

## AN ORDINANCE REGULATING THE OPERATION OF OFF-ROAD VEHICLES ON SURFACE STREETS AND PROVIDING PENALTIES FOR VIOLATIONS

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 The following definitions shall apply to this ordinance

- a. Off-Road Vehicle (ORV): Any motorized vehicle not designed or registered for use on public roads, including but not limited to ATVs, dirt bikes, dune buggies, and side-by-sides.
- b. Surface Street: Any publicly maintained paved or unpaved street, road, or highway intended for conventional vehicular traffic.
- c. Low-Density Area: A geographic area within [County Name] 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.

WHEREAS Prohibited conduct shall include the following violations;

- a. It shall be unlawful for any person to operate an off-road vehicle on a surface street within [County Name], 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.
- b. The operation of an off-road vehicle on a 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 laws.

WHEREAS Penalties for violations shall include

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

- 1. A fine not to exceed \$1,000;
- 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.

WHEREAS this ordinance shall be enforced by the Jackson County Sheriff's Department and the Jackson County Sheriff's Department is authorized to issue citations, impound vehicles, and take any necessary actions to enforce this ordinance.

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

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