

**Public Hearing
February 28, 2008
ATV Ordinance**

Attending: Jay Petersen, Ken Nunley, Matt Mickel, John Dean, Vanoy Hansen, Evon Hansen, Mr. & Mrs. Sterling Cloward, Bill Heaps, Howard Hansen, George and Nancy Vanderwaal, Grey Hansen, Quay Hansen, John Gavrilla, Daryl Olsen, Karen and Richard Hansen, Zach Barnes, Scott Sorensen, Kaye Watson, Neil Sorensen, Pete Howard, Noel and Marie Bertelson, Jackie Beck, Chad Beck, others that were in hallway were unknown.

Roll Call: Mayor Eldon Barnes, Council members Boyd Mickel, Thomas Allred, Pamela Anderson, Michael Workman. Council member Bryan Sorensen was excused.

Introduction

Mayor Eldon Barnes stated that the purpose of revising the ATV ordinance was to include new State code and promote safety and protection. Mayor Barnes stated that they welcomed public comments.

Public Comments

John Dean stated that he would like a clarification on the seats for ATV's. Mr. Dean stated that some seats were enclosed and were dangerous.

Paula Brewer stated that she supported the ordinance as written with a few exceptions. Mrs. Brewer was concerned about ATV seats also. Mrs. Brewer stated that the speed limit was also a concern. Mrs. Brewer stated that ATV's should not impede the regular flow of traffic. Councilman Mickel stated that seats were not addressed in State Code but to have two passengers there needed to be foot rests for both passengers.

Kaye Watson stated that in 6-2-9 (3) (e) wording needed to be addressed as for non resident. Discussion concerning people from foreign countries, and other states continued as well as suggestions for wording. Kaye Watson stated that in some states young people get driver's licenses before the age of 16. Kaye Watson stated she would like a provision for those who live in the center of the block along mainstreet. Kaye Watson stated that there also needed to be an adjustment to the ordinance concerning ATV's on sidewalks during celebrations.

Mrs. Sterling Cloward stated that rules on how to get a husbandry sticker needed to be addressed in the ordinance. Councilman Mickel stated that the county and state issued husbandry stickers.

John Gavrilla stated that there were new bills being addressed by the House and Senate that needed to be included. Mayor Barnes stated that they were aware of the bills.

Kaye Watson inquired if she was correct in assuming that from Center Street to 100 North would be open so that residents were able to pick up their mail at the post office. Mayor Barnes stated that this would be the only block opened up on mainstreet. Kaye Watson inquired if the city were going to

advertise the ordinances to those who lived out of town. Mayor Barnes stated that the city was going to post the ATV ordinance in an enclosed case. Council member Pam Anderson suggested that the city place signs on all entries into Spring City.

John Dean inquired how people were to leave town to get to Pigeon Hollow without driving on Main Street. Council member Anderson stated that citizens could travel on 200 West southbound to get to Pigeon Hollow. John Dean inquired if citizens would be allowed to ride in the right of ways and not on the roads. Council member Mickel stated that riding in the bar pit was dangerous due to rocks, ditches, trash, etc. Mayor Barnes stated that he believed it was against state law. Council member Mickel stated that the county had given two citations for riding in the bar pits this last year.

Mayor Barnes stated that council had tried to fortify and incorporate state law into the ATV ordinance. Mayor Barnes stated citizens needed to help with enforcement by reporting violations and helping to identify the violators. Mayor Barnes stated that this would aide the citizens to enforce ATV laws. Council member Mickel stated that those who visit Spring City needed to be reminded of the ATV laws.

Scott Sorensen wanted his kids to be able to ride to the store but they were not 16. Council member Mickel stated that those children under the age of 16 needed adult supervision and state law requires that they be within sight of the underage ATV rider.

Paula Brewer stated that in one section of the ordinance it needed to state that children 8 to 18 years of age needed helmets. Officer Barnes stated that they needed to be D. O. T. approved helmets and not bicycle helmets.

Evon Hansen stated that 8 year olds should not have passengers. Council member Mickel stated that a licensed driver can have passengers if they have appropriate foot rests. Officer Barnes stated that anyone who rode a ATV was required to follow the primary automobile laws. Council member Mickel gave the example that if an ATV rider were doing "donuts" this would be considered reckless driving or exhibition of speed.

Mayor Barnes thanked the public for their comments.

Adjournment

Council member Thomas Allred made the motion to adjourn. Council member Michael Workman seconded the motion. All present were in favor.