

~~Vehicle~~

CHAPTER 75

ALL-TERRAIN VEHICLES (ATV), OFF ROAD VEHICLE (ORV's) AND SNOWMOBILES

- 75.1 Purpose
- 75.2 Definitions
- 75.3 General Regulations
- 75.4 Operation of Snowmobiles
- 75.5 Operation of ATV's and ORVs

- 75.6 Registration Requirements
- 75.7 City Celebration and Events Waiver
- 75.8 Negligence
- 75.9 Accident Reports

Vehicle #1

75.1 PURPOSE. The purpose of this chapter is to regulate the operation of ATV's, ORV's and snowmobiles vehicles within the City

75.2 DEFINITIONS. For the use of this chapter the following terms are defined:

1. "All-Terrain Vehicle or "ATV" means a motorized vehicle with not less than three (3) low pressure tires, but not more than six (6) non highway tires that is limited in engine displacement to less than 1000 cubic centimeters and in total dry weight to less than 1200 pounds and has a seat or saddle designed to be straddled by the operator and handlebars for steering control.
2. "Off-road Utility Vehicle (ORV)" means a motorized vehicle with not less than four and not more than eight non highway tires or rubberized tracks that have bucket or bench seat design, not intended to be straddled by the operator, and a steering wheel or control levers for control.
3. "Snowmobiles" means a motorized vehicle weighing less than one thousand (1000) which uses sled -type runners or skis, endless belt-type tread, or any combination of runners, skis of tread, and is designed for travel on snow or ice.

75.3 General Regulations. No person shall operate an ATV, ORV or snowmobile within the city in violation of the provisions of Chapter 321G of the code of Iowa or rules established by the Natural Resources Commission of the Department of Natural Resources governing their registration, numbering, equipment and manner of operation.

75.4 OPERATION OF SNOWMOBILES. Currently there are no authorized snowmobile trails in the city.

75.5 OPERATION OF ATVS AND ORVS. All-Terrain Vehicles and Off-Road Utility Vehicles may be operated on City streets only in accordance with Section 321.234A of the *Code of Iowa* and Chapter 75 of Code of Ordinances, Guthrie Center, Iowa, as amended and adjusted by the following provisions.

1. Purpose. The purpose of this section is to authorize the operation of All-Terrain Vehicles (ATV's) and Off-Road Utility Vehicles (ORV's) on certain streets within the City of Guthrie Center. ATV's and ORV's may be operated on City streets and alleys for the following purposes:

- A. Snow removal via attached snowplow, blade, or snow blower.
- B. Gardening and/or lawn work.
- C. Appropriate business purposes.
- D. Special events authorized by the City Council.

2. Regulations. ATVs and ORVs operated on City streets shall be operated in compliance the following regulations:

A. Equipment. The ATV or ORV shall be equipped as required by Sections 321I.12 and 321I.13 of the *Code of Iowa*, including but not limited to a muffler, headlight, tail light and brakes. ATVs and ORVs shall also be equipped with a bicycle safety flag of fluorescent orange color on a staff holder to put such flag at least five feet (5') above the surface of the street or a slow moving vehicle sign.

B. No person shall operate an ATV or ORV on any City street, alley, or right ofway unless such person possesses a valid driver's license or by special permit for disabilities and who are sixteen (16) years of age or older.

C. Traffic Regulations. Any person operating an ATV or ORV shall strictly adhere to all traffic signs and signals and all other traffic rules and regulations, and shall obey the orders and direction of any law enforcement officer authorized to direct or regulate traffic.

D. Speed. No ATV or ORV shall be operated at a speed in excess of the lesser of twenty-five (25) miles per hour or that posted; nor shall any ATV or ORV be operated at a

Vehicle #2

speed greater than is reasonable and proper for the existing conditions.

E. Lights. No ATV or ORV shall be operated without a lighted headlight, taillight, and brake light from sunset to sunrise and at such other times when conditions provide insufficient lighting to render clearly discernible persons and vehicles at a distance of five hundred feet ahead.

F. Unattended. No person shall leave an ATV or ORV unattended on public property while the motor is running or the keys are in the ignition switch. Owner/operators shall comply with all parking regulations in the City.

G. Hours. No ATV or ORV shall be operated in the City between the hours of 10:00 P.m. and 6:30 a.m., except for emergency situations or for loading or unloading from a transport trailer; except that ATVs or ORVs may be operated during prohibited hours to perform snow removal activities.

H. Occupants. The number of occupants shall not exceed the number of seats installed by the manufacturer in said vehicle.

I. The owner of the ATV or ORV must provide proof of current financial responsibility and in accordance with Chapter 321.20B of the *Code of Iowa*. The owner shall maintain such financial responsibility.

J. No ATV or ORV shall be operated on City public streets unless the operator can provide proof of off-premises liability insurance coverage in effect, and providing coverage for the ATV or UTV is operated.

K. An ATV or ORV may pull a trailer as a method of transporting cargo only on designated ATV and ORV routes. Trailers pulled by ATVs and ORV's shall not be used as a means of providing for additional riders or passengers. Any trailer pulled by an ORV shall not exceed in width the width of a standard ORV.

3. Locations.

A. Prohibited Streets. ATVs and ORVs shall not be operated upon State Street (State Highway 44) and 5th Street (State Highway 25). ATVs and ORVs may cross such prohibit streets.

B. Trails. ATVs and ORVs shall not be operated on any recreational, bike, or walking trail unless the trail is specifically designated to allow the use of such vehicles.

C. Sidewalks. ATVs and ORVs shall not be operated upon sidewalks unless the vehicle is engaged in snow removal or sidewalk maintenance activities.

D. Parking. ATVs and ORVs shall not be operated upon that portion of a street right-of-way between the curb or edge of street paving and the sidewalk, referred to as the parking, unless engaged in snow removal, maintenance, or landscaping activities for the abutting property owner.

E. City Parks and Other Land. ATVs and ORVs shall not be operated in City parks or upon other City owned land unless for a special event authorized by the City Council.

F. Private Property. ATVs or ORVs shall not be operated on private property without the express consent of the property owner.

G. In any area surrounding any church from one half hour before to one half hour past church services.

H. Stopping at a convenience store for the purpose of refueling is authorized.

4. Violation and Penalty.

A. Persons violating this section may also be prosecuted and subject to the penalties set out in Section 321.36 of the *Code of Iowa*.

Vehicle # 3

75.6 REGISTRATION REQUIREMENTS. No person shall operate an ATV or ORV on any public street or alley, for any purpose unless the operator has proof of a valid registration with the City Clerk of Guthrie Center and with the Iowa Department of Natural Resources. The following applies:

1. ATV and UTV owners may apply for registration with the City Clerk of Guthrie Center on a form provided by the city.
2. The Clerk shall not issue a permit until the owner has provided
 - a. Proof of ownership (bill of sale, title, registration)
 - b. A valid Iowa Driver's License
 - c. Proof of Liability Insurance as required by Iowa Law
 - d. A current Iowa Department of Natural Resources registration
3. All registrations shall be issued for specific vehicle. Holders shall be issued a registration number and will purchase 3" minimum reflective numbers to affix to the left side rear fender or similar component of the vehicle.
4. The fee for registration is twenty five dollars (\$25.00). Registration will be granted for one (1) year valid from January 1 through December 31. Registration may be purchased anytime during the year, the cost shall not be prorated and they are valid through December 31st.
5. Renewals are available for the following calendar year October 1 thru December 31st.
6. The registration may be suspended or revoked upon finding evidence that the permit holder has violated the conditions of the registration. There will be no refund of the registration fee.
registering

75.7 CITY CELEBRATION AND EVENTS WAIVER. Operational approval shall be granted and authorized by Resolution of the City Council for each specific vehicle, event and time period.

75.8 NEGLIGENCE. The owner and operator of an ATV or ORV are liable for any injury or damage occasioned by the negligent or operation of the ATV or ORV.

75.9 ACCIDENT REPORTS Whenever an ATV or ORV is involved in an accident resulting in injury or death to anyone or property damage amounting to two hundred dollars (\$200) or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report within forty eight (48) hours, in accordance with state law.

Vehicle #9

REGISTRATION Form

Guthrie Center, Iowa

ATV _____ ORV _____ (Check one)

Application Date: _____ Expiration Date: _____

Registration Number: _____

Owners Name: _____

Address: _____

Phone Number: _____

Vehicle Identification Number: _____

Vehicle Manufacture: _____ Year: _____

Model: _____ Color: _____

Iowa Department of Natural Resources Registration Number: _____

Insurance Information: Agent name _____
Phone Number _____
Expiration Date _____

Applicants Signature: _____

City Clerks Signature: _____

Vehicle #5

REGISTRATION FORM

Office of the Registrar

| | |
|---|-------|
| First Name | _____ |
| Last Name | _____ |
| Address | _____ |
| City | _____ |
| State | _____ |
| Zip | _____ |
| Phone Number | _____ |
| Vehicle Identification Number | _____ |
| Vehicle Make/Model | _____ |
| Year | _____ |
| Color | _____ |
| How Department of Motor Vehicles Registered | _____ |
| Business Information | _____ |
| Business Name | _____ |
| Business Address | _____ |
| Business City | _____ |
| Business State | _____ |
| Business Zip | _____ |
| Signature | _____ |
| Date | _____ |

WE NICK # 2