

SUBCHAPTER C. SNOWMOBILES

5-6-310: DEFINITION:

"Snowmobile" means any self-propelled vehicle under one thousand (1,000) pounds' unladen gross weight, designed primarily for travel on snow or ice or over natural terrain, which may be steered by tracks, skis, or runners, and which is not otherwise registered or licensed under the laws of the state of Idaho. (Ord. 710, 1-16-1997, eff. 2-1-1997)

5-6-320: SNOWMOBILE USE:

(A) The operation of a snowmobile on any public street or public land of the city of McCall is a privilege made available to the user through an ordinance of the city creating an exception to state law that would otherwise prohibit any such use. All public lands and rights of way are closed to snowmobiles except as otherwise expressly authorized in this subchapter. (Ord. 849, 2-28-2008)

5-6-330: OFFENSES BY PERSONS OWNING SNOWMOBILES:

It shall be unlawful for any person to knowingly permit, allow or encourage the operation or driving of a snowmobile on a public road or on public property of the city of McCall:

(A) By a person who has no motor vehicle operator's license, or who has no insurance as provided by Idaho Code 49-1232, or who lacks both. (Ord. 710, 1-16-1997, eff. 2-1-1997)

(B) Unless such snowmobile has been numbered by the owner in accord with Idaho Code 67-7103. (Ord. 849, 2-28-2008)

5-6-340: EQUIPMENT:

No snowmobile shall be operated in the city, unless it is equipped with the following:

(A) At least one and not more than two (2) headlamps sufficient to render clearly discernible persons and vehicles at a distance of two hundred fifty feet (250') ahead, and at least one and not more than two (2) taillamps, which when lighted shall emit a red light plainly visible at a distance of two hundred fifty feet (250') to the rear, lighted between the hours of dusk and dawn, or when upon or crossing any public roadway or highway, or when otherwise required for the safety of others.

(B) A mast or antenna displaying a red or red-orange fluorescent flag or pennant, a minimum of five feet (5') above the ground; such flag or pennant shall be either rectangular or triangular with the leading edge attached to the mast or antenna being a minimum of six inches (6") and the length a minimum of twelve inches (12").

(C) At least one adequate braking device which may be operated by hand or foot.

(D) An adequate muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke; and no person shall use a muffler cutout, bypass or similar device. (Ord. 710, 1-16-1997, eff. 2-1-1997)

5-6-350: REGULATIONS FOR OPERATION OF SNOWMOBILES:

- (A) All snowmobiles within the city shall be at all times operated in accord with the motor vehicle traffic laws, regulations, and rules of the state and of the city except to the extent a more restrictive rule is provided below. The setting out below of a rule which also applies to motor vehicles under general state law is in addition to such state law, and shall not be held as any statement that other state rules do not apply because not set out below.
- (B) It shall be unlawful to drive, operate or park a snowmobile on any sidewalk, or on any trail improved for cross country skiing or snowshoeing, or on any area improved for ice skating, in the city.
- (C) It shall be unlawful to operate or park a snowmobile on any portion of the McCall golf course or in any city park, unless and to the extent posted as open to such use. It is unlawful to drive a snowmobile within the city other than for the purpose of leaving the city, returning to the home or place of abode from outside the city, or going to a place of fueling, maintenance, or repair. It is unlawful for any person to park a snowmobile anywhere within the city other than at the home or place of abode of the operator, at a source of fuel for the snowmobile, or at a place of sale, maintenance or repair of snowmobiles.
- (D) It shall be unlawful for any person to operate or drive a snowmobile on private property such use of which by such person has not been expressly authorized by the owner of such property.
- (E) No snowmobile shall carry passengers or weights in excess of the capacity recommended by the manufacturer thereof.
- (F) No sled, toboggan, trailer or any other device shall be towed by a snowmobile except by means of rigid towbar connecting the same to such device. (Ord. 710, 1-16-1997, eff. 2-1-1997)
- (G) No person on skis or similar devices shall be towed behind a snowmobile. (Ord. 849, 2-28-2008)
- (H) Persons operating snowmobiles on the public roads are reminded that it is unlawful to drive or operate a snowmobile while under the influence of intoxicating liquor or while under the influence of a controlled substance, all as provided in Idaho Code title 18, chapter 80.
- (I) All snowmobiles shall be operated only in single file on the extreme right hand side of the street, "street" for these purposes being defined as the area between the snowplow berms or curbs. Snowmobiles shall not be operated on the snowplow berm along the side of the road.
- (J) City streets are not to be used as a place of recreation for snowmobiles. For example, snowmobiles shall not be driven up and down a street or around and around a block. Snowmobiles shall not be used in lieu of, nor as if in lieu of, an automobile for ordinary transportation within the city.
- (K) No snowmobile shall be operated within the city limits before eight o'clock (8:00) A.M. nor after ten o'clock (10:00) P.M.
- (L) No person shall operate a snowmobile in a negligent manner so as to endanger the person or property of another, or to cause injury or damage to either, or to harass, chase or annoy any wild game animals or birds or domestic animals.

- (M) No person shall operate a snowmobile on any public street in the city of McCall unless the person has a valid motor vehicle operator's license as provided in Idaho Code section 49-301, and liability insurance as provided by Idaho Code 49-1232. (Ord. 710, 1-16-1997, eff. 2-1-1997)
- (N) No person shall operate a snowmobile upon a state highway. The state highway in McCall is also known as 3rd Street and Lake Street, west of the intersection with 3rd Street. No person shall operate a snowmobile upon any public street in the city of McCall except upon a public street (but not a state highway) providing the most direct route:
1. To an access from the owner's or operator's actual place of residence or abode, or from a point where the snowmobile was commercially fueled, maintained or repaired immediately prior to the subject travel; or
 2. To a commercial fueling point, or to a place of commercial maintenance and repair, for purpose of immediate fueling, maintenance or repair, from the owner's or operator's actual place of residence or abode, or from an access point; or
 3. To an access point, or to the operator's home or place of abode; from a place of immediate past sale to the owner or immediate past rental to the operator of the snowmobile; or
 4. To the operator's home or place of abode from an access point. "Access point" means one of the following five (5) points on the city limits: Lick Creek Road, Warren Wagon Road, Boydstun Street, Mission Street, or Samson Trail.
- (O) No person shall operate a snowmobile in excess of the posted speed limit, at any speed in excess of twenty five (25) miles per hour, nor at a rate of speed greater than reasonable and prudent under the existing conditions at the time, whichever speed is the slower. (Ord. 849, 2-28-2008)
- (P) Operation of snowmobiles is authorized on Lardo Bridge, namely, that portion of West Lake Street (State Highway 55) which crosses the north fork of the Payette River. While crossing, all operators shall otherwise conform their conduct to all other regulations established by governing ordinance and law including, but not limited to, speed, time of operation, licensing requirements, insurance requirements, and manner of operation. (Ord. 710, 1-16-1997, eff. 2-1-1997)

5-6-360: FURTHER TRAFFIC RULES AND REGULATIONS:

The chief of police shall have the power to promulgate traffic rules and regulations for the operation of snowmobiles upon streets, alleys and public ways within the corporate limits of the city as follows:

- (A) Designate by proper signs highways and streets or parts thereof as feeder routes upon which snowmobiles may be operated to gain egress from and ingress to the city of McCall.
- (B) Promulgate any other additional snowmobile traffic rules that may be advantageous and desirable; provided, no such rules promulgated by the chief of police shall become operative until a copy of such rules is filed with the clerk, in writing, and shall have been approved by the city council at a regular or special session, and provided also that suitable signs or standards or guides stating the substance of the rule are placed upon conspicuous places in the highway, street or part thereof affected. Such signs or standards or guides shall be of sufficient size to be clearly visible by operators of snowmobiles.
- (C) The chief has the authority upon special occasions, for example parades or races otherwise approved as necessary, to expand the permitted use of the public streets or of the public lands of the city of McCall in accord with an application for such use approved by the chief. A copy of such approved application shall be filed with the clerk and be made available as an information item to council.

It shall be unlawful to violate any such regulations as above provided and any person convicted of a violation thereof shall be punished as provided in section 5-6-370 of this subchapter. (Ord. 710, 1-16-1997, eff. 2-1-1997)

5-6-370: ENFORCEMENT, EVIDENCE, PENALTIES:

(A) In the event that the police determine that a citation should be issued for a violation of this subchapter, the snowmobile in question may be impounded by the police department and held for evidence of identity of the operator and identity of the snowmobile. The department has no obligation to make such determination other than during normal business hours of the department's administrative support personnel.

(B) A violation of this subchapter is an infraction; except that if injury to a second person or his property results, a violation of this subchapter is a misdemeanor. (Ord. 849, 2-28-2008)