

**Rich County Ordinance Providing for the Temporary Closure  
of Class-D County Roads whenever Necessary**

Whereas, “a county may enact and make regulations not in conflict with law for the control, construction, alteration, repair, and use of all public roads and highways in the county outside of cities and towns;” Utah Code § 17-50-309 (2000) and

Whereas, Rich County “exercises sole jurisdiction and control of class-D roads with the county;” Utah Code § 72-3-105(4) (2000); and

Whereas, it is recognized that the class-D county road system is an integral part of the road structure of Rich County and such roads are necessary for access by the public to public lands; and

Whereas, it is in the best interests of Rich County to protect the public’s interest in using class-D county roads and the rights of private landowners abutting class-D county roads; and

Whereas, the county has an interest in protecting class-D roads from being degraded by use at certain times;

Therefore, the County Legislative Body of Rich County, Utah ordains as follows:

**Section 1. Definitions.**

In this ordinance, the following words are defined.

“Class-D county road” means any road, way, or other land surface established by use or constructed and has been maintained to provide for usage by the public for vehicles with four or more wheels. See Utah Code § 72-3-105 (1) (2000). Class-D county roads do not include roadways inside the boundaries of cities or towns. Class-D county roads include all unpaved roads adapted for use by motor vehicles use.

“Motor vehicle” means every vehicle which is self-propelled. Motor vehicle includes an off-highway vehicle.

“Off-highway vehicle” means any snowmobile, all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III vehicle, or motorcycle, as defined by Utah Code § 41-22-2.

**Section 2. Temporary closure.**

The Rich County Commission may by resolution temporarily close any class-D road for a period not in excess of thirty (30) days.

**Section 3. Conditions prompting temporary closure.**

The Commission may temporarily close a class-D county road if it finds:

- (1) That because of the weather conditions and the condition of the road, use by motor vehicles during the period of closure would cause unreasonable damage to the road;
- (2) That the temporary closure of the road would not adversely affect the general public's access to existing public roads situated on either private or governmental lands.

**Section 4. Notice to be posted.**

Notice of the temporary closure shall be posted on gates or entrance ways in a conspicuous manner so as to give the public notice of the temporary closure. Each notice shall state the date of the closure and the length of the closure period.

**Section 5. Violation.**

No person shall operate a motor vehicle on a county road temporarily closed under this ordinance.


Violation of this ordinance is a class-C misdemeanor.

**Section 6. Repeal of prior ordinance and effective date.**


Any prior conflicting ordinance is repealed and replaced. This ordinance shall become effective immediately upon posting.

APPROVED and ADOPTED this 5 day of October, 2022.

BOARD OF RICH COUNTY COMMISSIONERS

  
Chairman

ATTEST:

  
Rich County Clerk

Commissioner Bill Cox voted yes

Commissioner Sim Weston voted yes

Commissioner Jonathan Lee voted yes