

Microfilm No. 532150
04 Day Jan 2011
At 10:20 O'Clock AM
ABBIE MACE
FREMONT CO RECORDER
Fee \$ 0 Deputy
Recorded at Request of Abbie Mace

RESOLUTION 2011- 06

A RESOLUTION TO ALLOW DUAL USE BETWEEN SNOWMOBILES AND VEHICLES ON CERTAIN ROADWAYS MAINTAINED BY FREMONT COUNTY IN ISLAND PARK, IDAHO.

WHEREAS, Fremont County, Idaho, in an effort to encourage winter recreation and provide safety in areas where snowmobile trails are not present, shall allow dual use in the certain areas in Island Park, Idaho, currently posted 25 miles per hour.

WHEREAS, following due consideration of the value to provide recreational opportunities and weighted against the possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, the resolution is created.

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

DEFINITIONS.

As used in this resolution, the following terms shall have the meaning indicated in this section, unless the context clearly requires that another meaning be intended:

“Dual use: is the winter use of motorized passenger vehicles and snowmobiles on the same section of roadways in Fremont County and the City of Island Park.

“Operator” means every person who operates or is in actual physical control of the operation of a snowmobile.

“Owner” means every person defined in this resolution, other than a lien holder or other person having a security interest only, holding record of title to a snowmobile, and entitled to the use or possession thereof.

“Person” means an individual, partnership, association, corporation and any other group of persons, whether incorporated or not, and regardless of the degree of formal organization.

“Roadway” means only those portions of Fremont County designated, or ordinarily used for travel or parking of motor vehicles.

“Snowmobile” means any self-propelled, track-driven, vehicle designed primarily for travel on snow or ice or natural terrain, which may be steered by wheels, skis, or runners, and which is not otherwise registered or licensed under the laws of the state.

“Street” means a public thoroughfare, roadway, alley or trail used for motor vehicular traffic which is not an interstate or county highway.

DUAL USE ROADS:

Dual use roadways that are posted 25 miles per hour are described as follows:

1. Old Highway 101 at Last Chance
2. Sand Crane Drive
3. Rainbow Drive
4. Island Park Reservoir Dam Road
5. South Big Springs Road
6. Cascade Street
7. Brady Street
8. North Big Springs Road
9. Quakie Lane

Existing dual use sites in Island Park, Idaho, will remain unchanged. Existing dual use sites are:

1. Old Highway 191 between Mack's Inn and Elk Creek Station
2. Stamp Meadows Snowmobile Parking Lot to Hotel Creek
3. Old West Ranch Snowmobile Park Lot to the Fremont County-Clark County line

SPEED LIMITS:

It shall be unlawful for any person to drive or operate a snowmobile at a rate of speed greater than is reasonable and proper under all surrounding circumstances. Regardless of surrounding circumstances, it shall be unlawful to operate a snowmobile at a speed greater than 25 mph.

UNLAWFUL OPERATIONS:

It is a violation of this resolution for any person to do any act forbidden or fail to perform any act required in this resolution. It is unlawful for any person to drive or operate any snowmobile in any one or more of the following manners:

1. At a rate of speed greater than provided by law for motor vehicles.
2. While under the influence of intoxicating liquor or narcotics or habit forming drugs or any substance known to impair judgment, motor skills, or driving ability.
3. In a careless or reckless manner so as to endanger the person or property of another, or to cause injury or damage to either.
4. Without a lighted head and tail light which shall be lighted at all times during such operation.

5. Without a suitable braking device which may be operated by either hand or foot.
6. Operating a snowmobile, or permitting such operation, by any person who by reason of physical or mental disability is incapable of operating the snowmobile as required for safety under the prevailing circumstances.
7. Operate a snowmobile upon the streets of the County as authorized by this resolution without a license to drive a motor vehicle, in his possession, as required by the laws of the state. No person who is under current driver's license suspension, revocation or cancellation for any reason, may operate a snowmobile upon roadways in Fremont County.
8. The parent of any child and the guardian of any ward shall not authorize or permit any such child or ward to violate any of the provisions of this resolution.
9. While towing any person or thing.

REGISTRATION:

The owner of a snowmobile shall register such vehicle in accordance with the applicable laws of this state, and shall further comply with all provisions of the state laws concerning snowmobiles.

AUTHORIZED OPERATIONS-ROAD RULES:

Operation of snowmobiles is authorized upon certain roadways of Fremont County. Every person operating a snowmobile upon a roadway shall ride as near to the right hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. Persons riding snowmobiles upon a roadway shall not ride more than single file.

A snowmobile may make a direct crossing of a street or highway, where such crossing is necessary to get to another authorized area of operation. Such crossings shall be made at an angle of approximately ninety degrees to the direction of the highway, at a place where no obstructions prevents a quick and safe crossing. The snowmobile shall make a complete stop before entering upon any part of the highway or road, and the operator shall yield the right-of-way to all oncoming traffic.

A full stop at any and all stop signs will be made by the operator of snowmobiles.

The operator of a snowmobile emerging from an alley, driveway or building shall upon approaching a sidewalk or the sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.

No person riding upon any snowmobile shall attach the same to himself or any vehicle upon the street or roadway.

No person shall park a snowmobile upon a street other than upon the roadway against the curb or upon the sidewalk in such a manner as to afford the least obstruction to pedestrian and/or vehicular traffic.

ADDITIONAL REQUIREMENTS:

No person shall leave or allow a snowmobile owned or operated by him to remain unattended on any public property while the motor is running or with the starting key left in the ignition.

No person shall operate a snowmobile on any private property not owned or controlled by him within the county without the express consent or permission of the owner.

On-site supervision must be provided for individuals 15 years or younger operating a snowmobile without a valid drivers license on dual use roadways. Supervision must be provided by an adult or guardian 18 years or older, with a valid drivers license.

SEVERABILITY:

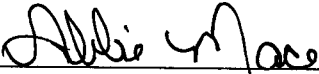
The provisions of this resolution shall be deemed severable and it is expressly declared by the Board of County Commissioners would have passed the other provisions of this resolution irrespective of whether or not one or more provisions may be declared invalid. If any provision of this resolution or the application to any person or circumstances is held invalid, the remainder of the resolution and the application of such provisions to other persons' circumstances shall not be deemed affected.

PASSED this ^{3rd} ~~20th~~ day of ^{January} ~~December~~, ²⁰¹¹ ~~2010~~, by the Board of Commissioners of Fremont County, Idaho.

BOARD OF COUNTY COMMISSIONERS
Fremont County, Idaho


Paul Romrell, Chairman

ATTEST:


Abbie Mace, Clerk