



**OCTOBER 20, 2020
SPECIAL JOINT CITY COUNCIL/GRAND COUNTY
COMMISSION MEETING**

2:00 P.M.

**THE PUBLIC IS INVITED AND ENCOURAGED TO VIEW AND PARTICIPATE IN
THE ELECTRONIC MEETING BY VIEWING THE COUNTY'S YOUTUBE
CHANNEL:**

<https://www.youtube.com/channel/UC7FCQMLwxezhIrVXvaSxFKg>

1. Special Meeting - 2:00 p.m.

2. Call to Order - Grand County Commission

2.1. Grand County Commission Agenda

Documents:

grand county-moab city joint mtg agenda 10-20 final b.pdf

3. Call to Order - Moab City Council

3.1. Moab City Council Agenda

Documents:

ag-cc-2020-10-20.pdf

4. Citizens to be Heard (Until 2:10 p.m.)

We are receiving public comments by phone and online through Zoom.

Citizens are limited to two (2) minutes for comments.

Dial: (669)900-6833 Meeting ID: 867 1625 2356 # Password (if needed): 279317

Link: [https://us02web.zoom.us/j/86716252356?](https://us02web.zoom.us/j/86716252356?pwd=udd0ddf0btdjodq5umn0wjnJu1vadz09)

[pwd=udd0ddf0btdjodq5umn0wjnJu1vadz09](https://us02web.zoom.us/j/86716252356?pwd=udd0ddf0btdjodq5umn0wjnJu1vadz09)

Please note that when joining the meeting, you will be placed in a waiting room and will be added to the meeting by the moderator. Your comments will be recorded and on YouTube.

(Unmute for public comment: *6)

Public comments may be submitted prior to the meeting through the following link: <http://bit.ly/publiccommentform>

5. General Business - Action Items - Discussion and Consideration of:

- 5.1.** Approving joint resolution to formally initiate proceedings to amend the Grand County Land Use Code and the Moab Municipal Code to amend those relevant portions permitting vehicle sales, rentals, or leasing, commercial outdoor recreational uses, and outfitter, guide services and facilities and to impose a moratorium on issuing new business licenses for the sale, rental, or leasing of all-terrain vehicles (ATV), commercial outdoor recreational uses involving an ATV, and ATV outfitting, guiding, and touring and to impose a moratorium on issuing new special events permits for ATV vendors, associations, and groups (Laurie Simonson, City of Moab Attorney and Christina Sloan, Grand County Attorney)

Documents:

agenda item a.pdf

- 5.2.** Approving ordinance to establish speed limits for off-highway vehicles (OHV) in the City of Moab (Laurie Simonson, City of Moab Attorney)

Documents:

agenda item b.pdf

- 5.3.** Approving ordinance to establish speed limits for off-highway vehicles (OHV) in Grand County (Christina Sloan, Grand County Attorney)

Documents:

agenda item c.pdf

6. Discussion Items

- 6.1.** Discussion on enforcement challenges regarding OHVs (Laurie Simonson, City of Moab Attorney)
- 6.2.** Discussion on possible legislative action regarding OHV use (Mayor Niehaus, City of Moab)

7. Adjournment

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. § 54-2-207(4), the Moab City Council Chair has issued written determinations supporting the decision to convene electronic meetings of the Council without a physical anchor location. Due to the health and safety risks related to the ongoing COVID-19 pandemic and considering public health orders limiting in-person gatherings, the Moab City Council will continue to hold meetings by electronic means.

Special Accommodations:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Recorder's Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5121 at least three (3) working days prior to the meeting.

Check our website for updates at: www.moabcity.org



Grand County Commission City of Moab Council Joint Meeting

Held virtually on Zoom
Moab, Utah

See below for instructions to give public comment via Zoom

Citizens are asked to limit their comments to two (2) minutes.

Citizens who have submitted written comments are asked not to provide oral comments. All written comments are reviewed by the County Commission and City Council prior to the meeting.

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Link: <https://us02web.zoom.us/j/86716252356?pwd=UDd0dDF0bTdjODQ5UmNoWjNjU1Vadz09>

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AGENDA

Tuesday, October 20, 2020

2:00 p.m.

☐ Call to Order - Grand County Commission

☐ Call to Order – City of Moab Council

☐ Citizens to Be Heard (for approximately 10 minutes)

We are receiving public comments by phone and online through Zoom.

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☐ General Business – Action Items – Discussion and Consideration of:

- A. Approving joint resolution to formally initiate proceedings to amend the Grand County Land Use Code and the Moab Municipal Code to amend those relevant portions permitting vehicle sales, rentals, or leasing, commercial outdoor recreational uses, and outfitter, guide services and facilities and to impose a moratorium on issuing new business licenses for the sale, rental, or leasing of all-terrain vehicles (ATV), commercial outdoor recreational uses involving an ATV, and ATV outfitting, guiding, and touring and to impose a moratorium on issuing new special events permits for ATV vendors, associations, and groups (Laurie Simonson, City of Moab Attorney and Christina Sloan, Grand County Attorney)
- B. Approving ordinance to establish speed limits for off-highway vehicles (OHV), not including motorcycles, in the City of Moab (Laurie Simonson, City of Moab Attorney)

- C. Approving ordinance to establish speed limits for off-highway vehicles (OHV), not including motorcycles, in Grand County (Christina Sloan, Grand County Attorney)

❑ **Discussion Items**

- D. Discussion on enforcement challenges regarding off-highway vehicles (OHV) (Laurie Simonson, City of Moab Attorney)
- E. Discussion on possible legislative action regarding off-highway vehicle (OHV) use (Mayor Niehaus, City of Moab)

❑ **Adjourn**

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS. In compliance with the Americans with Disabilities Act, individuals with special needs requests wishing to attend County Commission meetings are encouraged to contact the County two (2) business days in advance of these events. Specific accommodations necessary to allow participation of disabled persons will be provided to the maximum extent possible. T.D.D. (Telecommunication Device for the Deaf) calls can be answered at: (435) 259-1346. Individuals with speech and/or hearing impairments may also call the Relay Utah by dialing 711. Spanish Relay Utah: 1 (888) 346-3162

It is hereby the policy of Grand County that elected and appointed representatives, staff and members of Grand County Commission may participate in meetings through electronic means. Any form of telecommunication may be used, as long as it allows for real time interaction in the way of discussions, questions and answers, and voting.

At the Grand County Commission meetings/hearings any citizen, property owner, or public official may be heard on any agenda subject. The number of persons heard and the time allowed for each individual may be limited at the sole discretion of the Chair. On matters set for public hearings there is a three-minute time limit per person to allow maximum public participation. Upon being recognized by the Chair, please advance to the microphone, state your full name and address, whom you represent, and the subject matter. No person shall interrupt legislative proceedings.

Requests for inclusion on an agenda and supporting documentation must be received by 5:00 PM on the Wednesday prior to a regular Commission Meeting and forty-eight (48) hours prior to any Special Commission Meeting. Information relative to these meetings/hearings may be obtained at the Grand County Commission's Office, 125 East Center Street, Moab, Utah; (435) 259-1346.

217 East Center Street
Moab, Utah 84532-2534
Main Number (435) 259-5121
Fax Number (435) 259-4135



Mayor: Emily S. Niehaus
Council: Tawny Knuteson-Boyd
Rani Derasary
Mike Duncan
Karen Guzman-Newton
Kalen Jones

Memorandum

To: Councilmembers and Media
From: Mayor Emily S. Niehaus
Date: 10/16/2020
Re: Special Joint City Council/Grand County Council Meeting

The City of Moab will hold a Special Joint Moab City Council/Grand County Commission Meeting on Tuesday, October 20, 2020 at 2:00 p.m. The purpose of this meeting will be:

**Held virtually on Zoom
Moab, Utah**

See below for instructions to give public comment via Zoom

Citizens are asked to limit their comments to two (2) minutes.

Citizens who have submitted written comments are asked not to provide oral comments. All written comments are reviewed by the County Commission and City Council prior to the meeting.

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Unmute: *6

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AGENDA **Tuesday, October 20, 2020**

2:00 p.m.

- ☐ **Call to Order - Grand County Commission**
- ☐ **Call to Order – City of Moab Council**
- ☐ **Citizens to Be Heard** (Until 2:10 p.m.)

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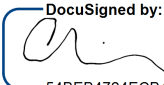
❑ **General Business – Action Items – Discussion and Consideration of:**

- A. Approving resolution to formally initiate proceedings to amend the Grand County Land Use Code and the Moab Municipal Code to amend those relevant portions permitting vehicle sales, rentals, or leasing and outfitter, guide services and facilities and to impose a moratorium on issuing new business licenses for the sale, rental, or leasing of all-terrain vehicles (ATV) and utility type vehicles (UTV) and ATV/UTV guiding and touring (Laurie Simonson, City of Moab Attorney and Christina Sloan, Grand County Attorney)
- B. Approving ordinance to establish speed limits for off-highway vehicles (OHV) in the City of Moab (Laurie Simonson, City of Moab Attorney)
- C. Approving ordinance to establish speed limits for off-highway vehicles (OHV) in Grand County (Christina Sloan, Grand County Attorney)

❑ **Discussion Items**

- D. Discussion on enforcement challenges regarding OHVs (Laurie Simonson, City of Moab Attorney)
- E. Discussion on possible legislative action regarding OHV use (Mayor Niehaus, City of Moab)

❑ **Adjourn**

DocuSigned by:


54BFB4724ECB4DD

Mayor Emily S. Niehaus

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. § 54-2-207(4), the Moab City Council Chair has issued written determinations supporting the decision to convene electronic meetings of the Council without a physical anchor location. Due to the health and safety risks related to the ongoing COVID-19 pandemic and considering public health orders limiting in-person gatherings, Moab City Council will continue to hold meetings by electronic means. The public is invited and encouraged to view the Council's electronic meetings by viewing the City's YouTube channel: <https://www.youtube.com/channel/UCI00z0Zgdmz4y1FoI0l7CJA>.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Recorder's Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5121 at least three (3) working days prior to the meeting.

AGENDA SUMMARY
GRAND COUNTY COMMISSION AND CITY OF MOAB COUNCIL
JOINT MEETING
OCTOBER 20, 2020

Agenda Item: A

TITLE:	Approving joint resolution to formally initiate proceedings to amend the Grand County Land Use Code and the Moab Municipal Code to amend those relevant portions permitting vehicle sales, rentals, or leasing, commercial outdoor recreational uses, and outfitter, guide services and facilities and to impose a moratorium on issuing new business licenses for the sale, rental, or leasing of all-terrain vehicles (ATV), commercial outdoor recreational uses involving an ATV, and ATV outfitting, guiding, and touring and to impose a moratorium on issuing new special events permits for ATV vendors, associations, and groups
FISCAL IMPACT:	
PRESENTER(S):	Christina Sloan, Grand County Attorney, and Laurie Simonson, City of Moab Attorney with Mary McGann, Chair of County Commission and City of Moab Mayor Niehaus

Prepared By:

Mallory Nassau
Asst. Commission
Administrator

FOR OFFICE USE ONLY:

Attorney Review:

SUGGESTED MOTION:

I move to approve the joint resolution to formally initiate proceedings to amend the Grand County Land Use Code and the Moab Municipal Code to amend those relevant portions permitting vehicle sales, rentals, or leasing, commercial outdoor recreational uses, and outfitter, guide services and facilities and to impose a moratorium on issuing new business licenses for the sale, rental, or leasing of all-terrain vehicles, commercial outdoor recreational uses involving an all-terrain vehicles, and all-terrain vehicles outfitting, guiding, and touring and to impose a moratorium on issuing new special events permits for all-terrain vehicles vendors, associations, and groups.

BACKGROUND:

In the fall of 2020, the City of Moab and Grand County received a record number of public comments objecting to noise impacts from all-terrain vehicles (ATVs).

There has been a recent increase in business license applications in the City and County for sales, rentals, and licensing of ATVs and related guide services that serve non-residents. The rapid growth of ATV rentals and tours has resulted in a sharp increase in noise impacts to the residents of the City and County during all hours of the day and night.

Several popular ATV trails in the City and County are accessed through residential neighborhoods, including the vast trail systems located in the Sand Flats Recreation Area and those accessed via Kane Creek Boulevard,

Spanish Valley Drive, Spanish Trail Road, Westwater Drive, and Murphy Lane, which increases the impact of ATV noise on residents. Numerous studies have found that noise pollution is related to a wide range of physical and mental health issues. It is the duty of the City and County to prioritize citizens' safety, health, morals, and welfare.

In 2019, the County adopted a Noise Ordinance (Ord. 602) that defines noise as "any Sound that is unwanted and causes or tends to cause an adverse psychological or physiological effect on human beings." However, the County's Noise Ordinance has been ineffective at reducing the impact of ATV noise because measuring the noise emitted by a moving vehicle on roads and highways is impractical given surrounding ambient noise and equipment limitations.

The Grand County Land Use Code (LUC) and the City of Moab Code are occasionally modified to further the purposes of the respective Land Use, Development, and Management Acts and align the same with changing community conditions and state law.

Currently, the LUC permits vehicle sales, rental, or leasing facilities and outfitter, guide services and facilities in Sections 3.1, 3.4.9H, and 3.4.9K, and the City Code permits "vehicle sales and rentals," "outdoor recreational uses, commercial," and "recreational tour companies, outfitters and guide services" in Sections 17.21.20(A)(18), 17.24.20(A)(26), 17.27.20(A)(38), 17.31.20(A)(13) and (14), and 17.32.20(A)(4)(h).

As provided in Utah Code §§ 10-1-203 and 17-53-216, the City and County adopted ordinances which provide for the licensing of businesses within their jurisdictions for the purpose of regulation and includes the power to deny, revoke, or suspend such licenses, as codified in Chapter 5 of the City Code and Chapter 5.04 of the Grand County Codified Ordinances.

Under similar authority and in exercise of their general police powers, the City and County have the authority to issue special events permits and regulate the same, which authority includes the power to deny, revoke, or suspend such permits, as codified in Chapter 8.16 of the Grand County Codified Ordinances and Chapter 4.11 of the City Code.

Utah Code §§ 10-9a-509 and 17-27a-508 permit the City and County to deny approval of a land use application submitted within an 180-day period after initiation of formal proceedings to amend applicable land use regulations.

Under Utah law, the City and County may exercise powers and perform functions that are reasonably related to the safety, health, morals, and welfare of its inhabitants. For the reasons articulated above and under the authority set forth herein, the Grand County Commission and the City of Moab Council find that compelling, countervailing public interests justify the temporary prohibition of new business licenses for sale, rental, or leasing of ATVs and ATV outfitting, guiding, and touring, and new special events

permits for the assemblage of vendors, enthusiasts, or users of ATVs, including associations, groups, and individuals; until such time that either body ends the prohibition.

ATTACHMENT(S):

- Draft Resolution
- Grand County Public Comment Emails Received
- City of Moab Public Comment Emails Received

GRAND COUNTY, UTAH
COUNTY RESOLUTION NO. _____ (2020)
CITY OF MOAB, UTAH
CITY RESOLUTION NO. 41-2020

**TO FORMALLY INITIATE PROCEEDINGS TO AMEND THE GRAND COUNTY
LAND USE CODE AND THE MOAB MUNICIPAL CODE TO AMEND THOSE
RELEVANT PORTIONS PERMITTING VEHICLE SALES, RENTALS, OR LEASING,
COMMERCIAL OUTDOOR RECREATIONAL USES, AND OUTFITTER, GUIDE
SERVICES AND FACILITIES**

AND

**TO IMPOSE A TEMPORARY MORATORIUM ON ISSUING NEW BUSINESS
LICENSES FOR THE SALE, RENTAL, OR LEASING OF ALL-TERRAIN VEHICLES
(ATVS), COMMERCIAL OUTDOOR RECREATIONAL USES INVOLVING AN ATV,
AND ATV OUTFITTING, GUIDING, AND TOURING**

AND

**TO IMPOSE A TEMPORARY MORATORIUM ON ISSUING NEW SPECIAL EVENTS
PERMITS FOR ALL-TERRAIN VEHICLE VENDORS, ASSOCIATIONS, AND
GROUPS**

WHEREAS, Utah Code § 41-6a-1509 permits the operation of street-legal all-terrain vehicles on County roads and City streets (subject to certain requirements);

WHEREAS, Chapter 9a of Title 10 and Chapter 27a of Title 17 of the Utah Code authorizes the City of Moab and Grand County to enact ordinances, resolutions, and rules and to enter into other forms of land use controls and development agreements that the County and City consider necessary or appropriate for the use and development of land within the County and City of Moab, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing: uses; density; open spaces; structures; buildings; energy-efficiency; light and air; air quality; transportation and public or alternative transportation; infrastructure; street and building orientation and width requirements; public facilities; fundamental fairness in land use regulation; and considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections;

WHEREAS, Chapter 9a of Title 10 and Chapter 27a of Title 17 of the Utah Code requires the City of Moab and Grand County to provide for the health, safety, and welfare of its residents; improve the peace and good order, comfort, convenience, and aesthetics of the County and City; protect the tax base; foster the state's agricultural and other industries; promote the orderly development of urban and nonurban development; provide fundamental fairness in land use regulation; and facilitate orderly growth and allow growth in a variety of housing types;

WHEREAS, the previously named Grand County Council ("County Council") adopted the Grand County General Plan Update on February 7, 2012 with Resolution No. 2976 and adopted the Grand County Land Use Code ("LUC") on January 4, 1999 with Ordinance No. 299, as

amended, for the purpose of regulating land use, subdivision and development in Grand County in accordance with the General Plan;

WHEREAS, the Moab City Council (“City Council”) adopted the City of Moab General Plan Update on July 11, 2017 with Resolution No. 28 (2017) and adopted the General Ordinances of Moab, Utah in 1958, as amended (“City Code”);

WHEREAS, from time to time, the County and City adopt ordinances to modify the LUC and City Code to further the purposes of the respective Land Use, Development, and Management Acts and align the same with changing community conditions and state law;

WHEREAS, while the County and City General Plans acknowledge the important contribution of tourism to the local economy, it also states that business development shall be ecologically responsible, fit the community and the needs and preferences of the residents, and be designed to avoid damaging natural amenities and resources. The General Plans also prioritizes a balance between economic sectors and recreational users to enhance the local recreational, scenic, and cultural amenities to attract and accommodate visitors;

WHEREAS, specifically, the County General Plan states a preference development that does not degrade the natural quiet of the surrounding landscape; and, specifically, the City General Plan seeks in Goal 7: Aural Environment: “to reduce noise levels so residents can peacefully enjoy their property and provide a pleasant environment for businesses and visitors;”

WHEREAS, the LUC permits vehicle sales, rental, or leasing facilities and outfitter, guide services and facilities in Sections 3.1, 3.4.9H, and 3.4.9K, and the City Code permits “vehicle sales and rentals,” “outdoor recreational uses, commercial,” and “recreational tour companies, outfitters and guide services” in Sections 17.21.20(A)(18), 17.24.20(A)(26), 17.27.20(A)(38), 17.31.20(A)(13) and (14), and 17.32.20(A)(4)(h);

WHEREAS, as provided in Utah Code §§ 10-1-203 and 17-53-216, the City and County adopted ordinances which provide for the licensing of businesses within their jurisdictions for the purpose of regulation and includes the power to deny, revoke, or suspend such licenses, as codified in Chapter 5 of the City Code and Chapter 5.04 of the Grand County Codified Ordinances;

WHEREAS, under similar authority and in exercise of their general police powers, the City and County have the authority to issue special events permits and regulate the same, which authority includes the power to deny, revoke, or suspend such permits, as codified in Chapter 8.16 of the Grand County Codified Ordinances and Chapter 4.11 of the City Code;

WHEREAS, there has been a recent increase in business license applications in the County and City for sales, rentals, and licensing of All-Terrain Vehicles and related guide services that serve non-residents (“ATV rentals and tours”);

WHEREAS, the rapid growth of ATV rentals and tours in the County and City has resulted in a sharp increase in noise impacts to the residents of the County and City during all hours of the day and night;

WHEREAS, numerous studies have found: noise pollution increases anxiety, depression, high blood pressure, heart disease, and stroke; small increases in unwanted ambient sound have significant health effects; and noise aggravates health conditions by inducing higher levels of stress;¹

WHEREAS, at least one additional study has found that people living in areas with more road traffic noise were 25 percent more likely than those living in quieter neighborhoods to have symptoms of depression;²

WHEREAS, studies have shown that continuous noise in excess of 30 dB disturbs sleep, which is well documented to be a prerequisite for good physiologic and mental functioning in healthy individuals,³ and the U.S. Environmental Protection Agency sound guidance for the protection of human health and welfare in rural areas is 55 dB;⁴

WHEREAS, during operation on streets and roads, most All-Terrain Vehicles in the state of Utah (not built to California noise standards) produce decibel levels louder than 70 dBA and often between 85 and 100 dBA;⁵

WHEREAS, the County adopted a Noise Ordinance in 2019 via Ordinance No. 602 that acknowledges this science and defines noise as “any Sound that is unwanted and causes or tends to cause an adverse psychological or physiological effect on human beings.” However, the County’s Noise Ordinance has been ineffective at reducing the impact of ATV noise because measuring the noise emitted by a moving vehicle on roads and highways is impractical given surrounding ambient noise and equipment limitations;

¹ Floud, *Medication use in relation to noise from aircraft and road traffic in six European countries: results of the HYENA study*, <https://pubmed.ncbi.nlm.nih.gov/21084328/>; Schmidt, *Effect of nighttime aircraft noise exposure on endothelial function and stress hormone release in healthy adults* <https://academic.oup.com/eurheartj/article/34/45/3508/435199>; Hahad, *Annoyance to Different Noise Sources is Associated With Atrial Fibrillation*, [https://www.internationaljournalofcardiology.com/article/S0167-5273\(17\)37174-7/fulltext](https://www.internationaljournalofcardiology.com/article/S0167-5273(17)37174-7/fulltext);

² Orban, *Residential Road Traffic Noise and High Depressive Symptoms after Five Years of Follow-up: Results from the Heinz Nixdorf Recall Study*, <https://ehp.niehs.nih.gov/doi/10.1289/ehp.1409400>

³ Jariwala, *Noise Pollution and Human Health: A Review*, https://www.researchgate.net/publication/319329633_Noise_Pollution_Human_Health_A_Review

⁴ Harrison, *Rock Creek Enduro Sound Tests*, Eldorado National Forest, USDA Forest Service Special Report, May 1994.

⁵ Horse Farms Forever, *ATV Engine Noise - the Sound of Science*, <https://www.horsefarmsforever.com/lets-have-a-sound-test/>; Rowley, *Are ATVs A Noisy Nuisance Or A Right?*, <https://shawangunkjournal.com/2014/03/27/news/1403273.html>

WHEREAS, the Moab valley is narrow and surrounded by sandstone cliffs which cause noise generated by ATV rentals and tours to reverberate valley-wide, which increases the impact of ATV rentals and tours on residents and visitors;

WHEREAS, several popular ATV trails are accessed through residential neighborhoods in the City and County, including the vast trail systems located in the Sand Flats Recreation Area and those accessed via Kane Creek Boulevard, Spanish Valley Drive, Spanish Trail Road, Westwater Drive, and Murphy Lane, which increases the impact of ATV rentals and tours on residents and visitors;

WHEREAS, market conditions and the boom in ATV rentals and tours have impacted other recreational user groups and associated economic activity, including mountain biking, hiking, rafting, and climbing, which economic sectors thrive in natural quiet;

WHEREAS, in the Fall of 2020, the City and County received a historical number of public comments objecting to noise impacts from ATV rentals and tours (and related special events), which public comments are included in the record for the joint meeting of the City and County on October 20, 2020;

WHEREAS, Utah Code §§ 10-9a-509 and 17-27a-508 permit the City and County to deny approval of a land use application submitted within an 180-day period after initiation of formal proceedings to amend applicable land use regulations;

WHEREAS, under Utah law, the City and County may exercise powers and perform functions that are reasonably related to the safety, health, morals, and welfare of its inhabitants; and

WHEREAS, for the reasons articulated above and under the authority set forth herein, the Grand County Commission and the Moab City Council find that compelling, countervailing public interests justify the temporary prohibition of new business licenses for sale, rental, or leasing of All-Terrain Vehicles and ATV outfitting, guiding, and touring, and new special events permits for the assemblage of vendors, enthusiasts, or users of All-Terrain Vehicles, including associations, groups, and individuals; until such time that either body ends the prohibition;

NOW, THEREFORE BE IT RESOLVED that the Grand County Commission and Moab City Council do hereby:

1. Formally initiate proceedings to amend the Grand County Land Use Code and the Moab Municipal Code to amend those relevant portions permitting All-Terrain Vehicle sales, rentals, or leasing and outfitter, guide services and facilities, including LUC Sections 3.1, 3.4.9H, and 3.4.9K and City Code Sections 17.21.20, 17.24.20, 17.27.20, 17.31.20, and 17.32.20; and
2. Impose a temporary moratorium on the issuance of new business licenses for the Sale, Rental, or Leasing of All-Terrain Vehicles and ATV Outfitting, Guiding, and Touring, until such time that either body ends the prohibition; and

3. Impose a moratorium on the issuance of new special events permits for the assemblage of vendors, enthusiasts, or users of All-Terrain Vehicles, including associations, groups, and individuals, until such time that either body ends the prohibition;

4. Definitions. As used herein:

A. “All-Terrain Vehicles (ATVs or ATV)” shall mean all-terrain Type I, II, and III vehicles as defined under Utah Code §§ 41-6a-102 and 41-22-2;

B. “Outfitting, Guiding, and Touring” shall mean accompanying customers and guests in an ATV, and/or outfitting a customer or guest with an ATV, whether driving the vehicle or not, whether or not monetary compensation is exchanged; and

C. “Sale, Rental, and Leasing” shall include the business use of All-Terrain Vehicles for customers, guests, or vendors or any other commercial activity involving an All-Terrain Vehicles whether or not monetary compensation is exchanged.

D. “Special Events” and “Special Events Permits” shall have the same meaning as set forth in Chapter 8.16 of the Grand County Codified Ordinances and Chapter 4.11 of the City Code.

APPROVED by the Grand County Commission and the Moab City Council in a joint public meeting on October 20, 2020 by the following vote:

GRAND COUNTY COMMISSION:

Those voting aye: _____

Those voting nay: _____

Those absent: _____

ATTEST:

Mary McGann, Chair

Quinn Hall, Clerk/Auditor

MOAB CITY COUNCIL:

Those voting aye: _____

Those voting nay: _____

Those absent: _____

ATTEST:

Emily Niehaus, Mayor

Sommar Johnson, Clerk/Recorder

Emails to Grand County about UTV noise

Updated:10-16-2020

Date	Citizen	Email comments
10-4-2020	Pete Gross	<p>Dear Council:</p> <p>The agenda for the October 6, 2020 meeting mentions a discussion (Item N) of "possible action modifying the Rally on the Rocks event stipulations" with no further details.</p> <p>This event is not Rally on the Streets of Moab. It is not Rally Up and Down Main Street. It is not Racket in the Neighborhoods or Ruckus in the Parking Lots or Rally on the Crypto. The event is certainly not Assault the Ear Drums all hours of the day and night.</p> <p>Please stipulate that the Rally on the Rocks live up to its name. Rally only on the rocks. Don't rally in our city and our neighborhoods and assault our hearing at all hours.</p> <p>Do we even want this event? We already have unofficial UTV rallies all thru town every week.</p>
10-4-2020	John Gould	<p>Council Members,</p> <p>I'm hopeful you are as aware as I that the UTV situation in the county is out of control and must be addressed. Rally on the Rocks (ROTR) is a particularly glaring example of the problem it promotes.</p> <p><i>Please</i>, drive a wooden stake through the heart of this mind-boggling annual attack on our community. Kill off ROTR. Thanks for the job you do,</p>
10-4-2020	Sarah Barstow	<p>Dear Council Members,</p> <p>I will keep this short. I am writing to beg you to not permit the Rally on the Rocks event. Not with more restrictions. Not with any monetary donation to the County. Not at all. Even though it's permitted in the county, it affects everyone who lives in the city and in the valley.</p> <p>UTV noise in town is to the point where it is infringing on our quality of life. This is clear across every neighborhood in Moab, and isn't a complaint just lodged by "liberals". Town has become increasingly loud . . . and this is even without the Rally on the Rocks event. Locals think so, but so do tourists.</p> <p>It is my understanding that any permit for an event in town is given with the premise that it won't affect the quality of life for the people who reside here. This is just not the case with this event. And frankly, it's just not possible until UTVs are required to be less noisy in order to drive all around town.</p> <p>There is adequate reason to deny this permit. Please do what's right and not allow even more noise pollution to infiltrate our small town.</p> <p>Best, Sarah</p> <p><i>Sarah Barstow-owner, The Rave'N Image</i></p>

10-4-2020	Mary Tiger Keogh	<p>Dear Council members,</p> <p>Please do ALL you can to eliminate the incessant noise of UTV's that we are all living with. It's just not healthy to have nearly constant loud noise around us.</p>
10-4-2020	Candace Magnolia	<p>I am writing regarding plans for ROTR for next year.</p> <p>I am opposed to this event taking place in 2021. The abrasive and abusive noise level, lack of policy enforcement of ordinances that we have in place in this town and lack of any restriction in the amount of people participating in this event are all negatives that adversely impact a big percentage of the Moab community.</p>
10-5-2020	Erin Groves	<p>Dear Grand County Council,</p> <p>It is my understanding that a discussion is set for this week regarding future permits for Rally on the Rocks. While I don't know the details behind what brings their event to the discussion table at this time, I want to share my frustration with this event and my strong feelings that this event does not belong in our town.</p> <p>No matter the number of rules imposed on them, the type of patron it draws seems, by nature, to enjoy rule breaking and rowdy behavior in ways that negatively impact quality of life for locals, far more so than any other event (including Jeep Week, which is very well regulated). Razors are already so loud and this particular event draws hundreds of late night riders who keep us awake zooming up and down Mill Creek at all hours of the night, no matter that their sanctioned events are usually over by sunset.</p> <p>I believe it was the travel council who recently published an informational video for razor users in Moab. It underlined the need for respecting our community and keeping it peaceful, clean, and protected for future generations. I appreciate this very much, and think the continuation of this particularly disruptive event flies in the face of the responsible messages the county and tourism board are otherwise trying to promote.</p> <p>Thank you for your time,</p>
10-5-2020	Lynette Merrill	Please Please Please - we need peace and quiet - Keep them off our streets.
10-5-2020	Sarah Topp	<p>[Rally on the Rocks] Council members,</p> <p>Please do NOT permit this event in the future. It is extremely disruptive to the people who live here to have these machines roaring around town all hours of the day and night.</p>
10-5-2020	Pauline Masse	Dear , Council.... please do something about the noise from UTV it is unbearable ...this is very much a quality of life issue.
10-5-2020	Sallie Hodges	<p>Dear Council,</p> <p>On the agenda for the Councils meeting on Tuesday is a discussion concerning the 'Rally in the</p>

		<p>Rocks' event. Could I suggest this event be encouraged to move to Monticello where it would be more welcome? UTV's in Moab are now out of control and the community is really upset.</p> <p>Sincerely,</p>
10-5-2020	Sarah Topp	<p>Council members,</p> <p>It's bad enough we have noisy machines on our streets, now I'm hearing and seeing powered parachutes flying low over my home on Murphy Lane while I'm relaxing in my back yard (!), up Mill Creek, over Kayenta Heights, over Spanish Valley.</p> <p>They sound just like ATV's! Please put a stop to this nonsense before rental companies latch onto this "new recreational opportunity" and our skies are full of these annoying machines!</p>
10-5-2020	Eve Tallman	<p>Dear Council Members--I see that ROTR is on the agenda with no supporting materials for public review as far as I know. Please decline to approve this event. As we all know, Enough is Enough!</p> <p>Respectfully,</p>
10-5-2020	Carrie Bailey	<p>Dear Council,</p> <p>I see that you will be addressing the Rally On the Rocks event for ATVs at your next meeting. Please consider the effects these vehicles are having on our residential areas and our downtown city streets and highways. The noise, fast and reckless driving, disregard of speed limits and traffic signage is pretty much uncontrolled. Local law enforcement seems over-whelmed. I can remember a time in the past when the increase in visitation forced our community to call in state highway patrol and helicopters to help with the out of control situation. I hope we will not have to do that again..</p> <p>I know that not all of the chaos is from ATVs, but addressing this event with the community in mind would be a good start for a discussion of the quality of life for people who live here and the quality of the environment for the visitor. I have a hard time believing that those businesses who have invested in our county do not worry about the effect the noise and negative atmosphere will eventually have on our tourist economy. How about the effect on homes and their value? I had an Aunt who lived near Disneyland in Anaheim California, and as kids we envied her living close to the amusement park. She always told it us " Yes. it's great, but there are lots of reasons why you don't want to live right next to the Magic Kingdom." I hope we all don't end up living IN a Disneyland.</p> <p>Grand County folks, along with LE who admit that when you call to make a report, , are really feeling over-whelmed. Please give us some attention. Thanks</p>
10-5-2020	Beth Malloy	<p>Dear Council Members,</p> <p>keep the stipulations that were approved previously for ROTR.</p>

		The impact of the UTV noise has greatly reduced the quality of life in Moab. I encourage you to require all UTV's to be have mufflers. Thank you,
10-5-2020	Lisa Paterson	<p>Dear County Council Members,</p> <p>You will be discussing Rally on the Rocks at your next council meeting. Agenda item N ("Discussion and possible action modifying the Rally on the Rocks event stipulations") gives no details as to what the possible modifying actions might be. I sincerely suggest that you modify everything you can to significantly reduce the tremendous noise generated by the UTVs, RZRsand other such vehicles that will be attending this event.</p> <p>Please require that all UTV vehicles are trailered to the event site and so are not driven through town or through Spanish Valley as participants go back and forth from the event to hotels and restaurants in town.</p> <p>Grand County has become increasingly noisy day and night. Actions must be taken to preserve quality of life for residents of Grand County. Please start with this event and continue to do everything possible to reduce the penetrating noise!</p> <p>Thank you so much for all that you are attention to this matter. I greatly appreciate the time and energy you give that benefits Grand County residents.</p> <p>Sincerely,</p>
10-5-2020	Marsha Marshall	<p>Honorable Council,</p> <p>Due to the noise in the residential areas in Moab, I support postponing Rally on the Rocks for this year until the event addresses our community concerns. There are no easy answers for the prevention of noise pollution, and our State Representatives need to be contacted. The State Legislature originally passed the bill allowing UTV and ATVs to be street legal, now they need to address the noise problems that have come with this decision. As a former member of the Throttle Down Committee much time has been put in trying to deal with this issue and it may be a manufacturing problem, but there also has to be ways to block the noise in neighborhoods. It is affecting our quality of life and property values. I support tourism and the economic value it provides, but I ask those involved in the noise pollution to help address this problem. I respectfully ask them if their homes were being invaded by increased volumes of noise would they not become frustrated? Walk in our shoes. Respectfully,</p>
10-5-2020	Tom & Teri Mader	<p>Dear Grand County Council:</p> <p>This is just a quick note regarding UTV use in our county. We have no problem with UTV's if they are quiet and if they stay on established UTV trails. Noisy UTVs' degrade the backcountry experience for others. Off trail use creates very ugly damage to our beautiful terrain and is very difficult to repair.</p> <p>Sincerely,</p>
10-5-2020	William Groff	<p>Council,</p> <p>Please keep the stipulations previously approved for the Rally On The Rocks....the noise is getting very hard to live with.</p> <p>Thank you</p>
10-5-2020	Jon Kovash	(Rally on the Rocks) Many locals have lost faith in the notion that law enforcement and "education" can tame this beast. Please consider putting an end to this event.
10-5-2020	Nancy Kurtz	Dear Councilmembers,

		<p>Please count me in as a citizen advocate for keeping the stipulations to curb the enthusiasm of rally on the rocks and like events.</p> <p>In a similar vein, our streets are noisier than ever. This topic is definitely up for serious discussion on how we can soften the impact of the motorized hordes. (Disclaimer - I want my friends to stay in town; they're all threatening to leave if this keeps up. Yes, it's that bad.)</p> <p>Thank you so much,</p>
10-5-2020	Mary Moran	<p>Dear County Commissioners,</p> <p>Please leave all stipulations in place for the Rally on the Rocks event.</p> <p>The noise increase in the Moab Valley and surroundings in just the last few years is unbelievable. I recently sent regrets to a long-time resident, moving because his wife got a job elsewhere, because I know he loves it here. He said he would miss Moab, but certainly not miss the UTVS rumbling down the street till late every night. He is not the first Moab resident that I've known who has moved away because of the increase in noise, mostly due to UTVs and ATVS.</p> <p>Now there are those motorized hang-gliders increasingly buzzing around over our homes and over or within our canyons near town. They will be the next fight against noise, I'm afraid.</p> <p>Please do everything that you can to decrease noise levels in the Moab Valley. I know that you all work incredibly hard and that what I'm asking for is a large order, but thank you for doing whatever you can. Sincerely,</p>
10-5-2020	Aneth Wight	<p>Hello Commissioners!</p> <p>I understand that ROTR is on the agenda ... I would like to request that at least the rules/stipulations from previous years be included in the new permit, if you have to approve said request.</p> <p>The UTV noise in this town has been appalling this year. I am lucky to live in a very quiet corner, but now we too have to listen to the buzzing around like angry mosquitos ALL the time. And by "all the time", I do mean all the time --- every day of the week, and every hour of those days! If we (Moab residents) must host hordes of these beastly things, can't they at least have the courtesy to put mufflers on when visiting "our" town/desert?? I don't see that as an imposition.</p> <p>Thank you for your service,</p>
10-5-2020	Kaitlin Thomas	<p>Dear Grand County Council,</p> <p>I am writing to express concerns over the incredibly invasive noise produced by ATVs/OHVs/etc (not Jeeps). For a long time I've embraced the idea that motorized vehicles are a part of recreation and the economy here regardless of the fact that I have zero desire to recreate in that way. However, I am increasingly troubled by the aggressive noise they produce and the overall attitude of operators that they do not need to obey traffic laws like the rest of us.</p>

		<p>After attempting to sit outside in my backyard after dark and hearing them several streets away as if they were parked in my driveway, watching/hearing 30 of them speed by on 400E on Sunday morning while giving water to the YGP chickens with insane decibel levels, seeing parades of them speeding through intersections down main street, and groups of them thinking that just the leader stopping at a stop sign is enough for the whole group, all just this last week, I'm over it. And it's not going away. It's getting worse.</p> <p>I understand rental companies do their best to educate renters on the use of these machines. I understand legislation at the State level is what makes these vehicles allowed on the road. I sincerely believe private owners are the problem. Please consider attempting to find a happy medium by advocating for allowing rental companies to allow rental machines on the roads but not for private owners. They should tow to the trailhead. A noise ordinance is practically impossible to enforce but if rental companies have to have vehicles returned by 8pm, or something of the like, there's a chance.</p> <p>This is impacting my quality of life in Moab immensely. I feel completely overwhelmed most of the time when I drive and I grew up navigating Boston traffic. It adds to a sense of feeling trapped and it makes me want to get out of here which is sad because I feel like I contribute a lot to my community and have for over 10 years. You will lose residents if this doesn't resolve in some way. This machine noise is not comparable to the hissing of bus brakes on public transportation or the honking of taxis and traffic or someone cruising with their stereo blasting, all things commonly found in an urban landscape. This noise is aggressive, invasive, and repulsive and "throttle down in town" signs and reducing speed limits are not enough.</p> <p>Separately but related, I understand Rally on the Rocks permit is up for consideration again. I urge you to consider the impact this event will have on people who live here year round, in combination with all of the other motorized recreation that will inevitably be taking place simultaneously. I know the organizers are decent people that have donated to Moab, but honestly, it's too much. If you do move forward to approve perhaps you could require towing to trailhead as a stipulation.</p> <p>Thanks for reading. I appreciate all you do. Thank you,</p>
10-5-2020	Laura Hines	<p>Dear members of the council,</p> <p>In my time in Moab (many years), the UTVs have been a major annoyance to me and my family. I used to live on Spanish Valley Drive and the noise from UTVs would wake my sleeping babies. I would run out with headlamps in the evening and try to slow them down. They'd flash their lights at me and race by faster. Now I live on Murphy Lane. Many nights I am jolted awake by the sounds of UTVs at 2, 3 in the morning. A friend says she calls them bumblebees, and I tried that, because I love bumblebees, but UTV noise is not pleasing. It causes anxiety. In a world already full of anxiety, it's not helpful. I would like to see more effort to reduce their noise in town. Are mufflers a possibility? Can they be illegal on roads? Can they stick only to UTV trails?</p>

		<p>Also, Sand Flats road (when it turns to gravel) and the Geyser pass road become heavily washboarded, more so than in the past. It has to be the UTVs with their bouncy suspension as they zip up and down the roads. Last weekend I drove my children up the Geyser pass to hike in the aspens. The Geyser road was so washboarded, I had to drive extra slow in 4x4 in my full size Chevy. Many UTVS came racing down as I was driving up. I actually stopped 2 razors because they whipped around corners so fast, kicking up gravel and dust, and skidding. I asked them politely to slow down, telling them the washboards are awful.</p> <p>Let's make some changes so it's better for all of us who live here. Please let's reduce the noise and slow the UTVs down. Thank you.</p>
10-5-2020	Travis Nauman	<p>Dear Commission Members,</p> <p>I'd like to make some comments to help provide perspective on any changes to be made for Rally on the Rocks and all the events in town related to motor vehicles. First of all, the stipulations the council adopted last year are really just a start on finding the appropriate balance of motorized off road vehicle events in the Moab area. I am opposed to any efforts to loosen those stipulations, and particularly with regards to expanding the number of participants.</p> <p>There are many in our community who feel over-run by the noise and impacts that are related to these vehicles. What is unique to this user group is the disproportionate cost and damage their hobby inflicts on the people, soils, plants, infrastructure (massive trailers, etc), and climate of the community. You can see the dust rise on certain weeks and the noise that comes with it is just as unsettling. You have to see, breath and listen to this hobby more so than any other even when you are not partaking. Pile that on top of burning fossil fuels all day long when we are in a full climate crisis.</p> <p>Just yesterday I was out riding Mag 7 to Portal and witnessed an OHV driver out spinning out of control drifting around a turn going incredibly fast just down the hill from the Portal TH on the Rim. They were recklessly flying around curves and sending soil 20 feet in the air, and then they were flipping, multiple times before the OHV came to rest on its side. The crew I was with could not believe what we were seeing. We got there and saw a helmet strewn 15 feet from the OHV. By a stroke of luck the guys inside walked away.</p> <p>Look, I know not all OHV drivers are in this camp, but these are destructive machines and it doesn't take much for one person to do a lot of damage in one. My perspective as a resident who lives close enough to sand flats road to know when these folks are in town is to do as much as possible not to incentivise these types of events and to clamp down on excessive motor noise as much as is legally possible.</p> <p>Thank you for your consideration and public service,</p>
10-5-2020	Caryn McGinty	<p>Dear Council,</p> <p>I am writing to request that you not cave to the Rally on the Rocks requests that Moab ease</p>

		<p>restrictions. Even on a normal day, UTV traffic is inescapably loud. To then add a huge event such as Rally on the Rocks without requiring concessions such as mufflers to help mitigate the noise will not only frustrate countless local voters, but it will also deter tourists who come to Moab for peace and quiet. Moab has plenty of other, quieter tourists; we do not need to cave to the whims of a noisy group such as Rally on the Rocks. They should be given a choice: either comply with the perfectly reasonable requests of the Moab community or take their rowdy rally elsewhere. Thank you,</p>
10-5-2020	Clif Koontz	<p>Grand County Commission- On behalf of Ride with Respect (and not any other entity), I would like to comment on the permit stipulations for Rally On The Rocks.</p> <p>RwR supports the county taking a critical look at proposals for special events, but please keep in mind that organizers have the potential to make visitation more community-friendly than casual visitation would be when done independently. Organizers provide you with a way of reaching many visitors. Also if permitting becomes too onerous, it may eliminate the permitted events, but meanwhile non-permitted events will take place. The resulting handful of "gatherings" that bend the rules (or simply stage out of San Juan County) would be worse than dealing with an organizer who is willing to operate above board. A reasonable organizer can become a critical partner, especially for activities that have a greater potential of negative impacts.</p> <p>With one exception (noted below), we generally agree with the comments that organizer Sean Reddish made during the September 15th Commission meeting, which requested removing three stipulations that had been added to what the Special Events Coordinating Committee originally approved.</p> <ol style="list-style-type: none"> 1. Requiring participants to refrain from driving side-by-side (SxS) vehicles through residential areas at night doesn't work because almost every street in Spanish Valley is residential and because many participants are using a SxS as their primary means of transportation for the week. You can tell the organizer to ask his participants to minimize noise especially at night but, beyond that, it's an issue that calls for a more comprehensive solution. 2. Requiring the organizer to make a certain-sized donation to nonprofit groups, however important their work may be, seems to undermine the spirit of donations. If you think that it's appropriate to require public contributions from events, you could slightly increase fees and perhaps direct them to specific uses (like the Motorized Trails Committee for trail work, but of course I'm biased). However the idea of requiring a single event organizer to make major "donations" seems a step too far. 3. Requiring participants to use vehicles that are "OEM standard or quieter" isn't quite on the mark either, but with a couple of tweaks, we are optimistic that all parties would support it. First, I don't think that "OEM standard" has a specific legal meaning. I'm not just referring to the fact that a sound standard should specify the procedure of measurement. I'm also referring to the potential interpretation that "OEM standard" means the volume of sound from a stock (unmodified) vehicle, which varies from model to model, as some models are much quieter than the federal standard while others just barely comply. Obviously it'd be unfair to hold one participant to a quieter standard just

	<p>because his or her machine was quieter than other models in stock trim.</p> <p>Hopefully by "OEM standard" you were referring to the federal standard itself that all SxS models must meet. However, because compliance with this standard can only be determined in a lab (not on the street), Grand County should instead refer to the SAE J1287 that industry groups developed specifically to make the federal standard testable on the street (or trail). Using the SAE J1287 procedure (which is a stationary sound-testing procedure often called the "twenty-inch test"), the standard of 96 dB ensures that any failing vehicle (exceeding 96 dB) would also fail the federal standard, which is what makes the SAE J1287 procedure and the 96 dB standard defensible for any state or local jurisdiction to require.</p> <p>Second, while we support requiring participants to get their vehicle's sound measured during the event, we do not support requiring their vehicles to meet the 96 dB standard in 2021. The participants, along with vendors and SxS enthusiasts across the state, will be far more receptive to this standard if they are given time to familiarize themselves and adapt to it. I predict that most participant vehicles will meet the 96 dB standard, but many won't, and it's those vehicles that tend to disrupt people in the community or on public lands. With this heads up, owners will have time to install a compliant exhaust system (whether it be stock or an aftermarket exhaust, most of which actually state whether they're above or below 96 dB in the product description).</p> <p>If you require that participants get education-only sound testing to learn if their vehicles meet the 96 dB standard, you should probably specify that the testing booth be located in a non-residential location such as outside of Old Spanish Trail Arena. You could also require that the aggregated results be shared with Grand County, but the results should not include any personally-identifying information in order to reassure participants that the test is not for law-enforcement purposes. A trained sound tester can measure hundreds of vehicles relatively quickly, especially if he or she has to determine only whether they're above or below 96 dB (rather than determining the exact decibel number for each vehicle). Giving a friendly sticker to those who meet the 96 dB standard is a nice touch.</p> <p>In summary, RwR suggests removing the three aforementioned stipulations and adding that the organizer must perform (in a non-residential area) an education-only test of all participants' vehicles in order to notify the participants whether their vehicles are above or below 96 dB based on the SAE J1287 procedure, and to notify Grand County how many vehicles measured above or below 96 dB. You could require the organizer to encourage participants to meet the 96 dB standard (by running stock exhaust systems or choosing an aftermarket one that is advertised as meeting the 96 dB standard), but you should not require participants to meet this standard in 2021.</p> <p>Note that this educational opportunity is a benefit of Rally On The Rocks, as it would be much harder to reach vehicle operators outside of the event. We hope you agree that revising the stipulations in this way would be in everyone's long-term interest. Feel free to contact me for any further</p>
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		discussion. Thanks -Clif Executive Director, Ride with Respect
10-5-2020	Clif Koontz	<p>Mary- Please see the attached letter addressing noise concerns primarily involving side-by-side vehicles.</p> <p>Essentially the three main suggestions are to:</p> <ol style="list-style-type: none"> 1. Expand the development and distribution of education for SxS operators, especially renters, but ideally for all OHV operators. 2. Utilize stationary sound testing to reduce the incidences of "outliers" (i.e. exceptionally-loud vehicles) 3. Ask the trade group of SxS manufacturers to exceed the federal sound standards for all models, just as they currently do for most models. <p>I won't be around until later this afternoon but, in general, you and the other Council members should feel free to contact me for further information. Also, just as this letter concludes, the Council is welcome to request recommendations from the Motorized Trails Committee. Thanks –Clif</p> <p>Grand County Commission- Regarding the issue of vehicular sound in general (not just Rally On The Rocks), I'm resending RWR's letter from last February. We've all been sidetracked by the coronavirus since then, but I still think the letter would provide a good template for mitigating noise concerns. And I still think that the Motorized Trails Committee could add value if you'd like me to engage them. Thanks -Clif</p> <p>[See letter attached at the bottom of this table - TC]</p>
10-5-2020	Nancy Orr	<p>Dear GC Commission:</p> <p>I noticed that there is an agenda item for tomorrow's meeting regarding possible alteration of the stipulations for Rally on the Rocks. Unless they intend to cancel, cut the number of attendees or require better noise reduction, please do not alter the stipulations. ROTR is a poster child for the motorized mayhem that has been unleashed on our town, and it has become intolerable. I reviewed the spreadsheet included in your packet, and the stipulations that you have specified there are sufficiently reasonable. If anything, they are more lenient than I would prefer.</p> <p>Events like ROTR bring noise and chaos into our neighborhoods regardless of whether we wish to participate. Non-motorized events do not have such an overwhelming impact, and still bring economic benefits to the majority of businesses. Please start prioritizing non-motorized events, and give residents a much-needed break from the noise. Thank you for considering public input.</p>
10-5-2020	Liz Ballenger	<p>Dear Commissioners-</p> <p>I know you're getting a lot of email on this topic, so I'll keep this short if not sweet. PLEASE do everything you legally can to keep down the noise from UTVs in our community. It's gotten noticeably</p>

		<p>worse this season, and with UTV rental businesses popping up like weeds in every vacant lot (it seems), it'll keep getting worse without your intervention. I understand you're considering conditions for the Rally on the Rocks event again-- please consider that this UTV user group affects our community like none other with their noise, degrading off-road trail conditions, increasing dust, and not to mention excessive use of fossil fuels while we're in the midst of a climate crisis. Is this really what we want Moab to be known for?</p> <p>But I digress... for me as a citizen, it mainly boils down to the stress caused by excessive noise is overwhelming even late into the night, echoing off the west valley wall. I used to be irritated by the sound of the HVAC units of the Kane Creek apartments behind me. Lets just say I never notice that noise anymore...unfortunately.</p> <p>Thanks for listening,</p>
10-5-2020	Thea Nordling	<p>Dear Commission Members,</p> <p>I am opposed to any efforts to loosen the stipulations the Council adopted last year for Rally on the Rocks. As a resident of Spanish Valley I feel increasingly under assault by the noise of this and other motorized events. It is impossible to get away from the din and dust of UTVs and other motorized toys anywhere in the valley, in the backcountry, or even in our own back yard, especially during motorized events. This user group also has an inordinate impact on other visitors who are here to enjoy peace and quiet, not to mention the damage they do to soils, vegetation and air quality. Rather than easing restrictions on Rally on the Rocks, the county should clamp down on noise and speeding, and put limits on the number of participants in these types of events. We should not be encouraging more and more of this type of damaging and destructive use.</p> <p>Thanks for considering my thoughts,</p>
10-5-2020	Celia Alario	<p>Hi Council!</p> <p>Please keep the stipulations that were approved previously for ROTRs!</p> <p>Also, as I mentioned in my recent Letter to the Editor in the Moab Sun we are reaching a critical point with the UTV noise, and we really need your help to fix this problem.</p> <p>It is SO loud now at all hours of the day and night. Many long time Moab residents who contribute a lot to our town are questioning if it is still livable here.</p> <p>Please let's figure out a way to either 1-get sound/noise ordinances enforced; 2-incentivize the companies to make quieter vehicles; 3-look at a max number of rentals in town at a time;4-return to the days of trailering to trails, which the manufacturers themselves seem to be in favor of over having them 'street legal'.</p> <p>With a few lucky notable exceptions, most of the county is as loud or louder than living in a big city right next to a freeway.</p> <p>PLEASE help us to be able to continue to live here.</p>
10-5-2020	Carol Mayer	<p>Esteemed members:</p>

		<p>Please keep the stipulations that were previously approved for Rally on the Rocks. As someone who lives “close to the action” in town, I really hope that the city and county representatives do everything in your power to make this event <u>primarily</u> good and fair for the residents and, <u>secondarily</u>, good for the attendees. Thank you,</p>
10-6-2020	Margie Read	<p>Dear Grand County Commissioners – I am writing this email to request – NO, BEG – that you all keep the noise stipulations that were approved previously for the Rally on the Rocks event.</p> <p>My home in Moab is located in a residential area on 100 South that used to be quiet. It is no longer. The frustration of not being able to be on your front porch and hear what the person next to you is saying is absurd. And it is unhealthy and unfair to the people who live here and pay taxes.</p> <p>The speeding and noise of people zooming – no BLASTING --down the street to get to their red rock adventures is also very dangerous for children and other pedestrians that cross this street to get to the ball park, library or school.</p> <p>In general, we need to make changes so that this horrible situation improves. But AT THE VERY LEAST, you can make sure that the previously-approved stipulations for Rally on the Rocks are kept AND ENFORCED. I will appreciate this, as will so many that live here.</p>
10-6-2020	Kiley Miller	<p>We are surely doomed if this is who we’re being branded and sold as. We have to get ahead of this, they can’t start using us as a raceway. We’re in extreme drought, it’s already a dust bowl, this is a sensitive desert not a Glamis or Johnson Valley granite desert. Something must be done. I personally email all these motor heads and shame them as well as try to educate them about this desert landscape and that dammit people live here. I’m at my f-in wits end! These guys had no filming permit, they all think they can just ride all over us.</p>
10-6-2020	Pete Gross	<p>Dear County Commission:</p> <p>This is probably too late for tonight's October 6 meeting. I would like to point out that the ROTR event organizer, Sean Reddish made misleading and false claims in 2019 when he lobbied for approval of his 2020 event.</p> <p>Sean Reddish made the ludicrous argument that "Noise on a side-by-side, most predominately the droning noise that you hear, is caused by the tires. This claim defies simple observation. UTV's can and do make an ear-splitting racket when they rapidly accelerate from a dead stop before they quiet down to a dull roar at cruising speed. Decibel meters don't lie.</p> <p>Reddish objected to common sense noise mitigation like requiring muffler silencers and banning after market exhaust systems. This suggests he has no sincere interest in addressing the root problem, namely, that UTV's are inherently LOUD.</p> <p>Thank you for your time and consideration.</p>

10-6-2020	Carrie Bailey	<p>I sent an email commenting on the The Rally on the Rocks yesterday before I was informed that the organizers of the event were asking for changing the agreed-upon rules for UTV mufflers. I want to add that I believe the sound restrictions/muffler requirements and curfews for the Moab Valley should be left unchanged. To add some persuasion to standing firm, I would ask you to view this video and anticipate the future for Grand County if we do not take some common sense community control of visitors and the traffic.</p>
10-6-2020	Pete Apicella	<p>We really need to have quieter UTVS on the roads here in Grand County and everywhere. Not just for the quality of our lives as humans, but for all wildlife, and the peace of natural spaces.</p> <p>Something seems different this year--the combination of more UTV rental places and more people not travelling abroad seems to have brought tons more folks UTVing around here and i hear it, every morning as wake-up call and throughout the day. It's a Scourge of Noise.</p> <p>UTV users pretend they ride "Offroad" on "Trails". This mindset helps underpin a certain distorted machismo problem.</p> <p>The reality is that they sit in seats and Drive unpaved Roads. Etc etc etc...</p> <p>They should be fined for false advertising</p> <p>I don't care if people drive UTVs if they are responsible and respectful which means they are quiet (their loudness is in both 1--total volume and 2--- their particularly whiney pitch which intersects with the most sensitive frequency range of human hearing) and that they stay on designated routes (roads). When they destroy desert soils and native habitat through reckless driving, it becomes my issue. When they are in my ear, it becomes my issue.</p> <p>Keep in mind that each vehicle although perhaps 7 feet long has a 2 mile sound radius. This is very large and very...greedy. The selfishness on the UTV industry's part to take up this much shared public space needs to be rectified. I have a need for quiet and silence and not just continue to transport motor babble into all corners of the Desert.</p> <p>I ask that the County (and other organizations) work to enforce that all UTVs meet all the other automobile standards that other cars are required to have. This partial list can include:</p> <ol style="list-style-type: none"> 1) Mufflers and engine boxes required and built correctly from factories that meet community standards. Not little add on bandaid mufflers that appear compliant but barely fix the problem. Although this adds cost and weight to the vehicle, please understand that UTVS are 20,000\$+ luxury devices and full cost should be carried by the user 2) Emission controls for air quality. 3) Full sized license plates, so they can be read and cited when performing a moving violation 4) Blinkers 5) Increased Miles Per gallon fuel efficiency

		<p>6) Billboards and memes that encourage responsible driving for UTVs</p> <p>I apply pressure here with this email, but I ask for help where pressure can be applied to State officials as well as to Manufacturers.</p> <p>I encourage the county to direct law enforcement officials to ticket UTV drivers who violate sound ordinances.</p> <p>I also encourage the county to post electronic road signs that post a passing vehicle's decibel level, in the same way that we have one's for Speed Limits</p> <p>I'd like to believe most families and couples renting UTVs will enjoy their experience more with a quieter vehicle. I went UTVing recently with my cousin and her boyfriend. It was fine, not the funnest thing, but fine. Regardless...it was really really loud and, when it came time to take a little walk away from the vehicle up a barely prominent hill...the driver was exhausted from not having a walking routine. Reminded me that at their worst UTVs = 4x4 wheelchairs. They slowly turn people both Deaf and Lame.</p> <p>Loud UTV's are becoming a bigger problem in natural spaces everywhere and left unchecked, the problem will get way worse. I hope it's not too late</p> <p>Thanks for hearing me out. I hope you heard me amid the din of UTV's.</p>
10-8-2020	Kristina Young	<p>Dear Councilmembers,</p> <p>I want to voice my concern about noise levels in Grand County. The noise pollution that we are all experience is degrading our quality of life. I encourage you not to approve special events in Grand County, such as Rally on the Rocks, that bring large numbers of loud UTVs to our small valley. I would support stronger and enforced noise ordinances and efforts to curb the almost unbearably loud motorized recreation that is taking place around us.</p> <p>Thank you for acting on behalf of the quality of life of Grand County residents.</p> <p>Sincerely,</p>
10-9-2020	Steve Brock	<p>I'm sure you're just as tired hearing about them as most of us in Mountain View are hearing them. No need to go on and on, I'm sure you've heard it.</p> <p>Anything you can do to get these abominations off the streets and cancel Rally on the Rocks will be deeply appreciated. The growing number of these vehicles and the associated racket has become too much.</p> <p>With respect,</p>
10-9-2020	Andrea Lombardo	<p>My father, who lived on the corner of Mountain View and Kane Creek, loved "his town." He would brag to me when I visited from Connecticut that he was only three blocks from Main Street yet he couldn't hear any noise at all from town. I would stop to listen. He was right. It was so refreshing</p>

		<p>from the city noise I would hear where I lived. I moved next door to where my Dad lived to get away from all the noise, hustle, and bustle</p> <p>The other day my friend came to have lunch. We sat on my back porch. It was a beautiful fall day. As she was eating, she stopped and said, "this sounds like the streets of NYC" where she used to live. She was right. It was awful. On another recent occasion, I went to Moonflower Market and stood outside to chat with some friends. We had to stop talking from time to time as the sound from the UTV's and motorcycles going by were so loud we couldn't hear each other. I went for a class by Holyoak Lane. The class was held outside because of Covid. I struggled to hear over the UTV noise what the instructor was saying.</p> <p>Proponents claim that stopping the UTV noise from going through town infringes upon their rights. What right do people have to bombard others with their noise? Don't people who "love their town" and support it, have any rights? I would expect to get a ticket if my car was without a proper muffler. Why are the UTV's allowed to roar through town with no consideration to those of us who live here? I understand the importance of bringing money to our town, but can't we have our cake without paying such a high price? Go back to requiring that they trailer them out of town or, at the very least, PUT A MUFFLER ON IT. Pave paradise, put up a parking lot. So sad.</p>
10-10-2020	William Groff	<p>Council</p> <p>I live on the raceway formally known as Millcreek Drive. I have endured the increased traffic from UTV's for a number of years. Now the noise and the disregard of our laws supposed to control them are not being enforced. The noise is unbearable at times, especially when groups of more than two or three cling together. When six or eight UTV's are together, it seems they are all about noise and speed. Where my house is located is at 772 Millcreek, a hundred feet or so from the three way stop sign. When they stop for the stop sign, and travel across the intersection, they do so like it is a starting gate for a race. They race up to the recycling center then slow a bit around the corner then resume on up the hill. The noise is terrible. And when these groups coming off the sand flats hill and stop, they either all go across the intersection or if they do stop, it's a race to catch up to the person in front of them, some of them going well over the posted speed limit of 25 MPH. I'm sure you can hear the noise over most of the East side of town.</p> <p>Another thing is I see a number of UTV's that are not licensed. These are usually in groups and they are always in the middle of the groups so it makes it harder to see if they have license plates on their vehicle. I would guess that about 10 to 20% of the off-road vehicle's are not licensed.</p> <p>I am also wondering why UTV's are being allowed to travel on the highways with speed limits of 55 to 65 MPH. As I have read the law passed by the state legislature, they are only supposed to be allowed on roads and highways with a speed limit under 50 MPH.</p> <p>I am hoping the city and county is able to restrict the UTV traffic in at least in town and through residential areas, the quality of our lives is not getting better living in this beautiful area, it's getting worse. That is unacceptable.</p> <p>Thank you</p>
10-10-2020	Judy Powers	<p>Dear County Commission,</p> <p>Please don't back down with Rally on the Rocks. I understand that they bring in money to our</p>

		<p>economy but they are a disruptive force and make our lives miserable. From what I read in the paper the person who operates this event has no respect for the county commission or the people who live here.</p> <p>Personally I would love it if we didn't give them a permit at all. The Moab community is better than this. I understand that after the bust in the 80's the people here were willing to have ANYTHING that would bring in money and help the economy. However it is now 2020, we have appeal (perhaps too much) and it's time we figured out how to have a strong economy AND an appealing place to live. I would love it if we could focus on less invasive/non-motorized events like running and biking, Moab Music Festival and Moab Folk Festival. Those people bring in money, and their family and friends. However they do NOT bring in huge trailers full of loud motors that destroy the quiet in and OUT of town.</p> <p>One other comment- I certainly hope we are not starting to get more of those loud flying motors. It's bad enough having motors around us on the ground but ALL AROUND US including above us is WAY too much. What controls, if any, can be establish before this too becomes a problem? Let's get a grip on what we want our community to be.</p> <p>Sincerely, Judy Powers P.S. Please please please educate yourself on the issues AND VOTE!!!!!!</p>
10-11-2020	Sallie Hodges	<p>Dear Senator Hinkins, [and to Mr. Albrecht in a duplicate email]</p> <p>As far as I am concerned Utah is one of the most beautiful States in the US. It has everything from the Rockies to the desert canyons. Its wilderness is pristine and vast, just one of the many reasons I moved to Moab, Utah over 20 years ago.</p> <p>However, over the past three years the quality of life here has become intolerable due to the increase in all terrain vehicles on our roads. Our neighborhoods are no longer quiet sanctuaries, but racetracks for people who don't seem to care about our standard of life. They drive around usually in groups of five or more wearing headphones, as a means of communicating over the excessive noise they make. There are now more UTV rental companies in our town than bike shops, which makes Moab the MOTORHEAD capital of the World. It has got to the point where Hotels on main street hand out ear plugs to their guests upon check in, and locals are suffering from high anxiety and health related issues.</p> <p>Many people come to Utah and specifically Moab to enjoy the spectacular scenery of Arches and Canyonlands National Parks, they come to hike, and to enjoy the peace and quiet of the wilderness. These people are being driven away, pun intended, by the motorized mayhem that has flooded our small town.</p> <p>I am sure that when HB0082 was put forward you had no idea of the consequences for a little town like Moab, which is why I felt it necessary to write and inform you. Many people here in Moab are at their 'wits end', they have had enough. Perhaps to you it sounds hyperbolic, but if you were to experience the constant scream of machines running around your neighborhood 24 hours a day at</p>

		<p>95 decibels, which far exceeds our Municipal Code guidelines, you might just feel the same way.</p> <p>Here is a link to a video taken in 2015, five years ago. It is now much worse! https://www.youtube.com/watch?v=6EpXVkjkoKQ&fbclid=IwAR39chwPXDxKYsdV-3NTWILgmtJRSkPEsBFuOVKrHWZaD0Hurf4uJiVMt5k</p> <p>Thank you for your time.</p>
10-12-2020	John Hartley & Barbara Hicks	<p>Dear Council Members</p> <p>During discussion at the County Commission meeting regarding the "Rally on the Rocks" event, it was heartening to hear the commissioners stand up to the event organizers. Thank you.</p> <p>The threat to take their event somewhere else is fine with most of the people I know. Threatening to take "their" money away from our town is a typical bullying move of these organizations and I say fine go somewhere else. We weren't consulted about how much our peace and quiet are worth. It certainly isn't worth the price we have been paying in traffic disruption and noise. Wearing masks wasn't even mentioned?</p> <p>The manager of the Spanish Trail Arena put in his two cents. He should be advised to be quite in public meetings. The manager is a replaceable employee. He should advise in private what his feelings are rather than try to publicly divide or influence the Commission. He should be advised to publicly support the community that employs him rather than become a public lackey for private events that are so contentious. We pay his salary and he owes the community neutrality at the very least. He is free resign and go with the event to the next town. He seems to be tied to a crowded, noisy, dusty, smelly event that is obviously unwanted by many citizens here.</p> <p>Cities are incorporated for the social benefit of private citizens that reside in the boundaries of the incorporated areas. The business community has always been welcome here as long as those businesses benefit the citizens as a whole not just 4 blocks of Main St and the arena originally meant to serve the equestrian community. The County Government should honor Moab Government and residents in their actions. This event creates a daily constant mechanical HUM that permeates throughout the city as well as crowding the trails and creating traffic and noise pollution issues on the public lands and on residential and city streets. This event should no longer be permitted here.</p>
10-12-2020	Lara Derasary	<p>Dear City council members and County commissioners,</p> <p>I have no doubt you've all heard ad nauseam how sick many of us are of the noise we're increasingly subjected to in town, so I thought twice about writing to echo these complaints. However, I think it's important to add my voice, if nothing else for the public record. I live on Wingate Avenue and seem</p>

		<p>perfectly positioned to capture the noise of the highway, 100 W, 400 N and 500 W. There are days when the noise starts at 6am and goes past midnight. I hear what sounds like people doing donuts and drag racing on a constant basis. And it runs the gamut of UTVs, motorcycles, diesel trucks and unmuffled vehicles. It's gotten so bad that I have to leave my windows closed all day and all night and that only muffles the sound. I understand that enforcing noise ordinances is challenging, that our law enforcement is overtaxed as it is and that we also face interference from the state legislature on this issue. I look forward to the conversation at your joint meeting and hope that there are opportunities presented for a solution to this problem. I also think we need to explore reducing speed limits on 500 W and 400 N or closing these streets to residential traffic only, if people can't behave more respectfully and responsibly. People seem to think it's acceptable to travel at 40 mph on these streets, and the UTVs don't seem to think stop signs apply to them. They repeatedly roll through intersections en masse without stopping. In addition, a friend was telling me a fawn was recently hit in front of her house on 500 W. The vehicle that hit the fawn didn't even stop. It's back legs were destroyed and DNR had to put it down. It breaks my heart. I have no doubt the person was speeding, as almost everyone does on 500 W. This complete disregard for the people living here needs to stop.</p> <p>Yours respectfully,</p>
10-12-2020	Bobbie Day	<p>Hello I'm writing to once again ask that GC STOP with the advertising and promoting Moab as a off road destination. There is absolutely no noise or traffic enforcement. People camp wherever they choose and we've had enough.</p> <p>Enough noise and enough obnoxious loud off road vehicles that drive in our neighborhoods.</p> <p>Enough of these businesses.</p> <p>Thank you</p>
10-12-2020	Josie Kovash	<p>Truthfully: Moab's descent into a big ugly and noisy hellscape of industrial tourism has not been an overnight phenomenon. It has been the proverbial frog boiling to death without knowing it. (Well, many knew it... I keep picturing the cover of Jim Stiles's Brave New West: Morphing Moab at the Speed of Greed, so prescient when published over a decade ago.) Every year I have tuned my threshold just a little bit more toward accommodation, moving gradually from 'at least it's only a couple of weeks in April', to 'at least we have a couple of quiet winter months to ourselves'. But something about experiencing an increase in summer tourism with a marked uptick in the motorization of both our neighborhoods and our backcountry, all while trying to stay put in my home during a global pandemic, well, it broke me. The last time I tried to paddle some flatwater on the Colorado, I was greeted with jet ski exhaust. Now we have what sound like RZR's with wings buzzing all over the valley. And of course, their forebears, the endless parades of UTVs, spilling from public lands onto our residential streets in increasing numbers since the Utah State Legislature decreed them universally street legal in 2008.</p> <p>Not only have UTVs and their varied cousins become the largest public nuisance and degrader of quality of life for Moabylonians (and deterrent for any tourists that prefer other modes of recreation), they are also a signal of an emergent public health issue. Residents in neighborhoods with loud traffic noise are 25% more likely to suffer from depression than those in quiet neighborhoods. Kids in noisy homes suffer developmentally and have trouble learning and mastering language skills. Study</p>

		<p>after study shows the direct and indirect negative impacts of noise pollution on health, linked to increased anxiety, high blood pressure, heart disease, and stroke. Impacts are the most severe with chronic exposure. Harvard health has found that not only does exposure to noises higher than 85 decibels for more than 8 hours lead to hearing loss, but more alarmingly, health risks occur from <i>persistent</i> noise at levels as low as 50 decibels. To put that into perspective: from my bedroom on Locust Lane, I consistently clock UTV traffic heading to Sand Flats at around 65 decibels, or 70+ decibels when they mistakenly turn up my street (a frequent occurrence). This is in the same decibel range as my 5 month old daughter crying full-throttle in the same room. When you consider that in the peak of summer, UTVs are parading up to Sand Flats and back as late as 1am and often start pre-dawn, and that in peak season a half-dozen rental companies in town are pumping their well-stocked fleets of side-by-sides onto city streets, it appears that Moab residents are living with near 24/7 noise stress equivalent to that suffered by parents of colicky babies.</p> <p>People should be able to have a good quality of life in their own homes and backyards. Period.</p> <p>At up to \$500 a pop for a rental, it does seem that these things are a veritable cash cow...for UTV businesses. For the rest of our community, UTV enthusiasts don't spend more tourist dollars than anyone else, and they surely drive away multitudes of other, less impactful recreationists they are not meant to coexist with. I'll say it plain: Moab does not need this particular cash cow, and I think we'd be far better off, psychologically, environmentally, and economically, without them. So the question becomes what can we as a community do?</p> <p>Already we are hearing back from state legislators that this isn't their problem, that this is a local issue. We can't wait for them to care about our quality of life more than their financial bottom lines. We need to take control locally and take the steps needed to restore balance in this community. Strongly-worded noise ordinances that are actively enforced by local police. Pressure on existing UTV rentals and business licence stipulations requiring trailering to trailheads, fleet decibel limits, and other mitigations. A moratorium on future UTV rentals. Utilizing our resort tax on efforts to educate visitors on the negatives of UTV recreation and the positives of the many other quiet activities that can be found instead of "throttle down" PSAs blowing smoke that street legal UTVs can peacefully coexist with those that live here. And then, if we can mitigate the immediate effects on locals long enough to think straight, perhaps it's time for Moab to stand up to the State Legislature and fight back against the onerous law that put us here, against our own wishes, in the first place. We need to demand the right to opt-out, and we need to start to examine the negative impacts of this mode of recreation on our trails and our backcountry. When I talk to friends in places other than Utah, they are shocked to learn that I live in a state that can make laws like this while simultaneously straitjacketing any local ability to opt out. This is not normal, and we need to stop acting as though it is.</p> <p>This spring, when Moab was locked down, we got a delicious taste of how peaceful Moab can be, a reminder of seasons long ago. If there is a way for this community and its governing forces to come together and make some serious change, I'm all in. Otherwise, I'm so tired of fighting. I fear that the same desire for a simple yet full quality of life which brought me to Moab will in the end also be the</p>
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		<p>reason that I leave. I promise her there is still a place in the world for quietude and thoughtfulness, and that sometime soon we will once again, as we did this spring, hear morning birdsong in the neighborhood trees.</p> <p>You have the support and the mandate of the community to fight on this issue. Respectfully,</p>
10-12-2020	Carol Mayer	<p>Hi folks,</p> <p>I sent you an email in Oct '19 against allowing OHV's in the National Parks and again a few weeks ago imploring you to keep the stipulations on ROTR.</p> <p>I have made a comment to the city council on how both our governing bodies should treat the exploding problem of OHV noise.</p> <p>Please know that I am for starting now and working into a crescendo to make sure we find a way to promote QUIETER tourism from the motorized tourism sector. Thank you for your service,</p>
10-12-2020	Joan Gough	<p>Dear County Council:</p> <p>Please see the letter I just sent to the City Council below:</p> <p>I live just off 400 East on Center Street. The noise is getting worse and worse here, especially from ATV's, but also from a few loud, probably muffler less cars. It is so bad from those cars early in the morning and in the evening and at night that I cannot sleep with my windows open at all. It is troubling not only because of the noise, but also the sense that we have no choice but to endure it. Why is it that the loud and disruptive few have say over the many who want to enjoy our yards and fresh evening air? If this can be addressed by the police and is not due to strictures you can address, please do so.</p> <p>Another price related issue that I think they could and probably do address, but not nearly enough is people running stop signs and lights when making right-hand turns. I saw 8 ate's just following one after the other at the Center/400 East intersection and was almost hit at Main and 300 South when someone coming up 300 South ran right out into Main Street traffic without stopping or even slowing down.</p> <p>Thank you for addressing these local, not very glamorous needs. Sincerely,</p>
10-12-2020	Bret Blosser	<p>Dear County Commissioners,</p> <p>The Moab City Council's recent document for "Off-Highway Vehicle (OHV) Noise Mitigation" presents five approaches for consideration. The Council, City Attorney, and Police Chief merit community appreciation and support for addressing this difficult topic. Unfortunately, of the five approaches, only the fifth can solve this problem. Even more unfortunately, the fifth option, "Lobby the state Legislature to allow Moab an opt-out of the state law allowing street-legal OHVs on City streets" will not receive a sympathetic hearing from State legislators. It would be naive to imagine that the proliferation of ATVs in Moab's streets is a bug, not a feature of the State's "street legal" law.</p>

		<p>Legislators must have understood the law would open the City and County to increased ATV tourism and put roaring, polluting machines in our business district and residential neighborhoods. Facilitating ATV tourism was clearly a primary purpose of their law. Legislators are unlikely to allow us to opt out without strong political pressure. Bringing such pressure to bear is a steep challenge for negatively affected residents and businesses. Therefore the City and County should focus on the politics of mounting an effective campaign to sway legislators. I'm guessing arguments based on defending our tourism economy will be received better than arguments based on alleviating residents' misery. The following points could contribute to an economic argument:</p> <ol style="list-style-type: none"> 1. The strength and resilience of Moab's tourism industry has historically been founded on welcoming visitors to experience our extraordinary landscape in an exceptional range of modalities: boating, hiking, biking, climbing, canyoneering, dirt biking, base jumping, ballooning, sky diving, National Park driving, jeeping, and, recently, ATVing. Anecdotal evidence from Moab businesses which interact daily with all sorts of visitors indicates that ATV tourism has curtailed visitation by non-ATV tourists distressed by ATV noise and pollution. Business staff report that visitors not uncommonly say they enjoy vacationing here but will never return because of ATVs. Our economy will become weaker and less resilient if one of our recreational modalities reduces the viability of the others. We should design and conduct surveys to determine if these anecdotes reflect an actual trend. If so, this represents a challenge to the continuity of our tourism sector which deserves serious attention by State legislators. 2. Win-win. The legislators apparently support ATV tourism and ATV-based business in Moab. Therefore our pitch cannot be framed as "getting rid of ATVs". We need to identify a solution which eliminates ATV noise and pollution from town as well as from residential parts of the County without knee-capping our five licensed ATV rental and tour businesses. Existing infrastructure is not sufficient to accommodate trailering ATVs from business locations to trailheads. Our plan needs to incorporate the construction of large trailer lots at all designated ATV trailheads. This should enable our ATV businesses to thrive after opt-out. 3. There are financial and spatial constraints on how much trailer space can be constructed at trailheads. Therefore we should not accept applications for additional ATV business licenses until trailhead parking for existing businesses is assured. <p>Briefly, why are the City's other options for "noise mitigation" not much more than band aids that do not solve the problem?</p> <ol style="list-style-type: none"> 1. The "noise metering devices and citations" option calls for "operating a noise and registration checkpoint [which] would require at least six officers for six hours – one hour each for set-up and teardown, plus a four-hour checkpoint." Unless we hire and dedicate several new officers this unwieldy process will not be implemented often enough to sufficiently impact
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		<p>irresponsible automotive behavior by the ever-changing ATV population.</p> <p>2. The "Designated OHV route" option doesn't affect the problem since current troublesome routes will be among those designated. I live near one of these. Its miserable.</p> <p>3. Enforcing rental company compliance with muffler requirements is an appropriate approach but too many ATVs are privately owned for this to solve the noise issue.</p> <p>4. A temporary moratorium on City or County business licenses for new ATV companies is necessary but unlikely to be joined by San Juan County. New companies would be established in Spanish Valley.</p>
10-12-2020	Susette Weisheit	<p>Dear Grand County Commission Members,</p> <p>The ATV/UTV noise in our community has become intolerable. I do understand the power to effect change lies not at the local level, but with the state. However, I implore you to petition the state of Utah on this issue for me; your constituency. Please help us resolve the horrible racket these vehicles are creating in our town which is impacting our lives so dramatically.</p> <p>I have lived in Moab, Utah now for 30 years. I remember well the small town I moved to in 1990. I was so excited to once again live in a quiet small town. I was so pleased to be able to walk out of my downtown rental unit and wander the streets of Moab, looking at the brilliant starlight skies, enjoying the quiet and being able to hear the sounds of nature from the slews at the end of my street.</p> <p>I moved out of Moab to Spanish Valley as Moab's visitation increased and I could no longer hear the slews but rather the constant sound of vehicles on Main Street accelerating at each newly added traffic light. The distant drone of Hwy 191 from my new home was an acceptable trade off as our town struggled to establish a steady economy. We reached that steady economy as early as 2000 but the greed of the local and state tourism boards would not let up on advertising.</p> <p>Now the roar of ATVs/UTVs leaving and returning to their overnight accommodations in Spanish Valley lasts for 2-3 hours every morning and evening. These "vehicles" are unreasonably loud and their noise reverberates off the cliffs. It is bad when there is just one of them on the road. Alas, on my last one hour bicycle ride on Spanish Valley Drive I was passed by a stunning 47 of these obnoxious sound machines. Between the sound and the exhaust I regretted even leaving my home. Enough already!!!</p> <p>And now we have them in the air too! The newest sound attack on our neighborhoods is the equally intolerable ultralights and powered paraglider that have started flying over our community; please NO!!! The motorized assault on our community must be stopped.</p> <p>I am writing, begging you as a city or county leader to help bring a noise ordinance to Moab and Spanish Valley. I am appalled that Salt Lake City won't allow us to have a noise ordinance but has</p>

		<p>protected themselves with a noise ordinance for their community.</p> <p>Thank you for taking the time to read my letter and for your service to our community. Please help protect our community from further degradation.</p> <p>Sincerely submitted,</p>
10-12-2020	Wendy Hoff	<p>Dear County Council, City Council, Sheriff's Office and Police Department,</p> <p>Thank you for attempting to address the problem of OHV noise in town. The noise is literally almost unbearable. I speak not just for myself - the topic comes up in almost every conversation I have with others that live here. It feels like we are under siege!</p> <p>I urge you to address this issue as quickly as possible. We can't dismiss it with "it's too late". If we do that what will it be like in 5 years, 10 years?!</p> <p>Don't be swayed by the tax revenue argument. Money does not replace a decreased quality of life. Don't be swayed by the 5-10 business owners that are profiting, there are 10,000 of us being negatively affected.</p> <p>Related is the issue of overall vehicle noise on Main Street. This one should be easier to address in a timely manner. I live 3 blocks away from Main Street and every night am disturbed by OHV <i>and</i> non-OHV vehicles gunning their engines and what sounds like erratic driving. This is not the normal "hum" of traffic. An increased police presence on Main Street would reduce this.</p> <p>And if I may throw in one more frightening traffic issue that has exponentially increased in the last year or so (since I am also sending this to the police): cars and huge semi-trucks running red lights. This has changed from something I had never experienced a few years ago to something that happens virtually every time I am at a light waiting to cross Main Street. Someone is going to be killed. It seems that increased police presence would curb this also. Sincerely,</p>
10-12-2020	Nancy Lowe	<p>Dear Grand County Council Members,</p> <p>I would like to express my opposition to the ATV Rally on the Rocks an event that is coming up for review with the council. The noise in Moab has become unbearable, one can hardly think at times it is so loud. They race through once quiet neighborhoods and seem to have no respect, and they are unconscious about people who live here. WHAT HAS HAPPENED TO US???? Last week 9 atv's came roaring down Locust Ln finding great pleasure racing over the speed bumps that are "Whoopi bumps" to them. Beside the unbearable noise of the machine they hollered, yelled and screamed on each bump. I called the police dispatcher to complain and all I got in response was "OK".</p> <p>As a property owner I want to express my total opposition to this event unless they are trailered out of town , silenced with a quiet muffler or electrified. Please bear witness to raw nerves locals are experiencing because of this unleashed menace. I want people to enjoy this beautiful land but not at the peace and sanity of</p>

		<p>residents.</p> <p>Thank you for all you do for Grand County and I hope my voice can be heard.</p>
10-12-2020	Clif Koontz	<p>Christina- I really appreciate your open dialog, and am sorry for taking the whole week to reply. Since you cc'ed some other key staff at the county and city, I'm adding the City Council, Grand County Commission, and Moab Area Travel Council Director to the cc list.</p> <p>Just to get the other two event stipulations out of the way, the one about donations sounds like a non-issue at this point. Regarding the one about nighttime driving, I didn't mean to comment on the county's authority, rather the effectiveness of such a stipulation (and its side effects). For better or worse, there's a lot of overlap between residential areas and the overnight accommodations that participants will use. If done too strictly, the nighttime stipulation could cause participants to avoid signing up for ROTR, but they'll still show up to check out the vendor expo and do the trails on their own (in an unguided fashion). I like your idea of addressing nighttime use in the participant pledge, but would phrase it more like "I pledge to minimize noise at night by generally avoiding UTV use in residential areas from 9pm to 7am." Whatever the county and organizer agree on, just please phrase it carefully to avoid the unintended consequence of incentivizing people to not sign up (but show up anyway) or to join other events that aren't as well-organized or permitted.</p> <p>Moving on to the most important stipulation in question, I can provide Grand County with a printed copy of SAE J1287 (or the other stationary sound-testing procedures) to view for educational purposes. If the county decides to utilize this procedure, it should purchase a digital copy from the SAE. Similarly in 2018 I provided a printed copy to Chief Winder when demonstrating the procedure to him and Assistant Chief Edge. If the city needs another printed copy for educational purposes, just let me know.</p> <p>I see Chris's logic in adopting language from state rules but, when it comes OHV noise concerns in Utah, it will be more effective to rely on federal law. The beauty of the 96 dB standard based on J1287 (and the other stationary sound testing-procedures from SAE) is that it doesn't go beyond the existing federal law so it's enforceable, and it makes that enforcement feasible on public roads. Since you mentioned the city's upcoming meeting on UTV (aka SxS or ROV) noise, and that there are feasibility problems with enforcement, I took the liberty to call Chief Edge. He said that, in the limited time available to research the matter, he identified several issues. Please see my response to those issues (first attachment).</p> <p>Admittedly measuring sound is complex, especially if you try to enforce a noise ordinance that is event-based (i.e. a moment in time). However, noise concerns can be partially resolved by enforcing an ordinance that is vehicle-based because it's repeatable. In fact, examples of successful enforcement include the street-motorcycle test (J2825) in NH, the "light truck" automobile test (J1492) in CA, the snowmobile test (J2567) in several states, and the OHV test (J1287) in a dozen states. Further, J1287 has been used at many OHV events around the U.S. for decades. You mentioned that J1287 seems to be for motorcycles, and it was indeed developed for off-highway</p>

motorcycles in the 1970s, but since then it has been adopted for ATV and SxS models. In fact, since the target engine speed (i.e. RPM) depends on the rated engine speed (aka redline) of each model, the OHV industry's trade group updates a supplement to the test each year that includes all the new off-highway motorcycle / ATV / SxS models (second attachment).

Since this discussion relates to SxS noise in general, not just the ROTR event, I'm attaching RwR's previous letters to the city and county (third - fifth attachments). The one from 2020-02-04 (third attachment) provides a sort of blueprint that's comprehensive, and it acknowledges that a complete solution would involve making some of the models quieter from the start (i.e. improving OEM mufflers), but it also explains why our community would need to utilize the J1287 procedure before we can hope to influence the manufacturers. Since the 96 dB standard based on J1287 merely enforces federal law, municipalities can adopt such an ordinance unilaterally, although I recommend seeking support from the state and affected public.

Also the ordinance would not be obligated to apply to all vehicle types, although I recommend seeking support from all user groups for an ordinance that is universal (e.g. utilizing J2825, J1492, and J2567). Granted, a county ordinance could target SxS vehicles alone since they tend to require higher engine speed (RPM) compared to ATVs and off-highway motorcycles due to being much heavier and typically having a continuously-variable transmission (not to mention that some of the most popular SxS models produce a sound quality that is more distracting to the majority of people). Nevertheless RwR would support a noise ordinance in which the 96 dB standard based on J1287 is applied to SxS, ATV, and off-highway motorcycles alike. The only catch is that a one-year transition should be provided in which officers issue warnings rather than citations so people have a heads up and ample time to fix their vehicles.

Likewise the sound stipulation for ROTR should involve warnings rather than citations or removal from the event. This distinction will allow vehicle testing to be spread out across all five days of the event rather than having to "catch" all noncompliant vehicles right off the bat. Even a professional sound-testing service would struggle to test fifty SxS vehicles in an hour. Even if they do screening to filter out vehicles that are obviously compliant, I suspect that half the vehicles would remain for testing, which will take hours of work. Finally I should point out that, even though it's unnecessary to include "OEM specifications" and similar language from the state or other sources, it is useful to include spark-arrester language since it compels participants to attend to their equipment and since spark arresters are easy to verify (not to mention that they're required of OHVs on all federal lands).

Therefore I recommend the following working draft of a sound stipulation:
"All participant vehicles shall have the following: mufflers equipped with USFS-Qualified spark arresters that emit 96 dB or less as measured by the SAE J1287 procedure. The organizer shall use professional sound-testing services with a recognized methodology to filter out vehicles that are obviously compliant, and then test the remaining vehicles in a non-residential setting over the duration of the event. Participants with non-compliant vehicles shall be issued a documented warning

		<p>for the 2021 event, and the documentation shall be forwarded to Grand County."</p> <p>Although I think the above stipulation is close to finished, it's a working draft because the county should first check with a professional sound-testing service such as DPS Technical (https://www.dpstechnical.com/content/). Chris Real is a foremost expert on the subject of vehicle sound, including events and municipal ordinances. In fact Chris will soon release online training for code enforcers (along with land managers and civilian technical inspectors). I asked Chris, and he said that any of you are welcome to contact him. Chris added that, if Chief Edge or Sheriff White want to hear directly from an LEO supervisor, they can call 916-324-1669 for Callan McLaughlin who is "Superintendent II (Captain) LE Grants and LE OHV Instruction" at California Department of Parks and Recreation, which routinely enforces the 96 dB standard. Chris Real has worked on vehicle noise in California and around the world for decades, so I highly recommend contacting DPS Technical.</p> <p>Lest my long message mire everyone in the technicalities of the ROTR permit, let me conclude with the three main suggestions of RWR's 2020-02-04 letter on resolving SxS noise in the following order:</p> <ol style="list-style-type: none"> 1. Expand the development and distribution of education for SxS operators, especially renters, but ideally for all OHV operators. 2. Utilize stationary sound testing to reduce the incidences of "outliers" (i.e. exceptionally-loud vehicles). 3. Ask the trade group of SxS manufacturers to exceed the federal sound standards for all models, just as they currently do for most models. <p>Thanks –Clif</p> <p>Executive Director Ride with Respect</p>
10-13-2020	Nancy Orr	<p>Last Friday at 11am, an old friend stopped by on his way through town. We stood in my backyard to converse, but were constantly interrupted by UTVs going by on 400 North, making it impossible to hear while all passed (I counted 11 in one pack.) He commented that he is very glad to have moved away, to Texas, no less. That evening, I had a Zoom meeting where I had to keep the microphone muted to prevent other attendees from being punished by the noise. This was just a regular day in the life of a 400 North resident.</p> <p>I must take my phone calls and meetings in my bathroom or back garage in order to escape the noise. I must keep my windows closed on the front of my house to reduce (but not eliminate) the noise and fumes; no cross-ventilation possible any more. No longer is the noise confined to weekends, and it is not unusual for it to happen late at night. The 25 mph speed limit sign right at my property line must be invisible to most.</p> <p>In fairness, not all are obnoxious. Yesterday two side x sides quietly putted by at 15 mph. I wanted to chase them down and thank them - that feels backward and creepy.</p>

		<p>I moved to Utah in 1977 and was warned by many that Wellington was a speed trap. I doubt they've bothered with a speed trap there for decades, since their reputation is firmly established. Moab could achieve a similar reputation for noise ordinance enforcement. We are not going to suffer economically if the extremists boycott our town. There are plenty of well-behaved tourists who will spend their money here, especially if we are reputed to be quieter. It will also help with congestion, since there will be fewer gigantic trailers crammed with Razrs (I have seen two instances of double trailers, which makes my head explode! Is that even legal?)</p> <p>I am willing to pony up the funds for one of the Soundtrax LXT N/Forcer meters (at \$3233) mentioned in the city council packet, if the city will set up a regular checkpoint on 400 N. I suspect others would also be willing to donate \$ or time to an effort to set up checkpoints throughout town. If enough citations are handed out, word will get around.</p> <p>Regards,</p>
10-13-2020	Nancy Orr	<p>Thank you for standing firm on your stipulations for the ROTR event. It helped to confirm that you really do consider citizen input. Regards,</p>
10-13-2020	Ariel Atkins	<p>I currently reside on Park Road and am so grateful for my location while raising a family, I have close access to schools, parks, pools and fantastic neighbors. Unfortunately, I've been having more and more experiences in my neighborhood that have diminished these amenities. My family and I are often on foot, stroller or bike and because of the minimal sidewalks we are often on the side of the street. I'm constantly on high alert for speeding vehicles, distracted drivers, large vans and motorhomes backing out of parking spaces at the park, folks running stop signs and I'm rarely given the right of way in the crosswalk (yes, the one in the school zone of HMK). I'd expect more traffic and parking enforcement in a school, park and residential zone, but rarely see any.</p> <p>In addition to the actual safety concerns are the noise pollution concerns. I suspect with the Entrada Development (45 unit vacation rental touting large spaces and 2 car garages), 400 North has become the main throughout fare for those coming to Moab where they can operate their otherwise street illegal vehicles. There is a constant humm in my backyard of traffic noise, this I can live with. But what really starts to impact me is when the noise cranks up between 9pm-11pm as I'm trying to go to sleep or get a restless toddler back to sleep. I'd love to be able to sleep with my window open for some fresh cool air, but it sounds like a freeway is going through my house. Even with them shut, I have to use whitenoise makers to help my family sleep. I know that many complain about the UTV's being the problem but I often hear and see regular vehicles driving at extraordinary speeds in my neighborhood, this is not only agitating but makes me feel like my families safety is jeopardized and disrespected.</p> <p>I'm also a small business owner and operate a tent-only campground 2 blocks off Main Street. The amount of noise and traffic has been a topic of complaint among our guests, many of them here for human powered sports feel impacted by the ever-presence of loud motors, particularly in town. Numerous long-time patrons have been appalled to see how Moab has transformed, particularly around the UTV's and noise pollution. I implore those within local government to make strong noise ordinances, enforce traffic laws including speed limits, enforce parking and ideally work with the UT legislator to trailer UTVs to the trails so we can have some sanity in our neighborhoods.</p>

		I appreciate your time and consideration,
10-13-2020	Lucy Wallingford	<p>Dear County Council:</p> <p>The noise issue in Moab City is unbearable. I live on First North between 3rd and 4th East. Some days the noise is almost constant, all day long, starting early and extending well past dark. Because big groups of people who travel together each want their own Razor, they travel in packs of 4, 6, 8. You can hear them coming a long time. Then as each one passes it sounds like a dirt bike race as they pass by, which lasts several minutes. Then you can hear them receding for a long time. If you are standing in your front yard or driveway visiting with a friend, you cannot communicate as they pass, you can't even yell at each other and be heard. And a few minutes later, it starts all over again.</p> <ol style="list-style-type: none"> 1. Stop advertising Moab, completely! We don't need any more visitors. We can't even get into town without an hour wait. Moab is over-run. 2. Do NOT designate OHV routes, as that simply funnels all of the noise by one set of houses. There is no street in Moab except the highway that does not have people living on it. 3. Require mufflers, no exceptions. 4. No more rental companies! 5. Set up a curfew, no OHVs on the streets except after 8 am and before 8 pm. The rest of the time people are trying to sleep. 6. Ultimately lobby the state to allow us to get them off our streets completely. <p>I have friends that are moving away because of this. Please, please, PLEASE deal with this issue. This is the second go round of asking for comment. I dutifully commented last time (four years or so ago) and zero come of it. Don't send the message that we are wasting our time by commenting.</p> <p>I know it's not easy. Thank you.</p>
10-13-2020	Bruce Dissel	<p>I am writing to enthusiastically support every conceivable measure to curtail the ridiculous amount of noise that UTV's make in our town and our county.</p> <p>The quality of life that has been lost to the noise is huge. I don't care about the "Tax Revenue". I deeply care about my home town of the last 41 years. We need to say enough to noise, traffic and congestion. What good is a broadened tax base if the roar of engines is heard 18 hours a day.</p> <p>This is my home town, not a G*# Damn Go Kart track.</p>
10-14-2020	Janet Buckingham	<p>Dear County Commission/City Council:</p> <p>I am writing regarding the county event Rally on the Rocks specifically and, more generally about the unbearable noise, traffic, crowding, and disintegration of quality of life in Moab and Grand County as a result of excessive tourism.</p> <p>I support any efforts you make toward not permitting Rally on the Rocks to continue their mobbing of</p>

		<p>Moab. This is not the kind of event we need or want in our community. It has turned into a mini Sturgis, South Dakota, type event with the potential to become or exceed the Sturgis Harley rally. We've all seen it (ROTR) grow to staggering proportions over the course of its existence. It needs to stop.</p> <p>Of course, it isn't just the rally itself. These machines have now become so prevalent in Moab that every weekend, lately every day, has seemed as if there is a ROTR event. They either haul their own rigs to Moab or rent locally at shops that have taken over Main Street from the from the north end of town until you drive out of town on the south end. It's actually embarrassing to see this and makes a very clear statement as to what Moab is "about."</p> <p>The people who participate in this form of recreation seem to feel a sense of entitlement while they are here. They don't obey rules; in fact, they flaunt rules by running stop signs as a group, stopping in the middle of the road to chat, blocking intersections and being as loud and obnoxious as possible. A few nights ago around 9 p.m., my husband and I heard loud music and commotion outside. We got up to see a side-by-side showing off what can only be described as a Las Vegas style light show pulsing in beat with loud music doing a U-turn in the middle of Spanish Valley Drive. There is an abundance of gigantic flags attached to many vehicles flaunting what most would consider obscenities. I'm sure you've seen the pictures.</p> <p>Even without thumping music, the noise generated by these machines is over the top. We live on Spanish Valley Drive so we expect a little more noise, but this isn't a "little more noise." The noise generated by these machines is conversation stopping, headache inducing, stress generating, anger provoking and, these days, non-stop. We hear them from 7:00 a.m. through midnight every single day and night. When they drive by in "packs", which they usually do, it can last for several minutes. They seldom travel alone. I usually see a minimum of five and their groups often go up to 20 or so. We can hear them cutting through nearby neighborhoods to the highway and the sound echoes and bounces against the rocks incessantly. I can't tell you how many times we have tried to sit outside on our patio, have a fire and enjoy where we live only to give up and go inside and turn the TV on to try to drown out the noise. This is not how we want to live. It is not how we should HAVE to live. The proliferation of UTVs is, quite simply, destroying our quality of life.</p> <p>Combine this with the <i>extreme</i> over-promotion of Moab and you have a community ruined for anyone but the tourists. My husband grew up in Moab. I have lived here 30 years. I raised my son here and he still lives here as well. Moab is my home, not only physically, but in my heart, yet not a day goes by that we don't talk about where we can move to get away from this place. It's truly heartbreaking.</p> <p>Grand County needs to take immediate and drastic measures to stop the continued destruction of our community:</p> <ol style="list-style-type: none"> 1) Cease all promotion of Moab. Just STOP. If we can't completely stop because of state rules regarding TRT funds, then change the message. Completely recraft the message/brand to suggest it is NOT a "fun pig" place. It is NOT where the adventure begins. Emphasize the arts, bicycling, hiking and immediately pull that ad that the Travel Council created that says "you can ride your side by sides
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		<p>on our roadways.” The County Commission is in charge of the local travel council. Exercise your authority and tell them to STOP buying ads.</p> <p>2) Whoever needs to do so, talk to the state travel bureau and tell them we are not happy with their overpromotion of our community and we are especially not happy with them promoting Moab as the place to go to get away during the pandemic. Make them understand that we are at a breaking point.</p> <p>3) Grand County has a long history of bumping heads with the state. Don’t stop now. Ban UTVs on roads in spite of state laws. Let them do what they will. Fight for our community.</p> <p>4) Tell the Sheriff’s department that we expect laws to be enforced. Write tickets and make them hurt. We need to send out the message that if you want to come to Moab, you’re going to obey the law, otherwise you’re not welcome. Articles that I have read and statements I’ve heard show department leaders in support and alignment with UTVs and think they are a great addition to tourism. Let your officers know their personal opinion doesn’t matter when the community as a whole wants change.</p> <p>5) Do NOT designate “routes” for travel through town. That will put all the burden on one specific area of town or neighborhood, which is unfair. The “route” will become a ghost corridor because everyone will move out and close their business.</p> <p>6) Definitely initiate a moratorium on any more OHV rentals. Enough is enough.</p> <p>7) At the very, very least, initiate a curfew: no UTVs or dirt bikes before 8:00 a.m. or after 8 p.m. Give us at least a few hours of our lives back.</p> <p>I urge the County Commission to take immediate action that will restore the quality of life to Moab and Grand County residents. The mayhem brought to Moab on a daily/weekly basis is taking its toll on all of us. Read about Barcelona, Spain, and what happened there when locals went nonlinear over excessive tourism. I’m sensing local citizens are getting closer and closer to either going that route or simply moving out.</p> <p>Thanks for the hard, impossible work you all do. Regards,</p>
10-14-2020	Jon Kovash	<p>I would like to invite you all to listen to 90 minutes of citizen input on UTVs that will be broadcast tomorrow (Thursday) at 2 PM on KZMU. If you are unable, by Friday or Saturday it will be available at KZMU.org</p>
10-15-2020	ghorignals@	<p>While I am in favor of abolishing it- Rally on the Rocks is not solely responsible for the noise pollution residents are experiencing. I think the State Government is guilty of the same type of governmental overreach they accuse the Federal Government of engaging in. I'm disgusted at Governor Herbert's decision to compel Grand County to endure such rampant abuse of a law designed to allow ranchers to drive to their local gas station.</p> <p>That being said, the solution seems obvious: These vehicles should have to be trailered to the trail heads. The community is fatigued by displays of naked aggression from long parades of such vehicles roaring through residential areas. I'm a long time resident of Moab, and don't remember ever being so acutely aware of how road noise is amplified as it echoes off surrounding cliffs.</p> <p>Thank you for your efforts on behalf of our (stressed out) community!</p>

10-15-2020	Clint Kelfer	<p>Hello,</p> <p>I would like to express my concern over the issues being discussed about the road usage for off road vehicles, specifically UTV's. From what I have learned there are a handful of residents that are unhappy with the noise caused by UTVs driving around town.</p> <p>I can totally agree with them, if I lived there and had to deal with it, I would be upset as well. I believe the founder of UTV Utah has offered some very helpful solutions as well as paying for the solutions. I also would like to understand why we can't count on local law enforcement to enforce the sound ordinance and speed limits around the high traffic areas that lead out to the national parks. I would like to understand how we can continue the discussion in how we can work together to come up with a reasonable solution that works for all parties.</p> <p>Thank you for your consideration.</p>
10-15-2020	Bud Bruening President of UTV Utah	<p>Dear Grand County Council,</p> <p>I am the President of UTV Utah, we are Utah's largest offroad group with almost 23,000 members throughout the state of Utah that are all UTV owners. I send you this email on behalf of our organization. There are over 200,000+ registered OHV users in the state that share the same opinion. I was given this email address to contact you by many local members of our group at UTV Utah and even a few others that do not own offroad vehicles but are residents. I want to make it known that our group at UTV Utah would like to help with some of these issues that Moab and it's Grand County residents are faced with. I think the consensus is that the UTV community doesn't think there is a problem with noise or that the local residents opinions do not matter. That could not be further from the truth. We have had many phone calls and meetings with local politicians in city council members trying to come up with some solutions to fix the noise issue that is affecting some locals. Our group has presented many viable solutions and even offered to bear the expense of those solutions so that it is not a burden on the city or their residents. The UTV community through UTV Utah would like to let Moab locals know that understand their complaints and want to work to resolve them. We want to do so in a way that does not target an entire user group and prevent law abiding citizens from exercising their right to drive on the roads legally and respectfully.</p> <p>Here's a brief list of just a few options we have proposed to try and address the issue of noise in Moab. We consider these viable short term and long term solutions to the issue.</p> <ul style="list-style-type: none"> • Lower speed limits on residential streets in Moab for UTV's. UTV's do not have a sealed engine compartment and much of their noise comes from the inner workings of the engine, drivetrain, clutch and exhaust. These machines run at a much higher RPM versus a car going the same speed, By reducing the speed and RPM's of the machine we reduce the noise they make drastically. This items alone could have a huge impact on the issue we are faced with. • Preferred routes, UTV community and many locals have proposed preferred when in the city. By choosing streets that are more protected or isolated from sound we can reduce the noise and stress put on the streets that are a problem. • Additional signage for UTV's. We have offered to pay for and pay to install signs around town in

		<p>identified problem areas to let users know to “Throttle down in town”, “Do it like a Local”, “Turn down your radio” and other messages that would get the point across and help with these issues.</p> <ul style="list-style-type: none"> • Additional citations to UTV users that are breaking the law. We want those breaking the law to be cited. These individuals do not represent the UTV community as a whole and we fully support cracking down on them heavily. • Additional enforcement of the noise ordinance. Utah law has a noise ordinance in place already and this ordinance needs to be enforced. Loud machines and stereos should be cited accordingly. There are bad apples in every type of user group. We need to focus our efforts there rather than law abiding respectful users. • Additional classes and education for those renting a machine in Moab. We have offered to develop education videos and material that would be shown to anyone renting a UTV in Moab city. This information would heavily discuss noise, staying on the trails, being respectful, etc. • Billboards and other signage. We have offered to create signage as you come into town to remind people to be respectful and outline the issues discussed above. <p>The options proposed are not all of the options that are available but we feel like these options would have a huge impact on addressing the issues that people are complaining about.</p> <p>In many meetings it has been discussed to create a curfew or ban of street legal machines within the city. We do not support this kind of legislation that targets a specific user group based on what they drive. Street legal UTV owners pay more in taxes and registration fees at the moment than any other user group by a large margin. The additional fees are paid so they have the right to drive on the roads and off the road on designated trails. They are paying fees for both because they have the ability to do both. By creating legislation that would target a specific user group we are also targeting many law abiding citizens. There are many instances where a street legal machine is the only method of travel for some. We also have instances where a quick run from home or the trail to the hospital would be illegal and could severely impact someones life. Many of the trail heads do not have sufficient parking to accommodate trucks, motorhomes or other vehicles and their trailers. This is a big issue. A lot of people travel to Moab in their RV with a trailer, having to trailer their street legal machine to a trail would produce significant amount of traffic, emissions, sound and more and then parking them at the trail head would be next impossible.</p> <p>Let me add, 2020 has created the perfect storm for a noise issue. The residents in Grand County and Moab City saw a complete tourist closure earlier this year Due to Covid which resulted in an abnormally quiet town and empty streets for that duration. With the restriction lifted we have seen the tourists come back to the city. We went from one extreme to the other in a very short period of time. The traffic and recreation we saw during the Covid restrictions is not accurate and does not generate the revenue needed for the city, the county and all businesses to survive.</p> <p>Residents of Moab, the UTV community understands and recognizes the issues you are faced. We would encourage you to work with us on some solutions and let us help fix these problems. We are not bad people</p>
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		<p>that don't care about the problems you are faced. We want to help in any way that we can.</p> <p>If I can help with anything regarding this topic please reach out to me. I would also like to talk to someone about running an ad in the paper targeting UTV users about these issues as well as local residents letting them know we care.</p> <p>Successfully,</p>
10-15-2020	Chris Tolman Vice President of UTV Utah	<p>Members of Grand County Council-</p> <p>The UTV community hears and understands the frustrations that the residents of Moab are expressing. As a part of the leadership team of UTV Utah, we are working diligently with members of our community to educate those who enjoy recreating in Moab about the laws that are to be followed and remembering to be respectful of Moab. We realize that we are guests in Moab and behave accordingly.</p> <p>After reading through the comments and concerns raised in the Moab city council meeting, there are lots of residents who do not understand the current laws that are in place in Utah. It is clear that while the UTV community needs to be more aware of the impact that they can have, the city of Moab needs to educate its citizens and set fair and realistic expectations from now on.</p> <ol style="list-style-type: none"> 1. UTVs are street legal and, as such, have the same rights as any other street vehicle. Currently, they do not have the ability to discriminate against UTVs. 2. UTVs run at higher RPMs. Due to this, UTVs will have a louder sounding exhaust, stock or not. 3. It falls on the city of Moab to enforce the laws. If Moab is not enforcing the laws currently existing, then that is a failure on their part and should not be taken out on the UTV community. 4. UTVs do not create any more pollution than any other street-legal vehicle. UTVs are required to pass the same emissions standards as all other street-legal vehicles. 5. The UTV community is more than willing to work with the city of Moab to assist with designated routes, lower speed limits, etc. We have offered to work together; however, the city council has declined any type of partnership as their only goal is to ban UTVs and are not willing to consider any other outcome. 6. Trailering UTVs to a trail is not an option. The congestion that will be created will triple the traffic in downtown Moab. Imagine 30 diesel trucks and trailers trying to navigate downtown Moab, gas stations, restaurants, etc. Furthermore, there is not ample parking at the trails, which would create more issues as well. Having UTVs be able to ride to the trails is a huge advantage compared to the alternative. <p>These are just a few of the points that need to be taken into consideration. Attempting to ban street legal UTVs would create an immediate discrimination complaint that would be easy to defeat. I would much rather see Moab find common ground and work with the UTV community than try to go down a path and start a losing battle.</p>
10-15-2020	Punkin Webb-Arnett	Hello, my husband and I have been coming to Moab since 2016 to enjoy your beautiful red rocks with

		<p>our OHV. We usually meet with about 10-12 other, out of state couples, who also ride OHVs. When in Moab, we stay for 30 days. We buy groceries, eat out, and buy tee-shirts and stickers. We truly enjoy our time in Moab and experiencing the OHV trails.</p> <p>It has come to my attention that you are considering a ban on OHVs. Please, help the OHV community to know what we can do to help the community and keep the city streets open to street legal OHVs.</p> <p>I realize how fortunate I am to enjoy your town and county. Moab is like no other place I've been to. I want to continue to use my OHV in Moab. Thank you,</p>
10-15-2020	Shane Firestack	<p>Good afternoon, my name is Shane Firestack and I live in Grand county just south of Moab. I am writing to comment on the meeting that will be held between the city and the county.</p> <p>I first off would like to say that I agree something needs to be done to help the locals with the noise issues. I however am a local who rides and after watching the city meeting on Tuesday the 13th of October, I have the feeling that the Mayor wants a solution that does not require her or her team to spend any money or resources to help resolve the problem. There were some good comments from a couple of citizens that are reasonable items to try.</p> <p>I feel that if our law enforcement teams are more aggressive on speed limits alone, that will significantly reduce the noise level across the board. Also, LEO's are performing a traffic stop, typically you ask for license and registration and insurance. If they don't have it or it's not the right information via Utah law, make them come and load it on a trailer. Do not allow it to continue on the road.</p> <p>We OHV riders her in Utah pay a significant amount to afford ourselves the ability to be "street legal" and I know for a fact that quite a few users come here and are not legal to the letter of Utah Law.</p> <p>I also believe that the rental companies need to do a better job of explaining how to drive an OHV on the streets of Moab. I see an awful lot of "rentals" that are just plain rude and disrespectful.</p> <p>When I ride, I am always aware that my machine can be loud and bother my fellow Moab residents, so I try to keep the minimum amount of throttle at any given time. I also ride slow when I have a group with me so that everyone in the group is going slower.</p> <p>In the end, I want to be part of the solution. I belong to a group called UTVUtah and we are trying to come up with some alternative ways to spread the word about being respectful to our community. One idea is to hand out flyers to folks at gas stations, parking lots and the like. I really feel that if the city and county are willing to engage in some discussions, we can try some really great ideas if folks are willing. Please feel free to contact me via this email and I will also happily provide my phone number at any time. You can also contact Bud Bruening of UTVUtah and he would be more than willing to join in as well. Thank you for taking the time to</p>

		read my message.
10-15-2020	Antoinette Firestack	<p>Hello. My name is Antoinette Firestack and I live in Grand County south of Moab. I believe this issue deserves more discussion and brainstorming to find solutions for this. I would like to see laws enforced before stricter actions are placed on our OHV access. My husband, Shane Firestack, and I are willing to assist in bringing ideas to the table and listen to the community concerns so we can come together and create this as a community.</p> <p>Please feel free to reach out to me so we can be part of the solution. Thanks,</p>
10-16-2020	Josh Bruening	I am a life long native to Utah and I 100% oppose the banning or regulating what hours we can use our street legal UTV I pay the taxes to drive on the road and disagree with discriminating against the UTV community which is the life blood of Moab whether you agree with that or not it's true. I am open to resolving this with enforcing existing noise ordinances and maybe lowering speed limit on surface streets. But we can not be discriminated against anymore this needs to stop.
Total: 71		
Tallies:		Upset about the UTV noise: 26
		Upset about noise / Keep the stipulations on Rally on the Rocks event : 20
		Upset about noise / Cancel Rally on the Rocks event: 13
		Neutral / Educational about UTV noise: 3
		Supports Rally on the Rocks & organizer's objections to stipulations
		& offers ideas for sound mitigation: 2 (same person)
		In favor of UTV's on streets / Let's solve it / Law Enforcement needs
		to do more: 7
		Ride with Respect's letter attached below



Ride with Respect
395 McGill Avenue
Moab, UT 84532
435-259-8334
501(c)(3)

February 4th, 2020

Mary McGann
Grand County Council
125 E. Center Street
Moab, UT 84532

Dear Mary:

Thank you for requesting a summary of the suggestions I made at our January 24th meeting with other county staff, city staff, local outfitters, and state/national organizations representing off-highway vehicle use (OHV use, which includes off-highway motorcycles, ATVs, side-by-sides, and some 4WD vehicles).

Noise concerns, particularly from side-by-side vehicles (which some people call UTVs and which the state classifies as Type II ATVs), have persisted for over five years. I generally stand by the [opinion piece I wrote in 2016](#). Efforts like the City of Moab's lobbying to remove street-legal side-by-sides from city streets seems like a waste of taxpayer money when the resulting bill (a) is quite unlikely to pass the Utah legislature, (b) alienates side-by-side enthusiasts from being part of the solution, and (c) would do nothing to resolve noise concerns everywhere else in the county.

By the same token, to deny that noise concerns have any merit would be equally fruitless because (a) the concerns clearly extend beyond the traditional adversaries of OHV use, (b) OHV advocates who simply deny noise concerns won't be in position to ensure that the remedies are OHV-friendly, and (c) unresolved noise concerns breed animosity that needlessly threaten trail access and other OHV interests.

Since resolving this issue will take a combination of measures, we should be open to considering new ideas, but we should also recognize when subsequent investigation yields limited potential. Reducing the speed limit hasn't done very much to reduce sound from side-by-sides. Encouraging side-by-side drivers to use alternate routes would be great if non-residential streets existed around Moab, but they generally don't. Granted, marking the primary routes to various trailheads could help to increase efficiency, which is essentially navigational marking rather than the marking of alternate or preferred routes. But again this impact will be limited since most noise concerns do not result merely from lost drivers.

Therefore we suggest focusing on three remedies in the following order. First and foremost, invest in more education by improving the Throttle Down campaign and then going beyond it. Something like the Moab Area Travel Council's "5 Great Tips..." video could be more widely distributed, especially at OHV rental businesses. This could be done on a voluntary basis, or it could follow [Florida's model for renting personal watercraft](#) (aka Wave Runners), in which rental customers must watch a brief video followed by a simple exam that takes a total of less than twenty minutes. In fact, such an operator license could be required of all adults who operate OHVs, whether they rent or own. [Oregon requires all adults to complete a two-hour course](#) before operating OHVs, while most other states including [Utah require only](#)

[youth to complete a course](#), which takes several hours to complete. This multi-hour time commitment may be unrealistic for rental customers, but any educational course should be long enough to cover more topics than noise (such as RwR's motto of "caution ~ consideration ~ conservation" that represents respecting oneself, others, and the land, itself). Mandating adult OHV education would need to involve (a) OHV groups, (b) the OHV Program of Utah State Parks, and ultimately (c) the state legislature. In the meantime, Grand County could do even more than it already has done to reach people voluntarily.

Second, since vehicle sound is not only a function of the operator's behavior but also of the vehicle's equipment, Grand County should utilize the stationary sound-testing procedure that the OHV industry developed so that mufflers could be measured in the field (not just in the laboratory). With this procedure, known as SAE J1287 or the "twenty inch" test, a cap of 96 dB prevents the failing of any stock (unmodified) vehicles as well as those outfitted with aftermarket mufflers that are advertised as being 96 dB or less when measured by J1287. Simply educating OHV operators of the 96 dB standard and offering educational sound testing (which RwR can perform) would help raise awareness of the importance of effective mufflers. The 96 dB standard could become a requirement locally or statewide, as it is in a dozen states including New Mexico, [Colorado](#), Wyoming, Idaho, and Montana. Similar standards could be required for street motorcycles (based on [SAE J2825](#)), automobiles (based on SAE J1492), and even snowmobiles (based on SAE J2567). Grand County should work with the affected user groups before pursuing these requirements but, for the OHV user group specifically, we can assure you that the J1287 test has worked well for nearly forty years. Even merely requesting compliance with the standards of these industry-funded sound tests could help to reduce the outliers, which are the unusually-loud vehicles that are responsible for a lot of the noise concerns.

Third, since throttling down and meeting the 96 dB standard wouldn't be quite enough to completely resolve the noise concerns with side-by-sides, Grand County could request that manufacturers produce their line of side-by-side models to consistently exceed the federal standard for sound. (The federal standard for OHVs is 82 dB from a distance of fifty feet as the vehicle passes by, which requires a laboratory setting for accuracy, hence the stationary sound-testing procedures developed to provide an equivalent standard of 96 dB at twenty inches that can be measured accurately almost anywhere.) The vast majority of side-by-side models already exceed the federal standard (by measuring between 87 and 92 dB via the stationary sound test). Unfortunately a few of the most popular side-by-side models measure between 93 and 96 dB. On top of that, these models have continuously-variable transmissions (CVTs) that require operating at a higher engine speed (i.e. RPM) in order to propel the vehicle forward. Further, some of these models produce a sound quality that is more distracting to the majority of people. In contrast, motorcycles that likewise measure between 93 and 96 dB generally cause fewer noise concerns because their sound quality is less distracting, their transmissions allow riders to shift into a higher gear in order to keep the engine speed down, and their lower weight tends to allow for lower engine speed. (The typical weight of off-highway motorcycles is 200-300 lbs compared to 1,000-2,000 lbs for side-by-sides.)

For these reasons, manufacturers should agree to make all their side-by-side models exceed the federal sound standard by four decibels (or more). This is entirely possible without significantly compromising the power, weight, or cost. It simply depends on getting all manufacturers—probably through their trade association—to recognize that reducing side-by-side sound by a little bit would help their long-term outlook a lot. In response to Grand County's request, side-by-side manufacturers are likely to point out that (a) they oppose side-by-side use on streets and other paved surfaces, (b) they paid millions of

dollars for SAE to develop stationary sound testing that could ensure the use of effective mufflers, and (c) noise concerns are largely a function of the operator's behavior which warrants education more so than vehicle redesign. Therefore it would be important for Grand County to clarify that (a) noise concerns extend beyond residential neighborhoods to campgrounds / trails / livestock range / wildlife habitat, (b) Grand County will utilize the stationary sound-testing procedure in some fashion, and (c) Grand County will continue investing in the development and distribution of educational materials to promote responsible riding practices (although CVT models leave the operator with less ability to reduce sound). In order to persuade a billion-dollar industry to self-impose a more stringent standard, Grand County would need to demonstrate that it's utilizing the available resources, and that those resources aren't quite enough to resolve the noise issue.

Grand County should also demonstrate that it is working with OHV groups including RwR. Finally we encourage you to engage the new Motorized Trails Committee. If asked, the MTC could develop recommendations, and it could assist with implementation.

Thanks to you and the other Council members for trying to resolve noise concerns while maintaining OHV opportunities as a critical component to the lifestyle and livelihood of our community.

Sincerely,



Clif Koontz
Executive Director

Moab City - Citizens to be Heard . 10-13-2020 meeting

Timestamp	Your Name	Your Comment
10/12/2020 8:27:42	Allison VanLonkhuyzen	I think Moab should opt out of the state that allows OHV's on residential roads. We should NOT allow OHV's on our residential roads. The noise is excessive and maddening. If this can't happen OHV's should be required to have mufflers. Companies would have to COMPLY and law-enforcement would have to ENFORCE.
10/12/2020 8:33:43	Sheri Simmons	The noise from OHV and other trucks and cars with excessively loud mufflers is extremely disruptive to our community. Please enforce a noise limit. It is unacceptable to allow rental companies to rent OHV without mufflers to drive thru town and it is unacceptable to let them disturb our backcountry as well.
10/12/2020 9:58:20	Sallie Hodges	I see the noise from UTV's in Moab as a mental health issue. https://www.brainfacts.org/thinking-sensing-and-behaving/diet-and-lifestyle/2018/noise-pollution-isnt-just-annoying-its-bad-for-your-health-062718
10/12/2020 10:24:57	Robin Straub	My husband and I are VERY overwhelmed and STRESSED OUT every day with utv/atv traffic noise on 100 N and 400 E and would like better silencing mufflers required of these vehicles, NO utvs allowed through our residential neighborhoods and fewer utv rental businesses in town. It is our opinion that the sheer number and noise pollution produced by atvs is ruining our ability to enjoy a peaceful life here in Moab. We believe the noise ordinance is being constantly violated because these machines have to run at high rpms constantly. Atvs are not designed to drive through cities and could be trailered to all trail heads. Since Salt Lake City does not allow atv/utv traffic through their neighborhoods it seems to us Moab has the right to require the same. Noise pollution from atvs has definitely made our life here in our home and back yard a nightmare and unlivable if new noise pollution rules and regulations are not quickly put in place. Also, we feel Rally on the Rocks is contributing to the already severe noise pollution and their permit should NOT be renewed! Thank you for your attention to this very serious problem, Robin Straub Phil Wagner
10/12/2020 10:35:05	Stefanie biron	I hope the city considers how limiting noise pollution in regards to OHV will continue to benefit lives and well being of residents. My hope is that less emphasis is brought on expanding this tourist user group and more effort is put into actually improving quality of life for individuals living here.
10/12/2020 10:48:29	Bill Groff	Some suggestions to ponder. Trailer UTV's to trailheads. No more new utv rental or tour businesses. All utv rental & tour business must have quiet mufflers installed. More enforcement, such as more police officers & Sherif Deputy's. Speed & noise traps on the most active roads. Ban all UTV's in Grand County. Make fines for unlicensed UTV's extremely expensive. I realize some are almost impossible, but..... Sorry these are random, but ideas for you to ponder. Thank you
10/12/2020 11:34:58	BRUCE CONDIE	I live just outside the Moab city limits on Murphy Lane. For years I have been assaulted by the incredible noise coming from ATV's and UTV's. Each year the din has become noticably worse. I am strongly in favor of strict enforcement of existing vehicle regulations relating to noise, speed limits, vehicle registration, vehicle insurance, and inspections. It seems to me that revenues for more law enforcement could easily be generated by issuing citations to violators. Businesses in town should not be allowed to rent machines that violate noise rules or other ordinances. I am STRONGLY OPPOSED to designating routes through town. Defacto routes already exist on the main roads and the residents living near them are already suffering from the racket. To designate these routes would only make things worse. In my opinion, Moab should break from state law and require trailering these machines to trailheads, just like every civilized city in the world requires. Thank you for considering my comments.
10/12/2020 11:42:07	Tom	The noise and air pollution of these UTVs is intolerable, and is unacceptable in a time of drastic and escalating climate change. The noise pollution both in town and out on our fragile landscapes is annoying to humans, and detrimental to the habitat for the wildlife in the region. The carbon dioxide emissions from these UTVs is contributing needlessly to climate change. We should not be burning fuel for recreation. The damage to cryptobiotic soils is uncontainable. Ban these useless nuisances from our town, from public roads, from our wilderness, and from our lives. The only acceptable use for UTVs should be for legitimate ranching and farming activities, where vehicles of this nature are needed for operations.
10/12/2020 11:47:13	Kaki Hunter	I encourage and applaud the City Council for taking action with the excessive noise from OHVs on public streets. I support all the tactics listed on the agenda with an emphasis on self regulating the use of OHVs within City limits. I think we need to tackle this issue from all angles to make it known that Moab residents deserve to maintain their quality of life as well as support the many visitors that come here. MAKE MOAB QUIET needs to be a campaign slogan that the Travel Council urgently supports. Unregulated sound pollution caused by one special interest group is a demonstration of favoritism at the expense and welfare of the rest of the community. OHVs DISTURB THE PEACE / GET THEM OFF OUR PUBLIC STREETS! The State Legislature outlawed smoking in public places to protect the health of its citizens. Noise pollution needs to be treated with as much concern for public health. Noise pollution degrades the quality of life and lowers property values. The State Legislature has turned our public streets and neighborhoods into highways for commercial exploitation for one special interest group. OFF ROAD VEHICLES should be BANNED from PUBLIC STREETS. Just as smoking has been banned from public spaces. Require all UTVs / ORVs / Side x Sides / personal 4x4 ATVs be electric by 2022. No exceptions.

Timestamp	Your Name	Your Comment
10/12/2020 12:06:22	Sarah Topp	<p>I live on Murphy Lane, just outside the city limits. Excessive noise has been PROVEN to cause health problems, so this issue goes beyond mere annoyance.</p> <p>I am strongly in favor of strict enforcement of existing vehicle regulations relating to noise, speed limits, and vehicle compliance. It isn't just UTV's, there are incredibly noisy pickup trucks roaring up and down the streets too. Noise ordinances and speed limits are in place and need to be enforced. Suggesting that people obey the law is not good enough. Revenues for more law enforcement could be generated by issuing citations to violators. I don't think we're in any danger of losing tourists if we start enforcing the laws.</p> <p>Businesses in town should not be allowed to rent machines that violate noise rules, and should only be allowed to rent machines that are muffled. I am opposed to allowing new UTV rental businesses unless they are renting muffled machines.</p> <p>I am very strongly opposed to designating routes through town. This will only make it unbearable for those living along designated routes and it won't lessen the background roar that you can hear from miles away.</p> <p>In my opinion, Moab should break from state law and require trailering these machines to trailheads, just like they used to do. This should be top priority for our mayor and city council to address the state. Our town is becoming a motorized free-for-all, and this is unacceptable to those of us who live here.</p> <p>Also, if the city has the power to regulate what type of businesses operate here, you need to pull the plug on the flying motorized parachutes. It's bad enough we have noisy streets, but to have them flying low over people's back yards is atrocious.</p> <p>Thank you for considering my comments.</p>
10/12/2020 12:33:49	Bobbie Day	<p>I'm respectfully asking that GC stop all commercials from the travel council regarding a destination for ORV and or any other obnoxious vehicle use. We are over ran, and fed up. How much more do you think we can take? There are no noise enforcement whatsoever. Ppl camp wherever they want. Something needs to be done before it's too late.</p>
10/12/2020 12:40:29	Barbara Zinn	<p>The UTV noise in Moab is intolerable. As a long-time resident, I am angry that I cannot sit on my porch or in my backyard without being continually blasted by roars and squeals. Although I installed expensive windows that have always blocked most sounds, these days the UTV noise penetrates these. Even inside my home I am now bombarded by this racket.</p> <p>I support all five of the proposed options, but additionally, and I believe most importantly, the Travel Council needs to stop promoting Moab as a motorized destination. We have always had lots of visitors who come for our peace and quiet. I have spoken to many people who say they have stopped visiting Moab because it is overrun by unbearably loud motorized recreationists.</p> <p>Please make strong noise ordinances, institute metering, and do not permit large OHV events or issue business licenses to OHV rental businesses. We need to show the Utah legislature that we have done our local due diligence in addressing the noise issue, to encourage them to change their laws.</p>
10/12/2020 13:35:13	Carol Mayer	<p>I think we know how hard it is to put the "genie" of OHV Tourism back in the bottle once its giant bottle cap got unscrewed. So now that it has manifested into a gargantuan problem for residents that are not directly and financially benefiting from pre-dawn to pre-dawn OHV traffic noise in our rock-lined valley, what can we do to mitigate the horrible unintended consequences of the State allowing them to be everywhere in Moab and Grand County? You have several choices in front of you enabling the start to change the status-quo. But how about discussing the end result we are trying to achieve? We don't want to STOP tourism (I personally wish we could reduce it by at least 50% but since we are still building hotels and overnight rentals at a dizzying pace the effective date for that wish was 2018) but we want QUIETER tourism. I propose your item numbers 1 and 3 TO BEGIN with followed by a huge (maybe TRT funded) campaign that would make the END RESULT an ordinance that only electric engines on OHV's and muffled Dirt Bikes would be allowed to be driven on streets in town and in the county. Otherwise they must be trailered. Your Item #4 would then take care of itself, the genie doesn't get screwed and residents will maybe, hopefully, finally have some relief.</p>
10/12/2020 13:59:25	Serena Supplee	<p>The noise in Moab is an intolerable high. The big groups of side by sides going down the street stifles life, & the thoughts in my head. They are even out at 2am now. If we can't get them off the streets can we make the groups smaller or give them a curfew for the streets of Moab, some kind of new boundary so we can have hours that are quieter?</p>
10/12/2020 14:08:50	Nissa Holleman	<p>I am very happy to see you are discussing UTV's and noise in Moab. The noise is becoming too much for our town. It's making living in town unbearable and stressful. Though aside from the noise, UTV drivers are also seeming to be very disrespectful of traffic rules. It seems people driving UTV's think they can do whatever they want here because they're in their special little dune buggy. I would like to see tourism go back to hikers, mountain bikers, photographers, nature lovers and people with quieter interests. If we are going to have UTV's on the street, they need to be as quiet as an ordinary vehicle. The quality of our town is being ruined. I often think our town just looks trashy like we don't care about anything except money.</p>
10/12/2020 15:30:12	Janet Buckingham	<p>I am writing to voice my concerns with what has happened to Moab in the past 5-10 years. None of it has been good. The noise, the traffic, the motels, the out of control tourism and finally the unbearable presence of UTVs has ruined Moab. I have lived here for 30 years. I raised my son here. It is not only home physically, but in my heart, yet every day I think about moving away because of what an unlivable place it has become. And it's not just those of us who moved here in the last few decades, it's "old Moab" too. In my husband's work, he talks with the old timers all the time, those born and raised in Moab, and they hate UTVs and everything they bring with them as well.</p> <p>The most pressing issue (although it's hard to separate them) is the noise. Grand County MUST STOP advertising Moab as the motorized adventure capitol of the world. The state should certainly stop advertising Moab as a "Covid Vacation" spot. Looking at the options you listed for discussion, I would say "almost all of the above." Instruct the PD to write more tickets (and make them hurt) which will generate more revenue so you can hire additional officers who can help control the mayhem. Fight the state! Go against state law and write an ordinance restricting UTVs from ALL of our roadways. Be the bold, extraordinary town we've always been known to be. Definitely put a moratorium in place on any new UTV rentals. There are enough! I do not like the option of designating a UTV route through town. That is simply going to push the problem into one area of town, which is unfair to residences and/or businesses on that route. You might as well declare that route a sacrifice zone or disaster zone because every business and home owner would move out! As far as new noise ordinances or decibel measurements, I feel like both of those would be a waste of time and resources, especially if they are not going to be enforced.</p> <p>I really encourage you to do whatever you can to reclaim Moab. I would support anything that would make UTV tourists feel unwelcome here. If they threaten to move their events and "fun pig" style recreation to St. George or Kanab, tell them bye, bye!</p> <p>Thank you for listening. Best of luck.</p>

Timestamp	Your Name	Your Comment
10/12/2020 15:45:34	Josephine Kovash	Specific comments on Agenda Item 8.1, in addition to my letter already sent to the Council, addressing each possible option for mitigation of OHV noise. 1.) With noise metering, is it possible that the revenue from citations could pay for the expense of enforcement? This would be a good option if combined with others. 2.) I live on Locust Lane, and anyone like myself who lives on or adjacent to a main trailhead access point (Sand Flats and Kane Creek) would continue to suffer even with designated routes. You cannot get around the fact that these trails have to be accessed THROUGH residential neighborhoods. 3.) This would be good in combination with option #1, even if it would have to wait until next June to take effect. (Perhaps companies would begin earlier if option #1 was implemented speedily.) 4.) This needs to happen yesterday! But good in combination with options 1 & 3. 5.) Yes! In conclusion, all options minus option 2 should be done in tandem, with the hope of eventually achieving the ability to locally opt out. And lastly, on the idea of a curfew, I strongly advocate that this is not just a nighttime issue. I am a stay at home parent and also there is a pandemic keeping many of us home more than usual, and we deserve to have this mitigated during ALL hours of the day for our health, sanity, and that of our children as well. Thank you.
10/12/2020 16:21:36	Mary Weingarden	<p>I have been a resident here for thirty years. This is not the Moab I fell in love with and moved to. I'm weighing in about the incessant noise which is decaying our quality of life. The silverlining to this Springs pandemic shutdown was the reminder of what a noise free Spring in Moab is like. It was lovely! I could hear the birds singing. What we have here is bordering on unhealthy. I just read an article on how continuous noise negatively affects children's learning. This is science. Please help draft policy to address this continuous incessant noise. It is not good for any living beings.</p> <p>Also, I live on a dead end street. This year there has been a constant parade of big rigs with toy hauler trailers coming down to the end and trying to turn around, some end up backing up past five residents to turn around. This is after passing three signs stating there's no through street and big trailers are not recommend.</p> <p>I love the Moab I moved to, not what it's devolved to now in 2020. Please help us restore some quality to our lives. Thank you MaryW</p>
10/12/2020 18:15:47	Kiley Miller	<p>My friends who have lived here some for decades are moving away. They can no longer deal with what Moab has become, so loud from utvs and so overrun with tourists. We can't escape the roar of motors in our home because it comes through the walls, we can't find a parking spot at our small neighborhood market or post office because the tourists have taken them all. We can't get away from the roar of motors in the backcountry because there's thousands of utvs out there. It takes twice as long to get home on 191 because utvs and tourists are holding all the traffic up. The list goes on and on. I feel so sad for the residents of this region I feel so sad for the land and wildlife because we're all being terrorized by the astronomical increase of utvs as well as tourists. I lost my mind a few weeks ago when Area Bfe had a utv racing event, I did literally lose my shit. I started screaming the roar of engines all day and through the nite for 3 days. Then I go to town and get triggered because there they are in our neighborhoods roaring around. It's wrong it's got to stop. Sue the state, start enforcing noise ordinances, we need to have a reputation like Wellington. You don't speed through Wellington or Richfield. Get the utvs off the street, ban any new proposed utv rental businesses. Our home our community our beautiful backcountry is being destroyed. It's unacceptable. Time for drastic measures. Oh yeah and stop advertising us to the world. Just stop. Ban them on our streets, let's see what the state does. Our reps make excuse after excuse blaming us for being a tourist town and saying our local govt deal with it. Ok then we take matters into our own hands and we make the rules. At my wits end- Kiley Miller 23 year resident of this place</p>
10/12/2020 19:51:58	Sheila Strahan	<p>The noise from traffic, particularly from off road vehicles and particularly on the weekends, has become seemingly out of control. I hear the noise from them very late at night (sometimes past 11pm), and very early in the morning (sometimes earlier than 6am). My house is 2 blocks off Kane Creek, but on weekends, I hear and see a constant parade of hundreds of side by sides that lasts for hours and hours: the sounds of their motors fills the entire neighborhood and is VERY loud. I am hoping that there is a way out community can help mitigate this as it is greatly decreasing the quality of life for myself and my neighbors. I have heard that some places require off road vehicles be trailered to the trails instead of driving through town. Perhaps this is something we can do? Or maybe come up with an arrangement where local companies that rent them out can park them at the most popular trailheads, refueling them and re-renting them there, so that they aren't constantly being driven through town. Any change would be helpful to cutting out the crazy amount of noise that is plaguing our town. Thank you.</p>
10/12/2020 20:58:53	Leann	<p>When you see pictures of famous Moab in calendars do you envision hearing the horrific noise that goes wit it? It's terrible and constant nowadays, constant. When I push my children in the stroller along the sidewalk we stop conversations so many times to wait for them to pass, when we do the pledge of aegiance at my children's school and it's interrupted by the parade of atv noise it's saddening. Leaving Chicago to come here for the calm nature slower life to raise a family was what we desired but what's quieter...the hustle bustle Big city noise, or the constant roaring of ATV's? I wonder. I really do. If it's not handled, we are leaving. The noise and crowd. Our favorite hikes are now like a busy city street. It's not an escape anymore, it's a crowded big city on rocks.</p>
10/12/2020 22:20:30	Spencer Finch	<p>As a non-resident of Moab, I find it highly concerning that you are taking actions against the UTV community. As an owner of a recreational vehicle rental company myself, I understand the off road industry and the struggles that come with it. The benefits far outweigh the struggle. I would propose ways to invite more people to the community so it can thrive. I personally don't see what Moab can offer tourists besides the off road trails it has. I know many business owners that have left your community because of the depressing political structure that is crippling your town. They come to Southern Utah to escape the struggle of what Moab has become and we welcome them with open arms because we know the value they can add to our community. Fix the problem before everyone is talking about how crappy Moab has become. Because that's exactly what they are all saying. I heard that phrase countless times at the Tail Hero event last weekend. Fix it now and you'll be surprised at how forgiving the off road community can be.</p>

Timestamp	Your Name	Your Comment
10/12/2020 22:39:45	Bud Bruening	<p>As a resident of Utah and President to Utah's largest UTV group we understand the issue Moab is faced with. We want to help.</p> <p>UTV owners pay various taxes and fees to ensure their right to drive their street legal machine on the roads in Utah. The fees paid go towards maintenance and the building of these very roads. I would encourage Moab City and Council to work on solutions to address the noise problem that doesn't involve discriminating (via legislation) against an entire user group made up of more than 200,000 Utahns.</p> <p>Solutions I would strong encourage be considered:</p> <p>Lower the speed limit for UTV's on residential roads. Lowering the speed drastically decreases the sound from a UTV. This would have a huge impact on the noise in town.</p> <p>Posting "preferred routes" in town and rerouting people through areas that are less dense.</p> <p>Encouraging specific routes after dark to mitigate noise in targeted areas.</p> <p>Our group at UTV Utah would be willing to pay for additional signage, education, etc, to help accomplish these goals for Moab residents.</p> <p>Let me say, as a UTV group we understand the issues the Moab residents are faced with and we'd like to help you solve them. Let's work on solutions that target the key issues and the key offenders first and fix that problem. What we don't support is all out ban or legislation that targets all UTV owners and strips away rights from law abiding citizens. Curfews and legislation prohibiting law abiding citizens and targeting a specific user group is bad public policy.</p> <p>If we can be of assistance please reach out. Thank you for your time.</p>
10/12/2020 23:44:49	Marsha Marshall	<p>I have lived in Moab for 67 years. I have spent my life in four different locations and my husband and I worked hard to purchase our home. I have some serious concerns that the value of our home will be affected by the quality of life along our street due to noise and speeding. We need at least one more City Officer assigned to Moab. Looking at this past Spring and Summer, we can do better, and must. I have lived at my present 500 W. location for around 20 years and I would estimate at least half of the traffic the past popular weekends this season were speeding (if not more). I and other family have experienced not being able to get into the driveway without honking, bumper riding, and insults for driving the speed limit. Please do not consider changing it because there are many more visitors, dog walkers, bikers, and law abiding vehicles, busses, ambulances, businesses, and children all just trying to contribute to the neighborhood. Please don't go for the "A few bad apples" Excuse me, but give them a damn ticket so we can get this under control. San Juan County must work together with Moab and Grand. Let's not blame, but tame this situation. The signs are flashing and posted. We are over crowded and need to clean this mess up, before some more people are run down or hurt. Sincerely, Marsha Marshall</p>
10/13/2020 6:49:50	Eric	<p>When Hard working Moab locals can't get rest in their home during the incredibly loud r/r noise season which is more and more constant, or get out of the driveway for 15 minutes due to so many r/r's in a pack not obeying public safety regulations, it's gone to far. Take them off the roads, highway and Pavement, make a noise ordinance, because it's not going to get louder if not done NOW!</p>
10/13/2020 8:21:10	Chloe Hedden	<p>I currently live on 100 South. I have lived in the area since 1979 when I was born here. I've seen this place in a lot of other incarnations. The current Moab is not a place I want to be.</p> <p>The UTVs roar past my home all day every day. They do not obey the speed limits or any norms of common decency. Revving their engines and generally behaving as if they own the place (often driving on the wrong side of the road for fun or speeding up if a pet or deer is crossing the road,) they make my blood boil and our town less wonderful.</p> <p>Silence is one of the great commodities we used to have. It's what brought many of us to live in this wild red desert. It's also what brings visitors from around the world: a chance to reconnect with some deep part of themselves in the silence of the canyon country. Our town has catered to the interests of a few and sold our town to the off-road crowd. I personally know many hikers and bikers who used to come here who don't anymore. The crowds and UTV noise are just too much. Not only in town but also out in the desert. I also know plenty of locals, good people who have dedicated their lives to this place, who are selling their properties and leaving because of what this place has become. Is this really the Moab we want? Run by Fun Pigs for Fun Pigs? (for those of you who remember that old sign up on I-70)</p> <p>Do these type of tourists really make our town and the surrounding desert so much better? Do we have to tolerate this? Or can we use our local authority to heavily regulate and perhaps outlaw them entirely? Please, I beg you, as a concerned citizen who loves this place, represent the people who elected you and get rid of these noisy monsters. Also take note of the new 'flying razors' that are noise polluting our skies recently and deal with that problem before it gets out of hand. Helicopters, low flying planes, jet boats and any other noise makers should also be heavily regulated.</p> <p>Thank you!</p>
10/13/2020 8:37:19	Gregory J Child	<p>I reside in Castle Valley and own a home in Moab. UTV noise and recklessness and damage is out of control county-wide. I support city/county opt out of law permitting UTVs to drive around as if they are cars, on residential streets. I support slapping high user fees/taxes on UTV use.</p>
10/13/2020 9:31:03	Colin Heasman	<p>Colin Heasman - "Excerpt of Post on FB - sorry no photo.." New Member of 'Make Moab Quiet Again'</p> <p>"...'Mama' and I enjoying the 'peace & quiet' on our first hike together. She's from Underdog and her last pup was adopted this morning - I'm a recovering Brit and we are helping each other heal - no pun intended. The point is being able to pick your silence unlike down in Moab. I'm sure not so long ago, as it was in England - that at the very least there were a few hours on Sunday Morning for a chance at Serenity. I left New York State four months ago and have spent the last three in Moab, I left a plague of leafblowers emitting toxic fumes at obnoxious decibels and now reveled in the Silence of these Magnificent Magic Canyons that surround us here. However I can no longer ignore the 'noise pollution', it's everywhere - parades of atvs, trucks bellowing on the '191 Drag Strip' one way, 'Ninja 4cyl Turbo Warriors' the other (where are the cops). As in NY the few can disturb the many (some are selfish - most oblivious). However in NY many municipalities passed ordinances that governed hours, areas of use and decibel levels. We had State Troopers testing and diverting 'modified' Harleys away from nesting areas. It can be done, the response here from politicians is predictable and pathetic - they obviously have drifted away from 'quality of life' concerns of the many. Make your voices heard above the din!</p>

Timestamp	Your Name	Your Comment
10/13/2020 9:58:50	liz ballenger	<p>Dear Council-</p> <p>I know you're getting a lot of email on this topic, so I'll keep this short if not sweet. PLEASE do everything you legally can to lower the noise from UTVs in our community. It's gotten noticeably worse this season, and with UTV rental businesses popping up like weeds in every vacant lot (it seems), it will keep getting worse. Please consider that this recreational user group affects our community like none other with their noise, emissions, degrading off-road trail conditions, increasing dust, and not to mention excessive use of fossil fuels while we're in the midst of a climate crisis.</p> <p>Is this really what we want Moab to be known for-- Motorhead Capitol, where even hotels hand out earplugs to their guests so they're not kept up at night by the UTV noise??</p> <p>Although I would love to see UTV's completely OFF our city streets, I know that's probably not realistic at this point. Of the options I've heard so far to mitigate the noise issue, requiring mufflers for any UTVs driven in town makes the most sense. And if they don't have mufflers, they need to be trailered, just like they used to be.</p> <p>Thanks for listening, Liz Ballenger 437 Huntridge Dr. Moab</p>
10/13/2020 10:02:05	Nancy Orr	<p>Last Friday at 11am, an old friend stopped by on his way through town. We stood in my backyard to converse, but were constantly interrupted by UTVs going by on 400 North, making it impossible to hear while all passed (I counted 11 in one pack.) He commented that he is very glad to have moved away, to Texas, no less. That evening, I had a Zoom meeting where I had to keep the microphone muted to prevent other attendees from being punished by the noise. This was just a regular day in the life of a 400 North resident.</p> <p>I must take my phone calls and meetings in my bathroom or back garage in order to escape the noise. I must keep my windows closed on the front of my house to reduce (but not eliminate) the noise and fumes; no cross-ventilation possible any more. No longer is the noise confined to weekends, and it is not unusual for it to happen late at night. The 25 mph speed limit sign right at my property line must be invisible to most.</p> <p>In fairness, not all are obnoxious. Yesterday two side x sides quietly putted by at 15 mph. I wanted to chase them down and thank them - that feels backward and creepy.</p> <p>I moved to Utah in 1977 and was warned by many that Wellington was a speed trap. I doubt they've bothered with a speed trap there for decades, since their reputation is firmly established. Moab could achieve a similar reputation for noise ordinance enforcement. We are not going to suffer economically if the extremists boycott our town. There are plenty of well-behaved tourists who will spend their money here, especially if we are reputed to be quieter. It will also help with congestion, since there will be fewer gigantic trailers crammed with Razrs (I have seen two instances of double trailers, which makes my head explode! Is that even legal?)</p> <p>I am willing to pony up the funds for one of the Soundtrax LXT N/Forcer meters (at \$3233) mentioned in the council packet, if the city will set up a regular checkpoint on 400 N. I suspect others would also be willing to donate \$ or time to an effort to set up checkpoints throughout town. If enough citations are handed out, word will get around.</p>
10/13/2020 10:40:01	Derek Schumann	<p>UTV's are not the only vehicles causing excessive noise on Moab streets (e.g. Harley motorcycles, other off-road vehicles). To single out UTV's in these complaints is discriminatory to the owners and the UTV community as a whole. The first step should always be education and awareness campaigns; not bans and/or access restrictions.</p>
10/13/2020 10:41:57	Larry Van Slyke	<p>The UTV use and noise, from that use, with the city limits of Moab is ludicrous. The racket started at 0630 this morning. Those units that have some semblance of muffler system are reasonable for driving the streets within town. Require UTVs to have a factory muffler if driven within the city limits. Set decibel limits. Surely a city government can do that!</p>
10/13/2020 10:42:13	Justin Rosenthal	<p>Even if 1 RZR doesn't violate the noise ordinance, how about 6, or 10?</p> <p>I live on 1st South and during high season I can have dozens of caravans of 6-30 RZR's cruise by. Even if they're going the speed limit, which they often are, the noise is unbearable.</p> <p>I work at home and this frequently interrupts my conference calls. I have to apologize to the other professionals on the call and explain that I don't work in a hot rod garage... it looks very unprofessional.</p> <p>I support:</p> <ol style="list-style-type: none"> 1) Designated RZR routes through town - NOT in residential areas, fine for violations. 2) Local regulation of RZR rental companies, but MORE IMPORTANTLY of visitors. Most of the noise isn't the local rental companies, it's the large caravans of people from out of town with their own modified RZR's, many of which have been modified to be MORE LOUD, not less. This is hard to enforce though, and I don't really expect it to be enforced, so 1 and 4 are more important. 4) ****Local opt-out of state law**** - how about we manage Moab for the people who live, work, and pay taxes here, and not the tourists who are here for maybe a few days? <p>Finally, how about a public awareness campaign with signs all over town?</p>

Timestamp	Your Name	Your Comment
10/13/2020 11:14:47	Carrie Bailey	<p>Thank you Council and Mayor for addressing the UTV traffic and noise issues that are so negative for our community:</p> <p>I have communicated with our Utah state representatives, Watkins and Albrecht and others in the last few days, about the problems I think we face by allowing UTV vehicles on our city streets. The say they are unwilling to address state law until our local leaders, elected and law enforcement, take a stand by enacting law and enforcing existing municipal law.</p> <p>Your proactive agenda tonight is welcomed and supported by many of us citizens who feel we have been ignored and are frustrated by the lack of response to the out-of-control traffic on our streets. The community group "Throttle Down In Town", while a positive idea with sincere effort in the beginning, turned out to be nothing but signs and talk. Our local Travel Council continues to focus on advertising and promotion of motor vehicle off road/trail "adventuring" without reasonable planning and thought about the consequences for the community. UTV rental businesses are set-up on temporary sites in town without reasonable thought or planning. Law enforcement seems over-whelmed. Meanwhile the community finds their homes and public areas bombarded with noise, trash, over-night street campers, unsafe conditions for pedestrians and children, dangerous speeding vehicles and the blatant disregard for motor vehicle laws. We are stressed and over-whelmed.</p> <p>There are always those who want to dampen criticism of any aspect of our local economy, and promote fear-mongering... "we will kill the goose that lays the golden egg".. if we restrict any of the activity that calls itself tourism. I disagree. If Grand County and Moab don't establish a quality visitation experience soon, one that has common respect for all visitors, the environment, and community alike, the resulting negative reaction and publicity will only hurt us. Surely a continuation of the loud crazy chaos that Moab and Spanish Valley have been experiencing for the last few years will eventually affect home and property values, and the economic well-being of the lodging industry too.. This is our home, not a poorly-run factory.</p> <p>I agree that the 5 options presented on the agenda should all be considered.</p> <p>Thanks again so much for listening and making efforts to take action.</p> <p>Carrie Bailey 46 South 200 East Moab Utah</p>
10/13/2020 11:21:17	Shane Firestack	<p>I am a resident of Grand county, just outside of the city limits of Moab. I abide by and respect all traffic laws and drive my OHV as respectfully as possible anywhere I am at.</p> <p>I understand that some residents are frustrated with noise and traffic. They also come down my street at high rates of speed which creates additional noise and dangers. We don't have sidewalks, so there are additional issues. Do not misunderstand, I am not asking for sidewalks, most locals who drive by when you are walking are very respectful and move over and slow down especially if you have animals with you.</p> <p>I would like to disagree with section 4. c. ii. of the agenda item, that the "Perception" mentioned about the rental companies not being at fault is quite the opposite. When we are out on trails and in town, I witness more carless operation of OHV's from rental companies machines and their users (they are easy to recognize) than I do personally owned machines. That does not imply that personally owned machines do not create problems, just that the majority in my opinion, come from the rental companies. Disrespectful owners and renters alike typically press hard on the accelerator which in turn creates extra noise that is avoidable by gently accelerating instead.</p> <p>Another issue, the disrespect of our trails and back country by rental users is high. I stopped once to ask a user this year to please stay on the trail, and their reply was "I paid X amount of money for this, I can do what I want".</p> <p>My suggestion, be more proactive at speed checks on the local streets. I find we have way more abuse of this element than anything. Not only would you help reduce folks creating additional noise, you will increase awareness that we as a town do not accept disrespectful drivers in general. Their are lots of people in all vehicles creating these issues and poor driving habits create more problems than just noise.</p> <p>I would like to mention if you do make OHV only routes, how do you expect the locals who do abide by the laws, to maneuver their OHV's from their neighborhoods?</p> <p>If you set a time limit, how do you expect drivers to get back to their camp, hotel, house, if they were stuck on a trail or started later in the afternoon/evening especially when temps are hot?</p> <p>I feel the Off Road community is being unfairly singled out because a few locals can't stand the sight of these vehicles. In contrast, I see people of every sport, hobby, passion who are poor stewards of our town.</p>
10/13/2020 11:44:26	ALAYNE	<p>We bought a home on Murphy Lane in 2010 and thought we were buying in a quite rural neighborhood. It was, until about five years ago. Some days the noise from ATV's is unbearable. This is clearly disturbing the peace! If we had barking dogs making this kind of noise, we would surely get a visit from the local enforcement. I don't believe the law was intended for these machines to be racing up and down neighborhood streets, but for farmers to use in rural areas. We feel they should be required to trailer their machines to the trailheads. Please consider the residents of Moab. We pay our taxes and contribute to the economy as well!!!</p> <p>Thank You</p>
10/13/2020 11:49:46	Ben Rizner	<p>Outside of an assertive, consistent plan to enforce noise restrictions, I believe the only viable option of these 5 is to advocate for an exemption from the law and adopt something similar to Ouray where vehicles cannot be driven within city limits. In the meantime; I don't think rental companies are particularly large source of OHVs being driven through residential areas, I think the large majority of vehicles seen are privately owned. Also, I don't see a lot of good in limiting traffic to the main roads, such as 500W, 300S, 400N, Mill Creek, etc. The issue is too many in these residential areas in the first place, designated routes doesn't change that at all. Moab should explore creating a simple permit system, in which OHVs would have to pass inspection first and driver sign off on the rules of courteous conduct in town in order to be allowed to drive on city streets. Part of the permit terms would be respecting noise restrictions or other traffic laws, and if not followed they could be revoked/cited. Permits could be capped at a specified amount per week, to regulate group size, and could be displayed on the vehicle for easy enforcement. Please take substantive actions on this issue, it's affecting both property values and quality of life for those of us on the main thoroughfares in town.</p>

Timestamp	Your Name	Your Comment
10/13/2020 12:09:31	Ariel Atkins	<p>I currently reside on Park Road and am so grateful for my location while raising a family, I have close access to schools, parks, pools and fantastic neighbors. Unfortunately, I've been having more and more experiences in my neighborhood that have diminished these amenities. My family and I are often on foot, stroller or bike and because of the minimal sidewalks we are often on the side of the street. I'm constantly on high alert for speeding vehicles, distracted drivers, large vans and motorhomes backing out of parking spaces at the park, folks running stop signs and I'm rarely given the right of way in the crosswalk (yes, the one in the school zone of HMK). I'd expect more traffic and parking enforcement in a school, park and residential zone, but rarely see any.</p> <p>In addition to the actual safety concerns are the noise pollution concerns. I suspect with the Entrada Development (45 unit vacation rental touting large spaces and 2 car garages), 400 North has become the main throughout fare for those coming to Moab where they can operate their otherwise street illegal vehicles. There is a constant hum in my backyard of traffic noise, this I can live with. But what really starts to impact me is when the noise cranks up between 9pm-11pm as I'm trying to go to sleep or get a restless toddler back to sleep. I'd love to be able to sleep with my window open for some fresh cool air, but it sounds like a freeway is going through my house. Even with them shut, I have to use whitenoise makers to help my family sleep. I know that many complain about the UTV's being the problem but I often hear and see regular vehicles driving at extraordinary speeds in my neighborhood, this is not only agitating but makes me feel like my families safety is jeopardized and disrespected.</p> <p>I'm also a small business owner and operate a tent-only campground 2 blocks off Main Street. The amount of noise and traffic has been a topic of complaint among our guests, many of them here for human powered sports feel impacted by the ever-presence of loud motors, particularly in town. Numerous long-time patrons have been appalled to see how Moab has transformed, particularly around the UTV's and noise pollution. I implore those within local government to make strong noise ordinances, enforce traffic laws including speed limits, enforce parking and ideally work with the UT legislator to trailer UTVs to the trails so we can have some sanity in our neighborhoods.</p>
10/13/2020 12:17:02	Lucy Wallingford	<p>The noise issue in Moab City is unbearable. I live on First North between 3rd and 4th East. Some days the noise is almost constant, all day long, starting early and well past dark. Because big groups of people who travel together each want their own Razor, they travel in packs of 4, 6, 8. You can hear them coming a long time. Then as each one passes it sounds like a dirt bike race as they pass by, which lasts several minutes. Then you can hear them receding for a long time. If you are standing in your front yard or driveway visiting with a friend, you cannot communicate as they pass, you can't even yell at each other and be heard. And a few minutes later, it starts all over again.</p> <ol style="list-style-type: none"> 1.Stop advertising Moab, completely! We don't need any more visitors. We can't even get into town without an hour wait. Moab is over-run. 2.Do NOT designate OHV routes, as that simply funnels all of the noise by one set of houses. There is no street in Moab except the highway that does not have people living on it. 3.Require mufflers, no exceptions. 4.No more rental companies! 5.Set up a curfew, no OHVs on the streets except after 8 am and before 8 pm. The rest of the time people are trying to sleep. 6.Ultimately lobby the state to allow us to get them off our streets completely. <p>I have friends that are moving away because of this. Please, please, PLEASE deal with this issue. This is the second go round of asking for comment. I dutifully commented last time (four years or so ago) and zero come of it. Don't send the message that we are wasting our time by commenting.</p> <p>I know it's not easy. Thank you.</p>
10/13/2020 12:35:52	FRITZ BACHMAN	The suggested solutions seem good except for designated routes. That would subject the same people to repeated assaults of noise.
10/13/2020 12:56:38	Lauren	<p>There can be tourism without terrorism. ATVs and UTVs should not be street legal. Mandate that their rental companies and owners tow them to the recreational sites where they are approved.</p> <p>In addition, they should aim to become electric- at bare minimum they need better mufflers.</p> <p>A COVID spring without noise has reminded us all what our town could be. Reminded us of warm days where we can have a conversation on our porches without getting constantly interrupted by blaring engines.</p> <p>Tourism will live on. The businesses that rent and people who own these vehicles will adapt to a new system that respects local residents.</p> <p>We have had enough with the noise terrorism. Give us back our town where we can put our babies down to nap, listen to the birds, call our family while walking to the library. Give us back a town that listens to residents, not to blaring motors.</p>
10/13/2020 13:08:02	Serena Supplee	I have lived in Moab for almost 40 years. As many long term residents, I have witnessed the drastic increase in noise. It is not just the OHVs, it is an increase of trucks, and it is worth noting that not only are they loud but usually driving much too fast. I believe it is well-worth the cost to establish noise-metering and citations. We should also lobby to opt-out of the state law; our noise situation in Moab is unique. Local regulation of OHV companies and a moratorium on new local companies seem like a given that should have already been put in place. The only option that does not seem as if it would have a beneficial effect is the designated routes; visitors are not going to follow the suggested signs.
10/13/2020 13:49:32	John johnson	I think we need to treat these visitors a lot better than we do. They come here and spend way more for accommodations, food and other purchases than they do in many other areas. Moab is recognized now as a city full of UTV haters (ATVs Jeeps and trucks suffered the same scrutiny until UTVs took the stage). I know there is some bad behavior from some in this group (as in every group) but for the most part I see them going overboard to keep resident annoyances at a minimum. Find the bad ones in the group and reprimand. Don't target the whole group and practice some tolerance towards the ones trying to do the right thing.
10/13/2020 14:02:21	Colin Evans	I live on millcreek, and the ohv noise is seemingly endless. It scares my toddler, keeps him up and wakes him up as they continue well into the night. I tried reading a book to him at 7 pm on our back deck the other night and we couldn't it was so loud for so long. We couldn't get through a 12 page book about a bunny without going inside. I have lived here for 15 years and the noise pollution of these machines is unbearable. Jeep week is one week, not every god damn day. Do something!!!!

Timestamp	Your Name	Your Comment
10/13/2020 14:16:45	Bret Blosser	<p>The Council's document for OHV Noise Mitigation presents five approaches for consideration. Unfortunately, of the five approaches, only the fifth can solve this problem. Even more unfortunately, the fifth option, "Lobby the state Legislature to allow Moab an opt-out of the state law allowing street-legal OHVs on City streets" will not receive a sympathetic hearing from State legislators. Therefore the Council should focus on mounting an effective campaign to sway legislators. I'm guessing arguments based on defending our tourism economy will be better received than arguments based on alleviating residents' misery. The following points contribute to an economic argument:</p> <ol style="list-style-type: none"> 1. The strength and resilience of Moab's tourism industry has historically been founded on welcoming visitors to experience our extraordinary landscape in an exceptional range of modalities. Anecdotal evidence from Moab businesses which interact daily with all sorts of visitors indicates that ATV tourism has curtailed visitation by non-ATV tourists distressed by ATV noise and pollution. Business staff report that visitors not uncommonly say they enjoy vacationing here but will never return because of ATVs. Our economy will become weaker and less resilient if one recreational modalities reduces the viability of the others. We should design and conduct surveys to determine if these anecdotes reflect an actual trend. If so, this represents a challenge to the continuity of our tourism sector which deserves serious attention by State legislators. 2. Win-win. Since State legislators support ATV tourism and ATV-based business in Moab our pitch cannot be framed as "getting rid of ATVs". We need a solution which eliminates ATV noise and pollution from town without knee-capping our five licensed ATV rental and tour businesses. Existing infrastructure is not sufficient to accommodate trailering ATVs from business locations to trailheads. Our plan needs to include construction of large trailer lots at all designated ATV trailheads. This should enable ATV businesses to thrive after opt-out. 3. There are financial and spatial constraints on how much trailer space can be constructed at trailheads. Therefore we should not accept applications for additional ATV business licenses until trailhead parking for existing businesses is assured. <p>Bret Blosser 5 Orchard Way Moab, Utah</p>
10/13/2020 15:11:43	Bruce Dissel	<p>I support all 5 of the options regarding UTV noise listed on the City Council agenda. For me the added tax revenue is in no way equal to the loss of quality of life.</p>
10/13/2020 15:31:12	Erin Groves	<p>The OHV noise issue in Moab City is unbearable. I live in Mulberry Grove, on the north boundary, across the creek from the Mill Creek route to Sand Flats. Some days the noise is almost constant, all day long, starting early and well past dark. Because big groups of people who travel together each want their own Razor, they travel in packs of 4, 6, 8. You can hear them coming a long ways away. Then as each one passes it sounds like a dirt bike race as they pass by, which lasts several minutes.</p> <p>From inside my home, which is brand new and has high quality insulated windows, I can see but not hear vehicles of all sizes off in the distance, through the trees, as they travel along Mill Creek. I don't hear a sound when other vehicles go by. In contrast, I can hear and even FEEL the rumble of OHVs (in groups or alone) as they go by, as if they were in my front yard.</p> <p>The worst disruption is at night, when they come down from Sandflats at all hours, waking me (and often waking my 9 month old) at 2am, 3am, etc.</p> <p>Here is what I ask:</p> <ol style="list-style-type: none"> 1. Stop advertising Moab, completely! We don't need any more visitors. We can't even get into town without an hour wait. Moab is over-run. 2. Do NOT designate OHV routes, as that simply funnels all of the noise by one set of houses. There is no street in Moab except the highway that does not have people living on it. 3. Require mufflers, no exceptions. 4. No more rental companies! 5. Set up a curfew, no OHVs on the streets except after 8 am and before 8 pm. The rest of the time people are trying to sleep. 6. Ultimately lobby the state to allow us to get them off our streets completely. <p>I have friends that are moving away because of this and have even considered this personally. Please, please, PLEASE deal with this issue. It's not fair that one industry can solely destroy the quality of life for an entire community.</p>
10/13/2020 15:46:14	Brandy Bowmaster	<p>I am heartened to see on the agenda for tonight's meeting several possible options that will be discussed to mitigate vehicle noise in the city. Thank you for bringing this issue to the table! As a years-long resident of downtown Moab, it has become almost shocking how loud it can be, especially after that gloriously quiet spring we had this year. I've tolerated the noise downtown as partial payment of my ridiculously convenient location, but it has gone too far! Despite my love for the community, I am now seriously considering a permanent move away from Moab as the constant stress and anxiety brought on by the exceptional noise and mayhem is no longer worth it for me. Therefore, I strongly support any effort to reduce noise from OHVs and other loud vehicles. Aside from the longer term strategy of working at the state level for legislative change to the law allowing OHVs on our streets (which I think we should definitely be doing despite the strong opposition we will surely face) I feel that creating stronger noise ordinances and actually enforcing them would be the most effective route to reducing noise in town. I would also support not permitting new OHV rental companies, but focusing on a noise ordinance would also include other excessively loud vehicles and motorcycles, such as the many painfully loud cars that cruise Main Street most nights of the week (painful to my ears at least, should I be unlucky enough to be passed by one while on my evening dog walk, shall I need to start wearing earplugs when I leave my house??)</p> <p>Please, PLEASE, PLEASE!! take strong and swift action on this issue. It is truly a major quality of life issue for me, and for almost everyone else I know in town with whom I have spoken about this. Again, I thank you all for bringing this issue to the forefront, let us get back some of our peace and quiet!!</p>
10/13/2020 16:11:26	Eve Tallman	<p>UTVs: Carl Albrecht's recent comments belie a disingenuous lack of accountability regarding his role in prohibiting local control. It appears the utv lobby is more powerful than our local governments. Strict enforcement of noise limits 24 hours plus strict enforcement of other "street legal" issues such as noncompliant fenders is worth extra leo costs.</p>

Timestamp	Your Name	Your Comment
10/13/2020 16:59:42	Nate Rydman	<p>When it comes to OHV noise in our community, the only real solution based on what is mentioned in the packet is to invest in noise measuring equipment and enough enforcement officers to accomplish enough checkpoints to make a serious difference- and it has to apply to everybody.</p> <p>I would avoid singling out local businesses to comply with harsher restrictions than the regular visitor. I would encourage the design and sale of quieter mufflers too- we do have the technology for that in this world.</p> <p>The only way any of this succeeds is if we have the community support and political will to make the rules, and a police force staffed well enough that they have the time and comparative luxury to enforce those rules. At best right now we have two of the three. Our current force currently is spread pretty thin on higher priorities.</p> <p>I know budgets are stressed, but at some point we have to acknowledge that although we are only about 10,000 (city and county) tax paying community residents, we have the problems of a 25,000 population much of the time. The goal should be to generate enough revenue through noise violations to pay for the additional law enforcement resources. We get what we pay for.</p> <p>Over time our community may gain the reputation of being hard on noise abusers and this may dissuade some visitors. So be it. Discouraging the more negligent visitors in this way should be the goal as well. When we look across town at crowded restaurants etc, it's obvious we don't need the negligent niche of clientele. It would improve our quality of life as residents, and improve the experience of the tourists that do come here, and those are good things.</p>
10/13/2020 17:04:15	Bonnie Anderson	<p>I have lived in the same house on Spanish Valley Drive for 22 years, and been a resident of Moab for 30. The first decade was wonderful. This last, not so much. These past several years have been FULL of heartbreak and devastation that our beloved, remote, peaceful and QUIET Moab is no longer. ALL HELL BROKE LOOSE FOR ME when side by sides were allowed on pavement. I AM STILL GOBSMACKED that this was allowed! The noise is beyond anything I could've imagined. It is ALL DAY, EVERYDAY. And they are EVERYWHERE! I can hear them coming from all the way down Spanish valley, they roar past, then hear them going, and they're almost always in packs, so it never ends.</p> <p>I am not in a position to just sell out and leave, nor do I want to, I have roots here. But my MENTAL HEALTH IS AT STAKE.</p> <p>THEY SHOULD BE TRAIERED TO THE TRAILHEAD.</p> <p>I AM BEGGING YOU AS A LONG TIME HOME OWNER AND CITIZEN OF MOAB, TO PLEASE TAKE THIS NOISE OFF OUR STREETS. Thank you for hearing me and for your time.</p> <p>Bonnie Anderson</p>
10/13/2020 17:19:47	Travis Nauman	<p>I live across the street from city limits (Hecla neighborhood near recycle center). Noise from OHVs and other loud vehicles has a large impact on my quality of life. I highly support any legal regulation of noise we have available. I also would like no further permitting or expansion of local OHV rental business or organized events like Jeep week or Rally on the Rocks. These vehicles have disproportionate impacts on everyone via noise, dust emissions (multiple recent scientific studies in this region), erosion, vegetation damage, infrastructure, and climate (burning fossil fuels all day). We should focus on diversifying our economy in general and trying to appeal to the various less impactful forms of tourism that Moab has appeal for (hiking, biking, climbing, rafting, eco-tourism, etc). Our quality of life is threatened by these vehicles and ultimately we need to lobby to fix the state laws that allow them to run around our streets keeping everyone awake at night.</p>
10/13/2020 17:32:53	Ben Burr	<p>I am the policy director for BlueRibbon Coalition/ShareTrails. We champion responsible recreation and support efforts to protect and increase access to recreation resources. We have worked with elected officials in Moab on a continuing basis to ensure that the millions of recreationists who visit Moab and the surrounding area create great experiences for themselves and for the community where they are a guest. Outdoor recreation is an explosive industry where new markets for experiences and products emerge suddenly. This provides challenges for policymakers to accommodate new users. This growth also creates significant economic opportunities that have benefitted Moab greatly. We are aware that the recent surge in UTV use in Moab is leading to noise nuisance complaints. Utah state law allows street legal UTVs and ATVs to use public roads, and we support these protections. Street legal access increases access for these users and eliminates problems such as trail-head congestion. We recognize the challenges that come with abating noise nuisances, and we are willing to work with the City of Moab to educate our users in ways they can minimize noise impacts while riding on public roads. We wouldn't support the codification of any policy that would unfairly discriminate against street-legal OHV users. We believe the city should find ways to enforce violations of ordinances in a way that targets wrongdoers instead of trying to find ways to categorically deny use of roads to street-legal OHV users. We look forward to finding common-ground solutions to these challenges at the same time we recognize that a categorical denial of use of a public benefit by a specific group is discriminatory by nature and can't be the starting point for authentic compromise.</p>

Timestamp	Your Name	Your Comment
10/13/2020 17:54:52	Ashley Bunton	<p>Dear Moab City Council,</p> <p>Please accept my comments regarding the new business on the agenda for today regarding off-highway vehicle (OHV) noise.</p> <p>In addition to what you have outlined in your agenda docs, I urge you to consider implementing a city-wide speed limit that is consistent. Right now you have a 30 mph speed limit on Main Street, that turns to a 20 mph speed limit on 300 S, that turns to a 25 mph on 400 E, all within 1-mile. If you could agree to a 20 mph speed limit on all roads, I think this would make Moab quieter and also safer.</p> <p>I was awakened at 1:00 a.m. the other night by a racket. Partly because the store had no women's earplugs in stock so I had settled for the regular sized ones that are a bit too large and they tend to fall out during the night. I have gone through two boxes of earplugs this summer. I believe the noise is made worse from speeding traffic.</p> <p>Almost daily I have seen ATVs drive 40-60 mph on residential streets. Please make it your priority to change the speed limits to a safe speed that is consistent across town. Let's not expect vacationers to be consistent in reading and looking for the signs that go from 30 mph to 20 mph to 25 mph as they roar off toward Sand Flats.</p> <p>My octogenarian neighbor screamed at tourists to stop trying to run the deer over in town, and this saddened me. It seems truthful to say we have seen the deer enforce the city speed limit more than the city council because the deer are making drivers slow down.</p> <p>I would like to request that you honor this community, its inhabitants including the deer, and have some respect for yourself as a city by changing the speed limit so that vacationers reciprocate that respect in a way that is simple for them to understand. We all want to get along and coexist and I want to sleep at night without earplugs, and without thinking about how my neighbors are moving away to escape the sound of the speeding traffic.</p> <p>Thank you for considering my comments. Please take action.</p> <p>Truly,</p> <p>Ashley</p>
10/13/2020 18:00:36	James King	<p>I have been enjoying Moab for at least 20 years. I am a US Army veteran. We spend each Valentines Day in Moab as HQ for hiking the area and parks. We spend Spring & Fall either ATV'ing or Jeep'ing the various trails. We usually rent an AirBnB in Spanish Valley, though we'd prefer to be in Moab proper. We spend much \$ in the various restaurants and stores in town for the ~4-5 days per trip we spend. Of late, we're finding Moab not so ATV/SxS friendly, save for the rental places taking massive groups out to run the Sand Flats area (Hells Revenge, etc). Seems to me as an Army transplant to Utah that out-of-state folks have a larger voice in Moab than Utahns..</p>
10/13/2020 18:35:06	Rebecca Every	<p>Noise pollution isn't just annoying, it's bad for your health!</p> <p>Moab is inundated....with tourists of all types, those seeking to run the river, off-road 4x trails, skydive, base jump, mountain bike, ride motorbikes, also to hike, dine, shop, attend Music festivals, Jeeping Jamboree's, old car shows, running trail races, new events of all kinds popping up each and every year to take place in this area. And, with off-road vehicles of every kind, but most notably of those are the OHV/Razor type vehicles. These type that do not have a muffler, omit the most horrendous noise that is considerably disturbing to our person, and one that is also detrimental our health. It has been shown that exposure to prolonged or excessive noise cause a range of health problems, ranging from stress, poor concentration, communication difficulties and fatigue from lack of sleep, to more serious issues such as cardiovascular disease, cognitive impairment, tinnitus, hypertension, etc.</p> <p>I have lived in Moab for 25 yrs, in that time have seen much change, and HUGE growth. Not the best planned out growth at that, leading to much congestion on our streets from the hoards of folks and traffic they bring.</p> <p>We as a community have been doing our best to adapt the changed Moab, but are reaching a boiling point when it comes to the issue of OHV/razors, and the noise pollution they bring with them. It is down right unbearable. I must say, in addition to the noise, it is the rude and entitled behavior coming from many of them that is driving many of us to the edge. Many are choosing to move for the loss of quality of life this new Moab has brought with it. It is one of the hardest things to witness, and to endure day in and day out, with the constant droning buzz that comes from those vehicles. Not to mention, many don't like to follow the laws, like stopping at stop signs for example. When there is a group riding together, often they bypass the stop sign for the sake of staying together as a group.</p> <p>They are up and down our neighborhood streets, they are EVERYWHERE. Noisy, stinky, rude. And we Moab residents are tired of it. I do not believe it is fair to all of us tax paying residents to have to endure this kind of torture year after year. I don't want to have to move. But how much more can I or we take? Not much.</p> <p>Please, let's bring SOME peace back to Moab.</p> <p>Thank you,</p> <p>Becka Every</p>
10/13/2020 18:37:55	Laura Hines	<p>The UTV noise has been hard to deal with as long as I have lived in Moab (8 years). I used to live on Spanish valley drive and the UTV noise would wake me and my babies in the middle of the night and at nap times. I now live on Murphy Lane and I regularly hear UTVs buzz by at late night hours 11pm, 12 am, 2 am etc. The noise wakes me and my children and it seems to happen more and more. Additionally the UTVs race so fast on the Sand Flats road and on the Geyser Pass road. The washboards created by them makes it hard to drive my 4x4 truck comfortably. Any changes to reduce the constant noise in town will help. I worry that a curfew will not be enforced. Could traffic cameras that send tickets be used? Of course only if the UTVs are licensed. Lastly, in the Sun News article interviewing the Rally on the Rocks organizer, he mentions that the tires are the significant source of noise. Yes, tires make noise but the idling UTVs sure are noisier than any vehicle with a muffler. The engine is also a major source of noise.</p>

Timestamp	Your Name	Your Comment
10/13/2020 18:47:32	Kristen Hayes and Mike E	<p>As longtime Moab city residents and home owners, we feel our lives have been negatively impacted by the overwhelming number of UTV's on our streets and public lands in the last few years. These impacts seem to increase exponentially each year. It is time for our City's lobbyist, along with our city and county government, to stand up to the state legislature and demand local control regarding the use of UTV's on our streets. The intent behind the initial state bill that made them street legal, which claimed rural and agricultural use, was clearly driven by dollar signs from the UTV lobby. The abundance of recreational use of UTV's, from both private owners and rental companies, has made Moab's streets loud and crowded, even uninhabitable for residents. Noise in town is a significant bipartisan and economic issue, affecting the viability of local businesses, the experience of visitors, and the wellbeing and even property values of residents.</p> <p>Not only are noise and traffic from UTV's an issue in town, but the noise and resource destruction on public lands overwhelms the experiences of visitors who seek a non-motorized experience such as hiking, boating on the river, biking, climbing, base jumping, photography, etc. not to mention impacts on wildlife. Even some members of the Jeep community express frustration with their impact. There is no reprieve from the noise and lights of these vehicles riding trails at night and driving the city streets at all hours.</p> <p>We plead for our city and county representatives to advocate at the state level for local choice over UTV's on our streets. In the meantime, we advocate for implementing other solutions as follows:</p> <ol style="list-style-type: none"> 1. Quiet hour curfews on streets and public trail systems (Sand Flats would be a start) 2. Requiring rentals to add mufflers and pay fees towards education and resource rehabilitation 3. Moratorium on licensing new rental companies 4. Followthrough from law enforcement on noise, speed limits, and street legal registration 5. Encouraging rental companies to use trailers and guided tours to maintain slower speeds and reduce resource damage 6. Establishing a permit system/ quota for commercial and private trail users <p>Given the growing impacts we've seen in UTV use each year, the near future for our community's wellbeing is terrifying. Please consider taking a strong stand on managing these issues.</p> <p>Sincerely,</p> <p>Kristen Hayes and Mike Bassett</p>

AGENDA SUMMARY
GRAND COUNTY COMMISSION AND CITY OF MOAB COUNCIL
JOINT MEETING
OCTOBER 20, 2020

Agenda Item: B

TITLE:	Approving an ordinance to establish speed limits for off-highway vehicles (OHV), not including motorcycles, in the City of Moab
FISCAL IMPACT:	
PRESENTER(S):	Laurie Simonson, City of Moab Attorney and City of Moab Mayor Niehaus

**Jointly Prepared
By:**

Laurie Simonson,
the City of Moab
Attorney
and Christina
Sloan, Grand
County Attorney

FOR OFFICE USE ONLY:

**Attorney Review:
COMPLETE**

SUGGESTED MOTION:

I move to approve the ordinance to establish speed limits for off-highway vehicles, not including motorcycles.

BACKGROUND:

There has been a recent increase in motorized tourism in the County and City for several years, which has caused an unprecedented level of OHV travel on County and City roads and streets in 2020. This increase in motorized tourism has resulted in a sharp increase in noise impacts to City residents during all hours of the day and night. As cited in the proposed Ordinances, numerous studies have found: noise pollution increases anxiety, depression, high blood pressure, heart disease, and stroke; small increases in unwanted ambient sound have significant health effects; and noise aggravates health conditions by inducing higher levels of stress.

The County and City both have noise regulations; however, they have been ineffective at reducing the impact of OHV noise because measuring the noise emitted by a moving vehicle on roads and highways is impractical given surrounding ambient noise and equipment limitations.

The Moab valley is narrow and surrounded by sandstone cliffs which cause noise generated by OHV noise to reverberate valley-wide, which increases the impact of OHV noise on residents and visitors. In addition, several popular OHV trails are accessed through residential neighborhoods in the City and County, including the vast trail systems located in the Sand Flats Recreation Area and those accessed via Kane Creek Boulevard, Spanish Valley Drive, Spanish Trail Road, Westwater Drive, and Murphy Lane, which increases the impact of OHV noise on residents and visitors.

The noise produced by OHVs in the County and City also impacts other recreational user groups and associated economic activity, including mountain biking, hiking, rafting, and climbing, which economic sectors thrive in natural quiet.

As cited in the proposed Ordinances, evidence shows that lower speed limits directly correlate with lower noise emitted from vehicles therefore supporting the safety, health, morals and welfare of local residents (and visitors). For example, speed reduction on roadways (coupled with increased enforcement) is often the most effective and cost efficient means of reducing noise. For example, reducing vehicle speeds from 40 to 30 mph is as effective as removing one-half the vehicles from the roadway, A reduction in speed limit quickly makes streets quieter, reducing noise as much as 3 dBA. That is approximately a halving of the source of traffic noise: 10 cars travelling at 30km/h make as much noise as only 5 cars at 50km/h. Problems with irritability and concentration problems in children will reduce, as will a number of mental health problems.

As cited in the proposed Ordinance, Utah law allows the City to regulate the movement of traffic on City roads.

ATTACHMENT(S):

- Draft Ordinance

**CITY OF MOAB, UTAH
ORDINANCE NO. 2020-15**

**TO ESTABLISH SPEED LIMITS FOR OFF-HIGHWAY VEHICLES
NOT INCLUDING MOTORCYCLES**

WHEREAS, Utah Code defines “Off-highway vehicle” (“OHV(s)”) as “any snowmobile, all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III vehicle, or motorcycle.” (Utah Code Annotated § 41-22-2(14).)

WHEREAS, Utah Code § 41-22-2(2)-(4) defines all-terrain vehicles (“ATV(s)”) and states:

- (2) “All-terrain type I vehicle” means any motor vehicle 52 inches or less in width, having an unladen dry weight of 1,500 pounds or less, traveling on three or more low pressure tires, having a seat designed to be straddled by the operator, and designed for or capable of travel over unimproved terrain.
- (3)
 - (a) “All-terrain type II vehicle” means any motor vehicle 80 inches or less in width, traveling on four or more low pressure tires, having a steering wheel, non-straddle seating, a rollover protection system, and designed for or capable of travel over unimproved terrain, and is:
 - (i) an electric-powered vehicle; or
 - (ii) a vehicle powered by an internal combustion engine and has an unladen dry weight of 2,500 pounds or less.
 - (b) “All-terrain type II vehicle” does not include golf carts, any vehicle designed to carry a person with a disability, any vehicle not specifically designed for recreational use, or farm tractors as defined under Section 41-1a-102.
- (4)
 - (a) “All-terrain type III vehicle” means any other motor vehicle, not defined in Subsection (2), (3), (12), or (22), designed for or capable of travel over unimproved terrain.
 - (b) “All-terrain type III vehicle” does not include golf carts, any vehicle designed to carry a person with a disability, any vehicle not specifically designed for recreational use, or farm tractors as defined under Section 41-1a-102.

WHEREAS, Utah Code § 41-6a-1509 now permits the operation of street-legal ATVs on City roads (subject to certain requirements);

WHEREAS, there has been a recent increase in motorized tourism in the City of Moab for several years, which has caused an unprecedented level of OHV travel on City roads in 2020;

WHEREAS, this increase in motorized tourism has resulted in a sharp increase in noise impacts to City residents during all hours of the day and night;

WHEREAS, numerous studies have found: noise pollution increases anxiety, depression, high blood pressure, heart disease, and stroke; small increases in unwanted ambient sound have significant health effects; and noise aggravates health conditions by inducing higher levels of stress;¹

WHEREAS, at least one additional study has found that people living in areas with more road traffic noise were 25 percent more likely than those living in quieter neighborhoods to have symptoms of depression;²

WHEREAS, studies have shown that continuous noise in excess of 30 dB disturbs sleep, which is well documented to be a prerequisite for good physiologic and mental functioning in healthy individuals,³ and the U.S. Environmental Protection Agency sound guidance for the protection of human health and welfare in rural areas is 55 dB;⁴

WHEREAS, during operation on streets and roads, most all-terrain vehicles in the state of Utah (not built to California noise standards) produce decibel levels louder than 70 dBA and often between 85 and 100 dBA;⁵

WHEREAS, the City of Moab's noise regulations are located at Chapter 17.74 of the Municipal Code. These regulations establish minimum standards to:

- A. Reduce the making and creation of excessive, unnecessary, or unusually loud noises within the limits of the City; and

¹ Floud, *Medication use in relation to noise from aircraft and road traffic in six European countries: results of the HYENA study*, <https://pubmed.ncbi.nlm.nih.gov/21084328/>; Schmidt, *Effect of nighttime aircraft noise exposure on endothelial function and stress hormone release in healthy adults* <https://academic.oup.com/eurheartj/article/34/45/3508/435199>; Hahad, *Annoyance to Different Noise Sources is Associated With Atrial Fibrillation*, [https://www.internationaljournalofcardiology.com/article/S0167-5273\(17\)37174-7/fulltext](https://www.internationaljournalofcardiology.com/article/S0167-5273(17)37174-7/fulltext);

² Orban, *Residential Road Traffic Noise and High Depressive Symptoms after Five Years of Follow-up: Results from the Heinz Nixdorf Recall Study*, <https://ehp.niehs.nih.gov/doi/10.1289/ehp.1409400>

³ Jariwala, *Noise Pollution and Human Health: A Review*, https://www.researchgate.net/publication/319329633_Noise_Pollution_Human_Health_A_Review

⁴ Harrison, *Rock Creek Enduro Sound Tests*, Eldorado National Forest, USDA Forest Service Special Report, May 1994.

⁵ Horse Farms Forever, *ATV Engine Noise - the Sound of Science*, <https://www.horsefarmsforever.com/lets-have-a-sound-test/>; Rowley, *Are ATVs A Noisy Nuisance Or A Right?*, <https://shawangunkjournal.com/2014/03/27/news/1403273.html>

B. Prevent excessive, unnecessary, or unusually loud noises that are prolonged, unusual, or unreasonable in their time, place, or use, that affect and are a detriment to public health, comfort, convenience, safety, or welfare of the residents of the City; and

C. Secure and promote the public health, comfort, convenience, safety, welfare and the peace and quiet of the residents of the City. (Ord. 94-26 (part), 1994);

WHEREAS, the City's Noise Ordinance has been ineffective at reducing the impact of OHV noise because measuring the noise emitted by a moving vehicle on roads and highways is impractical given surrounding ambient noise and equipment limitations;

WHEREAS, the Moab valley is narrow and surrounded by sandstone cliffs which cause noise generated by OHV and noise to reverberate valley-wide, which increases the impact of OHV noise on residents and visitors;

WHEREAS, several popular OHV trails are accessed through residential neighborhoods in the City, including the vast trail systems located in the Sand Flats Recreation Area and those accessed via Kane Creek Boulevard and Spanish Valley Drive, which increases the impact of OHV noise on residents and visitors;

WHEREAS, the noise produced by OHVs in the City impacts other recreational user groups and associated economic activity, including mountain biking, hiking, rafting, and climbing, which economic sectors thrive in natural quiet;

WHEREAS, in the Fall of 2020, the City received a historic number of public comments objecting to noise impacts from OHVs, which public comments are included in the record for the joint meeting of the City and County on October 20, 2020;

WHEREAS, evidence shows that lower speed limits directly correlate with lower noise emitted from vehicles therefore supporting the safety, health, morals and welfare of City residents. For example, speed reduction on roadways (coupled with increased enforcement) is often the most effective and cost efficient means of reducing noise. For example, reducing vehicle speeds from 40 to 30 mph is as effective as removing one-half the vehicles from the roadway;⁶

WHEREAS, a reduction in urban speed limit quickly makes streets quieter, reducing noise as much as 3 dBA. That is approximately a halving of the source of traffic noise: 10 cars travelling at 30km/h make as much noise as only 5 cars at 50km/h. Problems with irritability and concentration problems in children will reduce, as will a number of mental health problems;⁷

⁶ Cowan, *Noise Increase with Vehicle Speed*, <https://www.nonoise.org/resource/trans/highway/spnoise.htm>;
Zambon, Scaling model for a speed-dependent vehicle noise spectrum,
<https://www.sciencedirect.com/science/article/pii/S2095756417301873>;

⁷ "Lower urban speed limits" Authored by European Federation for Transport and Environment
<https://www.transportenvironment.org/sites/te/files/media/11-01-T30.pdf>

WHEREAS, Utah Code § 10-8-30 allows the City to regulate the movement of traffic on streets;

WHEREAS, for the reasons articulated above and under the authority set forth herein, the Moab City Council finds that compelling, countervailing public interests justify imposing a speed limit for OHVs not including motorcycles on City Roads;

NOW, THEREFORE BE IT ORDAINED that the Moab City Council does hereby:

1. Impose a 15 mile per hour (MPH) speed limit for all Off-highway vehicles not including motorcycles on all City Roads (“OHV Speed Limit”).
2. The OHV Speed Limit is effective when appropriate signs giving notice are erected along City streets.
3. As used in this Ordinance:
 - A. “All-Terrain Vehicles” shall mean all-terrain Type I, II, and III vehicles as defined under Utah Code §§ 41-6a-102 and 41-22-2;
 - B. “City Roads” shall have the same meaning as that set forth in Utah Code § 72-3-103.
 - C. “Off-highway vehicles” shall have the same meaning as that set forth in Utah Code § 41-22-2(14).)

APPROVED by the City Council in a public meeting on October 20, 2020 by the following vote:

MOAB CITY COUNCIL:

*Those voting aye:*_____

*Those voting nay:*_____

*Those absent:*_____

Emily Niehaus, Mayor

ATTEST:

Sommar Johnson, Clerk/Recorder

AGENDA SUMMARY
GRAND COUNTY COMMISSION AND CITY OF MOAB COUNCIL
JOINT MEETING
OCTOBER 20, 2020

Agenda Item: C

TITLE:	Approving an ordinance to establish speed limits for off-highway vehicles (OHV), not including motorcycles, in Grand County
FISCAL IMPACT:	
PRESENTER(S):	Christina Sloan, Grand County Attorney, and Mary McGann, Chair of County Commission

**Jointly Prepared
By:**

Christina Sloan,
Grand County
Attorney and
Laurie Simonson,
the City of Moab

FOR OFFICE USE ONLY:

Attorney Review:
COMPLETE

SUGGESTED MOTION:

I move to approve the ordinance to establish speed limits for off-highway vehicles, not including motorcycles.

BACKGROUND:

There has been a recent increase in motorized tourism in the County and City for several years, which has caused an unprecedented level of OHV travel on County and City roads and streets in 2020. This increase in motorized tourism has resulted in a sharp increase in noise impacts to County residents during all hours of the day and night. As cited in the proposed Ordinances, numerous studies have found: noise pollution increases anxiety, depression, high blood pressure, heart disease, and stroke; small increases in unwanted ambient sound have significant health effects; and noise aggravates health conditions by inducing higher levels of stress.

The County and City both have noise regulations; however, they have been ineffective at reducing the impact of OHV noise because measuring the noise emitted by a moving vehicle on roads and highways is impractical given surrounding ambient noise and equipment limitations.

The Moab valley is narrow and surrounded by sandstone cliffs which cause noise generated by OHV noise to reverberate valley-wide, which increases the impact of OHV noise on residents and visitors. In addition, several popular OHV trails are accessed through residential neighborhoods in the City and County, including the vast trail systems located in the Sand Flats Recreation Area and those accessed via Kane Creek Boulevard, Spanish Valley Drive, Spanish Trail Road, Westwater Drive, and Murphy Lane, which increases the impact of OHV noise on residents and visitors.

The noise produced by OHVs in the County and City also impacts other recreational user groups and associated economic activity, including

mountain biking, hiking, rafting, and climbing, which economic sectors thrive in natural quiet.

As cited in the proposed Ordinances, evidence shows that lower speed limits directly correlate with lower noise emitted from vehicles therefore supporting the safety, health, morals and welfare of local residents (and visitors). For example, speed reduction on roadways (coupled with increased enforcement) is often the most effective and cost efficient means of reducing noise. For example, reducing vehicle speeds from 40 to 30 mph is as effective as removing one-half the vehicles from the roadway, A reduction in speed limit quickly makes streets quieter, reducing noise as much as 3 dBA. That is approximately a halving of the source of traffic noise: 10 cars travelling at 30km/h make as much noise as only 5 cars at 50km/h. Problems with irritability and concentration problems in children will reduce, as will a number of mental health problems.

As cited in the proposed Ordinance, Utah law allows the County to regulate the movement of traffic on County roads.

ATTACHMENT(S):

- Draft Ordinance

GRAND COUNTY, UTAH
ORDINANCE NO. _____ (2020)

TO ESTABLISH SPEED LIMITS FOR OFF-HIGHWAY VEHICLES
NOT INCLUDING MOTORCYCLES

WHEREAS, Utah Code § 41-22-2 defines “off-highway vehicle” (“OHV(s)”) as “any snowmobile, all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III vehicle, or motorcycle,” and Utah Code § 41-22-2 further defines each type of all-terrain vehicle (“ATV(s)”);

WHEREAS, Utah Code § 41-6a-1509 now permits the operation of certain street-legal OHVs on County roads (subject to certain requirements);

WHEREAS, there has been a recent increase in motorized tourism in the County for several years, which has caused an unprecedented level of OHV travel on County roads in 2020;

WHEREAS, this increase in motorized tourism has resulted in a sharp increase in noise impacts to County residents during all hours of the day and night;

WHEREAS, numerous studies have found: noise pollution increases anxiety, depression, high blood pressure, heart disease, and stroke; small increases in unwanted ambient sound have significant health effects; and noise aggravates health conditions by inducing higher levels of stress;¹

WHEREAS, at least one additional study has found that people living in areas with more road traffic noise were 25 percent more likely than those living in quieter neighborhoods to have symptoms of depression;²

WHEREAS, studies have shown that continuous noise in excess of 30 dB disturbs sleep, which is well documented to be a prerequisite for good physiologic and mental functioning in healthy individuals,³ and the U.S. Environmental Protection Agency sound guidance for the protection of human health and welfare in rural areas is 55 dB;⁴

¹ Floud, *Medication use in relation to noise from aircraft and road traffic in six European countries: results of the HYENA study*, <https://pubmed.ncbi.nlm.nih.gov/21084328/>; Schmidt, *Effect of nighttime aircraft noise exposure on endothelial function and stress hormone release in healthy adults* <https://academic.oup.com/eurheartj/article/34/45/3508/435199>; Hahad, *Annoyance to Different Noise Sources is Associated With Atrial Fibrillation*, [https://www.internationaljournalofcardiology.com/article/S0167-5273\(17\)37174-7/fulltext](https://www.internationaljournalofcardiology.com/article/S0167-5273(17)37174-7/fulltext);

² Urban, *Residential Road Traffic Noise and High Depressive Symptoms after Five Years of Follow-up: Results from the Heinz Nixdorf Recall Study*, <https://ehp.niehs.nih.gov/doi/10.1289/ehp.1409400>

³ Jariwala, *Noise Pollution and Human Health: A Review*, https://www.researchgate.net/publication/319329633_Noise_Pollution_Human_Health_A_Review

⁴ Harrison, *Rock Creek Enduro Sound Tests*, Eldorado National Forest, USDA Forest Service Special Report, May 1994.

WHEREAS, during operation on streets and roads, most all-terrain vehicles in the state of Utah (not built to California noise standards) produce decibel levels louder than 70 dBA and often between 85 and 100 dBA;⁵

WHEREAS, the County's noise regulations are located in Title 11 of the County's Codified Ordinances, which noise regulations establish minimum standards to: reduce the making and creation of excessive, unnecessary, or unusually loud noises in the unincorporated areas of Grand County; prevent excessive, unnecessary, or unusually loud noises that are prolonged, unusual, or unreasonable in their time, place, or use, that affect and are a detriment to public health, comfort, convenience, safety, or welfare of the residents of and visitors to the unincorporated areas of Grand County; and secure and promote the public health, comfort, convenience, safety, welfare and the peace and quiet of the residents of and visitors to the unincorporated areas of Grand County, Grand County Code Section 11.01.010;

WHEREAS, the County's Noise Ordinance has been ineffective at reducing the impact of OHV noise because measuring the noise emitted by a moving vehicle on roads and highways is impractical given surrounding ambient noise and equipment limitations;

WHEREAS, the Moab valley is narrow and surrounded by sandstone cliffs which cause noise generated by OHV noise to reverberate valley-wide, which increases the impact of OHV noise on residents and visitors;

WHEREAS, several popular OHV trails are accessed through residential neighborhoods in the City and County, including the vast trail systems located in the Sand Flats Recreation Area and those accessed via Kane Creek Boulevard, Spanish Valley Drive, Spanish Trail Road, Westwater Drive, and Murphy Lane, which increases the impact of OHV noise on residents and visitors;

WHEREAS, the noise produced by OHVs in the County also impacts other recreational user groups and associated economic activity, including mountain biking, hiking, rafting, and climbing, which economic sectors thrive in natural quiet;

WHEREAS, in the Fall of 2020, the County received a historical number of public comments objecting to noise impacts from OHVs, which public comments are included in the record for the joint meeting of the City and County on October 20, 2020;

WHEREAS, evidence shows that lower speed limits directly correlate with lower noise emitted from vehicles therefore supporting the safety, health, morals and welfare of County residents. For example, speed reduction on roadways (coupled with increased enforcement) is often the most effective and cost efficient means of reducing noise. For example, reducing vehicle speeds from 40 to 30 mph is as effective as removing one-half the vehicles from the roadway;⁶

⁵ Horse Farms Forever, *ATV Engine Noise - the Sound of Science*, <https://www.horsefarmsforever.com/lets-have-a-sound-test/>; Rowley, *Are ATVs A Noisy Nuisance Or A Right?*, <https://shawangunkjournal.com/2014/03/27/news/1403273.html>

WHEREAS, a reduction in speed limit quickly makes streets quieter, reducing noise as much as 3 dBA. That is approximately a halving of the source of traffic noise: 10 cars travelling at 30km/h make as much noise as only 5 cars at 50km/h. Problems with irritability and concentration problems in children will reduce, as will a number of mental health problems;⁷

WHEREAS, Utah Code § 17-50-304 allows the County to regulate the movement of traffic on County roads;

WHEREAS, for the reasons articulated above and under the authority set forth herein, the Grand County Commission finds that compelling, countervailing public interests justify imposing a speed limit for OHVs, not including motorcycles, on County B roads;

NOW, THEREFORE BE IT ORDAINED that the Grand County Commission does hereby:

1. Impose a speed limit for Off-highway vehicles, not including motorcycles, on all County B roads, which speed limit is ten miles per hour (10 MPH) lower than the posted speed limit for motor vehicles (“OHV Speed Limit”).

2. The OHV Speed Limit is effective when appropriate signs giving notice are erected along County B roads.

3. Definitions. As used herein:

A. “All-terrain vehicles” shall mean all-terrain Type I, II, and III vehicles as defined under Utah Code §§ 41-6a-102 and 41-22-2;

B. “County roads” and “County B roads” shall have the same meaning as that set forth in Utah Code § 72-3-103;

C. “Motor vehicles” shall have the meaning as that set forth in Utah Code § 41-6a-102; and

D. “Off-highway vehicles” shall have the same meaning as that set forth in Utah Code § 41-22-2.

⁶ Cowan, *Noise Increase with Vehicle Speed*, <https://www.nonoise.org/resource/trans/highway/spnoise.htm>;
Zambon, Scaling model for a speed-dependent vehicle noise spectrum,
<https://www.sciencedirect.com/science/article/pii/S2095756417301873>;

⁷ “Lower urban speed limits” Authored by European Federation for Transport and Environment
<https://www.transportenvironment.org/sites/te/files/media/11-01-T30.pdf>

APPROVED by the Grand County Commission in a public meeting on October 20, 2020 by the following vote:

GRAND COUNTY COMMISSION:

Those voting aye: _____

Those voting nay: _____

Those absent: _____

ATTEST:

Mary McGann, Chair

Quinn Hall, Clerk/Auditor

AGENDA SUMMARY
GRAND COUNTY COMMISSION AND CITY OF MOAB COUNCIL
JOINT MEETING
OCTOBER 20, 2020

Agenda Item: B

TITLE:	Approving an ordinance to establish speed limits for off-highway vehicles (OHV), not including motorcycles, in the City of Moab
FISCAL IMPACT:	
PRESENTER(S):	Laurie Simonson, City of Moab Attorney and City of Moab Mayor Niehaus

**Jointly Prepared
By:**

Laurie Simonson,
the City of Moab
Attorney
and Christina
Sloan, Grand
County Attorney

FOR OFFICE USE ONLY:

**Attorney Review:
COMPLETE**

SUGGESTED MOTION:

I move to approve the ordinance to establish speed limits for off-highway vehicles, not including motorcycles.

BACKGROUND:

There has been a recent increase in motorized tourism in the County and City for several years, which has caused an unprecedented level of OHV travel on County and City roads and streets in 2020. This increase in motorized tourism has resulted in a sharp increase in noise impacts to City residents during all hours of the day and night. As cited in the proposed Ordinances, numerous studies have found: noise pollution increases anxiety, depression, high blood pressure, heart disease, and stroke; small increases in unwanted ambient sound have significant health effects; and noise aggravates health conditions by inducing higher levels of stress.

The County and City both have noise regulations; however, they have been ineffective at reducing the impact of OHV noise because measuring the noise emitted by a moving vehicle on roads and highways is impractical given surrounding ambient noise and equipment limitations.

The Moab valley is narrow and surrounded by sandstone cliffs which cause noise generated by OHV noise to reverberate valley-wide, which increases the impact of OHV noise on residents and visitors. In addition, several popular OHV trails are accessed through residential neighborhoods in the City and County, including the vast trail systems located in the Sand Flats Recreation Area and those accessed via Kane Creek Boulevard, Spanish Valley Drive, Spanish Trail Road, Westwater Drive, and Murphy Lane, which increases the impact of OHV noise on residents and visitors.

The noise produced by OHVs in the County and City also impacts other recreational user groups and associated economic activity, including mountain biking, hiking, rafting, and climbing, which economic sectors thrive in natural quiet.

As cited in the proposed Ordinances, evidence shows that lower speed limits directly correlate with lower noise emitted from vehicles therefore supporting the safety, health, morals and welfare of local residents (and visitors). For example, speed reduction on roadways (coupled with increased enforcement) is often the most effective and cost efficient means of reducing noise. For example, reducing vehicle speeds from 40 to 30 mph is as effective as removing one-half the vehicles from the roadway, A reduction in speed limit quickly makes streets quieter, reducing noise as much as 3 dBA. That is approximately a halving of the source of traffic noise: 10 cars travelling at 30km/h make as much noise as only 5 cars at 50km/h. Problems with irritability and concentration problems in children will reduce, as will a number of mental health problems.

As cited in the proposed Ordinance, Utah law allows the City to regulate the movement of traffic on City roads.

ATTACHMENT(S):

- Draft Ordinance

**CITY OF MOAB, UTAH
ORDINANCE NO. 2020-15**

**TO ESTABLISH SPEED LIMITS FOR OFF-HIGHWAY VEHICLES
NOT INCLUDING MOTORCYCLES**

WHEREAS, Utah Code defines “Off-highway vehicle” (“OHV(s)”) as “any snowmobile, all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III vehicle, or motorcycle.” (Utah Code Annotated § 41-22-2(14).)

WHEREAS, Utah Code § 41-22-2(2)-(4) defines all-terrain vehicles (“ATV(s)”) and states:

- (2) “All-terrain type I vehicle” means any motor vehicle 52 inches or less in width, having an unladen dry weight of 1,500 pounds or less, traveling on three or more low pressure tires, having a seat designed to be straddled by the operator, and designed for or capable of travel over unimproved terrain.
- (3)
 - (a) “All-terrain type II vehicle” means any motor vehicle 80 inches or less in width, traveling on four or more low pressure tires, having a steering wheel, non-straddle seating, a rollover protection system, and designed for or capable of travel over unimproved terrain, and is:
 - (i) an electric-powered vehicle; or
 - (ii) a vehicle powered by an internal combustion engine and has an unladen dry weight of 2,500 pounds or less.
 - (b) “All-terrain type II vehicle” does not include golf carts, any vehicle designed to carry a person with a disability, any vehicle not specifically designed for recreational use, or farm tractors as defined under Section 41-1a-102.
- (4)
 - (a) “All-terrain type III vehicle” means any other motor vehicle, not defined in Subsection (2), (3), (12), or (22), designed for or capable of travel over unimproved terrain.
 - (b) “All-terrain type III vehicle” does not include golf carts, any vehicle designed to carry a person with a disability, any vehicle not specifically designed for recreational use, or farm tractors as defined under Section 41-1a-102.

WHEREAS, Utah Code § 41-6a-1509 now permits the operation of street-legal ATVs on City roads (subject to certain requirements);

WHEREAS, there has been a recent increase in motorized tourism in the City of Moab for several years, which has caused an unprecedented level of OHV travel on City roads in 2020;

WHEREAS, this increase in motorized tourism has resulted in a sharp increase in noise impacts to City residents during all hours of the day and night;

WHEREAS, numerous studies have found: noise pollution increases anxiety, depression, high blood pressure, heart disease, and stroke; small increases in unwanted ambient sound have significant health effects; and noise aggravates health conditions by inducing higher levels of stress;¹

WHEREAS, at least one additional study has found that people living in areas with more road traffic noise were 25 percent more likely than those living in quieter neighborhoods to have symptoms of depression;²

WHEREAS, studies have shown that continuous noise in excess of 30 dB disturbs sleep, which is well documented to be a prerequisite for good physiologic and mental functioning in healthy individuals,³ and the U.S. Environmental Protection Agency sound guidance for the protection of human health and welfare in rural areas is 55 dB;⁴

WHEREAS, during operation on streets and roads, most all-terrain vehicles in the state of Utah (not built to California noise standards) produce decibel levels louder than 70 dBA and often between 85 and 100 dBA;⁵

WHEREAS, the City of Moab's noise regulations are located at Chapter 17.74 of the Municipal Code. These regulations establish minimum standards to:

- A. Reduce the making and creation of excessive, unnecessary, or unusually loud noises within the limits of the City; and

¹ Floud, *Medication use in relation to noise from aircraft and road traffic in six European countries: results of the HYENA study*, <https://pubmed.ncbi.nlm.nih.gov/21084328/>; Schmidt, *Effect of nighttime aircraft noise exposure on endothelial function and stress hormone release in healthy adults* <https://academic.oup.com/eurheartj/article/34/45/3508/435199>; Hahad, *Annoyance to Different Noise Sources is Associated With Atrial Fibrillation*, [https://www.internationaljournalofcardiology.com/article/S0167-5273\(17\)37174-7/fulltext](https://www.internationaljournalofcardiology.com/article/S0167-5273(17)37174-7/fulltext);

² Orban, *Residential Road Traffic Noise and High Depressive Symptoms after Five Years of Follow-up: Results from the Heinz Nixdorf Recall Study*, <https://ehp.niehs.nih.gov/doi/10.1289/ehp.1409400>

³ Jariwala, *Noise Pollution and Human Health: A Review*, https://www.researchgate.net/publication/319329633_Noise_Pollution_Human_Health_A_Review

⁴ Harrison, *Rock Creek Enduro Sound Tests*, Eldorado National Forest, USDA Forest Service Special Report, May 1994.

⁵ Horse Farms Forever, *ATV Engine Noise - the Sound of Science*, <https://www.horsefarmsforever.com/lets-have-a-sound-test/>; Rowley, *Are ATVs A Noisy Nuisance Or A Right?*, <https://shawangunkjournal.com/2014/03/27/news/1403273.html>

B. Prevent excessive, unnecessary, or unusually loud noises that are prolonged, unusual, or unreasonable in their time, place, or use, that affect and are a detriment to public health, comfort, convenience, safety, or welfare of the residents of the City; and

C. Secure and promote the public health, comfort, convenience, safety, welfare and the peace and quiet of the residents of the City. (Ord. 94-26 (part), 1994);

WHEREAS, the City's Noise Ordinance has been ineffective at reducing the impact of OHV noise because measuring the noise emitted by a moving vehicle on roads and highways is impractical given surrounding ambient noise and equipment limitations;

WHEREAS, the Moab valley is narrow and surrounded by sandstone cliffs which cause noise generated by OHV and noise to reverberate valley-wide, which increases the impact of OHV noise on residents and visitors;

WHEREAS, several popular OHV trails are accessed through residential neighborhoods in the City, including the vast trail systems located in the Sand Flats Recreation Area and those accessed via Kane Creek Boulevard and Spanish Valley Drive, which increases the impact of OHV noise on residents and visitors;

WHEREAS, the noise produced by OHVs in the City impacts other recreational user groups and associated economic activity, including mountain biking, hiking, rafting, and climbing, which economic sectors thrive in natural quiet;

WHEREAS, in the Fall of 2020, the City received a historic number of public comments objecting to noise impacts from OHVs, which public comments are included in the record for the joint meeting of the City and County on October 20, 2020;

WHEREAS, evidence shows that lower speed limits directly correlate with lower noise emitted from vehicles therefore supporting the safety, health, morals and welfare of City residents. For example, speed reduction on roadways (coupled with increased enforcement) is often the most effective and cost efficient means of reducing noise. For example, reducing vehicle speeds from 40 to 30 mph is as effective as removing one-half the vehicles from the roadway;⁶

WHEREAS, a reduction in urban speed limit quickly makes streets quieter, reducing noise as much as 3 dBA. That is approximately a halving of the source of traffic noise: 10 cars travelling at 30km/h make as much noise as only 5 cars at 50km/h. Problems with irritability and concentration problems in children will reduce, as will a number of mental health problems;⁷

⁶ Cowan, *Noise Increase with Vehicle Speed*, <https://www.nonoise.org/resource/trans/highway/spnoise.htm>;
Zambon, Scaling model for a speed-dependent vehicle noise spectrum,
<https://www.sciencedirect.com/science/article/pii/S2095756417301873>;

⁷ "Lower urban speed limits" Authored by European Federation for Transport and Environment
<https://www.transportenvironment.org/sites/te/files/media/11-01-T30.pdf>

WHEREAS, Utah Code § 10-8-30 allows the City to regulate the movement of traffic on streets;

WHEREAS, for the reasons articulated above and under the authority set forth herein, the Moab City Council finds that compelling, countervailing public interests justify imposing a speed limit for OHVs not including motorcycles on City Roads;

NOW, THEREFORE BE IT ORDAINED that the Moab City Council does hereby:

1. Impose a 15 mile per hour (MPH) speed limit for all Off-highway vehicles not including motorcycles on all City Roads (“OHV Speed Limit”).
2. The OHV Speed Limit is effective when appropriate signs giving notice are erected along City streets.
3. As used in this Ordinance:
 - A. “All-Terrain Vehicles” shall mean all-terrain Type I, II, and III vehicles as defined under Utah Code §§ 41-6a-102 and 41-22-2;
 - B. “City Roads” shall have the same meaning as that set forth in Utah Code § 72-3-103.
 - C. “Off-highway vehicles” shall have the same meaning as that set forth in Utah Code § 41-22-2(14).)

APPROVED by the City Council in a public meeting on October 20, 2020 by the following vote:

MOAB CITY COUNCIL:

*Those voting aye:*_____

*Those voting nay:*_____

*Those absent:*_____

Emily Niehaus, Mayor

ATTEST:

Sommar Johnson, Clerk/Recorder

AGENDA SUMMARY
GRAND COUNTY COMMISSION AND CITY OF MOAB COUNCIL
JOINT MEETING
OCTOBER 20, 2020

Agenda Item: C

TITLE:	Approving an ordinance to establish speed limits for off-highway vehicles (OHV), not including motorcycles, in Grand County
FISCAL IMPACT:	
PRESENTER(S):	Christina Sloan, Grand County Attorney, and Mary McGann, Chair of County Commission

**Jointly Prepared
By:**

Christina Sloan,
Grand County
Attorney and
Laurie Simonson,
the City of Moab

FOR OFFICE USE ONLY:

Attorney Review:
COMPLETE

SUGGESTED MOTION:

I move to approve the ordinance to establish speed limits for off-highway vehicles, not including motorcycles.

BACKGROUND:

There has been a recent increase in motorized tourism in the County and City for several years, which has caused an unprecedented level of OHV travel on County and City roads and streets in 2020. This increase in motorized tourism has resulted in a sharp increase in noise impacts to County residents during all hours of the day and night. As cited in the proposed Ordinances, numerous studies have found: noise pollution increases anxiety, depression, high blood pressure, heart disease, and stroke; small increases in unwanted ambient sound have significant health effects; and noise aggravates health conditions by inducing higher levels of stress.

The County and City both have noise regulations; however, they have been ineffective at reducing the impact of OHV noise because measuring the noise emitted by a moving vehicle on roads and highways is impractical given surrounding ambient noise and equipment limitations.

The Moab valley is narrow and surrounded by sandstone cliffs which cause noise generated by OHV noise to reverberate valley-wide, which increases the impact of OHV noise on residents and visitors. In addition, several popular OHV trails are accessed through residential neighborhoods in the City and County, including the vast trail systems located in the Sand Flats Recreation Area and those accessed via Kane Creek Boulevard, Spanish Valley Drive, Spanish Trail Road, Westwater Drive, and Murphy Lane, which increases the impact of OHV noise on residents and visitors.

The noise produced by OHVs in the County and City also impacts other recreational user groups and associated economic activity, including

mountain biking, hiking, rafting, and climbing, which economic sectors thrive in natural quiet.

As cited in the proposed Ordinances, evidence shows that lower speed limits directly correlate with lower noise emitted from vehicles therefore supporting the safety, health, morals and welfare of local residents (and visitors). For example, speed reduction on roadways (coupled with increased enforcement) is often the most effective and cost efficient means of reducing noise. For example, reducing vehicle speeds from 40 to 30 mph is as effective as removing one-half the vehicles from the roadway, A reduction in speed limit quickly makes streets quieter, reducing noise as much as 3 dBA. That is approximately a halving of the source of traffic noise: 10 cars travelling at 30km/h make as much noise as only 5 cars at 50km/h. Problems with irritability and concentration problems in children will reduce, as will a number of mental health problems.

As cited in the proposed Ordinance, Utah law allows the County to regulate the movement of traffic on County roads.

ATTACHMENT(S):

- Draft Ordinance

GRAND COUNTY, UTAH
ORDINANCE NO. _____ (2020)

TO ESTABLISH SPEED LIMITS FOR OFF-HIGHWAY VEHICLES
NOT INCLUDING MOTORCYCLES

WHEREAS, Utah Code § 41-22-2 defines “off-highway vehicle” (“OHV(s)”) as “any snowmobile, all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III vehicle, or motorcycle,” and Utah Code § 41-22-2 further defines each type of all-terrain vehicle (“ATV(s)”);

WHEREAS, Utah Code § 41-6a-1509 now permits the operation of certain street-legal OHVs on County roads (subject to certain requirements);

WHEREAS, there has been a recent increase in motorized tourism in the County for several years, which has caused an unprecedented level of OHV travel on County roads in 2020;

WHEREAS, this increase in motorized tourism has resulted in a sharp increase in noise impacts to County residents during all hours of the day and night;

WHEREAS, numerous studies have found: noise pollution increases anxiety, depression, high blood pressure, heart disease, and stroke; small increases in unwanted ambient sound have significant health effects; and noise aggravates health conditions by inducing higher levels of stress;¹

WHEREAS, at least one additional study has found that people living in areas with more road traffic noise were 25 percent more likely than those living in quieter neighborhoods to have symptoms of depression;²

WHEREAS, studies have shown that continuous noise in excess of 30 dB disturbs sleep, which is well documented to be a prerequisite for good physiologic and mental functioning in healthy individuals,³ and the U.S. Environmental Protection Agency sound guidance for the protection of human health and welfare in rural areas is 55 dB;⁴

¹ Floud, *Medication use in relation to noise from aircraft and road traffic in six European countries: results of the HYENA study*, <https://pubmed.ncbi.nlm.nih.gov/21084328/>; Schmidt, *Effect of nighttime aircraft noise exposure on endothelial function and stress hormone release in healthy adults* <https://academic.oup.com/eurheartj/article/34/45/3508/435199>; Hahad, *Annoyance to Different Noise Sources is Associated With Atrial Fibrillation*, [https://www.internationaljournalofcardiology.com/article/S0167-5273\(17\)37174-7/fulltext](https://www.internationaljournalofcardiology.com/article/S0167-5273(17)37174-7/fulltext);

² Urban, *Residential Road Traffic Noise and High Depressive Symptoms after Five Years of Follow-up: Results from the Heinz Nixdorf Recall Study*, <https://ehp.niehs.nih.gov/doi/10.1289/ehp.1409400>

³ Jariwala, *Noise Pollution and Human Health: A Review*, https://www.researchgate.net/publication/319329633_Noise_Pollution_Human_Health_A_Review

⁴ Harrison, *Rock Creek Enduro Sound Tests*, Eldorado National Forest, USDA Forest Service Special Report, May 1994.

WHEREAS, during operation on streets and roads, most all-terrain vehicles in the state of Utah (not built to California noise standards) produce decibel levels louder than 70 dBA and often between 85 and 100 dBA;⁵

WHEREAS, the County's noise regulations are located in Title 11 of the County's Codified Ordinances, which noise regulations establish minimum standards to: reduce the making and creation of excessive, unnecessary, or unusually loud noises in the unincorporated areas of Grand County; prevent excessive, unnecessary, or unusually loud noises that are prolonged, unusual, or unreasonable in their time, place, or use, that affect and are a detriment to public health, comfort, convenience, safety, or welfare of the residents of and visitors to the unincorporated areas of Grand County; and secure and promote the public health, comfort, convenience, safety, welfare and the peace and quiet of the residents of and visitors to the unincorporated areas of Grand County, Grand County Code Section 11.01.010;

WHEREAS, the County's Noise Ordinance has been ineffective at reducing the impact of OHV noise because measuring the noise emitted by a moving vehicle on roads and highways is impractical given surrounding ambient noise and equipment limitations;

WHEREAS, the Moab valley is narrow and surrounded by sandstone cliffs which cause noise generated by OHV noise to reverberate valley-wide, which increases the impact of OHV noise on residents and visitors;

WHEREAS, several popular OHV trails are accessed through residential neighborhoods in the City and County, including the vast trail systems located in the Sand Flats Recreation Area and those accessed via Kane Creek Boulevard, Spanish Valley Drive, Spanish Trail Road, Westwater Drive, and Murphy Lane, which increases the impact of OHV noise on residents and visitors;

WHEREAS, the noise produced by OHVs in the County also impacts other recreational user groups and associated economic activity, including mountain biking, hiking, rafting, and climbing, which economic sectors thrive in natural quiet;

WHEREAS, in the Fall of 2020, the County received a historical number of public comments objecting to noise impacts from OHVs, which public comments are included in the record for the joint meeting of the City and County on October 20, 2020;

WHEREAS, evidence shows that lower speed limits directly correlate with lower noise emitted from vehicles therefore supporting the safety, health, morals and welfare of County residents. For example, speed reduction on roadways (coupled with increased enforcement) is often the most effective and cost efficient means of reducing noise. For example, reducing vehicle speeds from 40 to 30 mph is as effective as removing one-half the vehicles from the roadway;⁶

⁵ Horse Farms Forever, *ATV Engine Noise - the Sound of Science*, <https://www.horsefarmsforever.com/lets-have-a-sound-test/>; Rowley, *Are ATVs A Noisy Nuisance Or A Right?*, <https://shawangunkjournal.com/2014/03/27/news/1403273.html>

WHEREAS, a reduction in speed limit quickly makes streets quieter, reducing noise as much as 3 dBA. That is approximately a halving of the source of traffic noise: 10 cars travelling at 30km/h make as much noise as only 5 cars at 50km/h. Problems with irritability and concentration problems in children will reduce, as will a number of mental health problems;⁷

WHEREAS, Utah Code § 17-50-304 allows the County to regulate the movement of traffic on County roads;

WHEREAS, for the reasons articulated above and under the authority set forth herein, the Grand County Commission finds that compelling, countervailing public interests justify imposing a speed limit for OHVs, not including motorcycles, on County B roads;

NOW, THEREFORE BE IT ORDAINED that the Grand County Commission does hereby:

1. Impose a speed limit for Off-highway vehicles, not including motorcycles, on all County B roads, which speed limit is ten miles per hour (10 MPH) lower than the posted speed limit for motor vehicles (“OHV Speed Limit”).

2. The OHV Speed Limit is effective when appropriate signs giving notice are erected along County B roads.

3. Definitions. As used herein:

A. “All-terrain vehicles” shall mean all-terrain Type I, II, and III vehicles as defined under Utah Code §§ 41-6a-102 and 41-22-2;

B. “County roads” and “County B roads” shall have the same meaning as that set forth in Utah Code § 72-3-103;

C. “Motor vehicles” shall have the meaning as that set forth in Utah Code § 41-6a-102; and

D. “Off-highway vehicles” shall have the same meaning as that set forth in Utah Code § 41-22-2.

⁶ Cowan, *Noise Increase with Vehicle Speed*, <https://www.nonoise.org/resource/trans/highway/spnoise.htm>;
Zambon, Scaling model for a speed-dependent vehicle noise spectrum,
<https://www.sciencedirect.com/science/article/pii/S2095756417301873>;

⁷ “Lower urban speed limits” Authored by European Federation for Transport and Environment
<https://www.transportenvironment.org/sites/te/files/media/11-01-T30.pdf>

APPROVED by the Grand County Commission in a public meeting on October 20, 2020 by the following vote:

GRAND COUNTY COMMISSION:

Those voting aye: _____

Those voting nay: _____

Those absent: _____

ATTEST:

Mary McGann, Chair

Quinn Hall, Clerk/Auditor