

ORDINANCE NO. 2004- 01

AN ORDINANCE AMENDING THAT PORTION OF FREMONT COUNTY ORDINANCE 98-04 BY AMENDING PARAGRAPH FOUR (4) BY ADDING A SUBPARAGRAPH h. PROHIBITING OPERATORS OF ALL OFF HIGHWAY VEHICLES FROM OPERATING SUCH VEHICLES UPON ANY PUBLIC BODY OF WATER OR WATER FLOW, INCLUDING BUT NOT LIMITED TO, LAKES, PONDS, RIVERS, STREAMS, SPRINGS OR CANALS UNLESS SUCH BODY OF WATER OR FLOW IS SO FROZEN OVER THAT IT CAN SAFELY WITHSTAND THE WEIGHT OF NONMOVING OFF ROAD VEHICLES; AND, ESTABLISHING THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO, THAT FREMONT COUNTY ORDINANCE 98-04, PARAGRAPH FOUR (4) BE AMENDED AS SET FORTH BELOW:

4. Infractions. It shall constitute an infraction offense for any person to drive or operate any off highway vehicle:
 - a. At a rate of speed greater than the posted limit, or reasonable and prudent under the existing condition;
 - b. In a negligent manner so as to endanger the person or property of another, or to cause damage to property, where the conduct of the operator has been inattentive, careless or imprudent, in light of the circumstances then existing, or in cases where the danger to persons or property is slight;
 - c. In any manner to harass, chase or annoy any wild game animals or birds or domestic animals.
 - d. Without a lighted headlight and taillight between the hours of dusk to dawn;
 - e. Without adequate braking devices which may be operated by either hand or foot;
 - f. Upon a public roadway or highway, unless the public roadway or highway is closed to conventional vehicle travel;
 - g. Without a safety flag, red or orange in color and a minimum of six (6) by twelve (12) inches, attached by a mast or whipstick to the off highway vehicle at least eight (8) feet above the surface of level

ground, with snowmobiles being excluded from the requirements of this single provision.

- h. Upon any public body of water or water flow, including but not limited to lakes, ponds, rivers, streams, springs or canals, unless such body of water or water flow is so frozen over that it can safely withstand the weight of nonmoving off road vehicles.

This amendment to the ordinance shall be in full force and effect, from and after its passage and publication, as provided by law.

PASSED THIS 21st DAY OF October 2003.

BOARD OF COUNTY COMMISSIONERS
FREMONT COUNTY, IDAHO

Bill Forbush
BILL FORBUSH, CHAIRMAN



Abbie Mace
ABBIE MACE, CLERK

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