

ORDINANCE NO. 248

AN ORDINANCE AMENDING BOX ELDER COUNTY ORDINANCE NO. 222,  
AND ADOPTING ACCESS MANAGEMENT MAPS RELATING TO COUNTY ROADS,  
CONTROLLING OFF-ROAD TRAVEL, AND PROVIDING FOR SEASONAL CLOSURES

WHEREAS, Box Elder County is a large county, with the westernmost portion sparsely populated and subject to multiple uses, including but not limited to agriculture, hunting, mining, and recreational uses, with the easternmost portion being more populated but still subject to multiple uses, and

WHEREAS, Box Elder County contains many miles of paved, unpaved but improved, and unimproved roadways, existing on both private and public lands; and,

WHEREAS, the County consists of both public and private lands, the public land being under the jurisdiction of various governmental entities, federal, state and local; and,

WHEREAS, the population of Northern Utah has grown to the point that conflicts have developed in portions of Box Elder County over the use of land and roadways; and,

WHEREAS, the Box Elder County Commission appointed an Access Management Team, which included representatives of federal and state land management agencies, agricultural and sport interests, and wildlife conservation organizations, to develop a plan and maps for the Box Elder County Commission for the purpose of assisting the Commission in determining what is in the best interests of the citizens and the entities exercising rights and jurisdiction in Box Elder County; and

WHEREAS, the Access Management Team has presented to the County Commission two maps and recommendations regarding roadways, one for the western portion of the County, and the other for the eastern portion of the County, and,

WHEREAS, Box Elder County has the right and the duty to regulate and control roadways, watershed, and the use of such roadways, in cooperation and coordination with other public entities having concurrent jurisdiction, all to promote the general health, safety and welfare of citizens of Box Elder County; and,

WHEREAS, public hearings have been held in Box Elder County, following proper and adequate advertisement; and,

WHEREAS, public employees and permittees must have access to areas of Box Elder County for the purposes of managing the land, water, livestock, and wildlife, to conduct activities such as fencing, water control, wildlife monitoring, law enforcement, utilizing grazing permits, conducting mining operations within the areas of mining permits, and for emergencies such as fires and search and rescue; and

WHEREAS, the maps and recommendations have been prepared in accordance with Utah law, including but not limited to Section 72-3-107 of the Utah Code; and,

WHEREAS, Box Elder County Ordinance No. 222 adopted a map and regulations for the westernmost portion of Box Elder County, and the map and recommendations for the easternmost section of the County have now been submitted to the Box Elder County



Commission, and it is now deemed desirable and appropriate to replace Ordinance No. 222 with this Ordinance which covers both the western and the eastern portions of Box Elder County.

NOW, THEREFORE, the Board of County Commissioners of Box Elder County, State of Utah, ordains as follows:

Section 1. The maps attached hereto are hereby incorporated by this reference as the Box Elder County access maps for the respective portions of Box Elder County depicted therein, defining which of the depicted roads are Class "B" county roads, which of the depicted roads are Class "D" county roads, and classifying geographical areas. These maps may be amended from time to time, and future amendments of the maps approved and adopted by a majority of the Box Elder County Commission shall, by reference, be considered amendments to this Ordinance also.

Section 2. Travel by motorized vehicle of any sort upon County roads within those geographical areas depicted on the above-referenced maps or any subsequent amendments thereto shall occur only as provided on the maps, as follows:

a. Within areas so designated, motorized vehicle travel shall occur only on roadways shown on the maps, except for cross-country travel by snowmobile where ample snow cover is present.

b. Within areas so designated, motorized vehicle travel shall occur only on existing roads, whether or not the same are shown on the maps, except for cross-country travel by snowmobile where ample snow cover is present.

c. Within areas so designated, motorized vehicles may travel off or on the roadways.

d. Within the areas so designated on the maps, seasonal road closures shall occur as provided from time to time by the Box Elder County Commission and published on the maps, and no motorized vehicles shall travel upon any roadways designated on the maps during such seasonal closures.

Section 3. The maps attached hereto, future amendments thereto, and any travel restrictions and closures imposed or occurring due to the maps and any provisions of this Ordinance shall not apply to public employees acting within the scope of their lawful authority, or grazing and mining permittees of governmental entities, or public land lessees, whose travel shall be in accordance with the terms and conditions of their respective permits or leases.

Section 4. The adoption or amendment of this Ordinance or the maps attached hereto shall not be construed as a limitation on any rights arising under or related to RS2477 rights-of-way, any prescriptive rights-of-way, or any public rights-of-way dedicated by or arising from public use as provided by Utah law except for those restrictions provided for herein.

Section 5. A violation of the provisions of this Ordinance shall be designated and be punishable as a Class "B" Misdemeanor under Utah law.

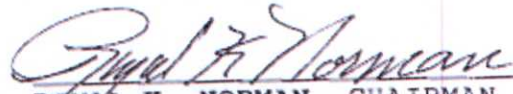
Section 6. Box Elder County Ordinance No. 222 is hereby repealed and replaced with this Ordinance, on the effective date of this Ordinance.

PASSED AND ADOPTED AND ORDERED PUBLISHED by the Board of County Commissioners of Box Elder County, State of Utah, this 19th day of December 2000.

R. LEE ALLEN Voting Aye

SUZANNE REES Voting Aye

ROYAL K. NORMAN Voting Aye



ROYAL K. NORMAN, CHAIRMAN  
BOX ELDER COUNTY COMMISSION



ATTEST:



LUANN ADAMS  
BOX ELDER COUNTY RECORDER/CLERK

PUBLISHED ON THE 27th DAY OF DECEMBER 2000

IN THE BOX ELDER NEWS JOURNAL.