

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARROLL, IOWA, 2011, BY AMENDING PROVISIONS PERTAINING TO ALL-TERRAIN VEHICLES, GOLF CARTS, OFF-ROAD UTILITY VEHICLES, AND SNOWMOBILES

BE IT ENACTED by the City Council of the City of Carroll, Iowa:

SECTION 1. Chapter 75 of the Code of Ordinances of the City of Carroll, Iowa, 2011, is repealed and the following adopted in lieu thereof:

75.01 PURPOSE.

The purpose of this chapter is to regulate the operation of all-terrain vehicles, golf carts, snowmobiles, off-road motorcycles, and off-road utility vehicles within the city.

75.02 DEFINITIONS.

For use in this chapter, the following terms are defined:

1. "All-terrain vehicle" or "ATV" means a motorized vehicle, with not less than three and not more than six non-highway tires, that is limited in engine displacement to less than one thousand (1,000) cubic centimeters and in total dry weight to less than one thousand two hundred (1,200) pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.

(Code of Iowa, Sec. 321I.1)

2. "Golf Cart" means a four wheeled recreational vehicle generally used for the transportation of person(s) in the sport of golf, that is limited in engine displacement to less than 800 cubic centimeters (or the electric equivalent) and total dry weight of less than 800 pounds. Note that a vehicle with the appearance of a "Golf Cart" but satisfying the requirements of 49 CFR 571.500 (*ie.*, is "low speed vehicle") is not subject to this chapter but rather to the Code of Iowa 321.381A.
3. "Off-road motorcycle" means a two-wheeled motor vehicle that has a seat or saddle designed to be straddled by the operator and handlebars for steering control and that is intended by the manufacturer for use on natural terrain. An operator of an off-road motorcycle is also subject to the provisions of this chapter governing the operation of all-terrain vehicles.

(Code of Iowa, Sec. 321I.1)

4. "Off-road utility vehicle" or "UTV" means a motorized vehicle with not less than four and not more than eight non-highway tires or rubberized tracks that has a seat

that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control. "Off-road utility vehicle" includes the following vehicles:

- A. "Off-road utility vehicle - type 1" means an off-road utility vehicle with a total dry weight of one thousand two hundred pounds or less and a width of fifty inches or less.
- B. "Off-road utility vehicle - type 2" means an off-road utility vehicle, other than a type 1 off-road utility vehicle, with a total dry weight of two thousand pounds or less, and a width of sixty-five inches or less.
- C. "Off-road utility vehicle - type 3" means an off-road utility vehicle with a total dry weight of more than two thousand pounds, or a width of more than sixty-five inches, or both.

(Code of Iowa, Sec. 321I.1)

- 5. "Registration" means licensing through the Iowa Department of Natural Resources through a county recorder.

(Code of Iowa, Sec 321I.4)

- 6. "Snowmobile" means a motorized vehicle weighing less than one thousand pounds which uses sled-type runners or skis, endless belt-type tread with a width of forty-eight inches or less, or any combination of runners, skis, or tread, and is designed for travel on snow or ice. "Snowmobile" does not include an all-terrain vehicle, as defined in Section 321I.1, which has been altered or equipped with runners, skis, belt-type tracks, or treads.

(Code of Iowa, Sec. 321G.1)

75.03 PLACES OF OPERATION

- 1. Streets.

- A. A registered ATV may only be operated on city streets under the following circumstances:

- 1. Operator is at least 18 years of age and possess a valid driver's license; and
- 2. Shall have proof of insurance and carry proof as required in Iowa Code, Sec 321.20B; and

3. Snow removal with attached snowplow or blade; or
4. Response to an emergency during the period of time when travel on roadways is impractical for conventional motor vehicles; or
5. Special public events and/or other times as authorized by the Police Chief.

B. A golf cart may be operated on city streets only under the following circumstances:

1. Operator is at least 18 years of age and possess a valid driver's license.
2. On a direct route to and from the golf course and the residence or place of storage of the golf cart owner.
3. Must be equipped with a slow-moving vehicle sign and a bicycle safety flag.
4. Operate between sunrise and sunset.
5. Shall have proof of insurance and carry proof as required in Iowa Code, Sec 321.20B.
6. Special public events and/or other times as authorized by the Police Chief.

C. A registered UTV may be operated on city streets only under the following circumstances:

1. Operator is at least 18 years of age and possess a valid driver's license.
2. Shall comply with all traffic laws of the city and the state.
3. Operate between the hours of 6:00 a.m. and 10:00 p.m.
4. On a street with a designated speed limit of 35 mph or less.

5. Shall have proof of insurance and carry proof as required in Iowa Code, Sec 321.20B.

D. A registered snowmobile may be operated on city streets under the following circumstances:

1. Only upon streets which have not been plowed during the snow season
2. Emergencies. Snowmobiles may be operated on any street in an emergency during the period of time when and at locations where snow upon the roadways renders travel by conventional motor vehicles impractical.
3. Trails. Snowmobiles may not be operated on city owned trails.

2. Unlawful Operation

- A. No ATV, snowmobile, or UTV shall be operated in public parks, golf courses, city owned trails, sports facilities including Merchants Park, Youth Sports Complex, and slow pitch fields, or private property without express consent of property owner.
- B. No golf cart shall be operated in public parks, city owned trails, sports facilities including Merchants Park, Youth Sports Complex, and slow pitch fields, or private property without express consent of property owner.
- C. No person shall ride in a UTV unless seated in a designated seat and secured with a safety belt.
- D. No seat shall be used by more than one person at a time.
- E. No ATV, UTV, or golf cart shall be operated in violation of any traffic law of the City of Carroll or State of Iowa.

75.04 NEGLIGENCE.

1. The owner and operator of an ATV, golf cart, snowmobile or UTV is liable for any injury or damage occasioned by the negligent operation of the ATV, golf cart, snowmobile, or UTV.

(Code of Iowa, Sec. 321G.19)

75.05 PARKING

- A. UTVs may be parked in city parking lots or any other city street where vehicle parking is permitted.
- B. UTVs are subject to all parking regulations provided by Chapter 69 of this Code of Ordinances.

75.06 PROHIBITED STREETS

- A. ATVs, golf carts, UTVs, and snowmobiles shall not be operated upon Highway 71 and Highway 30.
- B. ATVs, golf carts, UTVs, and snowmobiles may make a direct crossing of Highway 71 and Highway 30.

75.07 EQUIPMENT

- A. ATVs and UTVs operated upon city streets shall be equipped with at least the following:
 - 1. Adequate brakes (Code of Iowa, Sec 321I.13)
 - 2. Headlights
 - 3. Taillights and brake lights
 - 4. Turn signals
 - 5. Safety belts (UTV only)
 - 6. Rearview mirror
 - 7. Horn
 - 8. Muffler system limiting engine noise to at least original manufacturer's equipment.

75.08 PENALTY

- A. In addition to any violations applicable under state or city law, persons violating this chapter may be cited under chapter 1.14 of this code of ordinances.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved this _____ day of _____, 2022.

CITY COUNCIL OF THE
CITY OF CARROLL, IOWA

Mark E. Beardmore, Mayor

ATTEST:

Laura A. Schaefer, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____, 2022.

Laura A. Schaefer, City Clerk