



CITY OF FERNLEY

CITY COUNCIL AGENDA REPORT

Meeting Date: November 17, 2021

REPORT TO:	Mayor and City Council
REPORT FROM:	Daphne Hooper, City Manager
REVIEWED BY:	Brandi Jensen, City Attorney
REVIEWED BY:	Denise Lewis, City Treasurer

FINANCIAL IMPACT: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	CURRENTLY BUDGETED: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	FUND/ACCOUNT: N/A
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ACTION REQUESTED: Consent Ordinance Resolution Motion Receive/File

AGENDA ITEM: Staff Report (For Possible Action): For Possible Action: Discussion, approval, and adoption of Resolution #21-010 establishing the routes and uses of Off-Highway Vehicles.

Agenda Item Brief
NRS 490.100 provides that the City may designate any portion of a highway within its municipal boundaries as permissible for the operation of off-highway vehicles for the purpose of allowing off-highway vehicles to reach a private or public area that is open for use by off-highway vehicles.

Recommended Motion:
"I move to approve and adopt Resolution #21-010 establishing the routes and uses of Off-Highway Vehicles."

Business Impact (per NRS Chapter 237):

A Business Impact Statement is Attached.

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

BACKGROUND:

NRS 490.100 provides that the City may designate any portion of a highway within its municipal boundaries as permissible for the operation of off-highway vehicles for the purpose of allowing off-highway vehicles to reach a private or public area that is open for use by off-highway vehicles.

The City wishes to encourage tourism and use of the outdoor spaces within and in the vicinity of the City and recognizes that visitors to the Fernley area routinely lodge in its hotels. Encouraging tourism by outdoor enthusiasts, including those accessing public lands with off-highway vehicles, will increase room stays and restaurant usage, and generally enhance the local economy.

Resolution #21-010 establishes the routes and uses of Off-Highway Vehicles.

1. Within the City of Fernley, DMV registered Large All Terrains Vehicles (as defined in the most recently adopted versions of NRS and FMC Title 20), are permitted to travel on roadways within the City of Fernley where the speed limit is 35 miles per hour or less. These Large All Terrain Off Road Vehicles shall have their registration (those containing stars) from DMV displayed as required by NRS.
2. Regardless of the posted speed limit, and other than noted in section one above, off-highway vehicles shall not be operated on designated highways or roads for any purpose other than to travel to or from the private or public recreation areas.
3. The City of Fernley reserves the right to grant additional access during approved special events. Said additional access will be pursuant to a map indicating approved routes determined by the public works department and the legal department after consultation with the local Sergeant of both NHP and LYSO.

LEGAL IMPLICATIONS:

NRS 490.100 provides the City with the legal authority to adopt NRS 490 provisions for the operation of off-highway vehicles and establish routes where off highway vehicles may be authorized.

Fernley Municipal Code Title 20, Chapter 9 establishes the requirements for off-highway vehicle use within the City of Fernley.

FINANCIAL IMPLICATIONS: None

ATTACHMENTS:

Resolution #21-010

Proposed Bill #303 OHV Ordinance