

OWYHEE COUNTY ORDINANCE NO. 10-03

(THIS ORDINANCE HEREIN MODIFIES, REPLACES AND SUPERSEDES LOCATIONS AND ROAD CLOSURES UNDER PREVIOUS ORDINANCE MAKING IT UNLAWFUL TO OPERATE ALL TERRAIN VEHICLES (ATV), UTILITY TYPE VEHICLES (UTV) AND MOTERBIKES, EVEN THOUGH LICENSED AND REGISTERED, ON ROADS AND PORTIONS OF ROADS DESIGNATED IN THE ORDINANCE AND STATING EXEMPTIONS FOR LAW ENFORCEMENT AND AGRICULTURE USE AND ESTABLISHING A MAXIMUM SPEED LIMIT AND RULES OF THE ROAD APPLICABLE TO SUCH VEHICLES ON ROADS OTHER THAN THOSE DESIGNATED AS CLOSED TO SUCH USE IN ORDINANCE NO. 08-03 originally enacted December 22, 2008 and as thereafter heretofore amended; PENALTY FOR VIOLATION SET FORTH).

BE IT ORDAINED BY THE BOARD OF OWYHEE COUNTY COMMISSIONERS;

Section 1. Purpose

- a. Pursuant to Idaho Code, § 49-426 (3) Owyhee County scheduled, noticed and held a public hearing so that citizens could provide input into the decision as to whether any public roads within the Owyhee County Highway system should be closed to use by all terrain vehicles, utility type vehicles and motorbikes. The prior ordinance No. 02-02 had designated roads and portions of roads which were open to use by such vehicles. But, Idaho code §49-426 (3) provides that all county roads would be open to such use after January 1, 2009 unless the County adopted an ordinance closing certain designated roads or portion of such roads to such use. After taking into account the testimony received at the public hearing, after considering matters of public safety and the considerable cost for search, rescue and assistance to the County, after considering testimony in favor of unlimited use and testimony in favor of even more restrictive closures, the Board of County Commissioners decided to designate the roads and portions of roads set forth in this ordinance as closed to use of all terrain vehicles, utility type vehicles and motorbikes.
- b. This Ordinance as herein amended, modifies, replaces and supersedes the locations of road closures set forth in Owyhee County Ordinance No. 08-03 originally enacted December 22, 2008 and as thereafter heretofore amended.

Section 2. Designation of county roads and portions of such roads which are closed to use by all terrain vehicles, utility type vehicles and motorbikes.

ORDINANCE
NO. _____
pg _____

**INDEXED
SCANNED**

Instrument # 273085

MURPHY, OWYHEE, IDAHO
12-14-2010 08:44:43 No. of Pages: 10
Recorded for : OWYHEE COUNTY COMMISSIONERS
CHARLOTTE SHERBURN Fee: 0.00
Ex-Officio Recorder Deputy *W Peterson*
Index to: ORDINANCE

It shall be unlawful to operate or allow to be operated any all terrain vehicle, utility type vehicles and motorbike as those terms are defined in Idaho Code, §67-7101 on the roads and portions of roads in Owyhee County set forth on **APPENDIX A** and generally referenced on Owyhee County maps **APPENDIX B** and **APPENDIX C**, affixed hereto to this Ordinance.

Section 3. Murphy and Bruneau townsites.

Roads within the Murphy townsite shall be open to all terrain vehicles, utility type vehicles and motorbikes.

OPEN ALL LK C-11

Roads within the Bruneau townsite will be ~~closed~~ to all terrain vehicles, utility type vehicles and motorbikes.

Section 4. All terrain vehicles, utility vehicles, motorbikes must be licensed and registered.

It shall be unlawful to operate or allow to be operated an all terrain vehicle, a utility type vehicle or motorbike on any county road in the Owyhee County highway system without a license and without being registered pursuant to Idaho statute.

Section 5. Exemptions.

- a. Use of all terrain vehicles, utility type vehicles and motorbikes by qualified law enforcement officers in the pursuit of legitimate law enforcement action is exempt from the provisions of this ordinance.
- b. Agricultural use is exempt from the provisions of this ordinance pursuant to Idaho law.

Section 6. Maximum speed limit and rules of the road.

On those county roads within the Owyhee County highway systems which are open to all terrain vehicles, utility type vehicles and motorbikes, such vehicles shall not exceed a maximum speed limit of 25 miles per hour. All such vehicles shall be subject to all rules of the road established by the State of Idaho and Owyhee County.

Section 7. Penalty.

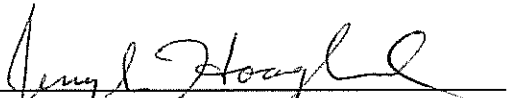
Pursuant to Idaho Code §31-714, the penalty for the violation of this and like Ordinances passed by the Board of County Commissioners shall not exceed a fine of one thousand dollars (\$1,000.00) and not to exceed six (6) months in jail, and/or both such fine and imprisonment.

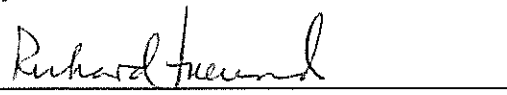
Section 8. Effective upon signing and notice.

Enacted as herein amended, this Ordinance modifies, replaces and supersedes the locations of road closures set forth in Owyhee County Ordinance No. 08-03

originally enacted December 22, 2008 and as thereafter heretofore amended, effective upon signing and notice this 13th day of December, 2010.


OWYHEE COUNTY BOARD OF COMMISSIONERS

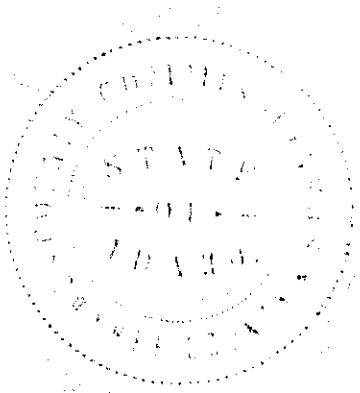

Jerry Hoagland, Chairman


Richard Freund, Member


George Hyer, Member

OWYHEE COUNTY CLERK

Attest: 
Charlotte Sherburn
Dated: 12/13/2010



APPENDIX A

ID	STREET	SURFACE	MILEAGE		
26	Crane Falls Rd	Paved	3.9 Miles		
25	Colyer Rd	Paved	2.5 miles		
23	Hot Springs Rd	Paved	7.5 miles		
22	Hot Creek Rd	Paved	5.2 miles		
21	Davis Rd	Paved	3.7 miles		
17	Shoofly Cut Off Rd	Paved	2.8 miles		
16	A & A Rd	Paved	2 miles		
15	Quail Ln	Paved	.1 miles		
14	Vista Rd	Paved	.2 miles		
19	Black Sands Rd	Paved	2.1 miles		
18	Strike Dam Cut Off Rd	Paved	.3 miles		
10	River Rd	Paved	6.6 miles		
10	River Rd	Paved	8.7 miles		
13	Millet Ln	Paved	.8 miles		
11	Beet Dump Rd	Paved	.4 miles		
12	Alma Rd	Paved	.3 miles		
9	Lemley Rd	Paved	1.5 miles		
7	Bachman Grade Rd	Paved	.7 miles		
5	Silver City Rd	Paved	6 miles		
6	Mud Flat Rd	Paved	15.8 miles		
8	Oreana Loop Rd	Paved	11.2 miles		
20	Mormon Blvd	Paved	8 miles		
4	Upper Reynolds Creek Rd	Paved	12 miles		
3	Bailey Rd	Paved	.9 miles		
2	China Ditch Rd	Paved	.9 miles		
1	Wilson Creek Rd	Paved	2.6 miles		
24	Clover Three Creek Rd	Gravel	26.5 miles		

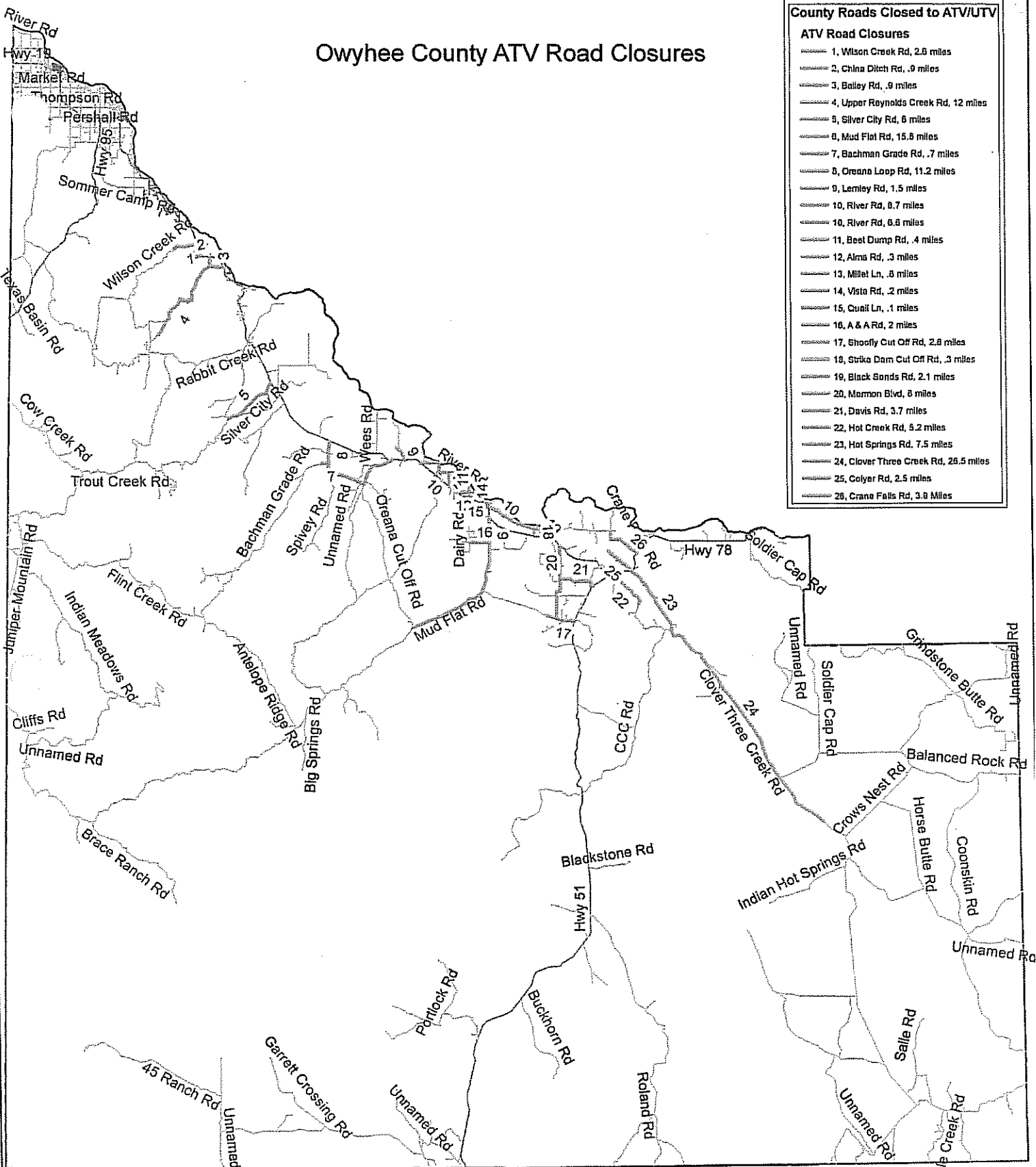
APPENDIX A

Wilson Creek Rd.	T1S RE3W Section 2 to section 9 (paved)
China Ditch Rd.	T1S R3W Section 12 to section 1 (paved)
Bailey Rd.	T1S R3W Section 13 (paved)
Upper Reynolds Cr. Rd.	T1S R2W Section 17 to T2S R3W Section 36 (Paved Portion from Highway 78 to end of pavement)
Silver City Rd.	T3S R1W Section 18 to T4SR2W Section 5 (Paved portion from Highway 78 to Diamond Basin only)
Trout Creek Rd.	T5S R5W Section 1 to T5s R6W Section 26 (From Pleasant Valley Road to the end of Cow Creek Road)
Pleasant Valley Rd.	T5S R6W Section 26 to T6S R6W Section 13(Oregon line; Paved)
Mud Flat Rd.	T10S R4W Section 14 to T5S R3E Section line of 26&27 (Paved from Highway 78 to Oreana Cut Off)
Bachman Grade Rd.	T7S R3W Section 13 to T4SR1W Section 36
Missile Base Rd.	T6S R1E Section 25 to T5S R2E Section 2 (From Highway 78 to end of pavement)
Oreana Loop Rd.	T4S R2E Section 30 to T4S R1E Section 18 (Paved)
Bates Creek Rd.	T4S R1W Section 24 to Section 21
Lemley Rd.	T4S R2E Section 29 to Section 19 (Paved)
Parkinsons Rd.	R4S R2E Section 27 to Section 22 (County portion Paved)
River Rd.	T4SR2E Section 34 to T^S R4E Section 4, excluding all portions within the Grand View city limits
Beet Dump Rd.	T5S R2E Section 12 to Section 1 (Paved)

Alma Rd.	T5S R3E Section 7 to Section 8 (Paved)
Millet Lane	T5S R3E Section 8 to Section 8 (Paved)
Vista Rd.	T5S R3E Section 16 to Section 16 (Paved)
Quail Lane	T5S R3E Section 16 to Section 16 (Paved)
20 Mile Rd.	T6S R3E Section 34 to Section 33 (Paved)
Dairy Rd.	T5S R3E Section 33 to T6S R3E Section 9 (Connects only to 20 mile road which is closed all the way through)
A&A Rd.	T6S R3E Section 3 to Section 6 (Connects only to 20 mile road which is closed all the way through)
Shoofly Cut Off Rd.	T6S R3E Section 34 to T7S SRE Section 18
Strike Dam Cut Off Rd.	T5S R4E Section 33 to Section 33 (Paved)
Black Sands Rd.	T5S R4E Section 33 to T6S R4E Section 3 (Paved)
Mormon Blvd.	T6S R4E Section 11 to T7S R43 Section 14 (Paved)
Davis Rd.	T6S R4E Section 25 to T6S R5E Section 33 (Paved)
Cattle Dr.	T7S R4E Section 4 to T7S R%E Section 5 (Paved)
Hot Creek Rd.	T6S R5E Section 26 to T7S R6E Section 27 (Paved)
Hot Springs Rd.	T6S R6E Section 19 to T7S R6E Section 27 (Paved)
Clover Three Creek Rd.	T7S R6E Section 27 T10S R9E Section 32
Colyer Rd.	T6S R5E Section 24 to Section 15 (Paved)
Crane Falls Rd.	T6S R6E Section 18 to T5S R5E Section 5 (Paved)

Owyhee County ATV Road Closures

County Roads Closed to ATV/UTV	
ATV Road Closures	
1	Wilson Creek Rd, 2.6 miles
2	China Ditch Rd, .9 miles
3	Bailey Rd, .9 miles
4	Upper Reynolds Creek Rd, 12 miles
5	Silver City Rd, 6 miles
6	Mud Flat Rd, 15.6 miles
7	Bachman Grade Rd, .7 miles
8	Creane Loop Rd, 11.2 miles
9	Lemley Rd, 1.5 miles
10	River Rd, 0.7 miles
10	River Rd, 0.6 miles
11	Beet Dump Rd, .4 miles
12	Alma Rd, .3 miles
13	Millet Ln, .6 miles
14	Vista Rd, .2 miles
15	Quail Ln, .1 miles
16	A & A Rd, 2 miles
17	Shoofly Cut Off Rd, 2.8 miles
18	Strike Dam Cut Off Rd, .3 miles
19	Black Sands Rd, 2.1 miles
20	Mamon Blvd, 5 miles
21	Davis Rd, 3.7 miles
22	Hot Creek Rd, 5.2 miles
23	Hot Springs Rd, 7.5 miles
24	Clover Three Creek Rd, 29.5 miles
25	Colyer Rd, 2.5 miles
26	Crane Falls Rd, 3.8 Miles

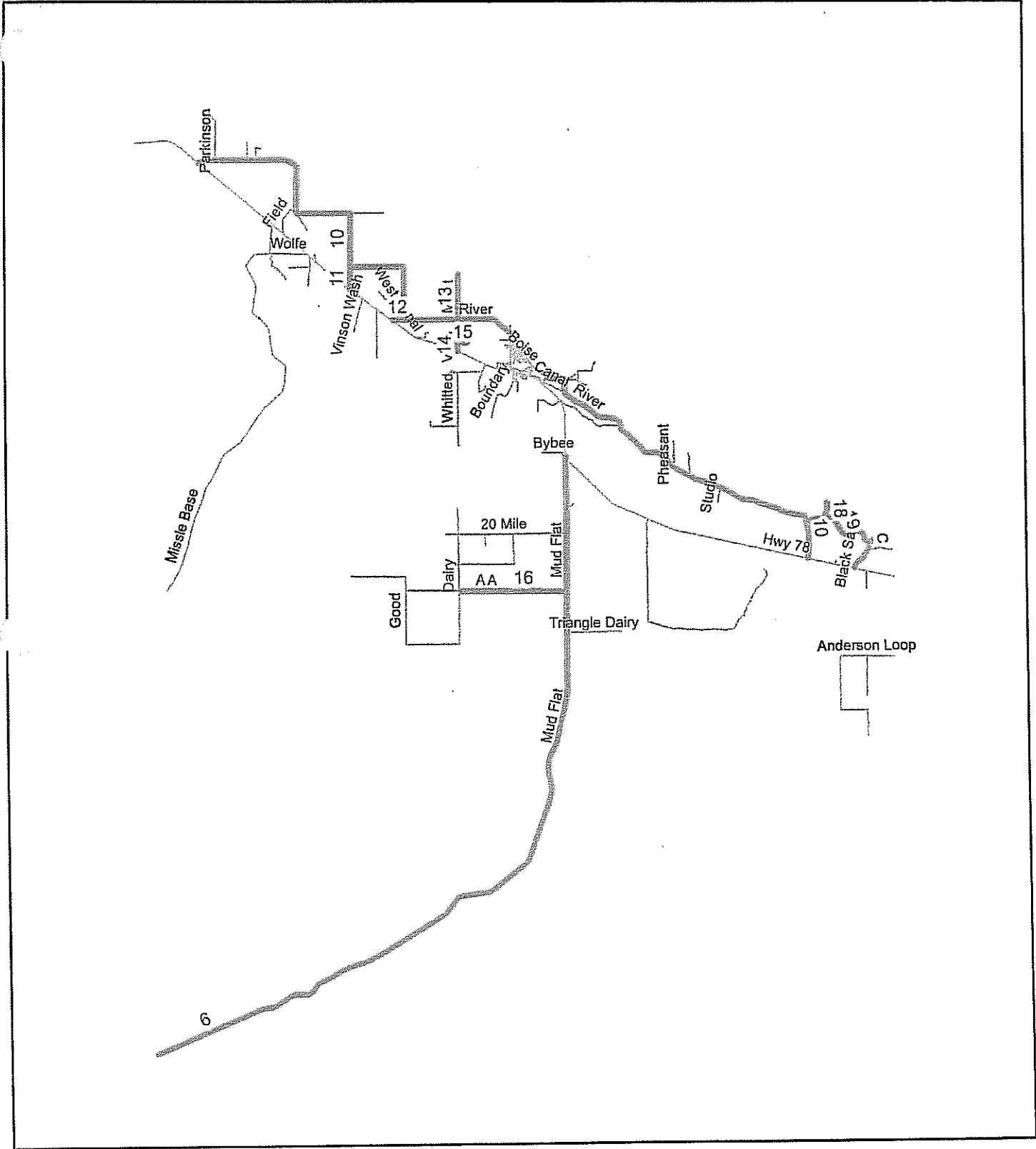


APPENDIX B



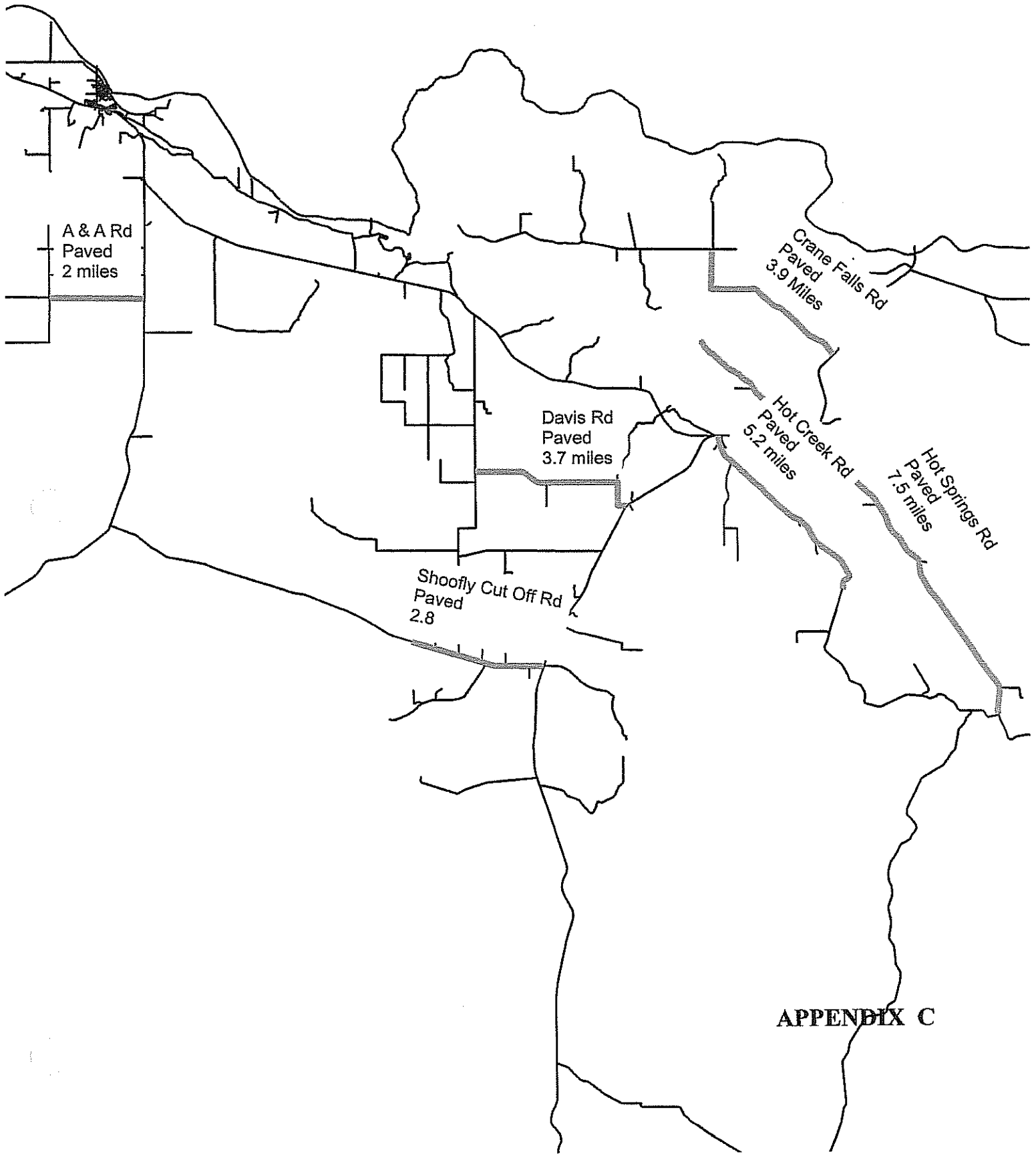
Owyhee County GIS Department
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Owyhee County ATV Road Closures Grand View Inset



Owyhee County GIS Department
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 Copyright Owyhee County 2010 Owyhee County Road Closures to ATV/UTV Version 08/04/2010 James Ferdinand





A & A Rd
Paved
2 miles

Crane Falls Rd
Paved
3.9 Miles

Davis Rd
Paved
3.7 miles

Shoofly Cut Off Rd
Paved
2.8

Hot Creek Rd
Paved
5.2 miles

Hot Springs Rd
Paved
7.5 miles

APPENDIX C