

ORDINANCE NO. 345

AN ORDINANCE AMENDING CHAPTER 75 ALL-TERRAIN VEHICLES AND SNOWMOBILES.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF HARTLEY, IOWA

SECTION I. ENACTMENT. The City Code of the City of Hartley, Chapter 75 All-Terrain Vehicles and Snowmobiles, Section 75.05 Operation of All-Terrain Vehicles is amended by adding the underlined language as follows:

75.05 OPERATION OF ALL-TERRAIN VEHICLES. 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 between 6 a.m. to 10:00 p.m. 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.

(Code of Iowa, Sec. 321I.10 [1 & 3])

2. Trails. ATVs shall not be operated on snowmobile trails except where designated.

(Code of Iowa, Sec. 321I.10 [4])

3. Railroad Right-of-Way. ATVs shall not be operated on an operating railroad right-of-way. An ATV may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.

(Code of Iowa, Sec. 321I.14 [1h])

4. Parks and Other City Land. ATVs shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City.

5. Sidewalk or Parking. ATVs shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "parking".

6. Number of Passengers. The number of passengers shall not exceed the manufacturer passenger capacity per vehicle.

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

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

PASSED AND APPROVED, by the council the 13th day of March 2017.

Rodney Ahrenstorff, Mayor

ATTEST:

Patty Anderson, City Clerk/City Administrator

First Reading: February 13, 2017

Second Reading: March 13, 2017

Third Reading: March 13, 2017

Final Approval: March 13, 2017

I certify that the foregoing was published as Ordinance No. 345 on the 23rd day of March 2017.

Patty Anderson, City Clerk/Administrator