

# **TOQUERVILLE CITY ORDINANCE # 01-12-06**

## **AN ORDINANCE ADOPTING (BY REFERENCE) THE UTAH OFF-HIGHWAY VEHICLE ACT (TITLE 41 CHAPTER 22, UTAH CODE ANNOTATED 1953)**

### **Preamble**

This Ordinance is for the purpose of adopting in part, the Utah Off-Highway Vehicle Act (Title 41 Chapter 22), Utah Code Annotated 1953, as amended.

Wherein Toquerville City has previously adopted the Vehicle and Traffic Code from the Utah League of Cities and Towns (ULCT), Part 11-321, 1977, Adoption of Uniform Traffic Code...Rules of the Road. And wherein the City has need of adopting the Utah Off-Highway Vehicle Act as hereby amended by the City Council to provide rules and regulations for the use of City roads for off-highway vehicles; be it ordained the City has amended and supplemented the Utah Code for the Off-Highway Vehicle Act as follows:

As allowed in (Title 41 Chapter 22, Utah Code Annotated 1953) we do hereby supplement said Code by adding the following new and additional language:

Adoption of Utah Off-Highway Vehicle Act with added new and additional language shall constitute the Toquerville City Ordinance #01-12-06, Governing Off-Highway Vehicles, (here after OHV).

**Section 1**- The following Toquerville City streets are designated as permissible for OHV Routes.

1. Springs Dr.
2. Ash Creek Dr.
3. Old Church
4. Center
5. Westfield Rd.
6. Sunset Av.
7. Berry Ln.
8. Pioneer Rd south of Berry, then south along Frontage to SR 17.
9. Hunter Ln.
10. Cholla

**Section 2**- The main objective in designating these streets is for legal access to public and private lands approved for OHV uses. Those living on City streets not mentioned above may access them by traveling the shortest distance between residence and designated street.

**Section 3**- Operation by person 16 years of age and older. No person 16 years or older shall operate an OHV on the designated streets listed above unless such person has a valid drivers license.

**Section 4-** Operation by persons under 16 years of age. No person under 16 years of age may operate and no owner may give permission to a person under 16 to operate an OHV on the designated streets listed above unless such person has an approved Safety Certificate AND under the direct visual supervision of an adult 18 years of age or older holding a valid drivers license.

**Section 5-** Protective Headgear, A person under the age of 18 may not operate or ride on an OHV on any public road unless the person is wearing a properly fitted and fastened, United States Department of Transportation safety-rated protective headgear designed for motorized vehicle use.

**Section 6-** Where to Ride and Yielding. Persons Operating on designated streets listed above will travel in the same lane of travel as general motor vehicles but must travel within the outer 5 feet of asphalt. Travel in the dirt on the shoulder of the streets is prohibited. Persons Operating an OHV must yield the right of way to general motor vehicle traffic.

**Section 7-** Speed limits. The Maximum speed for an OHV on designated streets listed above shall be as posted for general motor vehicular traffic, and the operation of an OHV shall otherwise be in accordance with applicable motor vehicle laws and regulations for general motor vehicles. OHV accessing designated from non designated streets is restricted to 5 m.p.h.

**Section 8-** Effective Date, This Ordinance shall become effective immediately upon adoption, posting and publication of a summary as provided 10-3-711, Utah Code Annotated 1953, as amended.

Passed and Approved this 12<sup>th</sup> day of Jan., 2006

By Ken Powell  
Ken Powell, Mayor  
Toquerville City



Attest.  
Carol Pogue  
Carol Pogue, City Recorder

Council Vote:	Randy Scott	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
	Lynn Chamberlain	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
	Wayne Olsen	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
	Lynn Olds	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
	Darrin LeFevre	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>