

**COUNTY OF LAGRANGE**  
**ORDINANCE 2008-1-18**

**AN ORDINANCE AMENDING ORDINANCE 2008-1-7A  
REGULATING THE OPERATION OF OFF-ROAD  
VEHICLES IN LAGRANGE COUNTY.**

WHEREAS, certain residents of LaGrange County, Indiana, (the "County") desire to operate off-road vehicles upon the roadways located in the County; and

WHEREAS, the Board of Commissioners of the County of LaGrange (the "Commissioners") desires to allow safe and reasonable use of off-road vehicles upon the roadways located in the County; and

WHEREAS, the Commissioners are vested with the authority under Indiana Code §14-16-1 to allow the operation of off-road vehicles upon roadways located in the County; and

WHEREAS, the Commissioners passed Ordinance 2008-1-7A to regulate the operation of off-road vehicles; and

WHEREAS, the Commissioners have found that it would be in the best interest of the residents of the County to amend Ordinance 2008-1-7A and clarify the regulations regarding the operation of off-road vehicles.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAGRANGE, INDIANA, THAT THE FOLLOWING ORDINANCE BE ENACTED:**

**SECTION I**

The definition of the term "County Roads" given in Section I of Ordinance 2008-1-7A is hereby amended as follows:

- A. "County Roads" shall include all roads and adjacent right-of-ways within the County, except federal and state roads, federal and state right-of-ways, roads and right-of-ways within an incorporated town's municipal boundaries.

**SECTION II**

Section (A)(5) of Section IV of Ordinance 2008-1-7A is hereby deleted. Section IV relating to restrictions on operation shall hereinafter provide:

- A. A person shall not operate an off-road vehicle:

1. With disregard for traffic control signs and signals.
2. At a rate of speed greater than is reasonable and proper for the type of off-road vehicle and the road condition.
3. On any private property without consent of the landowner or tenant.
4. At a speed exceeding five (5) miles per hour on ice covering public waters within one hundred (100) feet of an individual on foot (not in or upon a vehicle) or within one hundred (100) feet of a fishing shanty or shelter.

### SECTION III

All other provisions of Ordinance No. 2008-1-7A shall remain in full force and effect. All portions of any ordinance in conflict herewith are hereby repealed.

### SECTION IV

The express or implied repeal or amendment by this Ordinance of any other Ordinance or part of any other Ordinance does not affect any rights or liabilities accrued, penalties incurred, or procedures begun prior to the effective date of this Ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended Ordinance as if this Ordinance had not been adopted.

### SECTION V

No part of this Ordinance shall be interpreted to conflict with federal, state, or local laws and all reasonable efforts should be made to harmonize the same. Should any section or part thereof of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any portion thereof other than that portion so declared to be invalid, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

### SECTION VI

This Ordinance shall become effective upon promulgation according to law.

Ayes:   3    
Nays:             
Abstentions:           

Adopted and Ordained this 18<sup>th</sup> day of January, 2008.

THE BOARD OF COMMISSIONERS OF  
THE COUNTY OF LAGRANGE

  
\_\_\_\_\_  
Phillip D. Curtis, President

  
\_\_\_\_\_  
George R. Bachman, Vice President

  
\_\_\_\_\_  
Roger W. Boots

ATTEST:

  
\_\_\_\_\_  
Jackie S. Boyle, Auditor

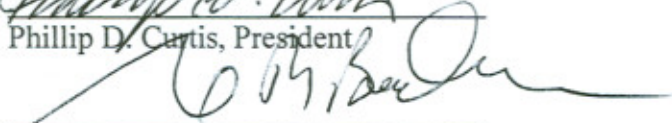
**WAIVER OF SECOND READING**

On motion duly made and seconded, the second reading of the foregoing Ordinance was unanimously waived and the Ordinance was deemed effective as of the date of passage.

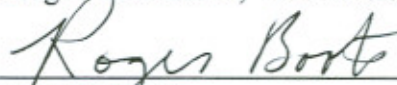
THE BOARD OF COMMISSIONERS OF  
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ATTEST:



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