**ORDINANCE NO. \_\_\_\_\_\_\_\_\_\_**

**AN ORDINANCE OF WEBER COUNTY AUTHORIZING THE SEASONAL CLOSURE OF AVON PASS ROAD AND ANT FLAT ROAD**

 **WHEREAS,** the southern entrance of the Avon Pass Road is located at the north end of the Ogden Valley and travels north approximately 13.5 miles into Avon in Cache County;and

**WHEREAS,** the southern entrance to Ant Flat Road is located northeast of Ogden Valley and the road travels north for approximately 15 miles to Hardware Ranch in Cache County; and

**WHEREAS,** during the winter months both roads become wet, are typically covered in snow, and become impassible to motor vehicles; and

**WHEREAS,** attempting to travel on the roads in a motor vehicle when they are wet causes substantial damage to the roads; and

**WHEREAS,** attempting to travel on the roads during the winter months is detrimental to the health, safety, and welfare of the persons travelling because of the risk of vehicles becoming stuck and the occupants becoming stranded; and

**WHEREAS,** when the roads are covered in snow, they become a popular recreational area for snowmobiling; and

 **WHEREAS,** the Board of Weber County Commissioners passed an ordinance in 1995 seasonally closing the Avon Pass Road; however, that ordinance was never codified; and

**WHEREAS,** the Board of Weber County Commissioners recognizes the value in seasonally closing the roads to motor vehicles in order to protect the roads from damage, prevent motorists from becoming stranded, and to preserve the roads for recreational purposes;

 **NOW THEREFORE**, the Board of County Commissioners of Weber County ordains as follows:

Title 32, Chapter 9, of the Weber County Code shall be enacted as follows:

**Sec. 32-9 Winter Road Closures.**

**Sec. 32-9-1 Road Closure.**

(a) Avon Pass Road and Ant Flat Road shall be closed at the Weber County entrance when weather and soil conditions are such that vehicular traffic over the road could:

(1) cause substantial damage to the road; or

(2) risk the health, safety, or welfare of motorists who may attempt to travel on the road because of unsafe conditions.

(b) When the Avon Pass Road or the Ant Flat Road needs to be closed, the County shall work with the United States Forest Service and Utah State Parks as necessary to block access to the road and to post signs to inform motorists that the road is closed and that travel beyond that point is a violation of this Ordinance.

(c) It is anticipated that the closures will generally take place from the middle of November to the middle of May each year.

**Sec. 32-9-2 Prohibited Activity.**

(a) Except as provided in 32-9-3, it shall be a violation of this Ordinance to drive a motor vehicle on Avon Pass Road or Ant Flat Road when the road is closed.

**Sec. 32-9-3 Exemptions.**

(a) The following persons and acts are not subject to the restrictions contained in 32-9-1 and 32-9-2:

(1) Any person travelling on a machine that is designed and manufactured for the exclusive purpose of traveling on snow;

(2) Any person with a permit from the Forest Service or from Weber County which expressly authorizes travel which would otherwise be prohibited; or

(3) Any authorized Federal, State, or local officers or any member of an organized rescue or firefighting force in the performance of their official duties.

**Sec. 32-9-4 Violations.**

(a) Violation of this Ordinance is an infraction.

This Ordinance supersedes all prior ordinances and policies of Weber County to the extent that such may be in conflict with the specific provisions contained herein. In all other respects, such prior ordinances, resolutions, actions and policies shall remain in full force and effect.

This Ordinance shall be effective as of May 1st 2021 which will be at least 15 days after publication in the Standard Examiner.

 PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this \_\_\_\_\_ day of 2021.

 BOARD OF COUNTY COMMISSIONERS

 OF WEBER COUNTY

By \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

James “Jim” Harvey, Chair

 Commissioner Harvey voted \_\_\_\_\_\_

 Commissioner Jenkins voted \_\_\_\_\_\_

Commissioner Froerer voted \_\_\_\_\_\_

ATTEST:

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Ricky Hatch, CPA

Weber County Clerk/Auditor