

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE enacting section 5228., and subsections 5210.24., 5210.25., and 5210.26 of Jackson County Code, 1984, related to the use of off-road vehicles on surface streets and providing penalties for violations.

ORDINANCE NO. 5983, May 5, 2025

INTRODUCED BY Manuel Abarca IV and Sean E. Smith, County Legislators

WHEREAS the purpose of this ordinance is to enhance public safety, reduce traffic hazards, and preserve roadway infrastructure by prohibiting the operation of off-road vehicles on public surface streets within designated zones of Jackson County, while allowing reasonable exceptions in low-density rural areas; and,

WHEREAS this ordinance shall be enforced by the Jackson County Sheriff's Department by issuing citations, impounding vehicles, and taking any necessary actions to enforce this ordinance; and,

WHEREAS if any provision of this ordinance is held to be invalid, the remaining sections shall remain in full force and effect; and,

WHEREAS this ordinance shall take effect 30 days after its adoption and publication in accordance with state and local law; and,

WHEREAS, the Legislature desires to create one new section and three new subsections in Chapter 52 regarding the use of off-road vehicles on surface streets and providing penalties for violations; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Sections 5228., and subsections 5210.24., 5210.25., and 5210.26., of Jackson County Code, 1984, are hereby enacted, to read as follows:

5210.24 Off-Road Vehicle (ORV)

Any motorized vehicle not designed or registered for use on public roads, including but not limited to ORVs, dirt bikes, dune buggies, and side-by-sides.

5210.25 Surface Street

Any publicly maintained paved or unpaved street, road, or highway intended for conventional vehicular traffic.

5210.26 Low-Density Area

A geographic area within Jackson County with parcels zoned as agricultural or rural residential, with a population density of fewer than 50 residents per square mile, as designated by the County Planning Department.

CONDUCT AND VIOLATIONS

5228.Off-Road Vehicles and Surface Streets

5228.1 It shall be unlawful for any person to operate an Off-Road Vehicle on a Surface Street within Jackson County, except in designated Low-Density Areas or when crossing a surface street at a perpendicular angle to reach an off-road trail or private property.

5228.2 Permitted Use Off-Road Vehicles

The operation of an Off-Road Vehicle on Surface Street shall be permitted in Low-Density Areas provided the vehicle is operated in a safe and non-disruptive manner and in compliance with all other applicable state and local laws.

5228.3. Public lands other than highways. No person shall operate an ORV on any public lands, waters and property other than a roadway, except that an ORV may be operated on any such lands which have been designated and posted for travel by ORVs in accordance with the law.

5228.4 Private property. No person shall operate an ORV on the private property of another without the consent of the owner or lessee thereof.

5228.5 Emergency vehicles and Public Operations. The provisions of this section shall not apply to operation as an emergency vehicle by any authorized emergency, police or civil defense all-terrain vehicle. It shall not apply to any municipal or public employee or any contractor working under the direction of a municipal or public employee if operation is within the context of their public duties.

5228.6 Violation

a. Any person who violates this ordinance shall be subject to the following penalties:

1. A fine not to exceed \$1,000.00.

2. Imprisonment in the county jail for a period not to exceed 6 months; or
3. Both such fine and imprisonment.

b. Mandatory Impoundment:

Upon citation, the Off-Road Vehicle shall be impounded at the owner's expense and shall remain in impound until:

1. The violator has completed a County-approved Off-Road Vehicle Safety Course, and;
2. All fines, court costs, and impound fees have been paid in full.
3. In cases involving repeat violations or criminal conduct, law enforcement may initiate forfeiture proceedings in accordance with state law.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Bryan Covinsky

Bryan Covinsky (May 1, 2025 11:25 CDT)

County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5983 introduced on May 5, 2025, was duly passed on June 30, 2025 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

This Ordinance is hereby transmitted to the County Executive for his signature.

7.1.2025

Date

Mary Jo Spino

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5983.

7/11/2025

Date

Frank White, Jr.
Frank White, Jr., County Executive