

**RICHMOND CITY CORPORATION**  
**ORDINANCE 2008-6**

WHEREAS, the City of Richmond has an obligation and the authority to reasonably protect the public health and welfare within the limits of Richmond City; and

WHEREAS, Title 41-22-10.5 of Utah Code Annotated (1953) provides that a community may designate certain streets for use by All Terrain Vehicles; and

WHEREAS, Richmond City desires to provide reasonable access to All Terrain Vehicles while simultaneously maintaining as safe as possible of an atmosphere for both citizens at large and drivers of All Terrain Vehicles;

NOW THEREFORE the City Council of Richmond City, County of Cache, State of Utah, hereby adopts, passes, and publishes the following:

AN ORDINANCE ENACTING A NEW CHAPTER 11-390 OF TITLE 11-000 OF *THE CODE OF REVISED ORDINANCES OF RICHMOND CITY, UTAH (1975, Adopted 1976)* ENTITLED "ALL TERRAIN-TYPE VEHICLES ON RICHMOND CITY STREETS AND ROADS."

A. The following Chapter 11-390 shall be added to Title 11-000 of *the Code of Revised Ordinances of Richmond City, Utah (1975, Adopted 1976)*:

**CHAPTER 11-390. All Terrain-type Vehicles on Richmond City Streets and Roads.**

**11-391. Definitions.**

A. "All-terrain type I vehicle" means any motor vehicle 50 inches or less in width, having an unladen 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 travel over unimproved terrain.

B. "All-terrain type II vehicle" (ATV) means any other motor vehicle, not a motorcycle or a snowmobile in the commonly accepted terms, designed for or capable of travel over unimproved terrain.

1. "All-terrain type II vehicle" does not include golf carts, any vehicle designed to carry a disabled person, any vehicle not specifically designed for recreational use, or farm tractors.

C. "Utility-type vehicle" (UTV) shall mean any vehicle falling into the general wheel description of an All-terrain vehicle but usually with the addition of a cab-type roof and a utility bed, and utilizing a traditional vehicular seating arrangement.

D. "Low pressure tire" means any pneumatic tire six inches or more in width

designed for use on wheels with rim diameter of 14 inches or less and utilizing an operating pressure of ten pounds per square inch or less as recommended by the vehicle manufacturer.

E. "Manufacturer" means a person engaged in the business of manufacturing off-highway vehicles.

F. "Motor vehicle" means every vehicle which is self-propelled.

G. "Off-highway vehicle" means any snowmobile, all-terrain type I vehicle, all-terrain type II vehicle, or motorcycle.

H. "Off-highway implement of husbandry" means every all-terrain type I vehicle, motorcycle, or snowmobile that is used by the owner or his agent for agricultural operations.

I. "Operate" means to control the movement of or otherwise use an off-highway vehicle.

J. "Operator" means the person who is in actual physical control of an off-highway vehicle.

K. "Owner" means a person, other than a person with a security interest, having a property interest or title to an off-highway vehicle and entitled to the use and possession of that vehicle.

L. "Roadway" is used as defined in Section 41-6a-102 of Utah Code Annotated (1953).

M. "Street or highway" means the entire width between boundary lines of every way or place of whatever nature, when any part of it is open to the use of the public for vehicular travel.

N. "Street-legal all-terrain vehicle" or "street-legal ATV" has the same meaning as defined in Section 41-6a-102 of Utah Code Annotated (1953).

**11-392. Exclusions.** All snowmobiles of any type and any motorcycle-type vehicle and any miniaturized ATV-style vehicle that measures twenty-eight (28") inches or less from the ground to the upper-most portion of said vehicle are excluded from the provisions of this Chapter.

**11-393. License, Insurance, and Registration.** The operator of an OHV in Richmond City is required to have:

A. A valid state driver's license;

B. Proof by the owner/operator of liability insurance;

C. Proof that the owner/operator has a current state registered tag, sticker, or license visibly placed on the OHV in keeping with current Division of Motor Vehicles

regulations.

**11-394. Licensing.** Drivers of OHV as designated by this Chapter shall adhere to the following licensing stipulations:

A. Age sixteen (16) years and older:

1. No person sixteen (16) years of age or older shall operate an OHV on the designated streets or roads of Richmond City unless such person is in possession of a valid state driver's license.

2. No person sixteen (16) years of age or older shall operate a motorcycle on the designated streets or roads of Richmond City without a valid state driver's license bearing a motorcycle endorsement.

**11-395. Designated OHV Routes Within Richmond City.** Off-Highway Vehicles (OHV) may utilize all Richmond City streets and roads with the exception of:

A. Two Hundred (200) West, a.k.a. U.S./S.R. 91.

B. Main Street west of Two Hundred (200) West, a.k.a. S.R. 142.

C. OHV's may cross in the most direct manner both 200 West and S.R. 142 to proceed from City street or road to another City street or road.

**11-396. Stipulations.** The following stipulations must be observed by all OHV drivers when operating under the provisions of this Chapter:

A. Speed Limits. The OHV shall not be operated at speeds in excess of posted speed limits applicable to the respective street or road.

1. Unless posted otherwise, residential streets and roads shall have a maximum speed limit of twenty-five (25) miles per hour.

2. Violation of such speed limits shall be treated with such bail or other punishment as would be applicable to any street-legal vehicle.

B. Vehicle equipment. All OHV's shall have the following minimal equipage:

1. Brakes adequate to control the movement of and to stop and hold the vehicle under normal operating conditions;

2. Headlights and taillights when operated between sunset and sunrise;

3. A noise control device, as per manufacturer specifications;

4. A spark arresting device.

C. Personal safety equipment. A person under the age of eighteen (18) may not operate or ride an OHV on the streets of Richmond unless the person is wearing a properly fitted and fastened, United States Department of Transportation safety-rated protective head gear designed for motorized vehicle use.

**11-397. Restrictions on Privately-Owned Land.** No person shall operate or accompany a person operating an OHV upon privately owned land of any other person, firm, or corporation in Richmond City without permission from the owner or person in charge.

**11-398. Prohibited Uses.** No person may operate an OHV within the limits of the City of Richmond in connection with acts of vandalism, harassment of wildlife or domestic animals, burglaries or other crimes, or damage to the environment which includes excessive pollution of air, water, or land, abuse of the watershed, impairment of plant or animal life, or excessive mechanical noise.

ADOPTED AND PASSED by the Richmond City Council this 21<sup>st</sup> day of October, 2008.

\_\_\_\_\_  
Michael E. Hall  
Mayor

ATTEST:

\_\_\_\_\_  
Justin B. Lewis  
Recorder

-----

Posting Date: October 21, 2008

**CERTIFICATE OF DUE POSTING**

I, Justin B. Lewis, City Recorder of Richmond, Cache County, Utah, do hereby certify that on the 21<sup>st</sup> day of October, 2008, in the City of Richmond, County of Cache, State of Utah, was posted the foregoing Ordinance 2008-6 in a likely manner, a copy of which is hereunto attached, in each of the three most public places in the said City of Richmond, to wit:

1. Richmond City Office.

2. Richmond Public Library.

3. Richmond City Post Office.

WITNESS my hand this 21<sup>st</sup> day of October, 2008.

---

Justin B. Lewis  
Richmond City Recorder