

AN ORDINANCE ADOPTING AN ACCESS MANAGEMENT MAP  
RELATING TO COUNTY ROADS, PROHIBITING 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, and

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

WHEREAS, the western portion of the County consists of both public and private land, 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 the western portion 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 map 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 the western portion of Box Elder County; and

WHEREAS, the Access Management Team has presented to the County Commission a map and recommendations regarding roadways in the western portion of Box Elder 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 map and recommendations have been prepared in accordance with Utah law, including but not limited to Section 27-12-26 of the Utah Code;

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

Section 1. The map attached hereto is hereby incorporated by this reference as the Box Elder County road map for that portion of Box Elder County depicted therein, defining which

roads are Class "B" county roads, which are Class "D" county roads, and classifying geographical areas. This map may be amended from time to time, and future amendments of the map 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 within those geographical areas so designated on the above-referenced map or any subsequent amendments thereto shall occur only as provided on the map, as follows:

a. Within areas so designated, travel by motorized vehicle shall occur only on roadways shown on the map.

b. Within areas so designated, motorized vehicle travel shall occur only on existing roads, whether or not the same are shown on the map.

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

Section 3. Within the areas so designated on the map, seasonal road closures shall occur as designated from time to time by the Box Elder County Commission, and no motorized vehicles shall travel upon the roadways designated on the map during such seasonal closures, within those areas.

Section 4. The map attached hereto, future amendments thereto, and any travel restrictions and closures imposed or occurring due to the map 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 and public land lessees whose travel is to be in accordance with their respective permits or leases.

Section 5. The adoption or amendment of this Ordinance or the map 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.

Section 6. A violation of the provisions of this Ordinance shall be designated and be punishable as a Class "B" Misdemeanor under Utah law.

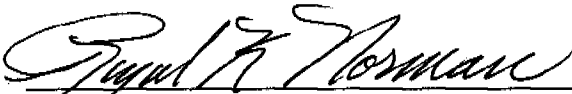
PASSED AND ADOPTED AND ORDERED PUBLISHED by the Board of County Commissioners of Box Elder County, State of Utah, this

7 day of July 1998.

R. LEE ALLEN Voting yes

JAY HARDY Voting yes

ROYAL K. NORMAN Voting yes

  
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ROYAL K. NORMAN, CHAIRMAN  
BOX ELDER COUNTY COMMISSION

ATTEST:

  
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LUANN ADAMS  
BOX ELDER COUNTY RECORDER/CLERK

PUBLISHED ON THE 15th DAY OF July 1998

IN THE BOX ELDER NEWS JOURNAL.