

OFF-ROAD VEHICLE ORDINANCE 3973

Answers to Your Questions

What is County Ordinance 3973 – the “ORV Ordinance”?

An ordinance to regulate off-road vehicle use in residential areas of the San Bernardino County desert. The ordinance:

- protects residents from ORV trespass, harassment, noise, dust, and nuisance
- reduces conflict between riders and residents
- stops irresponsible riders in their tracks
- informs the responsible rider where and how they may ride

Why do we need an ORV ordinance?

Prior to the ORV ordinance, irresponsible off-road vehicle use was making life miserable for everyone and creating a huge burden on law enforcement. Conflict between riders and residents was getting out of control. Existing laws were unclear, not adequate to prevent trespass, and essentially unenforceable. Residents were suffering uncontrolled trespass on their property, harassment and intimidation, and unrestricted noise, dust, and fumes. And ALL riders, responsible or not, were getting blamed!

What does the ordinance do? What are the major provisions?

- **Trespassing:** Persons riding on property that is not their own must have written permission on their person from the owner of that property.
- **Staging:** A permit is required if 10 or more persons are gathered FOR THE PURPOSE OF RIDING. (Gatherings for other purposes are NOT AFFECTED by this ordinance.)
- **Nuisance:** Riders disturbing the peace and quiet with noise, dust, smoke, and fumes may be cited.
- **Noise:** Noise standards for off-road vehicles now match those of the California Vehicle Code.

How does the ordinance work?

The ordinance is enforced by the County of San Bernardino, through the Code Enforcement ORV team and the Sheriff's Department.

IF YOU SUSPECT A VIOLATION:

- Contact the Code Enforcement ORV team at 760- 228-5410. Be prepared to tell them the location and nature of the problem and if possible where the ORVs are staging from. The ORV team will investigate, make contact, and issue a warning or a citation if necessary. The ORV team may continue to patrol trouble spots.

- When there is a crime *in addition* to ORV violation, or after hours, the Sheriff's Department should be contacted at 760-366-3781.
- It is important to report violations each and every time they happen. Enforcement funding depends on it!

IF YOU ARE A RIDER:

- Educational outreach to riders is a primary role for the Code Enforcement ORV team. Contact Code Enforcement if you have questions on the ordinance at 760-228-5410.
- ORV staging (more than 9 persons gathered for the purpose of riding) requires application in advance for a Temporary Special Event Permit. Neighbors will be noticed of the application and have opportunity for input. Contact Code Enforcement for more information (760-228-5410).

What are the penalties?

The ORV enforcement team focuses on outreach and education rather than penalties. They know that most riders aren't intentionally breaking the law. For those who do repeatedly break the law, penalties begin with a warning and escalate with repeated violations up to a \$1000 fine and/or imprisonment for up to 90 days. A rider must really intend to offend to earn a penalty. This ordinance is complaint-driven; no harm, no foul.

Who designed the ordinance?

Under the direction of the San Bernardino County Board of Supervisors, Code Enforcement worked out the provisions with stakeholders, including riders groups, citizens groups, and property owners. The stakeholders came to consensus, and the Board of Supervisors approved the ordinance unanimously in 2006 after full public hearing.

Is it working?

Yes! Code Enforcement and the Sheriff's Department report that Ordinance 3973 has given them the tools to deal with irresponsible riders and neighborhood nuisances effectively, reducing rider-resident conflict and unnecessary drains on officers' time. Beleaguered residents have begun to find relief, and responsible riders can separate themselves from the outlaws. Educational outreach has been emphasized and is ongoing, and both riders and residents are gaining a better understanding of what is required to be good neighbors in the desert.

Who is Community ORV Watch (COW)?

Neighbors throughout the Morongo Basin, including property owners, equestrians, and even ORV riders, who came together in 2004 to obtain relief from out-of-control off-road vehicle trespass, harassment, intimidation, and property destruction and a lack of effective law enforcement response. COW welcomes YOU to participate! Find out more at www.orvwatch.com.

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