

P.
452

ORDINANCE # 84-2

AN ORDINANCE MAKING IT A CRIMINAL MISDEMEANOR FOR ANY PERSON TO OPERATE A SELF PROPELLED VEHICLE OTHER THAN A SNOWMOBILE ON GROOMED SNOWMOBILE TRAILS IN FREMONT COUNTY, DECLARING THE PENALTY THEREFORE, AND DEFINING "SNOWMOBILE", "SELF PROPELLED VEHICLE" AND "SNOWMOBILE TRAILS."

Whereas, Fremont County provides funding and labor for the creation and maintenance of groomed snowmobile trails for the operation and traffic of snowmobiles, as defined herein;

Whereas, the traffic on said snowmobile trails by self propelled vehicles other than snowmobiles, as defined herein, is detrimental to the use of said snowmobile trails by snowmobiles; increases maintenance expenses to said trails and poses a risk to the security and safety of all those using said trails, NOW THEREFORE:

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

1. It shall be 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 Fremont County, Idaho.

2. Any person who violates this act shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$50.00 nor more than \$300.00, 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 shall be ordered to pay restitution to Fremont County for any damage done to, or increased maintenance required on, the snowmobile trail as a result of his travel over said trail.

3. For the purpose of this ordinance:

a. Snowmobile is defined as any self propelled vehicle under 1,000 pounds unladen gross weight, designed primarily for travel on snow or ice over natural terrain, which may be steered by tracks, skis, or runners, and which is not otherwise registered or licensed under the laws of the State of Idaho.

b. Snowmobile trail is defined as any trail prepared or posted for travel by snowmobiles or skiing. Posting is sufficient if signs designating use of the trail for snowmobiles are located at regular trail heads. Maintenance of said trails on a regular basis is immaterial to violation of this ordinance.

c. Self propelled vehicle is defined as every vehicle which is self propelled by which any person or property may be transported, excepting devices moved by human power or drawn by an animal.

4. Nothing herein shall limit or restrict the use of snowmobile trails except as to self propelled vehicles other than snowmobiles.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO, THIS 13 DAY OF February, 1984.

James S. Silliman
Board Chairman

ATTEST:
Betty Jean Hill
Clerk of Board