

SB 340 -- Redline

Introduced to Engrossed -- Cherokee County, provides for permitting, inspection, operation, and fines for ATV parks

Deletions ~~struck~~ · Insertions underlined

SB340 ~~INTRODUCED~~ENGROSSED SB340 ~~HSS0663-1~~AXIT07S-2 By Senator Jones (N & P) RFD:

25-Apr-24 Page 0 ~~HSS0663-1~~SB340 ~~04/25/2024~~Engrossed ~~THR (L)~~THR 2024-1292 2 4 A BILL TO BE ENTITLED AN ACT 8 Relating to Cherokee County;

A location that has previously been used to access the tract, if the county does not have a driveway or access Page 1 SB340 ~~INTRODUCED~~Engrossed management policy.

(2) A detailed map of the area which identifies ~~the all location of any tract included in the park following: and each access point to any tract from a public road.~~

~~(3)a. With respect to any access point to the tract, whether the access point is a new or approved access point, Page 2 SB340 INTRODUCED including details outlining how this access will be accomplished while maintaining the normal drainage features on each public road.~~

The location of any tract included in the park.

b.

Each access point from a public road to each tract.

c.

The physical boundaries of the park.

Page 2 SB340 Engrossed d.

Each riding trail in the park.

e.

Each creek, stream, or other water channel in the park.

f.

Any areas in the park where ATV riding is prohibited.

(3) With respect to any access point to the tract, whether the access point is a new or approved access point, including details outlining how this access will be accomplished while maintaining the normal drainage features on each public road.

(d) No permit application shall be approved or Page 3 SB340 Engrossed disapproved by the county commission without the ATV park first being inspected by the county license inspector or his or her designee.

Should ~~Page 3 SB340 INTRODUCED~~ the ATV park be determined by the county license inspector to be deficient in any regard, the county license inspector shall detail the deficiency to the commission along with a 95 recommendation that the application be denied.

(g) A permit is not required under this section for a ~~95~~ location using ATVs solely for agricultural purposes.

(a)(1) The county commission may provide that a person who operates an ATV park without a valid permit in violation of Section 3(a) is subject to a civil fine of not more than five thousand dollars (\$5,000) ~~per day for each operating day an ATV park operates~~ without a valid permit and that ~~an~~ an ~~ATV person park operator~~ operating outside of the Page 4 SB340 Engrossed operating hours established by the county commission pursuant to Section 3(f) is subject to a civil fine of not more than five hundred dollars ~~(\$500)(\$500). for each violation.~~

(3) A person charged with a violation may pay the civil ~~Page 4 SB340 INTRODUCED~~ fine or request, within 30 days of receipt of the citation, a due process hearing before the county commission or its hearing officer on the validity of the citation.

(a) Any person operating an ATV park shall follow the best management practices established by the Alabama Forestry Commission as they pertain to forested ~~watersheds~~Page 5 SB340 Engrossed watersheds, including, but not limited to, the use of creeks, streams, and water channels, and shall be subject to inspection.

~~Page 5 SB340 INTRODUCED~~ Section 6.

Page 6 SB340 Engrossed Senate Read for the first time and referred 25-Apr-24 to the Senate committee on Local Legislation Read for the second time and placed 30-Apr-24 on the calendar:

0 amendments Read for the third time and passed 07-May-24 as amended Yeas 17 Nays 3 Abstains 3 Patrick Harris, Secretary.

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