

CHAPTER 20

OPERATING A MOTOR VEHICLE ON UNPAVED SURFACE (4820)

SECTION:

6-20-1: DEFINITIONS (4820)

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6-20-1: DEFINITIONS: (4820)

For purposes of this Section, unless the context otherwise requires:

- (A) "Motor Vehicle" means every motorized, electric, or other self propelled conveyance by which any person or property is or may be transported or drawn upon the ground, excepting devices moved by human power or used exclusively upon stationary rails or tracks. Motor vehicle includes all on and off-road vehicles, all-terrain vehicles and off-road recreational vehicles. (4820)
- (B) "Unpaved Road" means any road, equipment path, or driveway that is not covered by asphalt, asphaltic concrete, or concrete pavement. (4820)
- (C) "Unstabilized Surface" means any surface that is not covered by:
 - 1. Asphaltic concrete,
 - 2. Cement concrete,
 - 3. Penetration treatment of bituminous material and seal coat of bituminous binder and a mineral aggregate, or
 - 4. A stabilization method approved by the City Manager or Designee. (4820)

6-20-2: VIOLATIONS: (4820)

It is unlawful to operate or drive or leave any motor vehicle, on an unpaved road or unstabilized surface that is:

- (A) Not a public or private road, street or lawful easement; and
- (B) That is closed by the landowner by rule or regulation of a federal agency, this state, a county or a municipality or by a proper posting. (4820)

6-20-3: EXCEPTIONS: (4820)

- (A) This Chapter 20 shall not apply to the operation of vehicles used in the normal course of business or the normal course of government operations. (4820)
- (B) This Chapter 20 shall not apply to operations directed by utilities for operation, distribution and transmission systems provided that both of the following conditions are satisfied:
 - 1. Operations are performed with a marked company vehicle; and
 - 2. If operations are performed with a personal vehicle, then identification of the company shall be visible and readable by the public. (4820)

6-20-4: PENALTIES: (4820)

- (A) As mandated by A.R.S. §9-500.27, a person who violates this Chapter 20 of the ordinance is guilty of a Class 3 Misdemeanor. (4820)
- (B) As mandated by A.R.S. §9-500.27, if a person is deemed to have violated this Chapter 20 in addition to or in lieu of a fine, a judge may order the person to perform at least eight (8) but not more than twenty-four (24) hours of community restitution or to complete an approved safety course related to the off-highway operation of motor vehicles, or both. (4820)