

BOARD OF OKANOGAN COUNTY COMMISSIONERS

ORDINANCE NO 2013- 10

*AN ORDINANCE AMENDING CHAPTER 10.10 OF THE
OKANOGAN COUNTY CODE RELATING TO THE REGULATION
OF OFF ROAD VEHICLES.*

WHEREAS, Okanogan County enacted Chapter 10.10 of the Okanogan County Code, regarding regulation of Off-Road Vehicles; and,

WHEREAS, Washington State has passed Engrossed Substitute House Bill 1632 (HB 1632), opening certain public roadways in the state to wheeled all-terrain vehicle use and with an effective date of July 28, 2013; and,

WHEREAS, in enacting HB 1632 the legislature found that off road vehicle users have been overwhelmed with varied confusing rules, regulations, and ordinances from federal, state, county and city land managers to the extent standardization statewide is needed to maintain public safety and good order, and,

WHEREAS, HB 1632 states that counties with a population over 15,000 may approve operation of wheeled all-terrain vehicles on county roads by ordinance; and,

WHEREAS, Okanogan County believes motorized recreation opportunities provide a great benefit to the citizens and visitors of Okanogan County; and,

WHEREAS, it is the intent of the Board of County Commissioners to open to wheeled all-terrain-vehicle traffic all roads legally eligible to be opened to wheeled all-terrain vehicle use; and,

WHEREAS, it is the intent of the Board of County Commissioners that all county roads opened to wheeled all-terrain vehicle use prior to the July 28, 2013 effective date of HB 1632 remain open to wheeled all-terrain vehicle use; and,

WHEREAS, The Board of Okanogan County Commissioners deem the following regulations to be in the public interest and for the general health, safety and welfare of the citizens of the County; now therefore,

NOW, THEREFORE, BE IT ORDAINED by the Board of the Okanogan County Commissioners:

Section 1. Chapter 10.10 of the Okanogan County Code, as enacted and amended by Ordinance 2013-4 § 2 (Exh. A) and Ordinance 2006-4, are repealed, replaced and superseded by this ordinance.

Section 2. Consistent with the provisions Chapter 46.09 RCW, as amended by HB 1632, all public roadways and rights of way, or sections thereof, having a speed limit of 35 mph or less are approved and opened for the operation of wheeled all-terrain vehicles.

Section 3. All public roadways and rights of way opened by ordinance or resolutions for ORV or wheeled all-terrain vehicle use prior to July 28, 2013 shall remain open for wheeled all-terrain vehicle use. A list of the public roadways and rights of way opened for ORV or wheeled all-terrain vehicle use prior to July 28, 2013 shall be maintained on the official county website.

Section 4. All users of wheeled all-terrain vehicles on public roadways and rights of way within Okanogan County shall strictly comply with the provisions of Chapter 49.09 RCW and any other provisions of local, state and federal laws, codes or regulations.

Section 5. Severability. If any section of this Ordinance or its application to any person or circumstance, is held invalid, the remainder of the Ordinance, or the application of the provisions of the Ordinance to other persons or circumstances, is not affected.

Section 6. Effective Date. This Ordinance shall take effect thirty days from signing.

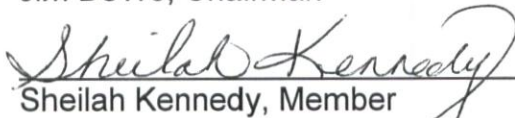
DATED at Okanogan, Washington this 29th day of July 2013.



**BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON**



Jim DeTro, Chairman

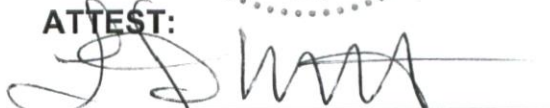


Sheilah Kennedy, Member

ABSENT

Ray Campbell, Member

ATTEST:



Laleña Johns, Clerk of the Board

Steve Bozarth, Okanogan County DPA