



## City of Cashmere

101 Woodring Street  
Cashmere, WA 98815  
Ph (509) 782-3513 Fax (509) 782-2840  
Website [www.cityofcashmere.org](http://www.cityofcashmere.org)

CASHMERE CITY COUNCIL MEETING  
MONDAY, FEBRUARY 10, 2014 6:00 P.M., CITY HALL

### **AGENDA**

#### CALL TO ORDER

#### FLAG SALUTE

#### EXCUSE ABSENCE

#### ANNOUNCEMENTS & INFORMATION

- January Financials on the website
- March 24, 2014 Joint Cashmere City Council and Cashmere Planning Commission Meeting

#### PUBLIC COMMENT PERIOD (For Items Not on the Agenda)

#### APPROVAL OF AGENDA

#### CONSENT AGENDA

1. Minutes of January 27, 2014 Regular Council Meeting
2. Payroll and Claims Packet Dated February 10, 2014

#### BUSINESS ITEMS

1. Selection of RH2 for 2014 General Municipal Engineering Services
2. Selection of Fitzpatrick Surveying for 2014 General Municipal Surveying Services
3. Resolution No. 05-2014 Authorizing investment of City of Cashmere monies in the LGIP
4. Wheeled All-Terrain Vehicles (WATV) on City Streets

#### PROGRESS REPORTS

#### ADJOURNMENT

TO ADDRESS THE COUNCIL, PLEASE BE RECOGNIZED BY THE MAYOR AND STATE YOUR NAME WHEN YOU BEGIN YOUR COMMENTS  
**Americans with Disabilities Act (ADA) accommodations provided upon request (48-hour notice required)**

The City of Cashmere is an equal opportunity provider and employer.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202)720-6382 (TDD).

**MINUTES OF THE CASHMERE CITY COUNCIL MEETING  
MONDAY, JANUARY 27, 2014 AT CASHMERE CITY HALL**

OPENING

Mayor Jeff Gomes opened the regular city council meeting at 6:00 p.m. at City Hall. Clerk-Treasurer Kay Jones took minutes.

ATTENDANCE

|          | <u>Present</u>  | <u>Not Present</u> |
|----------|---|--------------------|
| Mayor:   | Jeff Gomes  |                    |
| Council: | Skip Moore<br>Jim Fletcher<br>Dave Erickson<br>Derek Knutsen<br>John Bryant   |                    |
| Staff:   | Bob Schmidt, Director of Operations<br>Kay Jones, Clerk-Treasurer<br>Mark Botello, Dir of Planning/Building<br>Chuck Zimmerman, City Attorney |                    |

FLAG SALUTE

ANNOUNCEMENTS & INFORMATION

Tony Frytag is Cashmere's representative on the Greater Wenatchee Public Facilities District Board. Mr. Frytag gave an update on what has been happening the last year at the PFD.

Mayor Gomes announced there has been a request to permit street legal ATV's on Cashmere's streets. The council will be discussing ATV's at the next council meeting.

Councilor Bryant reported that the fund raiser for Sebastian Moraga was very successful. Thank you to the citizens of Cashmere for their support in raising almost \$4,500.

APPROVAL OF AGENDA

MOVED by Councilor Fletcher and seconded by Councilor Moore to approve the agenda as submitted. Motion carried.

CONSENT AGENDA

Minutes of January 13, 2014 Regular Council Meeting  
Payroll and Claims Packet Dated 2013 Year End  
Claim Check Nos. 34119 through #34129 totaling \$29,533.89  
Payroll and Claims Packet Dated January 27, 2014  
Claim Check Nos. 34132 through 34166 totaling \$449,674.25  
Manual Checks #34130 and #34131

MOVED by Councilor Bryant and seconded by Councilor Erickson to approve the consent agenda as amended. Motion carried.

PUBLIC HEARING TO DISCUSS SURPLUS OF A PORTION OF PROPERTY KNOWN AS THE FORMER TREE TOP BVF SITE

Mayor Gomes opened the Public Hearing at 6:12 p.m. to receive public comment on the proposed surplus of a portion of property formerly known as the Tree Top BVF site. Director Botello gave a brief description of the property proposed for surplus.

With no comments from the public Mayor Gomes closed the hearing at 6:14 p.m.

RESOLUTION NO. 04-2014 DECLARING A PORTION OF THE FORMER TREE TOP BVF SITE SURPLUS

The proposed resolution confirms the determination that said property is surplus to the needs of the City and should be sold to the neighboring property owners Michael and Linda Addleman for a payment of \$13,500.

MOVED by Councilor Fletcher and seconded by Councilor Knutsen to approve Resolution No. 04-2014 confirming said property as surplus. Motion carried.

CASHMERE CHAMBER REPORT ON EXPENDING LODGING TAX FUNDS PER THE AGREEMENT

Through contract the City allocates the Lodging Tax Funds to the Cashmere Chamber for the purpose of attracting tourists to the City. In 2013 the money allocated to the Chamber was \$4,570. Dan Dean, Chamber President, reported on the promotional campaigns the Chamber completed in 2013, which included Cashmere Tourism Brochure, Chamber Website, Cashmere Restaurant Guide, Come Ashore & Explore, Scare-Crazy in Cashmere, and Founders' Days.

WASHINGTON GROWERS LEAGUE PRESENTATION ON PROPOSED HOUSING DEVELOPMENT

Mike Gempler and Jessie Lane with the Washington Growers League gave a presentation on a proposed housing development for migrant seasonal housing. The proposed site is on Sunset Avenue by Evergreen. The housing development will have 14 units, some of which will be two stories, the units will have 4 to 6 bedrooms, the development will house approximately 200 people.

The housing is seasonal so the workers cannot live there year-round. There will be an onsite manager year-round. During the months the housing is closed to residents there will be maintenance and upkeep to be done. There are no pets allowed and there is a quiet time in the evening. There is no drinking in the common areas only inside the units. With the onsite manager they do not foresee negative impacts to the neighborhood.

The funding for the project comes from the state so the development is exempt from taxes. No property tax was a big concern for the city. A fee in lieu of taxes was discussed. Due to the funding the project has to remain migrant seasonal housing for 30 years.

ADJOURNMENT

Mayor Gomes adjourned the meeting at 7:50 p.m.

Attest:

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Kay Jones, Clerk-Treasurer

## **PUBLIC NOTICE**

### **NOTICE OF JOINT CASHMERE COUNCIL & CASHMERE PLANNING COMMISSION MEETING**

The Cashmere Council and Cashmere Planning Commission will hold a special joint meeting Monday, March 24, 2014, at 600 p.m. at the Cashmere City Hall, 101 Woodring Street. The meeting is to prioritize tasks and discuss the direction of planning in Cashmere for 2014.

Kay Jones  
City Clerk-Treasurer  
CITY OF CASHMERE

Published in the Cashmere Valley Record on Wednesday, March 12, 2014.



# Staff Summary

**Date:** February 10, 2014  
**To:** Cashmere City Council  
 Mayor Gomes  
**From:** Mark Botello  
**RE:** Selection of RH2 Engineering for 2014 General Municipal Engineering Services

The City published request for Statement of Qualifications (SOQ's) in the Cashmere Valley Record (newspaper of record). The SOQ was published on January 8, 2014. The deadline submittal was February 5, 2014. The following firms submitted SOQs:

| Name                                    | Address       | RFQ submittal consistent with newspaper publication | Description of consultant's team including references | North Central Washington Engineering & Surveying Experience | Description- experience with relevant codes and standards...i.e. (WSDOT-LAG Manual) | Surveying | Municipal Transportation Engineering | Municipal Water & Wastewater Engineering | Total |
|---|---------------|---|---|---|---|-----------|--------------------------------------|--|-------|
| SCJ Alliance Consulting Services        | Wenatchee, WA | 10  | 10  | 9   | 10  |           | 8                                    | 5  | 52    |
| RH2 Engineers                           | Wenatchee, WA | 10  | 10  | 10  | 10  |           | 10                                   | 10                                       | 60    |
| Kittelson & Associates, Inc.            | Portland, OR  |   | 10  | 3   |   |           |                                      |  | 13    |
| Gray & Osborne, Inc                     | Yakima, WA.   | 10  | 10  | 7   | 10  |           | 10                                   | 10                                       | 57    |
| FCS Group Solutions-Oriented Consulting | Redmond, WA.  |   | 10  |   |   |           |                                      |  | 10    |
| SWCA Environmental Consultants          | Seattle, WA.  | 10  | 10  | 4   |   |           | 10                                   |  | 34    |
| Fitzpatrick Surveying                   | Cashmere, WA. | 10  | 10  | 10  |   | 10        |                                      |  | 40    |
| Strata Engineering                      | Pullman       | 10  | 10  |   |   |           | 9                                    |  | 29    |
| TD & H Engineering                      | Spokane, WA   | 10  | 10  | 6   | 10  |           | 8                                    | 9  | 53    |
| Trantech Engineering                    | Bellevue, WA  | 10  | 10  | 4   | 10  |           | 8                                    | 9  | 51    |

**Recommendation:**  
 Staff recommends RH2 Engineering for general municipal engineering services for 2014

# Staff Summary

**Date:** February 10, 2014  
**To:** Cashmere City Council  
 Mayor Gomes  
**From:** Mark Botello  
**RE:** Selection of Fitzpatrick Surveying, PLLC for 2014 General Municipal Surveying Services

The City published request for Statement of Qualifications (SOQ's) in the Cashmere Valley Record (newspaper of record). The SOQ was published on January 8, 2014. The deadline submittal was February 5, 2014. The following firms submitted SOQs:

| Name                                    | Address       | RFQ submittal consistent with newspaper publication | Description of consultant's team including references | North Central Washington Engineering & Surveying Experience | Description-<br>experience with relevant codes and standards...i.e. (WSDOT-LAG Manual) | Surveying | Municipal Transportation Engineering | Municipal Water & Wastewater Engineering | Total |
|---|---------------|---|---|---|--|-----------|--------------------------------------|--|-------|
| SCJ Alliance Consulting Services        | Wenatchee, WA | 10  | 10  | 9   | 10   |           | 8                                    | 5  | 52    |
| RHZ Engineers                           | Wenatchee, WA | 10  | 10  | 10  | 10   |           | 10                                   | 10                                       | 60    |
| Kittelson & Associates, Inc.            | Portland, OR  |   | 10  | 3   |  |           |                                      |  | 13    |
| Gray & Osborne, Inc                     | Yakima, WA.   | 10  | 10  | 7   | 10   |           | 10                                   | 10                                       | 57    |
| FCS Group Solutions-Oriented Consulting | Redmond, WA.  |   | 10  |   |  |           |                                      |  | 10    |
| SWCA Environmental Consultants          | Seattle, WA.  | 10  | 10  | 4   |  |           | 10                                   |  | 34    |
| Fitzpatrick Surveying                   | Cashmere, WA. | 10  | 10  | 10  |  | 10        |                                      |  | 40    |
| Strata Engineering                      | Pullman       | 10  | 10  |   |  |           | 9                                    |  | 29    |
| TD & H Engineering                      | Spokane, WA   | 10  | 10  | 6   | 10   |           | 8                                    | 9  | 53    |
| Trantech Engineering                    | Bellevue, WA  | 10  | 10  | 4   | 10   |           | 8                                    | 9  | 51    |

**Recommendation:**  
 Staff recommends Fitzpatrick Surveying, PLLC for general municipal surveying services for 2014

**CITY OF CASHMERE, WASHINGTON**

**RESOLUTION NO. 05-2014**

RESOLUTION AUTHORIZING INVESTMENT OF CITY OF CASHMERE  
MONIES IN THE LOCAL GOVERNMENT INVESTMENT POOL

WHEREAS, pursuant to Chapter 294, Laws of 1986, the Legislature created a trust fund to be known as the public funds investment account (commonly referred to as the Local Government Investment Pool (LGIP)) for the contribution and withdrawal of money by an authorized governmental entity for purposes of investment by the Office of the State Treasurer; and

WHEREAS, from time to time it may be advantageous to the authorized governmental entity, City of Cashmere, the "governmental entity", to contribute funds available for investment in the LGIP; and

WHEREAS, the investment strategy for the LGIP is set forth in its policies and procedures; and

WHEREAS, any contributions or withdrawals to or from the LGIP made on behalf of the governmental entity shall be first duly authorized by the City Council, the "governing body" or any designee of the governing body pursuant to this resolution or a subsequent resolution; and

WHEREAS the governmental entity will cause to be filed a certified copy of said resolutions with the Office of the State Treasurer; and

WHEREAS the governing body and any designee appointed by the governing body with authority to contribute or withdraw funds of the governmental entity has received and read a copy of the prospectus and understands the risks and limitations of investing in the LGIP; and

WHEREAS, the governing body attests by the signature of its members that it is duly authorized and empowered to enter into this agreement, to direct the contribution or withdrawal of governmental entity monies, and to delegate certain authority to make adjustments to the incorporated transactional forms, to the individuals designated herein.



NOW THEREFORE, BE IT RESOLVED that the governing body does hereby authorize the contribution and withdrawal of governmental entity monies in the LGIP in the manner prescribed by law, rule, and prospectus.

BE IT FURTHER RESOLVED that the governing body has approved the Local Government Investment Pool Transaction Authorization Form (Form) as completed by Clerk-Treasurer Kay Jones and incorporates said form into this resolution by reference and does hereby attest to its accuracy.

BE IT FURTHER RESOLVED that the governmental entity designates Kay Jones, City Clerk-Treasurer, the "authorized individual" to authorize all amendments, changes, or alterations to the Form or any other documentation including the designation of other individuals to make contributions and withdrawals on behalf of the governmental entity.

BE IT FURTHER RESOLVED that this delegation ends upon the written notice, by any method set forth in the prospectus, of the governing body that the authorized individual has been terminated or that his or her delegation has been revoked. The Office of the State Treasurer will rely solely on the governing body to provide notice of such revocation and is entitled to rely on the authorized individual's instructions until such time as said notice has been provided.

BE IT FURTHER RESOLVED that the Form as incorporated into this resolution or hereafter amended by delegated authority, or any other documentation signed or otherwise approved by the authorized individual shall remain in effect after revocation of the authorized individual's delegated authority, except to the extent that the authorized individual whose delegation has been terminated shall not be permitted to make further withdrawals or contributions to the LGIP on behalf of the governmental entity. No amendments, changes, or alterations shall be made to the Form or any other documentation until the entity passes a new resolution naming a new authorized individual; and

BE IT FURTHER RESOLVED that the governing body acknowledges that it has received, read, and understood the prospectus as provided by the Office of the State Treasurer. In addition, the governing body agrees that a copy of the prospectus will be provided to any person delegated or otherwise authorized to make contributions or withdrawals into or out of the LGIP and that said individuals will be required to read the prospectus prior to making any withdrawals or contributions or any further withdrawals or contributions if authorizations are already in place.

BE IT FURTHER RESOLVED that city Resolution No. 04-2009 is hereby repealed and replaced with this resolution.

PASSED AND ADOPTED by the City Council of the City of Cashmere, State of Washington on this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

CITY OF CASHMERE

By: \_\_\_\_\_

Jeff Gomes, Mayor

Attest:

\_\_\_\_\_

Kay Jones, City Clerk/Treasurer

# Staff Summary

**Date:** February 10, 2014  
**To:** Cashmere City Council  
Mayor Gomes

**From:** Mark Botello  
**RE:** **Wheeled All-Terrain Vehicles (WATVs) on City Streets.**

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Please see email from Tim Yaskus in regards to allowing WATVs on 35 mph or less City streets. All street within the City limits are 35 mph or less.

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## Mark Botello

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**From:** Tim Yaskus [tim@yaskus.com]  
**Sent:** Monday, January 27, 2014 11:36 AM  
**To:** Mark Botello  
**Subject:** Re: Question about adopting HB 1632

Cashmere Council,

I am asking Cashmere to adopt HB 1632 to allow ATV's to be driven on 35mph or less streets. The law only allows for licensed drivers who have had their ATV inspected and registered for street plates from the DOL to drive on these roads.

The bill, known as HB 1632 - 2013-14, allows ATV riders in counties with fewer than 15,000 residents immediate access to roads 35 miles-per-hour or less. In the more populated counties, it is up to local jurisdictions to draft their own ordinances either allowing or disallowing ATV usage on city streets.

Not only is it up to city municipalities to draft ordinances which apply to their city streets, but counties also need to draft ordinances applicable to county roads that do not fall inside of city limits.

The purpose the new WATV law is to enhance economic development and promote economic gain throughout the state.

The idea is that the law will facilitate convenient access to city services for the folks who come to the area to recreate, easing their ability to travel from ATV trails to restaurants, gas stations and other businesses.

For me it would allow me to drive into town and fill up my ATV I use for plowing or take it to my shop in town to work on it without having to trailer it. It would also allow me to travel from the county roads that are open on one side of town to the county roads on the other side of town which I cannot currently do because there are no county roads that connect them.

Here is a partial list of some the city, towns, and counties that have adopted this bill.

Chelan county - Resolution 2013-82  
Okanogan county - Ordinance 2013-9, 2013-10

East Wenatchee - Ordinance No. 2013-08  
Okanogan - ORDINANCE No. 1101  
Tonasket - ORDINANCE NO. 725  
Conconully - ORDINANCE NO. 274  
Pateros - Ordinance #715  
Sultan - Ordinance 1180-13

Thanks,  
Tim Yaskus  
509-699-1141



## Wheeled All-Terrain Vehicles on County Roads

Kent Sisson

**Sent:** Friday, November 22, 2013 4:09 PM

**To:** SH Distribution

**Attachments:** Co Roads Open to WATVs.pdf (834 KB) ; \ • TV and ORV Regulations.doc (65 KB)

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Patrol Deputies,

Most of you have probably heard Chelan County has, by resolution, approved the operation of Wheeled All-Terrain Vehicles (WATVs) on County Roads that have a posted speed limit of 35mph or less, and are properly licensed and equipped. I have attached the impressive list of roadways, or portions of roadways now open to WATV operation. There is an interactive map showing approved roadways (or sections of roadways) in "green" at <http://bit.ly/18yMzbd>

Currently no cities within our county have approved operation of WATV's on city roadways. Violation of RCW 46.09.455(1)(d).

There is a helmet requirement for operators of WATV's on public non-highway roads (which include county roads). The exception to this would be a utility style WATV (double front seat) which has a roll bar and seatbelt requirement instead of helmets.

WATV's used on public roads must be equipped with: a brake lamp, headlights, tail lamp, reflectors, mirror, horn, windshield (if no eye protection), and horn. Turn signals are required after hours of darkness. Also, they must have a WATV license plate affixed to the rear and a current "on road" year tab.

There are several other new RCW's and a few County Codes that apply. See the attached quick reference list.

RCW Chapter 46.09 has been revised to accommodate WATV's on non-highway public roadways if a county or city has approved the operation by ordinance or code.

Keep in mind that the USFS has not approved any additional forest roads for WATV or ORV travel in county since the resolution passed. If someone is traveling legally on a county roadway that turns into a USFS roadway, they would be in violation of RCW 46.09.470(i) 'Operating a WATV or ORV on any Public Lands in Violation of Rules or Regulations of the Administering Agency'. The only USFS roads currently open to ORV (or WATV) operation is in the Scotty Creek and Shazer Creek area off of Blewett Pass.

I doubt we will encounter much WATV traffic on county roads until spring. As the word gets out to the public that this activity is authorized, and dealers begin selling "street legal" WATV's and conversion kits, it could definitely become an issue.

Sergeant Kent Sisson  
Special Operations / Emergency Mgmt  
Chelan County Sheriff's Office  
Office: 509.667.6864  
Cell: 509.630.7506



**Integrity\*Teamwork\*Excellence**

# WATV and ORV Violations

Revised 11/18/2013

**Access to map of Chelan County Roads open to WATV travel:** <http://bit.ly/18yMzbd>

**ORV (Off Road Vehicle)** = a non-highway motorized vehicle used for recreational purposes on non-highway roads, trails, or other natural terrain

**WATV (Wheeled All-Terrain Vehicle)** = any motorized non-highway vehicle with handlebars 50" or less in width; seat height of 20" or higher; weighs less than 1,500lbs; tire diameter of 30" or less; **OR** a utility type ATV vehicle with tire pressure less than 20psi; max width less than 74"; max weight of less than 2,000lb; over all wheelbase of 110" or less; and minimum width of 50" or more; weight of at least 900lbs; wheel base of at least 61". **Can be modified for public road travel where ordinances allow.**

| County Code WATVs   |  |          |
|---------------------|--|----------|
| CC 9.38.020         | Operation of ORV on prohibited county roads  | \$134.00 |
| CC 9.38.030         | Operation of <b>WATV</b> on prohibited county roads<br><i>(See allowed roads on Chelan County Public Works site above)</i>                                     | \$134.00 |
| CC 9.38.050         | Speed Limit violation of a WATV - (Over 35mph or over Posted Limit)  | \$134.00 |
| WATV RCW's          |  |          |
| RCW 46.09.442       | <b>WATV</b> registration tabs and tabs required for on-road use  | \$134.00 |
| RCW 46.09.444(1)    | Drivers License requirement for operation of <b>WATV</b> on public roadway   | \$134.00 |
| RCW 46.09.470(3)(a) | Operate <b>WATV</b> or <b>ORV</b> on non-highway <b>public road</b> without helmet<br><i>(Exception for side by side utility WATV with seatbelts /rollbar)</i> | \$134.00 |
| RCW 46.09.444(2)    | Side by side travel of <b>WATV's</b> in single lane of travel prohibited   | \$134.00 |
| RCW 46.09.444(3)    | Unauthorized <b>WATV</b> parked in Right of Way (per RCW 46.55)  | \$134.00 |
| RCW 46.09.450(3)    | Unlawful operation of a <b>WATV</b> upon a State Highway (per RCW 47.17)   | \$134.00 |
| RCW 46.09.455(1)(a) | Unlawful crossing of a public roadway with speed limit >35mph with a <b>WATV</b>   | \$134.00 |
| RCW 46.09.455(1)(d) | Operating a <b>WATV</b> upon a city/town public roadway (with <u>no</u> approving ordinance)   | \$134.00 |
| RCW 46.09.457.xxx   | Equipment requirement violations for <b>WATV's</b> upon public roadways...   | \$134.00 |
| (a)(i)              | Headlights   | \$134.00 |
| (a)(ii)             | One Tail Lamp  | \$134.00 |
| (a)(iii)            | Stop Lamp  | \$134.00 |
| (a)(iv)             | Reflectors <i>(both sides and rear)</i>  | \$134.00 |
| (a)(v)              | Turn Signals during hours of darkness  | \$134.00 |
| (a)(vi)             | Mirror   | \$134.00 |
| (a)(vii)            | Windshield   | \$134.00 |
| (a)(viii)           | Horn   | \$134.00 |
| (a)(ix)             | Brakes   | \$134.00 |
| (a)(x)              | Spark Arrestor   | \$134.00 |
| (a)(xi)             | Seatbelts for Utility Style WATV   | \$134.00 |
| RCW 46.09.457.xxx   | Required Documentation to be carried by <b>WATV</b> Operator...  |          |
| (b)(i)              | Documentation of Safety Inspection on <b>WATV</b>  | \$134.00 |

## WATV and ORV Violations

Revised 11/18/2013

|                   |   |          |
|-------------------|---|----------|
| (b)(ii)           | Documentation dealer/repair shop did not charge >\$50.00 for safety inspection for <b>WATV</b>                          | \$134.00 |
| (b)(iv)           | Documentation of VIN verification for a <b>WATV</b>   | \$134.00 |
| (b)(v)            | Release signed by owner of <b>WATV</b> releasing State from liability if WATV was modified for street use aftermarket.  | \$134.00 |
| <b>ORV RCW's</b>  |   |          |
| RCW 46.09.450(3)  | Unlawful operation of an <b>ORV</b> on a private non-highway road   | \$134.00 |
| RCW 46.09.460(1)  | Unlawful operation of an <b>ORV</b> by Person under 16yoa on a highway or non-highway without direct adult supervision. | \$134.00 |
| RCW 46.09.470.xxx | <b>ORV</b> Operating Violations on Property NOT owned by operator...  | \$134.00 |
| (a)               | In a Manner to Endanger the property of another   | \$134.00 |
| (b)               | Without a Headlight or Tail light during hours of darkness  | \$134.00 |
| (c)               | Without adequate braking device   | \$134.00 |
| (d)               | Without a Spark Arrester  | \$134.00 |
| (e)               | Without adequate Muffling device  | \$134.00 |
| (f)               | On shoulder, inside Bank, slope, or median of any highway or non-highway  | \$134.00 |
| (g)               | In a manner to unreasonably cause damage to soil or vegetation  | \$134.00 |
| (h)               | On any non-highway road or trail restricted to pedestrian travel  | \$134.00 |
| (i)               | On any public lands in violation of rules or regulations of the administering agency (i.e. USFS, DNR, BLM)              | \$134.00 |
| (j)               | On a private non-highway road (not owned by the operator)   | \$134.00 |

1 (c)(i) A person may not operate a wheeled all-terrain vehicle on a  
2 public roadway within the boundaries of a county, not including  
3 nonhighway roads and trails, with a population of fifteen thousand or  
4 more unless the county by ordinance has approved the operation of  
5 wheeled all-terrain vehicles on county roadways, not including  
6 nonhighway roads and trails.

7 (ii) The legislative body of a county with a population of fewer  
8 than fifteen thousand may, by ordinance, designate roadways or highways  
9 within its boundaries to be unsuitable for use by wheeled all-terrain  
10 vehicles.

11 (iii) Any public roadways, not including nonhighway roads and  
12 trails, authorized by a legislative body of a county under (c)(i) of  
13 this subsection or designated as unsuitable under (c)(ii) of this  
14 subsection must be listed publicly and made accessible from the main  
15 page of the county web site.

16 (iv) This subsection (1)(c) does not affect any roadway that was  
17 designated as open or closed as of January 1, 2013;

18 (d)(i) A person may not operate a wheeled all-terrain vehicle on a  
19 public roadway within the boundaries of a city or town, not including  
20 nonhighway roads and trails, unless the city or town by ordinance has  
21 approved the operation of wheeled all-terrain vehicles on city or town  
22 roadways, not including nonhighway roads and trails.

23 (ii) Any public roadways, not including nonhighway roads and  
24 trails, authorized by a legislative body of a city or town under (d)(i)  
25 of this subsection must be listed publicly and made accessible from the  
26 main page of the city or town web site.

27 (iii) This subsection (1)(d) does not affect any roadway that was  
28 designated as open or closed as of January 1, 2013.

29 (e) Any person who violates this subsection commits a traffic  
30 infraction.

31 (2) Local authorities may not establish requirements for the  
32 registration of wheeled all-terrain vehicles.

33 (3) A person may operate a wheeled all-terrain vehicle upon any  
34 public roadway, trail, nonhighway road, or highway within the state  
35 while being used under the authority or direction of an appropriate  
36 agency that engages in emergency management, as defined in RCW  
37 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law