

**CITY OF WEST RICHLAND
ORDINANCE NO. 05-21**

**AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC
AND CHANGING CHAPTER 10.16 TO THE WEST RICHLAND
MUNICIPAL CODE**

WHEREAS, Chapter 46.09 RCW authorizes cities to approve the operation of wheeled all-terrain vehicles (WATV) upon local public roadways; and

WHEREAS, the City Council desires to approve the operation of WATVs on all City streets where the speed limit is 35 miles per hour or less, excluding State Route 224, subject to the limitations, conditions and requirements set forth herein.

WHEREAS, with adoption of the WATV Ordinance, Chapter 10.17, additional clarification of Chapter 10.16 becomes necessary.

THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, do ordain as follows:

Section 1. There is hereby changing Chapter 10.16 to the West Richland Municipal Code to read as follows:

**Chapter 10.16
ALL-TERRAIN VEHICLES AND OFF ROAD MOTORCYCLES**

Sections:

- 10.16.010 Definitions.
- 10.16.020 Prohibited where.
- 10.16.030 Parent or guardian - Responsibility
- 10.16.040 Operator and/or owner – Responsibility.
- 10.16.050 Operation on private property – Applicability of chapter
- 10.16.050 Penalty for violation.

10.16.010 Definitions:

When used in this chapter, the City defines the words and phrases listed below as follows:

(1) "All-Terrain Vehicle or ATV", also called a four-wheeler or quad bike, is a small off-road vehicle. ATVs are controlled via handlebars and have a straddle seat which usually only accommodates one rider. Most ATVs do not have built-in rollover protection.

(2) "City" means the City of West Richland, its elected officials, its employees, and its agents.

(3) "City Street" means every way, lane, road, street, boulevard, and every way or place in the City open as a matter of right to public vehicular traffic inside the city limits.

(4) "Off road motorcycle", often referred to as a "dirt bike", has a frame that is small and light. The dirt bike is built for mobility and jumping, and the frame cannot be heavy. A heavy metal frame is hard on the suspension and more difficult to control and manipulated. Dirt bike frames are often constructed from hard plastics with limited metal. A dirt bike does not have the required legal equipment for street use.

(4) "Sidewalk" means that property between the curb lines or the lateral lines of a city street and the adjacent property set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a city street and dedicated to use by pedestrians.

10.16.020 Prohibited where.

In addition to the restrictions otherwise imposed by the laws of the state regulating the use and operation of all-terrain vehicles, it is unlawful to operate any all-terrain vehicle, motorcycle or motor-driven cycle in the city outside of the curb line, side walk or lateral boundary of any city street. [Ord. 242 § 1, 1977].

10.16.030 Parent or guardian – Responsibility.

The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any provisions of this chapter. [Ord. 242 § 2, 1977].

10.16.040 Operator and/or owner – Responsibility.

Whenever an act or omission is declared to be unlawful in this chapter, if the operator of the all-terrain vehicle, motorcycle or motor-driven cycle is not the owner of such vehicle, but is operating or moving the same with the expressed or implied permission of the owner, then the operator and/or owner are both subject to the provisions of this chapter with the primary responsibility that of the owner. [Ord. 242 § 3, 1977].

10.16.050 Operation on private property – Applicability of chapter.

The provisions of this chapter shall not apply to the operation of vehicles on land owned by the owner or operator of the vehicle. [Ord. 242 § 4, 1977].

10.16.060 Penalty for violation.

Any person violating the provisions of this chapter is guilty of a misdemeanor and subject to a fine of not more than \$250.00. [Ord. 242 § 5, 1977].

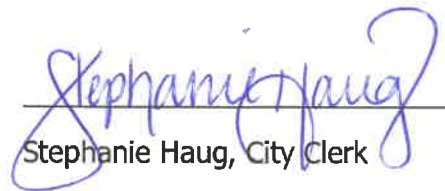
Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage, approval and publication, as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON,** this 19th day of January, 2021.



Brent Gerry, Mayor

ATTEST:



Stephanie Haug, City Clerk

APPROVED AS TO FORM:



Bronson Brown, City Attorney