

TITLE II

COMMUNITY PROTECTION

ARTICLE XIX

ATV'S, GOLF CARTS & SCOOTERS REGULATIONS

2-19.1 OFF-ROAD VEHICLES DEFINITIONS

For use in this chapter the following terms are defined:

1. "All-terrain vehicle" (ATV) means a motor vehicle designed to travel on three or more wheels and designed primarily for off-road recreational use. "All-terrain" vehicle includes off-road utility vehicles as defined in section 321I.1, but does not include farm tractors or equipment, construction equipment, forestry vehicles, or lawn and grounds maintenance vehicles. (Code of Iowa, Sec 321I.1)

Off-road motorcycles shall be considered all-terrain vehicles for the purpose of registration. Off-road motorcycles shall also be considered all-terrain vehicles for the purpose of titling if a title has not previously been issued pursuant to Chapter 321. An operator of an off-road motorcycle is subject to provisions governing the operation of all-terrain vehicles in this chapter, but is exempt from the safety instruction and certification program requirements of Sections 321I.25 and 321I.26.

2. "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. "Off- road motorcycle" includes a motorcycle that was originally issued a certificate of title and registered for highway use under Chapter 321, but which contains design features that enable operation over natural terrain.
3. "Off-road utility vehicle" means a motorized flotation-tire vehicle with not less than four and not more than six low-pressure tires that is limited in engine displacement to less than one thousand five hundred cubic centimeters and in total dry weight to not more than one thousand eight hundred pounds and that has a steering wheel for control.

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

2-19.2 GOLF CARTS DEFINITIONS

For use in this ordinance "golf cart" is defined as a motorized 4-wheeled vehicle designed to transport person(s) on a golf course.

2-19.3 OPERATION OF GOLF CARTS

Golf carts may be operated on City streets by persons possessing a valid driver's license. A golf cart shall not be operated upon a City street which is a primary road extension, i.e., State or Federal highway, but shall be allowed to cross a City street which is a primary road extension through the City.

The golf cart shall be equipped with adequate brakes, a slow-moving vehicle sign, and a bicycle safety flag. The golf cart shall be operated only on the streets from sunrise to sunset. Golf carts operated on City streets need not be registered under Chapter 321 of the Code of Iowa

(Code of Iowa, Sec. 321.247)

2-19.4 PERMITTED AREAS OF OPERATION

ATV's, Golf Carts, Scooters, will be allowed to operate in the City as follows:

The route established herein shall be the only permitted route and shall be operated within the roadways of said public streets and shall also be subject to the following regulations.

2-19.5 REGULATIONS

It shall be unlawful for any person to operate an ATV, golf cart, scooter under the following circumstances:

1. On private property of another without the express permission to do so by the owner or occupant of said property.
2. On public school grounds, park property, playgrounds, recreational areas and golf courses without express permission to do so by the proper public authority.
3. In a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.
4. In a careless, reckless or negligent manner so as to endanger the safety of any person or property of any other person.
5. Within the right-of-way of any public street or alley within the City unless the operator shall have a valid driver's license; or an instruction permit and accompanied by a qualified licensed driver.
6. No person shall operate a ATV, scooter, golf cart, In the City from ten o'clock (10:00) p.m. to eight o'clock (8:00) a.m., except for the purpose of loading and unloading a ATV, scooter, golf cart from another vehicle or trailer.

2-19.6 EQUIPMENT REQUIRED All ATV's, scooters, golf carts operated within the City shall have the following equipment:

1. Mufflers which are properly attached and which reduce the noise of operation of the vehicle to the minimum noise necessary for operating the vehicle and no person shall use a muffler cut-out, by-pass or similar device on said vehicle.
2. Adequate brakes in good operating condition and at least one headlight and one taillight in good operating condition.
3. A safety or so-called "dead-man" throttle in operating condition; a safety or "dead- man" throttle is defined as a device which when pressure is removed from the accelerator or throttle causes The motor to be disengaged from the driving track.
4. At least one visual source for a slow moving vehicle either SMV sign, blaze orange flag mounted on the rear of the vehicle in clear unobstructed view, amber rear flashing lights.

2-19.7 UNATTENDED VEHICLES

It is unlawful for the owner or operator to leave or allow a atv, scooter, golf cart to be or remain unattended on public property while the motor is running or the key left in the ignition.

2-19.8 RESTRICTION OF OPERATION

The City Council may, by resolution, prohibit the operation of atv, scooter, golf cart within the right-of- way of the public roads, streets or alley or other City property within the City when the public safety and welfare so requires.

2-19.9 TRAFFIC REGULATION

Each person operating an ATV , golf cart, scooter shall strictly observe all traffic signs and signals and all other traffic rules and regulations applicable thereto, and shall obey the orders and directions of any police officer of the City authorized to direct or regulate traffic.

2-19.10 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.

2-19.11 EFFECTIVE DATE. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

DATED this _____ day of _____, 2018

Dan Patterson
Mayor

The above Ordinance was passed and approved on the _____ day of _____, 2018, and was signed by the Mayor on the _____ day of _____, 2018.

ATTEST:

Haylee Stecker
City Clerk

1st Reading:

2nd Reading:

3rd Reading:

I hereby certify that the foregoing was published as Ordinance No. 2-19 in the
Mt. Pleasant News on the _____ day of _____, 2018.

Haylee Stecker
City Clerk

	AYES	NAYS	ABSTAIN	ABSENT
Kramer	_____	_____	_____	_____
Tedrow	_____	_____	_____	_____
Hoyer	_____	_____	_____	_____
Wixom	_____	_____	_____	_____
Feehan	_____	_____	_____	_____