-orange fluorescent flag or pennant, a minimum of five feet (5') above the ground; such flag or pennant shall be either rectangular or triangular with the leading edge attached to the mast or antenna being a minimum of six inches (6") and the length a minimum of twelve inches (12").

(C) At least one adequate braking device which may be operated by hand or foot.

(D) An adequate muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke; and no person shall use a muffler cutout, bypass or similar device. (Ord. 710, 1-16-1997, eff. 2-1-1997)

5-6-350: REGULATIONS FOR OPERATION OF SNOWMOBILES:

(A) All snowmobiles within the city shall be at all times operated in accord with the motor vehicle traffic laws, regulations, and rules of the state and of the city except to the extent a more restrictive rule is provided below. The setting out below of a rule which also applies to motor vehicles under general state law is in addition to such state law, and shall not be held as any statement that other state rules do not apply because not set out below.

(B) It shall be unlawful to drive, operate or park a snowmobile on any sidewalk, or on any trail improved for cross country skiing or snowshoeing, or on any area improved for ice skating, in the city.

(C) It shall be unlawful to operate or park a snowmobile on any portion of the McCall golf course or in any city park, unless and to the extent posted as open to such use. It is unlawful to drive a snowmobile within the city other than for the purpose of leaving the city, returning to the home or place of abode from outside the city, or going to a place of fueling, maintenance, or repair. It is unlawful for any person to park a snowmobile anywhere within the city other than at the home or place of abode of the operator, at a source of fuel for the snowmobile, or at a place of sale, maintenance or repair of snowmobiles.

(D) It shall be unlawful for any person to operate or drive a snowmobile on private property such use of which by such person has not been expressly authorized by the owner of such property.

(E) No snowmobile shall carry passengers or weights in excess of the capacity recommended by the manufacturer thereof.

(F) No sled, toboggan, trailer or any other device shall be towed by a snowmobile except by means of rigid towbar connecting the same to such device. (Ord. 710, 1-16-1997, eff. 2-1-1997)

(G) No person on skis or similar devices shall be towed behind a snowmobile. (Ord. 849, 2-28-2008)

(H) Persons operating snowmobiles on the public roads are reminded that it is unlawful to drive or operate a snowmobile while under the influence of intoxicating liquor or while under the influence of a controlled substance, all as provided in Idaho Code title 18, chapter 80.

(I) All snowmobiles shall be operated only in single file on the extreme right hand side of the street, "street" for these purposes being defined as the area between the snowplow berms or curbs. Snowmobiles shall not be operated on the snowplow berm along the side of the road.

(J) City streets are not to be used as a place of recreation for snowmobiles. For example, snowmobiles shall not be driven up and down a street or around and around a block. Snowmobiles shall not be used in lieu of, nor as if in lieu of, an automobile for ordinary transportation within the city.

(K) No snowmobile shall be operated within the city limits before eight o'clock (8:00) A.M. nor after ten o'clock (10:00) P.M.

(L) No person shall operate a snowmobile in a negligent manner so as to endanger the person or property of another, or to cause injury or damage to either, or to harass, chase or annoy any wild game animals or birds or domestic animals.

(M) No person shall operate a snowmobile on any public street in the city of McCall unless the person has a valid motor vehicle operator's license as provided in Idaho Code section 49-301, and liability insurance as provided by Idaho Code 49-1232. (Ord. 710, 1-16-1997, eff. 2-1-1997)

(N) No person shall operate a snowmobile upon a state highway. The state highway in McCall is also known as 3rd Street and Lake Street, west of the intersection with 3rd Street. No person shall operate a snowmobile upon any public street in the city of McCall except upon a public street (but not a state highway) providing the most direct route:

1. To an access from the owner's or operator's actual place of residence or abode, or from a point where the snowmobile was commercially fueled, maintained or repaired immediately prior to the subject travel; or
2. To a commercial fueling point, or to a place of commercial maintenance and repair, for purpose of immediate fueling, maintenance or repair, from the owner's or operator's actual place of residence or abode, or from an access point; or
3. To an access point, or to the operator's home or place of abode; from a place of immediate past sale to the owner or immediate past rental to the operator of the snowmobile; or
4. To the operator's home or place of abode from an access point. "Access point" means one of the following five (5) points on the city limits: Lick Creek Road, Warren Wagon Road, Boydston Street, Mission Street, or Samson Trail.

(O) No person shall operate a snowmobile in excess of the posted speed limit, at any speed in excess of twenty five (25) miles per hour, nor at a rate of speed greater than reasonable and prudent under the existing conditions at the time, whichever speed is the slower. (Ord. 849, 2-28-2008)

(P) Operation of snowmobiles is authorized on Lardo Bridge, namely, that portion of West Lake Street (State Highway 55) which crosses the north fork of the Payette River. While crossing, all operators shall otherwise conform their conduct to all other regulations established by governing ordinance and law including, but not limited to, speed, time of operation, licensing requirements, insurance requirements, and manner of operation. (Ord. 710, 1-16-1997, eff. 2-1-1997)

#### 5-6-360: FURTHER TRAFFIC RULES AND REGULATIONS:

The chief of police shall have the power to promulgate traffic rules and regulations for the operation of snowmobiles upon streets, alleys and public ways within the corporate limits of the city as follows:

(A) Designate by proper signs highways and streets or parts thereof as feeder routes upon which snowmobiles may be operated to gain egress from and ingress to the city of McCall.

(B) Promulgate any other additional snowmobile traffic rules that may be advantageous and desirable; provided, no such rules promulgated by the chief of police shall become operative until a copy of such rules is filed with the clerk, in writing, and shall have been approved by the city council at a regular or special session, and provided also that suitable signs or standards or guides stating the substance of the rule are placed upon conspicuous places in the highway, street or part thereof affected. Such signs or standards or guides shall be of sufficient size to be clearly visible by operators of snowmobiles.

(C) The chief has the authority upon special occasions, for example parades or races otherwise approved as necessary, to expand the permitted use of the public streets or of the public lands of the city of McCall in accord with an application for such use approved by the chief. A copy of such approved application shall be filed with the clerk and be made available as an information item to council.

It shall be unlawful to violate any such regulations as above provided and any person convicted of a violation thereof shall be punished as provided in section 5-6-370 of this subchapter. (Ord. 710, 1-16-1997, eff. 2-1-1997)

5-6-370: ENFORCEMENT, EVIDENCE, PENALTIES:

(A) In the event that the police determine that a citation should be issued for a violation of this subchapter, the snowmobile in question may be impounded by the police department and held for evidence of identity of the operator and identity of the snowmobile. The department has no obligation to make such determination other than during normal business hours of the department's administrative support personnel.

(B) A violation of this subchapter is an infraction; except that if injury to a second person or his property results, a violation of this subchapter is a misdemeanor. (Ord. 849, 2-28-2008)

# MONTPELIER CITY OHV ORDINANCES

## MPLR 10.12 Snowmobiles

10.12.010

### Chapter 10.12

#### SNOWMOBILES

##### Sections:

- 10.12.010 Purpose.
- 10.12.020 Definitions.
- 10.12.030 Driver's license required.
- 10.12.040 Speed limit.
- 10.12.050 Stop required at all intersections.
- 10.12.060 Operation on extreme right-hand side of roadway required.
- 10.12.070 Lights required.
- 10.12.080 No operation between ten p.m. and six a.m.
- 10.12.090 No operation on private property without permission.
- 10.12.100 No operation on pedestrian walkways.
- 10.12.110 Crossing street—Most direct route required.
- 10.12.120 Compliance with state laws required.
- 10.12.130 No more than one passenger allowed.
- 10.12.140 No pulling, towing or pushing.
- 10.12.150 No racing mufflers.
- 10.12.160 Operation unlawful where.
- 10.12.170 Violation—Penalty.

##### 10.12.010 Purpose.

In order to assist users of tracked vehicles commonly described as snowmobiles to transport snowmobiles from places of storage to locations for recreation or other purposes not located upon public streets,

alleyways or other public thoroughfares located within the city limits of Montpelier, Idaho, the following restrictions, regulations and penalties will be enforced by the law enforcement agencies of the city of Montpelier. (Ord. 442 § 1 (part), 1971)

##### 10.12.020 Definitions.

As used in this chapter:

“Public street” means a street, alleyway or other public thoroughfare which is maintained for winter use.

“Sidewalk” shall refer to those sidewalks used for public use which are maintained for use in the wintertime. The term will not include sidewalks not cleaned and maintained for winter use during periods of time when snow is on the ground. (Ord. 442 § 1 (part), 1971)

##### 10.12.030 Driver's license required.

No person shall be allowed to operate a snowmobile along a maintained public street, alley or thoroughfare located within the city of Montpelier unless he has been issued a valid Idaho state operator's license in accordance with the Idaho statutes for purpose of operating a motor vehicle upon a public highway, and said operator will be required to have said driver's license in his possession while operating said snowmobile on the public thoroughfare. (Ord. 442 § 3, 1971)

##### 10.12.040 Speed limit.

No snowmobile or snow machine may be operated upon any city street or thoroughfare within the city limits in the city of Montpelier at a rate of speed in excess of fifteen (15) miles per hour. (Ord. 442 § 3, 1971)

**10.12.050 Stop required at all intersections.**

Operators of snowmobiles on public streets in the city of Montpelier shall bring said snowmobile to a full and complete stop at every intersection where two or more streets cross, regardless of the type of traffic control displayed at the various intersections, or in the absence of said traffic control, sign or symbol. (Ord. 442 § 4, 1971)

**10.12.060 Operation on extreme right-hand side of roadway required.**

Any operation of snowmobiles on the public streets or thoroughfares of the city of Montpelier shall be restricted exclusively to the extreme right-hand side of said roadway while operating said snowmobile as closely to the right-hand side of the street as possible, and the operation of a snow machine directly in the lane of traffic as utilized by wheeled vehicles is prohibited. It is further prohibited to operate snowmobiles on public streets in any manner other than single file along the extreme right-hand side of the road. (Ord. 442 § 5, 1971)

**10.12.070 Lights required.**

It is unlawful to operate a snowmobile on the streets of Montpelier, regardless of the time of day or night or prevailing weather conditions, unless the rear illuminary or tail-light and the headlight or lamp are lit. (Ord. 442 § 6, 1971)

**10.12.080 No operation between ten p.m. and six a.m.**

It is unlawful to operate a snowmobile within the city limits of Montpelier between ten p.m. and six a.m. on the public streets, and the use of a snowmobile shall further

be prohibited during any of these hours when the operation of said snowmobile would cause a public nuisance. (Ord. 442 § 7, 1971)

**10.12.090 No operation on private property without permission.**

It is unlawful to operate any snowmobile upon any privately owned real estate in the city limits without the express and specific consent of the legal occupant of said property. (Ord. 442 § 8, 1971)

**10.12.100 No operation on pedestrian walkways.**

It is unlawful for any person to operate a snowmobile on any public sidewalk or walkway maintained for winter use for pedestrian traffic. (Ord. 442 § 9, 1971)

**10.12.110 Crossing street—Most direct route required.**

It is unlawful for the operator of any snowmobile to cross any public street except when in the most direct route across the street, this being direct and straight across the street. (Ord. 442 § 10, 1971)

**10.12.120 Compliance with state laws required.**

In addition to the regulations contained herein, the operators of all snowmobiles will be required to obey all laws of the Idaho motor vehicle statute. (Ord. 442 § 11, 1971)

**10.12.130 No more than one passenger allowed.**

Operators of any snowmobile shall not carry or otherwise transport more than one person on said machine while said vehicle

is being operated on the public street of Montpelier irrespective of the size or age of the passengers. (Ord. 442 § 12, 1971)

**10.12.140 No pulling, towing or pushing.**

Operators of snowmobiles shall not pull, tow or push any other type of conveyance or item or equipment such as sleds, sleighs, toboggans, trailers, skids, or skis while operating snowmobiles on public streets in Montpelier. (Ord. 442 § 13, 1971)

**10.12.150 No racing mufflers.**

All snowmobiles and snow machines operated on the streets of the city of Montpelier shall at all times be equipped with a factory stock muffler. This prohibits the use of a racing muffler on a snowmobile on the public streets of Montpelier. (Ord. 442 § 14, 1971)

**10.12.160 Operation unlawful where.**

It is unlawful for the operator of any snowmobile or snow machine to operate said machine or vehicle for any purpose on any of the following:

A. On Fourth Street in its entirety and length, except when crossing said street in accordance with the Idaho state statute as defined intersections; and

B. The city municipal golf course; and

C. The city cemetery. (Amended Ord. 442; 1977; Ord. 442 § 15, 1971)

**10.12.170 Violation—Penalty.**

All violators of this chapter shall be guilty of a misdemeanor and shall be subject to a fine not to exceed three hundred dollars (\$300.00) and/or imprisonment in the county jail not to exceed thirty (30) days. (Ord. 442 § 16, 1971)

**Chapter 10.16**

**DYNAMIC BRAKING DEVICES**

**Sections:**

**10.16.010 “Dynamic braking device” defined.**

**10.16.020 Operation unlawful—Exception.**

**10.16.030 Violation—Penalty.**

**10.16.010 “Dynamic braking device” defined.**

“Dynamic braking device” means a device used primarily on trucks for the conversion of the engine from an internal combustion engine to air compressor for the purpose of braking without the use of wheel brakes, commonly referred to as Jacob’s brake, engine brake or compression brake. (Ord. 537 § 1, 1994)

**10.16.020 Operation unlawful—Exception.**

It is unlawful for any person to operate any motor vehicle with a dynamic braking device engaged within the city of Montpelier, Idaho, except for the aversion of imminent danger. (Ord. 537 § 2, 1994)

**10.16.030 Violation—Penalty.**

Violations of this chapter shall be a misdemeanor and shall be punishable by a fine of not more than three hundred dollars (\$300.00). (Ord. 537 § 3, 1994)



# NEW MEADOWS CITY OHV ORDINANCES

## Chapter 3 Snowmobiles

### 6-3-1 Definition

### 6-3-2 Operation Regulations Generally

### 6-3-3 Operation By Commercial Enterprises

### 6-3-4 Penalties

### 6-3-1 Definition

The term "snowmobile", as used in this chapter, shall mean any self-propelled vehicle under two thousand (2,000) pounds unladen gross weight, designed primarily for travel on snow or ice over natural terrain, which may be steered by tracks, skis or runners. (Ord. 133, 8-9-1971; amd. 2018 Code)

### 6-3-2 Operation Regulations Generally

Any snowmobile operated within the corporate limits of the City may only be operated at such time and in such manner as shall be necessary to travel either directly to or from the residential premises of the owner thereof, and shall be subject to the following regulations:

All snowmobiles driven upon the roads and highways within the corporate limits of the City shall be subject to all State and local traffic laws applicable.

No snowmobile may be operated within the corporate limits of the City at a speed in excess of fifteen (15) miles per hour. (Ord. 133, 8-9-1971)

All snowmobiles must be supplied with adequate equipment per Idaho Code sections 67-7110(3), (4) and (5). (Ord. 133, 8-9-1971; amd. 2018 Code)

Snowmobiling shall not be permitted on Virginia Street (Highway 95) at any time or in any manner; except direct crossing immediately perpendicular to said street shall be permitted.

No snowmobiling shall be permitted on any sidewalk within the City.

No person shall be permitted to ride a snowmobile within the City as a means of commuting to or from a school facility within the City.

Any person operating a snowmobile within the City shall yield the right-of-way at all intersections to other motor vehicles operated within the City, and shall at all times, whether within an intersection or not, yield the right-of-way to pedestrian traffic.

All snowmobiles operating within the City shall proceed on any street in a single file manner and shall stay as far as practicable to the right hand portion of the street, and shall decrease in speed at all intersections to that extent necessary to proceed through the intersection at a speed of less than five (5) miles per hour.

It shall not be permitted for any person to operate a snowmobile within the City when there is attached to said snowmobile a line used in the towing of any person, and no person shall be permitted to trail behind any snowmobile directly with the device being towed. (Ord. 133, 8-9-1971)

### 6-3-3 Operation By Commercial Enterprises

Persons or organizations shall be entitled to operate a snowmobile or snowmobiles within the City without regard to the restrictions as to time and place as described in section 6-3-2 of this chapter in

pursuit of a commercial purpose; provided, however, that before so engaging in snowmobiling without regard to the restrictions in said section 6-3-2 of this chapter, such person or organization must first apply for and receive the permission of the Mayor and the City Council. Such permission shall be granted upon proper application therefor, and shall be during the times and in the manner as the Mayor and City Council shall, by ordinance, establish for each of the individuals applying for such permission. (Ord. 133, 8-9-1971)

#### 6-3-4 Penalties

For the first offense, the penalty for violation of this chapter shall be a warning by the officer of the City designated to act as an officer for the City; (Ord. 133, 8-9-1971)

For the second offense, a fine of one hundred dollars (\$100.00), plus court costs shall be levied; and

For the third and each subsequent offense thereafter, the sum of two hundred fifty dollars (\$250.00) shall be levied as a fine, plus court costs in addition thereto. (Ord. 133, 8-9-1971; amd. 2018 Code)

# PLUMMER CITY OHV ORDINANCES

## CHAPTER 3 SNOWMOBILES

### SECTION:

4-3-1: Operation of Snowmobiles Restricted

4-3-2: Penalty

4-3-1: OPERATION OF SNOWMOBILES RESTRICTED:

It shall be unlawful for any owner or operator of any snow vehicle, commonly known as a snowmobile, to operate the same along or upon any City street excepting under the following conditions:

A. Snowmobiles may be used on the City streets only for the limited purpose of transporting the same from one section of the City to another or to a field or other designated area where the same may be operated, and said transportation must be along the shortest feasible route. Such vehicles are not to be used for pleasure or for general operation on said City streets at any time.

B. No snowmobile may be operated upon or along any City street after nine o'clock (9:00) P.M., with the exception that such operation may be permitted after the nine o'clock (9:00) P.M. curfew for the sole and limited purpose of transporting such vehicle directly to the home of the owner or operator thereof and for no other purpose.

C. All snowmobiles operating on the City streets must travel single file, there must be not less than a fifty foot (50') interval between two (2) or more vehicles so operating on said streets, and the speed limit shall not exceed ten (10) miles per hour.

D. All vehicles operating on the authority of this Chapter upon such City streets must stop at all intersections.

E. All vehicles operating on the City streets for the limited purposes herein permitted shall have qualified and properly functioning mufflers and must be properly lighted.

F. No snowmobiles may be operated on State Highway No. 5 or No. 95 within the corporate limits of the City, these being highways as opposed to City streets.

G. In addition to the foregoing, any operation of snowmobiles upon or along the City streets shall be done in a careful and prudent manner and with due caution and circumspection at all times and must, in all respects, be operated as provided by the laws and regulations of the State 1 . (Ord. 231, 1-6-72)

Notes

1

1. I.C. §67-7101 et seq.

4-3-2: PENALTY:

Any person violating the provisions of this Chapter shall be deemed guilty of an infraction and subject to penalty as provided in Section 1-4-1 of this Code. Any such person in violation hereof shall also be accountable to remedy and pay the costs for any property damage occasioned by such violation. (Ord. 231, 1-6-72; 1993 Code)

# POCATELLO CITY OHV ORDINANCES

## CHAPTER 10.40 SNOWMOBILES

### SECTION:

10.40.010: Uses Prohibited

10.40.020: Parks And Recreation Superintendents; Authority

10.40.010: USES PROHIBITED:

It is unlawful for any person to operate a snowmobile as follows:

- A. On private property of another without the express permission to do so by the owner or occupant of the property;
- B. On public school grounds, park property, playgrounds, recreational areas or golf courses without express permission to do so by the proper public authority;
- C. In violation of any provision of state law. (Ord. 2289, 1989)

10.40.020: PARKS AND RECREATION SUPERINTENDENTS; AUTHORITY:

Notwithstanding the prohibitions and regulations of this chapter, the parks and recreation superintendents shall have authority to supervise and regulate events or programs in connection with events conducted by the parks and recreation department in which snowmobiles are used. These superintendents shall have the authority to designate city park areas that they deem available for the use of snowmobiles. (Ord. 2289, 1989)

# PONDERAY CITY OHV ORDINANCES

## CHAPTER 6

### OFF HIGHWAY VEHICLES

#### SECTION:

5-6-1: Authority

5-6-2: General Provisions

5-6-3: Areas Of Operation

5-6-4: Penalty

#### 5-6-1: AUTHORITY:

This chapter is adopted pursuant to the authority granted at chapter 3, title 50, Idaho Code as well as chapter 4, title 49, Idaho Code. Definitions are found in Idaho Code chapters 1 and 4 of title 49. (Ord. 117, 5-21-2012)

#### 5-6-2: GENERAL PROVISIONS:

It shall be unlawful for any person to operate an all-terrain vehicle (ATV), utility type vehicle (UTV) and/or motorbike in a manner inconsistent with this chapter.

- A. Operators must have a valid, properly displayed, restricted vehicle license plate.
- B. Operators must have a valid, properly displayed IDPR OHV registration sticker affixed to the license plate.
- C. Operators must possess a valid driver's license.
- D. Operators must possess valid liability or alternative insurance and carry proof thereof.
- E. Operators under eighteen (18) years of age must wear a helmet.
- F. The ATV, UTV, or motorbike must have a proper muffler and spark arrester.
- G. The ATV, UTV or motorbike must have a properly working brake light, headlights, and taillights.
- H. The ATV, UTV or motorbike must have a properly attached mirror showing roadway two hundred feet (200') behind the vehicle. (Ord. 117, 5-21-2012)

#### 5-6-3: AREAS OF OPERATION:

Operators of an ATV, UTV or motorbike may operate on all city streets within Ponderay. Operators must utilize the paved and/or dirt portion of the roadway. Operators shall not ride on sidewalks or trails within the city unless designated for use. The city may from time to time by resolution create and amend a map designating streets or portions of streets where operation pursuant to this chapter is prohibited. (Ord. 117, 5-21-2012)

#### 5-6-4: PENALTY:

A first time violation of this chapter shall be a misdemeanor and shall be punished by a fine of fifty three dollars (\$53.00). A second time violation committed within five (5) years shall be an infraction and shall be punished by a fine of one hundred dollars (\$100.00). A third time violation within five (5) years of the first two (2) shall be punished as a misdemeanor in accordance with title 1, chapter 2 of this code. (Ord. 117, 5-21-2012)

# PRESTON CITY OHV ORDINANCES

## Chapter 10.36 UTILITY TYPE VEHICLES

10.36.010 Establishment And Operation

10.36.020 Prohibitions On Highways

10.36.030 License/permit Requirement

10.36.040 Vehicle Regulations

10.36.050 Insurance Policy; Financial Responsibility

10.36.060 Operation On City Streets

10.36.070 Violation; Penalty

10.36.010 Establishment And Operation

A utility type vehicle (UTV) as more specifically defined in Section 49-122U(8), Idaho Code, shall be permitted to be operated upon city streets within the city of Preston, Idaho, under the rules and regulations established in this chapter.

(Ord. 2008-2 § 1, 2008).

10.36.020 Prohibitions On Highways

UTVs shall not be driven on state or federal highways, except to cross said highways at intersections with city streets.

(Ord. 2008-2 § 2, 2008).

10.36.030 License/permit Requirement

No person shall drive any UTV upon any city street unless the person has a current and valid driver's license. Provided, however, those persons holding a restricted school attendance driving permit shall not drive a UTV upon any city street.

(Ord. 2008-2 § 3, 2008).

10.36.040 Vehicle Regulations

**Safety Requirement.** All operators and passengers of UTVs who are under the age of eighteen (18) years shall be required to wear a safety helmet while operating or riding in said vehicle.

**Speed Limit.** All UTVs shall be driven at the posted speed limit, but no UTV shall be driven on any city street at a speed greater than twenty-five (25) miles per hour.

**Slow Moving Vehicles.** All UTVs shall be required to have affixed to the rear of said vehicle an emblem identifying the vehicle as a slow moving vehicle. Said emblem shall be in accordance with laws, rules, and regulations adopted by the Idaho Department of Transportation.

**Braking System—Seat Belts.** All UTVs shall be equipped with a braking system and seat belts for the driver and all passengers.

**Number of Occupants.** A UTV shall carry no more occupants than there are seat belts available for the occupants.

**Lamp Requirement.** All UTVs shall be equipped with two (2) lamps capable of displaying a white light visible of a distance of not less than five hundred (500) feet to the front of the vehicle and two (2) lamps displaying a red light visible from at least the same distance to the rear of the vehicle. Said lamps shall be illuminated at all times when a UTV is being driven upon city streets.

Highway Safety. All UTVs shall be driven in a responsible and safe manner, and no UTV shall be driven in a manner which would obstruct the free movement of traffic on the highways.

(Ord. 2008-2 §§ 4—10, 2008).

#### 10.36.050 Insurance Policy; Financial Responsibility

Every owner of a UTV operated upon city streets by the owner, or another person with his permission, shall continuously provide insurance against loss resulting from liability imposed by law for bodily injury or death or damage to properties suffered by any person caused by maintenance or use of UTVs in an amount not less than that required by Section 49-117, Idaho Code, as amended, which at the time of passage of the ordinance codified in this chapter is the sum of twenty-five thousand dollars (\$25,000.00) because of bodily injury to or death of one (1) person in any one (1) accident and, subject to the limit for one (1) person, in the amount of fifty thousand dollars (\$50,000.00) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and in the amount of fifteen thousand dollars (\$15,000.00) because of injury to or destruction of property of others in any one (1) accident. Proof of financial responsibility and/or liability insurance shall be carried by the owner or operator of a UTV at all times when the same is being operated.

(Ord. 2008-2 § 11, 2008).

#### 10.36.060 Operation On City Streets

No UTV shall be operated on city streets from one-half ( $\frac{1}{2}$ ) hour after sunset to one-half ( $\frac{1}{2}$ ) before sunrise unless equipped with operational electric turn signal lights.

(Ord. 2008-2 § 12, 2008).

#### 10.36.070 Violation; Penalty

Any person operating a UTV in violation of this chapter shall be guilty of an infraction. For violations of Sections 10.36.040(B) and 10.36.050 of this chapter, the fine shall be the same as prescribed in Title 49, Idaho Code for speeding or insurance violations by operators of motor vehicles. All other violations of this chapter shall be punishable by a fine not exceeding one hundred dollars (\$100.00).

(Ord. 2008-2 § 13, 2008).

## PRIEST RIVER CITY OHV ORDINANCES

### 6-1-4: RECREATIONAL VEHICLES:

No person shall operate an ATV (all-terrain vehicle) or any other type of recreational vehicle that is not properly licensed upon any public ways and property within the City. (Ord. 482, 6-5-2006)



# SALMON CITY OHV ORDINANCES

## CHAPTER 72: RECREATIONAL VEHICLES

### Section

#### Snowmobiles

- 72.01 Definitions
- 72.02 Equipment
- 72.03 Operation requirements and restrictions
- 72.99 Penalty

#### SNOWMOBILES

##### § 72.01 DEFINITIONS.

The term SNOWMOBILE shall mean any self-propelled vehicle under 1,000 pounds unladen gross weight, designed primarily for travel on snow or ice or over natural terrain, which may be steered by tracks, skis or runners, and which is not otherwise registered or licensed under the laws of the state.

(Prior Code, § 6-4-1)

##### § 72.02 EQUIPMENT.

No snowmobile shall be operated in the city unless it is equipped with the following:

- (A) Headlamps. At least one and not more than two headlamps sufficient to render clearly discernible persons and vehicles at a distance of 250 feet ahead;
- (B) Tail lamps. Tail lamps, which when lighted shall emit a red light plainly visible at a distance of 250 feet to the rear;
- (C) Brake. At least one brake which may be operated by hand or foot; and
- (D) Muffler. A muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke; and no person shall use a muffler cutout, by-pass or similar device.

(Prior Code, § 6-4-2) (Ord. 86-491, passed 10-6-1986) Penalty, see § 72.99

##### § 72.03 OPERATION REQUIREMENTS AND RESTRICTIONS.

- (A) Operation on sidewalks prohibited. It shall be unlawful to drive, operate or park a snowmobile on any sidewalk in the city.
- (B) Speed. No snowmobile shall be operated at a speed in excess of ten mph in the city.
- (C) Capacity. No snowmobile shall carry passengers or weights in excess of the capacity recommended by the manufacturer thereof.
- (D) Towing. No sled, toboggan, trailer or any other device shall be towed by a snowmobile except by means of a rigid tow bar connecting the same to such device.
- (E) Towing person on skis. No person on skis shall be towed behind a snowmobile.
- (F) Intoxicating liquor. It shall be unlawful to drive or operate a snowmobile while under the influence of intoxicating liquor.
- (G) Designated streets. No person shall operate, drive or park a snowmobile in or upon any street except as may be designated by resolution by the City Council and so designated on a map maintained in City Hall.
- (H) Careless operation. No person shall operate a snowmobile carelessly and heedlessly, or without due caution and circumspection and at a speed or in a manner as to endanger or be likely to endanger any person or property.
- (I) Traffic controls. All snowmobiles shall conform to all vehicular traffic controls.
- (J) Manner of operation. All snowmobiles shall be operated only in single file on the extreme right-hand side of the street, and in groups of not less than four snowmobiles.
- (K) Ingress and egress. Operation of snowmobiles on the streets of the city shall be limited to ingress and egress to and from the city; that city streets are not to be used as a place of recreation for snowmobiles.

(L) Hours of operation. No snowmobile shall be operated within the city limits after 10:00 p.m. except for the purpose of going directly to or from the place of residence of the operator of such snowmobile or to its place of storage.

(M) Driver's license. No person shall operate a snowmobile on the city streets without a valid driver's license per Idaho Code 49-303.

(N) Age limitation. No person, unless he or she is a certified licensed driver, shall drive or operate a snowmobile in the city.

(O) Allowing operation by underage person. It shall be unlawful for any person to knowingly permit, allow or encourage the operation or driving of a snowmobile by a person that is not a certified licensed driver.

(P) Liability insurance. All persons operating a snowmobile shall have proof of snowmobile liability insurance available for display when required to show same.

(Prior Code, § 6-4-3) (Ord. 86-491, passed 10-6-1986) Penalty, see § 72.99  
§ 72.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Any person convicted of a violation of §§ 72.02 through 72.03 shall be subject to penalty as provided in § 10.99.

(Prior Code, § 6-4-4) (Ord. 86-491, passed 10-6-1986)

# SPIRIT LAKE CITY OHV ORDINANCES

## CHAPTER 2 SNOWMOBILES

### SECTION:

6-2-1: Adoption Of Idaho Code

6-2-2: Speed Limit

6-2-3: Prohibited Areas

6-2-1: ADOPTION OF IDAHO CODE:

The City hereby adopts Idaho Code, sections 67-7101 through 67-7113. (Ord. 357, 1-14-92)

6-2-2: SPEED LIMIT:

The maximum speed limit is fifteen (15) miles per hour within the City limits. (Ord. 357, 1-14-92)

6-2-3: PROHIBITED AREAS:

The following areas and/or streets are prohibited for use by snowmobiles:

- A. City parks.
- B. Cemetery.
- C. Fifth Avenue.
- D. Maine Street, west City limits through Sixth Avenue, inclusive.
- E. Sixth Avenue between Maine Street and New Hampshire Street.
- F. All sidewalks.
- G. All private property without prior written permission of the property owner. (Ord. 357, 1-14-92)

# STANLEY CITY OHV ORDINANCES

## CHAPTER 10.12 SNOWMOBILES

### SECTION:

10.12.010: Snowmobiles Defined

10.12.020: Operator's Requirements

10.12.030: Regulations For Operation Of Snowmobiles

10.12.040: Towing Sleds Or Other Devices

10.12.050: Required Equipment

10.12.060: Violation; Penalty

10.12.010: SNOWMOBILES DEFINED:

The term "snowmobile" shall mean every self-propelled device upon a combination of skis, skids, tracks or endless belts, in and upon or by which any person may operate, or property is or may be transported, or drawn upon snow or snow covered surface area, and expressly includes such devices commonly known as "snowmobiles". (Ord. 125, 2-5-1997)

10.12.020: OPERATOR'S REQUIREMENTS:

A. It shall be unlawful for any person to operate a snowmobile on the streets of the city unless the driver holds a valid driver's license issued by the state or, if a person is under the legal age to hold a driver's license, they shall be accompanied by an adult with a valid driver's license.

B. No snowmobile shall be operated within the city without a registration number or dealer license issued by the state as provided by chapter 338 of the Idaho sessions laws of 1969. (Ord. 125, 2-5-1997)

10.12.030: REGULATIONS FOR OPERATION OF SNOWMOBILES:

A. Operation of snowmobiles on the streets of the city shall be limited to direct ingress and egress to and from the places of business or residences of the city. Use of city streets for recreational operation of snowmobiles is prohibited.

B. No snowmobile shall be operated within the city limits after two thirty o'clock (2:30) A.M. and before six thirty o'clock (6:30) A.M.

C. All snowmobiles shall make a complete stop before entering upon any part or crossing any part of the highway or street regardless of the existence of a stop sign, and the operator shall yield right of way to all oncoming traffic.

D. It shall be unlawful to operate a snowmobile in violation of any motor vehicle traffic ordinance of the city.

E. No person shall operate a snowmobile within the city limits at any speed in excess of twenty (20) miles per hour except within the boundaries of the city airport.

F. No person shall operate a snowmobile carelessly or heedlessly, or without due caution and circumspection, and at a speed or in a manner as to endanger or be likely to endanger any person or property.

G. All snowmobiles shall be operated only in single file on the far right edge of the right hand lane of the street.

H. It shall be unlawful to operate or park a snowmobile on any portion of the premises known as the Stanley School, the Stanley city park, or the portion of Wall Street located south of Critchfield Avenue.

I. It shall be unlawful to drive, operate or park a snowmobile on any sidewalk or boardwalk within the city.

J. It shall be unlawful to drive or operate a snowmobile while under the influence of intoxicating or controlled substances, as defined and regulated by Idaho Code title 18.

K. No snowmobile shall carry passengers or weights in excess of the capacity recommended by the manufacturer thereof. (Ord. 125, 2-5-1997)

10.12.040: TOWING SLEDS OR OTHER DEVICES:

A. No sled, toboggan, trailer, or any other device shall be towed by a snowmobile except by the means of a rigid towbar connecting the same to such device.

B. No person on skis shall be towed behind a snowmobile. (Ord. 125, 2-5-1997)

10.12.050: REQUIRED EQUIPMENT:

No snowmobile shall be operated in the city unless it is equipped with the following:

A. At least one and not more than two (2) headlamps sufficient to render clearly discernible persons and vehicles at a distance of two hundred fifty feet (250') ahead.

B. Taillamps which, when lighted, shall emit a red light plainly visible at a distance of at least two hundred fifty feet (250') behind.

C. At least one brake which may be operated by hand or foot.

D. A muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cutout, bypass or similar device. (Ord. 125, 2-5-1997)

10.12.060: VIOLATION; PENALTY:

Any person violating any provisions of this chapter for a first and second offense within a five (5) year time period shall be deemed guilty of an infraction punishable as provided in section 1.08.020 of this code. A third and subsequent convictions within a five (5) year time period shall be deemed a misdemeanor punishable as provided in section 1.08.010 of this code. (Ord. 196, 9-15-2015)

# SUN VALLEY CITY OHV ORDINANCES

## CHAPTER 7 SNOWMOBILES

### SECTION:

6-7-1: Definitions

6-7-2: Snowmobile Operation Restrictions

6-7-3: Violation; Penalties

6-7-1: DEFINITIONS:

When used in this chapter the following words and terms shall have the meanings ascribed to them in this section:

**HIGHWAY:** All "highways" as defined by law, except public streets, roadways or thoroughfares as defined herein.

**OPERATOR:** Each person who operates or is in physical control of the snowmobile.

**OWNER:** Every person holding record title to a snowmobile and entitled to the use or possession thereof, other than a lienholder or other person having a security interest only.

**PERSON:** Any individual, partnership, association, corporation or any other body or group of persons, whether incorporated or not, and regardless of the degree of formal organization.

**PUBLIC STREET, ROADWAY OR THOROUGHFARE:** All portions of any street, road or thoroughfare improved, designed or ordinarily used for travel or parking of motor vehicles, pedestrian traffic and/or horseback riding trails or paths which are controlled by the city.

**SNOWMOBILE:** Any self-propelled vehicle under one thousand (1,000) pounds' unladen gross weight, designed primarily for travel on snow or ice or over natural terrain, which may be steered by tracks, skis or runners. (1990 Code)

6-7-2: SNOWMOBILE OPERATION RESTRICTIONS:

No person shall operate a snowmobile upon any public street, roadway, thoroughfare, highway or alley within the corporate limits of the city; no person shall operate a snowmobile on any privately owned property located within the city without the owner's consent, with the following exceptions:

A. The city council may, by resolution or ordinance, specifically designate certain specifically described areas within the city upon which snowmobiles may be operated. (Ord. 38, 1-18-1971)

B. Snowmobiles may cross, as directly as possible after a full and complete stop, streets, alleys and public roadways; provided, that such crossing can be made in safety and that it does not interfere with the free movement of vehicular traffic approaching from either direction on such street, alley or public roadway. It shall be the responsibility of the operator of the snowmobile to yield the right of way to all vehicular traffic upon any street, alley or public roadway before crossing.

C. The prohibition against operating snowmobiles on streets, alleys or public roadways shall not apply to any street, alley or public roadway drifted or covered with snow to such extent that travel thereon by other motor vehicles is impractical or impossible. (Ord. 29, 8-19-1970)

6-7-3: VIOLATION; PENALTIES:

Any person violating any of the provisions of this chapter shall be punished as provided in section 1-4-1 of this code. (Ord. 38, 1-18-1971; amd. 1990 Code)

# WALLACE CITY OHV ORDINANCES

## SNOWMOBILES

### § 73.01 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

**SNOWMOBILE.** Every self-propelled device upon a combination of skis, skids, tracks, or endless belts in and upon, or by which, any person or property is, or may be, transported or drawn upon snow or snow-covered surface areas, and expressly includes devices known as SNOWMOBILES or SKIMOBILES.

(Prior Code, § 6-5-1) (Ord. 93-5, passed 2-22-1994)

### § 73.02 OPERATORS; QUALIFICATIONS.

No person shall operate a snowmobile within the city limits without a valid motor vehicle operator's license.

(Prior Code, § 6-5-2) (Ord. 93-5, passed 2-22-1994) Penalty, see § 73.99

### § 73.03 ALLOWING OR ENCOURAGING UNLICENSED OPERATORS.

It shall be unlawful for any person to knowingly permit, allow, or encourage the operation or driving of a snowmobile by a person not holding a valid motor vehicle operator's license.

(Prior Code, § 6-5-3) (Ord. 93-5, passed 2-22-1994) Penalty, see § 73.99

### § 73.04 EQUIPMENT.

No snowmobile shall be operated in the city unless it is equipped with the following:

- (A) A headlight. At least one and not more than two head lamps sufficient to render clearly-discernible persons and vehicles at a distance of 250 feet ahead;
- (B) A taillight and/or brake lights. Tail lamps and brake lamps, which, when lighted, shall emit a red light plainly visible to the rear at a distance of 250 feet;
- (C) Brakes. At least one brake which may be operated by hand or foot; and
- (D) A muffler. A muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cutout, bypass, or similar device.

(Prior Code, § 6-5-4) (Ord. 93-5, passed 2-22-1994) Penalty, see § 73.99

### § 73.05 REGULATIONS FOR OPERATION.

- (A) Sidewalk. It shall be unlawful to operate or park a snowmobile on any sidewalk in the city.
- (B) Speed. No snowmobile shall be operated at a speed in excess of 20mph in the city.
- (C) Passengers; weights. No snowmobile shall carry more than one operator and one passenger or weights in excess of the capacity recommended by the manufacturer thereof.
- (D) Towing.
  - (1) No sled, toboggan, inner tube, trailer, snowmobile, or any other similar equipment or device shall be towed by a snowmobile within the city limits.
  - (2) No person on skis, snowboards, or similar devices shall be towed behind a snowmobile.
- (E) Under the influence. It shall be unlawful to drive or operate a snowmobile while under the influence of intoxicants.

(F) Prohibited areas. No person shall operate or park a snowmobile in or upon the following areas and places:

- (1) City parks (unless otherwise designated by this chapter);
- (2) School property, alleyways, NP Railway depot grounds, and Wallace Public Library grounds; and
- (3) Any privately-owned property without the express permission of the property owner.

(G) Careless, negligent manner. No person shall operate a snowmobile carelessly and heedlessly or in a negligent manner, or without due caution and circumspection and at a speed or in a manner as to endanger or be likely to endanger any person or property or to cause injury or damage to either, or to harass, chase, or annoy any wild game or birds or domestic animals.

(H) Traffic rules. All snowmobile drivers shall abide by the same traffic rules required of motorized vehicle operators in the city, except for speed limits designated in division (B) above.

(I) Lights. All snowmobiles shall be operated with the headlights and tail lights on at all times.

(J) Noise. No snowmobile shall be operated whose motor is louder than 72 decibels. No excessive or unnecessary revving of the snowmobile shall be permitted.

(K) Single file. All snowmobiles shall be operated only in single file on the extreme right-hand side of the designated street routes described in § 73.06(A).

(L) Use of city streets. The operation of snowmobiles on the streets of the city shall be limited to ingress and egress to and from the city on said designated routes described in § 73.06(A), which city streets are not to be used as a place of recreation for snowmobiles.

(Prior Code, § 6-5-5) (Ord. 93-5, passed 2-22-1994; Ord. 95-B, 12-13-1994) Penalty, see § 73.99  
§ 73.06 DESIGNATED STREETS.

(A) Designated city street routes and areas for use upon which to operate a snowmobile are identified in division (B) below.

(Prior Code, § 6-5-6)

(B) The following map is designated as Exhibit A.

(Prior Code, § 6-5-9)

(Ord. 93-5, passed 2-22-1994; Ord. 93-5B, passed 12-13-1994)

§ 73.07 SPECIAL EVENTS.

(A) Permit required. Any organizations or individuals desiring to hold special snowmobile events shall submit a written request for a city permit which can be issued after approval of the permit by the City Council.

(B) Liability insurance. The organizations or individuals shall carry special event liability insurance as determined by the permit. A copy of said insurance policy shall be provided to the City Clerk/Treasurer prior to the special event.

(C) Release of liability. Every participant shall be required to sign a release of liability provided by the organizations or individuals holding the city harmless from any injuries or damage sustained as a result of participation in the special event before he or she shall be allowed to participate or before the permit is issued.

(Prior Code, § 6-5-7) (Ord. 93-5, passed 2-22-1994)



## WINCHESTER CITY OHV ORDINANCES

### 5-3-4: SNOWMOBILES:

The term "snowmobile" shall mean every self-propelled device upon a combination of skis, skids, tracks or endless belts, in and upon or by which any person or property is or may be transported or drawn upon snow- or snow-covered surface areas, expressly includes devices known as "snowmobiles" or "ski mobiles".

It shall be lawful to operate a snowmobile upon all the public roadways of the City of Winchester upon the condition and subject to the restrictions hereinafter set forth in this section.

No person under the age of fourteen (14) years shall drive or operate a snowmobile in the City.

It shall be unlawful for any person to knowingly permit, allow or encourage the operation or driving of a snowmobile by a person under the age of fourteen (14) years.

No snowmobile shall be operated in the city, unless it is equipped with the following:

- A. At least one and not more than two (2) head lamps sufficient to render clearly discernible persons and vehicles at a distance of two hundred fifty (250') feet ahead.
- B. Tail lamps, which when lighted shall emit a red light plainly visible at a distance of two hundred fifty feet (250') to the rear.
- C. At least one brake which may be operated by hand or foot.
- D. A muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke; and no person shall use a muffler cut out, by-pass or similar device.
- E. All snowmobiles operated in the City shall be equipped with a mast or antenna displaying area or red-orange, fluorescent flag or pennant a minimum of five feet (5') above the ground; such flag or pennant shall be either rectangular or triangular in shape with the leading edge being a minimum of six inches (6") and the length a minimum of twelve inches (12").

Regulations for Operation of Snowmobiles:

- A. It shall be unlawful to drive, operate or park a snowmobile on any sidewalk in the City.
- B. No snowmobile shall be operated at a speed in excess of fifteen (15) miles per hour in the City.
- C. No snowmobile shall carry passengers or weights in excess of the capacity recommended by the manufacture thereof.
- D. No sled, toboggan, trailer or any other device shall be towed by a snowmobile except by means of a rigid tow bar connecting the same to such device.
- E. No person on skis shall be towed behind a snowmobile.
- F. It shall be unlawful to drive or operate a snowmobile while under the influence of intoxicating liquor.
- G. All snowmobiles shall come to a full stop at all street intersections.
- H. All snowmobiles shall be operated only in the single file on the extreme right-hand side of the street.
- I. Operation of snowmobiles on the streets of the City shall be limited to ingress and egress to and from the City; that City streets are not to be used as a place of recreation for snowmobiles.
- J. No snowmobiles shall be operated within the City limits after ten o'clock (10:00) P.M. except for the purpose of going directly to or from the place of residence of the operator of such snowmobile or to its place of storage.
- K. No person shall operate a snowmobile carelessly and heedlessly, or without due caution and circumspection and at a speed or in a manner as to endanger or be likely to endanger any person or property.

If any provision, section, part of section, sentence or clause of this section shall be held unconstitutional or invalid, all other parts or provisions not expressly held to be so void or unconstitutional shall continue in full force and effect.

Any person convicted of a violation of this section shall be punished by a fine not to exceed three hundred dollars (\$300.00) or imprisonment in the County jail not more than thirty (30) days or by both such fine and imprisonment.