

ORDINANCE NO. 367-13

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MONONA, IOWA 2007, BY AMENDING PROVISIONS PERTAINING TO ALL-TERRAIN VEHICLES AND SNOWMOBILES

BE IT ENACTED by the City Council of the City of Monona, Iowa:

CHAPTER 75

ALL-TERRAIN VEHICLES AND SNOWMOBILES

75.01 Purpose

75.02 Definitions

75.03 General Regulations

75.04 Operation of Snowmobiles

75.05 Operation of ATV's and UTVs

75.05a Operation of Riding Lawn Mowers

75.05b Operation of Golf Carts

75.05c City Celebration and Events Waiver

75.06 Negligence

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75.05 OPERATION OF ATVS AND UTVS. All-Terrain Vehicles and Off-Road Utility Vehicles may be operated on City streets only in accordance with Section 321.234A of the *Code of Iowa* and Chapter 75 of Code of Ordinances, Monona, Iowa, as amended and adjusted by the following provisions.

1. Purpose. The purpose of this section is to authorize the operation of All-Terrain Vehicles (ATVs) and Off-Road Utility Vehicles (UTVs) on certain streets within the City of Monona. ATVs and UTVs may be operated on City streets and alleys for the following purposes:

- A. Snow removal via attached snowplow, blade, or snow blower.
- B. Gardening and/or lawn work.
- C. Appropriate business purposes.
- D. Special events authorized by the City Council.

2. Regulations. ATVs and UTVs operated on City streets shall be operated in compliance the following regulations:

A. Equipment. The ATV or UTV shall be equipped as required by Sections 321I.12 and 321I.13 of the *Code of Iowa*, including but not limited to a muffler, headlight, tail light and brakes. ATVs and UTVs shall also be equipped with a bicycle safety flag of fluorescent orange color on a staff holder to put such flag at least five feet (5') above the surface of the street or a slow moving vehicle sign.

B. No person shall operate an ATV or UTV on any City street, alley, or right of way unless such person possesses a valid driver's license or by special permit for disabilities and who are sixteen (16) years of age or older.

C. Traffic Regulations. Any person operating an ATV or UTV shall strictly adhere to all traffic signs and signals and all other traffic rules and regulations, and shall obey the orders and direction of any law enforcement officer authorized to direct or regulate traffic.

D. Speed. No ATV or UTV shall be operated at a speed in excess of the lesser of twenty-five (25) miles per hour or that posted; nor shall any ATV or UTV be operated at a speed greater than is reasonable and proper for the existing conditions.

E. Lights. No ATV or UTV shall be operated without a lighted headlight, taillight, and brake light from sunset to sunrise and at such other times when conditions provide insufficient lighting to render clearly discernible persons and vehicles at a distance of five hundred feet ahead.

F. Unattended. No person shall leave an ATV or UTV unattended on public property while the motor is running or the keys are in the ignition switch. Owner/operators shall comply with all parking regulations in the City.

G. Hours. No ATV or UTV shall be operated in the City between the hours of 10:00 p.m. and 6:30 a.m. except for emergency situations or for loading or unloading from a transport trailer; except that ATVs or UTVs may be operated during prohibited hours to perform snow removal activities.

H. Occupants. The number of occupants shall not exceed the number of seats installed by the manufacturer in said vehicle.

I. The owner of the ATV or UTV must provide proof of current financial responsibility and in accordance with Chapter 321.20B of the *Code of Iowa*. The owner shall maintain such financial responsibility.

J. No ATV or UTV shall be operated on City public streets unless the operator can provide proof of off-premises liability insurance coverage in effect, and providing coverage for the ATV or UTV being operated.

K. An ATV or UTV may pull a trailer as a method of transporting cargo only on designated ATV and UTV routes. Trailers pulled by ATVs and UTVs shall not be used as a means of providing for additional riders or passengers. Any trailer pulled by a UTV shall not exceed in width the width of a standard UTV.

3. Locations.

A. Prohibited Streets. ATVs and UTVs shall not be operated upon Main Street and Iowa Street or Center Street from West Street to Egbert Street unless in the act of snow removal. ATVs and UTVs may cross such prohibited streets.

B. Trails. ATVs and UTVs shall not be operated on any recreational, bike, or walking trail unless the trail is specifically designated to allow the use of such vehicles.

C. Sidewalks. ATVs and UTVs shall not be operated upon sidewalks unless the vehicle is engaged in snow removal or sidewalk maintenance activities.

D. Parking. ATVs and UTVs shall not be operated upon that portion of a street right-of-way between the curb or edge of street paving and the sidewalk, referred to as the parking, unless engaged in snow removal, maintenance, or landscaping activities for the abutting property owner.

E. City Parks and Other Land. ATVs and UTVs shall not be operated in City parks or upon other City owned land unless for a special event authorized by the City Council.

F. Private Property. ATVs or UTVs shall not be operated on private property without the express consent of the property owner.

4. Violation and Penalty.

A. Persons violating this section may also be prosecuted and subject to the penalties set out in Section 321I.36 of the *Code of Iowa*.

75.05a OPERATION OF RIDING LAWN MOWERS. Riding Lawn Mowers may be operated on City streets only in accordance with Section 321.234A of the *Code of Iowa* and the provisions of this section.

1. Purpose. The purpose of this section is to authorize the operation of Riding Lawn Mowers on certain streets within the City of Monona. Riding Lawn Mowers may be operated on City streets and alleys only for the following purposes:

- A. Snow removal via attached snowplow, blade, or snow blower.
- B. By 'Direct Route' to perform gardening and/or lawn work.
- C. Appropriate business purposes.
- D. Special events authorized by the City Council.

2. Regulations. Riding Lawn Mowers operated on City streets and alleys shall be operated in compliance the following regulations:

- A. Traffic Regulations. Any person operating a Riding Lawn Mower shall strictly adhere to all traffic signs and signals and all other traffic rules and regulations, and shall obey the orders and direction of any law enforcement officer authorized to direct or regulate traffic.
- B. Speed. No Riding Lawn Mower shall be operated at a speed in excess of the lesser of twenty-five (25) miles per hour or that posted; nor shall any Riding Lawn Mower be operated at a speed greater than is reasonable and proper for the existing conditions.
- C. Unattended. No person shall leave a Riding Lawn Mower unattended on public property while the motor is running or the keys are in the ignition switch. Owner/operators shall comply with all parking regulations in the City.
- D. Hours. No Riding Lawn Mower shall be operated in the City between from sunset to sunrise except for emergency situations or for loading or unloading from a transport trailer; except that a Riding Lawn Mower may be operated during prohibited hours to perform snow removal activities with appropriate lighting.
- E. Occupants. The number of occupants shall not exceed the number of seats installed by the manufacturer in said vehicle.
- F. No Riding Lawn Mower shall be operated on City public streets unless the operator can provide proof of off-premises liability insurance coverage in effect, and providing coverage for the Riding Lawn Mower being operated.
- G. A Riding Lawn Mower may pull a trailer as a method of transporting cargo only on designated routes. Trailers pulled by Riding Lawn Mowers shall not be used as a means of providing for additional riders or passengers. Any trailer pulled by a Riding Lawn Mower shall not exceed in width the width of a standard ATV.

3. Location.

- A. Prohibited Streets. Riding Lawn Mowers shall not be operated upon Main Street and Iowa Street or Center Street from West Street to Egbert Street unless in the act of snow removal. Riding Lawn Mowers may cross such prohibited streets.
- B. Trails. Riding Lawn Mowers shall not be operated on any recreational, bike, or walking trail unless engaged in maintenance activities.

C. Sidewalks. Riding Lawn Mowers shall not be operated upon sidewalks unless the vehicle is engaged in snow removal or sidewalk maintenance activities.

D. Parking. Riding Lawn Mowers shall not be operated upon that portion of a street right-of-way between the curb or edge of street paving and the sidewalk, referred to as the parking, unless engaged in snow removal, maintenance, or landscaping activities for the abutting property owner.

E. City Parks and Other Land. Riding Lawn Mowers shall not be operated in City parks or upon other City owned land unless for a special event authorized by the City Council or engaged in maintenance activities.

F. Private Property. Riding Lawn Mowers shall not be operated on private property without the express consent of the property owner.

4. Violation and Penalty.


A. Persons violating this section may also be prosecuted and subject to the penalties set out in Section 321I.36 of the *Code of Iowa*.

75.05b OPERATION OF GOLF CARTS. Golf Carts may not be operated on city streets unless authorized by resolution of the City Council as noted in Chapter 75.05c. City Celebration and Events Waiver.

75.05c CITY CELEBRATION AND EVENTS WAIVER. The requirements of Section 75.05 shall be waived for operation of ATVs, Off-Road Utility Vehicles, Golf Carts and Riding Lawnmowers used by officials, workers, participants and volunteers while carrying out duties related to and during city or school celebrations, parades and events. Operational approval shall be granted and authorized by Resolution of the City Council for each specific vehicle, event and time period.

Passed by the Council the 5th day of November, 2013, and approved this 5th day of November, 2013.

First Reading: October 15, 2013
Second Reading: November 5, 2013
Third Reading: Waived
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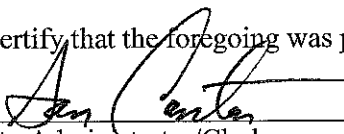
Mayor

Attest:



City Administrator/Clerk

I certify that the foregoing was published as Ordinance No. 367-13 on the 13th of November, 2013.



City Administrator/Clerk