

1 Sponsored by: Councilmember Jim McCune
2 Requested by: Pierce County Council

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9 **ORDINANCE NO. 2018-59**

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15 **An Ordinance of the Pierce County Council Designating County Roadways**
16 **on Which Wheeled All-Terrain Vehicles May Operate**
17 **Pursuant to Chapter 46.09 of the Revised Code of**
18 **Washington (RCW); Adopting a New Chapter 10.26 of the**
19 **Pierce County Code, "Wheeled All-Terrain Vehicles";**
20 **Directing the Placement of Appropriate Signage; Requesting**
21 **the Development of Educational Materials; and Setting an**
22 **Effective Date.**

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25 **Whereas**, Revised Code of Washington (RCW) 46.09.455 authorizes counties
26 with a population of 15,000 or more to allow the operation of wheeled all-terrain vehicles
27 on county roadways having speed limits of 35 miles per hour or lower, not including
28 non-highway roads and trails; and

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30 **Whereas**, RCW 46.09.310(19) defines "wheeled all-terrain vehicles" and
31 classifies them as non-highway vehicles; and

32
33 **Whereas**, authorizing the operation of wheeled all-terrain vehicles on County
34 roadways requires approval by Ordinance of the legislative body; and

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36 **Whereas**, allowing the operation of wheeled all-terrain vehicles on certain
37 County roadways could be of economic benefit to communities, could encourage
38 tourism, and could enhance recreational opportunities for County residents; and

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40 **Whereas**, Pierce County conducted an evaluation of certain wheeled all-terrain
41 vehicle routes pursuant to Pierce County Resolution No. R2018-14; and

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43 **Whereas**, this evaluation determined that the proposed roadways could
44 accommodate wheeled all-terrain vehicles subject to a speed limit reduction on a
45 segment of 8th Avenue East; and



1 **Whereas**, the speed limit reduction on the segment of 8th Avenue East was
2 approved by the Council by Ordinance; and

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4 **Whereas**, the evaluation also included a recommendation from the Pierce
5 County Sheriff's Department that education materials be developed to aid users in
6 understanding which roadways allow for wheeled all-terrain vehicle use; and

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8 **Whereas**, environmental review pursuant to the State Environmental Policy Act
9 has occurred resulting in a Determination of Non-Significance being issued on May 17,
10 2018; and

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12 **Whereas**, opportunity for public and agency comment has been provided, prior
13 to Ordinance consideration; and

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15 **Whereas**, the Council finds it appropriate and in the public's interest to authorize
16 wheeled all-terrain vehicles to operate on certain roadways; **Now Therefore**,

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18 **BE IT ORDAINED by the Council of Pierce County:**

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20 Section 1. A new Chapter 10.26 of the Pierce County Code, "Wheeled All-
21 Terrain Vehicles," is hereby adopted as shown in Exhibit A, which is attached hereto
22 and incorporated herein by reference.

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24 Section 2. The County Engineer is hereby directed to install appropriate wheeled
25 all-terrain vehicle route advisory signage along the roadways allowing for wheeled all-
26 terrain vehicle use in Exhibit A and to coordinate with the Washington State Department
27 of Transportation regarding the same at intersections of these roadways with state
28 highways.

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30 Section 3. The Pierce County Council hereby requests the Planning and Public
31 Works Department to develop an educational brochure and a webpage providing
32 information on the wheeled all-terrain vehicle routes to potential wheeled all-terrain
33 vehicle operators and the general public. The Department is further requested to
34 coordinate with user groups, such as the Washington ATV Association, regarding the
35 same.



1 Section 4. The effective date of this Ordinance shall be January 1, 2019.

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4 **PASSED this _____ day of _____, 2018.**

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6 ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

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10 _____
11 **Denise D. Johnson**
12 Clerk of the Council

Douglas G. Richardson
Council Chair

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15 _____

Bruce F. Dammeier
Pierce County Executive
Approved _____ Vetoed _____, this
18 _____ day of _____,
19 _____
20 2018.

21
22 Date of Publication of
23 Notice of Public Hearing: _____

24
25 Effective Date of Ordinance: _____

26



"New Chapter"

Chapter 10.26

WHEELED ALL-TERRAIN VEHICLES

Sections:

- 10.26.010 Applicability.
- 10.26.020 Operation of Wheeled All-Terrain Vehicles Prohibited on County Roads—
Exceptions.
- 10.26.030 Compliance with RCW Chapter 46.09 Required.
- 10.26.040 Speed Limit for Wheeled All-Terrain Vehicles.
- 10.26.050 Violations - Penalties.
- 10.26.060 Relation to Other Laws.

10.26.010 Applicability.

This Chapter shall apply to operation of wheeled all-terrain vehicles on the county roads in Pierce County, Washington.

10.26.020 Operation of Wheeled All-Terrain Vehicles Prohibited on County Roads—
Exceptions.

Except as otherwise provided in Chapter 46.09 of the Revised Code of Washington, a person may not operate a wheeled all-terrain vehicle ("WATV") on any county road in Pierce County except within the roadway of those segments of county roads designated below as approved for operation of wheeled all-terrain vehicles.

Road Segments Approved for Wheeled All-Terrain Vehicle Operation		
Road Segment	Begin Point	End Point
8 th Ave E/Kinsman Rd E	Intersection with 260 th St E	336 th St S
70 th Ave E Webster Rd E	Intersection with 260 th St E	Intersection with 288 th St E
260 th St E	Intersection with 8 th Ave E	Intersection with 70 th Ave E
288 th St S/288 th St E	City of Roy	Intersection with 8 th Ave E
288 th St E/Orting Kapowsin Hwy E	Intersection with Webster Rd E	Intersection with Orville Rd E
336 th St S/ 336 th St E	Intersection with Tisch Rd S	Intersection with Kinsman Rd E
Fairfax Forest Reserve/Carbon River Forest Reserve E	Intersection with SR 165	Mile Post 7.70
Lyons Dr S/72 nd Ave S/Tisch Rd S	Intersection with 288 th St S	Intersection 336 th St S
Orville Rd E	Intersection with Orting Kapowsin Hwy E	Intersection with SR 161
Scott Turner Rd	Intersection with Alder Cutoff Rd E	DNR 1300 Rd



1 **10.26.030 Compliance with RCW Chapter 46.09 Required.**

2 A person may not operate a wheeled all-terrain vehicle on any county roadway within Pierce
3 County except in strict compliance with the provisions and requirements of Chapter 46.09 of the
4 Revised Code of Washington.

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6 **10.26.040 Speed Limit for Wheeled All-Terrain Vehicles**

7 A person may not operate a wheeled all-terrain vehicle on a Pierce County roadway at a
8 speed exceeding the lesser of 35 miles per hour or the posted speed limit.

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10 **10.26.050 Violations – Penalties.**

- 11 A. A person who violates PCC 10.26.020 or PCC 10.26.040 commits a traffic infraction.
12 B. A person who violates PCC 10.26.030 shall be subject to the penalty for the violation as
13 provided in Chapter 46.09 of the Revised Code of Washington.

14
15 **10.26.060 Relation to Other Laws.**

- 16 A. Definitions contained in Chapters 46.04 and 46.09 of the Revised Code of Washington
17 are adopted by this reference and shall apply to this Chapter.
18 B. Except as otherwise provided in Chapter 46.09 of the Revised Code of Washington,
19 nothing in this Chapter shall exempt any operator or owner of a nonhighway vehicle
20 from any rule of the road, traffic law, or code, parking regulation, road use restriction, or
21 road closure.
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