

ORDINANCE NO. 394

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PRAIRIE CITY, IOWA TO UPDATE UTV/ATV OPERATIONS

WHEREAS, the City of Prairie City, Iowa has property regulations, which provide guidance on the standards for, among other things, UTV/ATV operations; and

WHEREAS, these regulations recognize that certain uses have characteristics that require additional controls in order to protect public health, safety, and welfare, and the City of Prairie City also provides for staff to inspect complaints; and

WHEREAS, the City of Prairie City's requirements are designed, among other things, to enhance public safety, improve the appearance of the community, and conserve the value of properties within the City and its extra-territorial jurisdiction; and

WHEREAS, the language of the Code of Ordinances is intended to provide predictable, uniform standards—which are subject to updating by the City Council from time to time.

NOW THEREFORE BE IT RESOLVED by the City Council of Prairie City, Iowa that it hereby amends City Code Chapter 171 to update UTV/ATV operations. The Council further authorizes City staff to take all action necessary to effectuate these changes, as follows:

SECTION 1. SECTION MODIFIED. Section 171.02, Chapter 171 of the Code of Ordinances of the City of Prairie City, Iowa, is amended by:

171.02 MANNER OF OPERATION – GENERAL REQUIREMENTS. No person shall operate an UTV/ATV in the City except as hereinafter provided.

1. Observance of Traffic Regulations Mandatory. UTV/ATV operators shall observe all State and local traffic control regulations, devices, **and laws**.
2. Proof of Liability Insurance. **UTVs/ATVs must be registered with the state, display provided registration tag, and meet all state required proof of liability insurance requirements.** The proof of insurance must be with the UTV/ATV whenever said UTV/ATV is in operation.
3. Standard Equipment Regulations. All UTVs/ATVs shall be equipped with **any equipment required by state laws pertaining to the UTV/ATV operations on public roadways, including any safety equipment required under Chapter 321 of the Code of Iowa. Any UTV/ATV vehicles must be equipped with a working muffler that limits the emitted noise to ninety-six (96) decibels or less.**
4. Operation Regulations. The following regulations apply to the operation of a UTV/ATV within the City:
 - A. Any operator of an UTV/ATV **shall be a minimum of eighteen (18) years of age and possess a valid driver's license.**

- B. Passengers on any UTV/ATV shall not exceed the number of seats/passengers intended for said vehicle and must always remain seated.**
- C. Any UTV/ATV operated between sunset and sunrise or in conditions of insufficient lighting must be equipped with a headlight and taillight of sufficient light to render clearly discernible people and vehicles from five hundred (500) feet.**

5. Sidewalks and Adjacent Areas. No UTVs/ATVs shall be operated upon a public sidewalk, nor shall they be operated upon that portion of the street located between the curb line and the sidewalk or property line, referred to as the “parking” except for purposes of crossing the same to a public street upon which operation is allowed by this chapter.

6. Trails and Parks. No UTVs/ATVs shall be operated upon the bike or walking trails, nor shall they be operated within any city or private park **or playground without the express permission of the City.**

7. Parking. Two UTVs/ATVs may use one parking space provided they both park within the parking space lines.

8. Careless Operation Unlawful. No person shall operate an UTV/ATV in a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.

9. Operating Under the Influence. No person shall operate an UTV/ATV while under the influence of intoxicating liquor or narcotics or habit-forming drugs.

10. Towing. No **towing of passengers on a trailer unless authorized by the city (ie: floats/parade).**

11. Trespassing on Private Property. No UTV/ATV shall be operated upon private property without the express consent of the owner thereof.

12. Community Events – Exception. The Prairie City Police Department may grant exceptions and allow any type of UTV/ATV to be used on any City **restricted area** by community and civic organizations for community events.

SECTION 4. REPEALER. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. 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 6. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed First Reading by the City Council of Prairie City, Iowa, 14th day of September, 2022.

Passed Second Reading by the City Council of Prairie City, Iowa, the 12th day of October, 2022.

PASSED AND ENACTED by the City Council of Prairie City, Iowa, the 9th day of November, 2022.

Deb Townsend, Mayor Pro Tem

Attest:

Sue Ponder, Librarian

CERTIFICATE

I, _____, _____, of the City of
Prairie City, Iowa, hereby certify that the foregoing Ordinance No. 394 was published in a
Prairie City newspaper published at least once weekly and having general circulation in the City
of Prairie City, Iowa, on the _____ day of _____ 2022.

_____, _____