

ORDINANCE NUMBER 2022--05

AN ORDINANCE OF BLAINE COUNTY, IDAHO, AMENDING BLAINE COUNTY CODE SECTION 6-1-5, WHICH PROHIBITS THE OPERATION OF MOTORIZED VEHICLES ON DESIGNATED RIGHT OF WAY EASEMENTS.

WHEREAS, the Board of County Commissioners is empowered pursuant to Section 31-714, Idaho Code, to pass all ordinances and rules and make all regulations, not repugnant to law, necessary for the carrying into effect or discharging the powers and duties conferred by the laws of the state of Idaho, and such as are necessary or proper to provide for the safety, promote the health and prosperity, improve the morals, peace and good order, comfort and convenience of the county and the inhabitants thereof, and for the protection of property therein; and

WHEREAS, recreational pathways have been constructed on designated right of way easements throughout Blaine County; and

WHEREAS, these recreational pathways are intended to promote non-motorized recreational purposes which include, but are not limited to, hiking, jogging, bicycling, horseback riding, roller skating or skiing, cross county skiing and snowshoeing; and

WHEREAS, the recreational pathways provide alternative transportation options that alleviate highway congestion and reduce greenhouse gas emissions; and

WHEREAS, the operation of motorized vehicles on recreational pathways poses a danger to those persons using the recreational pathways for non-motorized recreational purposes.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BLAINE COUNTY, IDAHO:

Section 1: Blaine County Code Section 6-1-5 is hereby amended to read as follows,

6-1-5: **MOTORIZED VEHICLES PROHIBITED ON DESIGNATED RIGHT OF WAY EASEMENTS**


- A. Motorized Vehicle Defined: For the purposes of this section, "motorized vehicle" shall mean any device in, upon, or by which any person is or may be transported by engine propelled means, including but not limited to automobiles, tractors, mopeds, motorcycles, go carts, ~~electric or gas powered~~ scooters, and snow machines. The term "motorized vehicle" does not include devices propelled exclusively by human power.

- B. Designated Right of Way Easement Defined: For purposes of this section, "designated right of way easement" shall mean those spaces designated for use as a paved recreational pathway within Blaine County and any adjacent right of way.
 - C. Operation of Motorized Vehicles on Designated Right of Way Easement Prohibited: The operation of motorized vehicles upon any designated right of way easement is prohibited.
 - D. Exceptions: The prohibition against motorized vehicles on a designated right of way easement shall not apply to:
 - 1. Motorized wheelchairs used to transport disabled persons, and construction and maintenance equipment authorized by the Blaine County Recreation District;
 - 2. Electric-assisted bicycles (E-bikes) with fully operable pedals and an electric motor of no more than 750 watts, provided the electric-assisted bicycle is operated at no more than 20 miles per hour; and
 - 3. Alternative electric motor vehicles such as electric scooters, electric skateboards, and "one wheels," provided the alternative electric motor vehicle is no more than 750 watts and is operated at no more than 20 miles per hour.
- B. Penalties: A violation of this section shall be an infraction.

Section 2: This Ordinance shall be in effect upon its passage and publication in accordance with Idaho Code Section 31-715.

Regularly passed, approved and adopted by the Board of County Commissioners of Blaine County, Idaho, this 18 day of October, 2022.

BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY, IDAHO



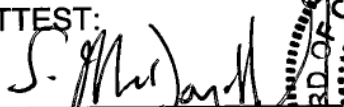
Dick Fosbury, Chairman

(seal)

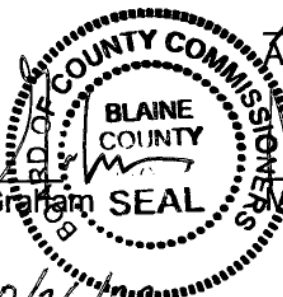


Angelle McCleary, Commissioner

ATTEST:



Stephen McDougall-Graham
Clerk





Buffy Davis, Commissioner

Publication Date 10/26/22