

**EPHRAIM CITY ORDINANCE
ECO 08-02**

OHV REGULATIONS

AN ORDINANCE OF THE CITY COUNCIL OF EPHRAIM,
UTAH, AMENDING SECTION 6-2 OF THE EPHRAIM CITY
CODE REGARDING THE REGULATION OF OFF-HIGHWAY
VEHICLES

WHEREAS, The Ephraim City Council desires to amend Section 6-2 of the Ephraim City Code; and,

WHEREAS, the Ephraim City Council has determined that the proposed revisions to the Ephraim City Code as proposed herein are advisable and in the best interest of the public health, safety and welfare;

NOW THEREFORE, BE IT ORDAINED by the Ephraim City Council as follows:

1. The City Council hereby amends Section 6-2 of the Ephraim City Code to read as follows:

CHAPTER 2
OFF-HIGHWAY VEHICLES

SECTION:

- 6-2-1: Definitions
- 6-2-2: Driver License Required
- 6-2-3: Registration
- 6-2-4: Rules and Regulations
- 6-2-5: Penalty

6-2-1: **DEFINITIONS:**

ALL TERRAIN TYPE (1)
VEHICLE: any motor vehicle 52 inches or less in width, having an unloaded dry weight of 800 pounds or less, traveling on three or more low pressure tires, having a seat designed to be straddled by the operator, and designed for or capable of traveling over unimproved terrain.

ALL TERRAIN TYPE (2)
VEHICLE: any other motor vehicle not defined in 41-22-2 sections (2), (9) or (20) designed for or capable of traveling over unimproved terrain. This term does not include golf carts, any vehicle designed to carry a disabled person, any vehicle not specifically designed for recreational use, or farm tractors.

OFF-HIGHWAY VEHICLE: Any snowmobile or All Terrain Type I vehicle, or Type II vehicle or (OHV) motorcycle, including all electric and motorized vehicles.

6-2-2 **DRIVER LICENSE REQUIRED:** Off-road vehicle operators 16 years and older shall be required to have a Utah Driver License to operate an OHV within city limits. Operators under 16 years of age, or an individual without a valid driver license, Excepting those specified in Section 6-2-4(f) of this ordinance, must be under the direct visual supervision (within 100 feet) of an adult who is at least 18 years of age who has a valid driver license, while riding within city limits.

A. It will be unlawful for a parent or guardian to allow any unlicensed driver to operate an OHV within city limits unless accompanied by an adult licensed driver.

6-2-3: **REGISTRATION:**

A. Sanpete County: All OHV's are required to be registered with the Department of Motor Vehicles and have the proper stickers displayed. If the vehicle is used for animal husbandry and off-highway use, this must be declared at time of registration.

6-2-4: **RULES AND REGULATIONS:**

A. Road Designation: The operator of an off-highway vehicle, with the exclusion of snowmobiles, may, with a valid driver license, drive on city streets, within city limits, except Main Street, Center Street, and 100 North, for the purpose of going from one place to another. Main Street, Center Street, and 100 North, as State roads, may be crossed.

B. Laws: The rider of an off-highway vehicle is subject to the provisions, traffic and parking laws of the State Statute Provisions of Title 41 Chapter 6a, traffic code, unless specifically excluded. An OHV shall not exceed 15 MPH and shall drive to the far right side of the appropriate lane of traffic.

C. Noise: A noise decibel level of 65 decibels shall not be exceeded by any such vehicle described above.

D. Helmets: Any person under the age of 18 is required to wear a helmet at all times while driving or riding in or on any class OHV or motorized vehicle.

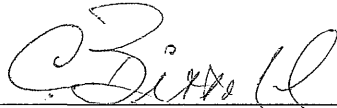
E. Any OHV operated after dusk must be equipped with appropriate lighting equipment, including head lights, tail lights, and brake lights.

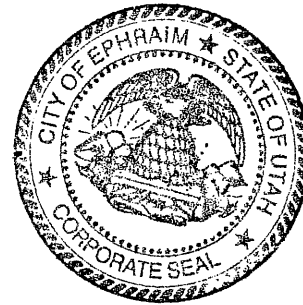
F. Operators under 16 years of age, or an individual without a valid driver license, wanting to use an OHV for alternate transportation for the purpose of leaving city limits for work purposes must obtain an Ephraim OHV Work Permit at the Police Department, designating intent, route, and days and times unlicensed driver is permitted to operate an OHV unsupervised. This permit must be in the possession of the operator when OHV is in use.

6-2-5: **PENALTY:** Any violation of this Chapter shall constitute a Class C misdemeanor, subject to penalty as provided in Section 1-4-1 of this Code.

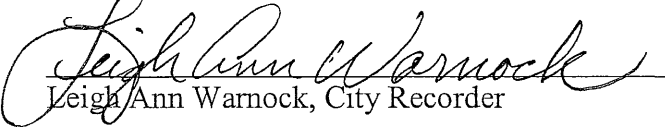
2. All resolutions, ordinances, and policies in conflict herewith, either in whole or in part, are hereby repealed

APPROVED, PASSED, AND ORDERED PUBLISHED this 17th day of September, 2008. This ordinance will become effective 20 days from posting.

By 
Cliff Birrell, Mayor



ATTEST:


Leigh Ann Warnock, City Recorder

COUNCIL VOTE

Terry Lund	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Kim Cragun	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Elaine Reid	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
David Parrish	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
David Warren	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>