

Ordinance 348
ALL-TERRAIN VEHICLES AND SNOWMOBILES

Section 1. SECTION MODIFIED:

Amend Chapter 75:05 Subsection 1 Operation of All Terrain Vehicles to add two additional paragraphs (A and B).

Current Ordinance Reads:

The operators of ATVs shall comply with the following restrictions as to where ATVs may be operated within the City:

1. Streets. ATVs and off-road utility vehicles may be operated on streets only in accordance with Section 321.234A of the *Code of Iowa* or on such streets as may be designated by resolution of the Council for the operation of registered ATVs or registered off-road utility vehicles. In designating such streets, the Council may authorize ATVs and off-road utility vehicles to stop at service stations or convenience stores along a designated street.

Amend Section 75:05 Subsection 1 to add paragraphs A and B.

- A. ATVs and UTVs may use the travel portion of the State Highway 346 bridge only to cross the river and must enter or exit State Highway 346 at the nearest intersection to the bridge.
- B. ATVs and UTVs may cross State Highway 346 at any intersection provided they comply with Subsection 6 of this section.

Subsection 6 of Section 75.05 reads as follows:

6. Direct Crossing. An all-terrain vehicle or off-road utility vehicle may make a direct crossing of a highway provided all the following occur:

(Code of Iowa, Sec. 321I.10[5])

A. The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.

B. The all-terrain vehicle or off-road utility vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the highway.

C. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.

D. In crossing a divided highway, the crossing is made only at an intersection of such highway with another public street or highway.

E. The crossing is made from a street, roadway, or highway designated as an all-terrain vehicle trail by a state agency, county, or city to a street, roadway, or highway designated as an all-terrain vehicle trail by a state agency, county, or city.

Section 2. Severability

If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this document, which are separable from the unlawful provision, shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.


Section 3. Repealer.

All Ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 4. Effective

This ordinance shall become effective upon its passage, approval, and/or publication as provided by law.

PASSED AND APPROVED this 3 day of April, 2023



Mayor,



Attest, City Clerk

Publication Date: March 17, 2023

1st Reading: April 3, 2023

2nd Reading: Folegone

3rd Reading: Folegone

Roll Call:

5 Ayes

0 Nays

0 Absent

0 Abstain