

ORDINANCE _____

**AN ORDINANCE ENACTING TITLE 7 CHAPTER 7 OF THE NORTH OGDEN CITY CODE
AUTHORIZING THE USE OF STREET-LEGAL ALL-TERRAIN VEHICLES WITHIN NORTH
OGDEN CITY LIMITS**

WHEREAS, the state of Utah has contemplated rules and regulations to govern the use of All-Terrain Vehicles (ATVs) upon public streets as approved by the "Controlling Highway Authority" (see Utah Code Sec. 41-6a-1509); and

WHEREAS, North Ogden City is the Controlling Highway Authority for non county and state roads within its jurisdiction; and

WHEREAS, state code prohibits the use of ATVs on public roads of municipalities with more than 7,500 residents unless specifically authorized by ordinance of the Controlling Highway Authority; and

WHEREAS, North Ogden City has more than 7,500 residents according to the most recent census data.

WHEREAS, the North Ogden City Council desires to provide for the use of Street-Legal ATVs on the public streets of North Ogden City:

BE IT THEREFORE ORDAINED, by the North Ogden City Council that the following section of Title 7 Chapter 5 of the North Ogden City Code shall be enacted as follows:

**Chapter 7
STREET LEGAL ALL-TERRAIN VEHICLES OPERATION**

7-7-1: DEFINITIONS.

As used in this Chapter:

- A. "All-terrain vehicle" or ATV means any motor vehicle 52 inches or less in width, having an unladen dry weight of 1,500 pounds or less, traveling on three or more low pressure tires, having a seat designed to be straddled by the operator or a class A side-by-side, designed for or capable of travel over unimproved terrain.
 - i. "All-Terrain Vehicle" for the purpose of this chapter does not include golf carts, snowmobiles, or any vehicle designed to carry a person with a disability, any vehicle not specifically designed for recreational use.
- B. "Drivers license" means documentation which complies with the Uniform Drivers License Act in accordance with state law.
- C. "Street" means any road under the jurisdiction of North Ogden City.
- D. "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain vehicle which is modified to meet the requirements of Utah Code Section 41-6a-1509 to operate on highways in the state in accordance with Section 41-6a-1509.
 - i. "street-legal ATVs" are considered "all-terrain vehicles" for all relevant provisions of local and state statutes when operating off road on public and private property.

7-7-2: CITY STREETS OPEN TO STREET-LEGAL ATVS:

All City streets within the jurisdictional limits of North Ogden City are designated as open for street legal all-terrain vehicles as defined in Utah Code 41-6a-102 and 41-6a-1509. Street-Legal ATVs are required to operate in the regular travel lanes of City Streets at the lesser of the posted speed limit or 45mph.

7-7-3: DRIVERS LICENSE AND AGE REQUIREMENT:

All operators of all-terrain vehicles on North Ogden City streets and highways must be 16 years of age or older and have in their possession a valid drivers license.

7-7-4: STREET LEGAL CONVERSIONS:

Each all-terrain vehicle operating on North Ogden City streets and highways shall comply with all requirements as found in Utah Code 41-6a-1509 including but not limited to:

- A. Installation of required headlights, signaling devices, stop lamps, safety restraints, reflectors, mufflers, horns, mirrors, windshields, illuminated speedometers, and other requirements as outlined in Utah Code Section 41-6a-1509(3) and other relevant provisions.
- B. State issued license plates are required to be permanently mounted on all street-legal ATVs.

7-7-5: REQUIRED DOCUMENTATION:

All operators of street-legal ATVs on North Ogden City streets and highways must have the following documentation in their possession while operation the vehicle.

- A. Registration, titling, odometer statement, vehicle identification, license plates, and registration fees under Utah Code Title 41, Chapter 1a, Motor Vehicle Act; and
- B. The county motor vehicle emissions inspection and maintenance programs under Utah Code Section 41-6a-1642; and
- C. Proof of Motor vehicle insurance under Utah Code Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act; and
- D. Proof of Safety inspection in accordance with requirements under Utah Code Title 53, Chapter 8, Part 2, Motor Vehicle Safety Inspection Act, specifically that a street-legal ATV shall be subject to a safety inspection when registered for the first time.

7-7-6: INCORPORATION OF STATE REQUIREMENTS:

The provisions of Utah Law relating to street-legal ATVs are hereby incorporated and included as part of this ordinance. (see Utah Code 41-6a-1509).

7-7-7: OFF STREET USE:

All street-legal ATVs are subject to Off Road Vehicle Operation rules as outlined in North Ogden Codes and relevant state statutes when operating off public streets.