

**ORDINANCE # 19-404**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WOODWARD, IOWA, 2006, BY AMENDING CHAPTER 75 ALL-TERRAIN VEHICLES AND SNOWMOBILES OF WOODWARD, IOWA.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODWARD**

**SECTION 1:** That Chapter 75.05 OPERATION OF ALL-TERRAIN VEHICLES is hereby amended by adding Section 75.05(6) Authorized Uses and 75.05(7) Requirements to the City Code as follows:

6. **AUTHORIZED USES.** ATV/UTV operators may only operate an ATV/UTV on city streets and alleys in compliance with all requirements set out herein and for purposes of conducting business such as:

- A. Snow removal via attached snowplow or blade;
- B. Gardening and/or lawn work; and
- C. Special events authorized by the City Council.

7. **REQUIREMENTS.** City of Woodward will allow the operation of an ATV/UTV on a city street, public land, or right of way provided the following criteria are met:

A. The vehicle must be registered with the city and must display the registration tag on the rear of the vehicle. Registration consists of the following:

- 1. Completing a registration form that will provide the city with at a minimum the following information:
  - a. Name and address of the owner of the ATV/UTV;
  - b. Phone number of the owner of the ATV/UTV;
  - c. Year, make, model, and primary color of the ATV/UTV;
  - d. Statement that the owner will make sure that the vehicle is operated within the rules outlined by the city; and
  - e. Signature of the owner of the ATV/UTV.

2. The applicant must read the rules for operating an ATV/UTV on city streets and sign a registration form that states you will operate within the rules.

3. The fee for such permits shall be \$10.00. Permits will be granted for 1 year valid from January 1 through December 31. Permits may be purchased at any time during the year but will be valid only through December 31 of the year purchased.

B. The permit may be suspended or revoked upon finding evidence that the permit holder has violated the conditions of the permit or has abused the privilege of being a permit holder. There will be no refund of the permit fee.

C. The vehicle must be operated by a driver holding a valid driver's license for the State of Iowa.

D. The ATV/UTV must have proper and adequate brakes.

E. Rules for operating an ATV/UTV on public streets or land within the City of Woodward:

1. The speed limit for operating an ATV/UTV within the City of Woodward is 20 mph.

2. An ATV/UTV may only be operated during daylight hours between sunrise and sunset.

3. An ATV/UTV may only be operated by a person 16 years of age or older who holds a valid driver's license.

4. The operator and any passengers must be seated at all times during operation. There must be a seat for every passenger. Standing on the back of an ATV/UTV is not permitted. Hauling more passengers than the ATV/UTV is designed for is not permitted.

5. The ATV/UTV is subject to all state and local traffic laws and the operator must obey all traffic laws while operating the ATV/UTV.

6. ATV/UTV'S are not allowed to drive on the traveled portion of Highway 210 as this is a state highway and state law does not allow for their operation. The ATV/UTV is only allowed to cross the highway at a right angle.

7. This ordinance does not authorize the use on bicycle or pedestrian trails. These trails are regulated under a separate ordinance.

8. No ATV/UTV shall be operated with on open container of alcohol as referred to in 321.284 and/or 321.284A of the Iowa Code.

9. If operating in city owned right of way but not on a city street, the ATV/UTV must yield to all other traffic – pedestrian, bicycle, etc.

F. Violations of this ordinance will be as follows:

1. All traffic violations on roadway will follow the same as if operator was operating a regular motor vehicle. See traffic ordinance sections for details.

2. All other violations will be treated as a municipal infraction and/or simple misdemeanor. See municipal infractions section for details.

3. When a violation occurs by a minor child, the parent or legal guardian may be cited for said violation.

4. In all cases, the registered owner of the ATV/UTV is liable for authorized use and operation. The owner may be cited for improper operation by any operator of the vehicle.

G. City Celebration Waiver. The permit requirement shall be waived for ATV/UTV'S used by officials, workers, and volunteers while carrying out duties related to and during a City Celebration. All such operators must be a least 16 years of age and possess a valid driver's license.

H. Accident Reports. Whenever an ATV/UTV is involved in an accident resulting in injury or death to anyone or property damage amounting to one thousand five hundred dollars (\$1,500) or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report, in accordance with State law.


I. Penalty. In addition to the suspension or revocation of the permit, a person who violates this chapter is guilty of a municipal infraction under Chapter 3 of the City of Woodward Code or 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 by the Council on the 10<sup>th</sup> day of February, 2020 and approved this 10<sup>th</sup> day of February, 2020.



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Todd Folkerts, Mayor City of Woodward

ATTEST:



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Christina Perkins, City Clerk/Finance Officer