

**ORDINANCE 102020-05**

**AN ORDINANCE TO AMEND ORDINANCE CHAPTER 75  
ALL-TERRAIN VEHICLES AND SNOWMOBILES  
ADD UTILITY TERRAIN VEHICLES AND GOLF CARTS**

**BE IT ENACTED** by the City Council of the City of Hartford

**Section 1.** Chapter 75 All-Terrain Vehicles and Snowmobiles Sections 75.01 through 75.06 are hereby repealed in the entirety.

**Section 2.** Chapter 75 All-Terrain Vehicles and Snowmobiles is amended to the following:

**ALL-TERRAIN VEHICLES, UTILITY-TERRAIN VEHICLES  
GOLF CARTS AND SNOWMOBILES**

**75.01 PURPOSE.** The purpose of this chapter is to regulate the operation of All-Terrain Vehicles, Utility-Terrain Vehicles, Golf Carts and Snowmobiles on certain streets within the City, as authorized by Section 321.247 and Chapter 321I of the Code of Iowa, as amended. This chapter applies whenever an ATV, UTV, Golf Cart or Snowmobile are operated on any street or alley, subject to those exceptions stated herein.

**75.02 DEFINITIONS.** For use in this chapter the following terms are defined:

1. “GOLF CART” means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, or is designed to be, and is operated at not more than 25 mph, and is designed to carry not more than 4 persons including the driver.
2. “ALL-TERRAIN VEHICLES” or “ATV” means a motorized flotation-tire vehicle with not less than three (3) low pressure tires, but not more than six (6) low pressure tires, or a two-wheeled, off-road motorcycle. Two-wheeled, off-road motorcycles shall be considered all-terrain vehicles only for the purpose of titling and registration and not for the purpose of regulation.
3. “UTILITY-TERRAIN VEHICLES” or “UTV” means any recreational motor vehicle, designed for and capable of travel over designated road, traveling on four (4) or more tires, maximum weight less than two thousand (2,000) pounds and having a wheelbase of on hundred ten (110) inches or less. A utility type vehicle must have a minimum width of fifty (50) inches, a minimum weight of at least nine hundred (900) pounds or a wheelbase of over sixty-one (61) inches.
4. “SNOWMOBILE” means a motorized vehicle weighing less than one thousand (1,000) pounds which uses sled-typed runners or skis, endless belt-type tread, or any combination of runners, skis or tread, and is designed for travel on snow or ice.

**75.03 GENERAL REGULATIONS.** No person shall operate any ATV/UTV or Golf Cart within the city limits of the City of Hartford, Iowa in violation of the provisions of Chapter 321I of the Code of Iowa or rules enacted by the Iowa Department of Natural Resources governing the registration, numbering, equipping or manner of operations; or the provisions of section **75.04** of this Code.

**75.04 ALL ATV/UTV AND GOLF CARTS REGISTERED.** No person shall operate any ATV/UTV or Golf Cart on any public street, or alley for any purpose unless said ATV/UTV or Golf Cart is registered by the City of Hartford.

1. ATV/UTV or Golf Cart owners may register an ATV/UTV or Golf Cart with the Mayor's designee using forms provided by the City.
2. The Mayor's designee shall not register an ATV/UTV or Golf Cart until the following has occurred:
  - a. Owner has provided evidence that the ATV/UTV or Golf Cart is registered by Iowa law, and that such registration is current. The owner/operator shall maintain such registration.
  - b. Owner has provided proof of current financial responsibility in accordance with Section 321.20B of the Code of Iowa. The owner shall maintain such financial responsibility.
  - c. The Mayor's designee has inspected the vehicle to verify it meets the requirements of this Ordinance.
  - d. Owner has paid the registration fee set out below.
3. The registration sticker shall be displayed visibly and prominently on the left rear.
4. All registrations issued shall uniquely identify the name and address of the owner/operator.
5. Annually the registration fee shall be twenty-five dollars (\$25.00)
6. Registrations shall be effective from November 1 through October 31.
  - a. Registrations may be renewed after Owner/Operator has filed an application to renew with the Mayor's designee and all conditions set out in 75.04 and 75.05 have been met.
  - b. Fee for renewed registration shall be twenty-five dollars (\$25.00)

**75.05 EQUIPMENT.** ATV/UTV/Golf Cart or Snowmobile operated within the City of Hartford shall be equipped as required by Section 321I.12 and 321I.13 of the Code of Iowa, including but not limited to:

1. An ATV/UTV/Golf Carts must have a slow-moving vehicle sign.
2. A bicycle safety flag of fluorescent orange color and/or a lighted whip, the top which shall be a minimum of five (5) feet above the surface of the street.
3. ATV/UTV/Golf Cart and Snowmobiles operated on city streets shall be equipped with adequate brakes.
4. Headlights
5. Taillights

#### **75.06 OPERATION RESTRICTIONS:**

1. No person shall operate an ATV/UTV/Golf Cart or Snowmobile on any city street, alley or right-of-way unless they are at least sixteen (16) years of age and have a valid Iowa Driver's License, or fourteen (14) years of age with an Iowa-issued Drivers Permit and with adult supervision by an immediate family member at twenty-one (21) years of age who has a valid Iowa Driver's License. Individuals under the of eighteen (18) must also have taken and passed an approved ATV/UTV education certificate, which must be in their possession when operating on public land.
2. Traffic Code. Any person operating and ATV/UTV/Golf Cart or Snowmobile 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.
3. Speed. No ATV/UTV/Golf Cart or Snowmobile shall be operated at a speed in excess of the lesser of twenty-five (25) miles per hour or that posted, nor shall they be operated at a speed greater than is reasonable and proper for the existing conditions.
4. Lights. No ATV/UTV/Golf Cart or Snowmobile shall be operated without a lighted Headlight and Taillight 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 (500') ahead.
5. Unattended and Parking. No person shall leave an ATV/UTV/Golf Cart or Snowmobile 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.
6. The number of occupants shall not exceed the number of seats installed by the manufacturer in said vehicle and operated in a safe manner.

**75.07 OPERATION LOCATIONS:** The operators of ATV/UTV/Golf Cart and/or Snowmobiles shall comply with the following restriction as to where ATV/UTV/Golf Cart and/or Snowmobiles may be operated within the City:

1. Streets.
  - A. Snowmobiles shall be operated only upon streets which have not been plowed during the snow season.
  - B. Registered ATV/UTV or Golf Carts may be operated upon streets under the jurisdiction and within the corporate limits of the City of Hartford.
2. Exceptions. ATV/UTV/Golf Cart and Snowmobiles may be operated on prohibited streets only under the following circumstances:
  - A. Emergencies. Snowmobiles may be operated on any street in an emergency during the period of time when, and at locations where, snow upon the roadway renders travel by conventional motor vehicles impractical.
  - B. Direct Crossing. ATV/UTV/Golf Cart and Snowmobiles may make a direct crossing of a prohibited street provided:

- (1) The crossing is made at an angle of approximately ninety degrees (90) to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;
  - (2) The ATV/UTV/Golf Cart/Snowmobile is brought to a complete stop before crossing the street;
  - (3) The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard; and
  - (4) In crossing a divided street, the crossing is made only at an intersection of such street with another street.
3. Trails. ATV/UTV/Golf Cart and Snowmobiles shall not be operated on any recreational, bike or walking trails unless the trail is specifically designated to allow use of motor vehicles.
4. Sidewalks. ATV/UTV/Golf Cart and Snowmobiles shall not be operated upon sidewalks unless the operator is engaged in snow removal or sidewalk maintenance activities.
5. "Parking". ATV/UTV/Golf Cart and Snowmobiles 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.
6. City Parks and other land owned by the City of Hartford. ATV/UTV/Golf Cart and Snowmobiles shall not be operated in City parks or upon other city owned land unless for a special event authorized by the City Council.
7. Private Property. ATV/UTV/Golf Cart and Snowmobiles may only be operated on private property with the express consent of the owner.

**75.08 NEGLIGENCE.** The owner and operator of an ATV/UTV/Golf Cart or Snowmobile is liable for any injury or damage occasioned by negligent operation of the ATV/UTV/Golf Cart and Snowmobiles.

**75.09 ACCIDENT REPORTS.** Either the operator, or someone acting for the operator, shall immediately notify a law enforcement officer whenever an ATV/UTV/Golf Cart or Snowmobile is involved in an accident resulting in injury or death to anyone, or property damage amounting to two hundred dollars (\$200.00) or more, and shall file an accident report within forty-eight (48) hours..

**75.10 VIOLATION AND PENALTY.**

1. Any person guilty of violating the provisions herein shall be guilty of a misdemeanor and shall be subject to fine of one-hundred dollars (\$100.00) and revocation of the City of Hartford registration for a period of two months.
2. Any person guilty of violating this ordinance two times in a twelve (12) month period Shall be subject to a fine of two-hundred dollars (\$200.00) and revocation of the City of Hartford registration for a period of two years.

3. Any person guilty of violating this ordinance three times shall be subject to a fine of three-hundred dollars (\$300.00) and permanent revocation of the City of Hartford registration.
4. Persons violating this ordinance may also be prosecuted, and subject to the penalties set out in Section 321I.36 of the Code of Iowa.

**Section 3. REPEALER CLAUSE.** Any ordinance, provision or part thereof, which differs or is inconsistent with this ordinance is hereby repealed, to the extent of said difference or inconsistency.

**Section 4. SEVERABILITY.** If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such as 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 5. EFFECTIVE DATE.** This ordinance shall be in effect following final passage, approval, and publication of this ordinance as required by law.

**PASSED** by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2021, and **APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Kandi S. Petry, MAYOR

ATTEST:

\_\_\_\_\_  
Cynthia Crippen, CITY CLERK

The Mayor declared Ordinance No. 102020-05 was passed on \_\_\_\_day of, \_\_\_\_\_, 2021.

# City of Hartford ATV/UTV/GOLF CART Registration

Hartford Registration # \_\_\_\_\_

Name:(L)\_\_\_\_\_ (F)\_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: (H)\_\_\_\_\_ (C)\_\_\_\_\_

Email: \_\_\_\_\_

Golf Cart/ATV/UTV/ Make & Model: \_\_\_\_\_

\_\_\_\_\_

Proof of Insurance with Provider: \_\_\_\_\_

Policy Number: \_\_\_\_\_

ATV/UTV Proof of DNR Registration: \_\_\_\_\_ Registration# \_\_\_\_\_

I understand this permit is issued to me and is to be clearly displayed on the left rear fender of my ATV/UTV/Golf Cart.

I certify I have received a copy of Ordinance 75 Adopted by the City of Hartford, \_\_\_\_\_, \_\_\_\_\_, 2020 and that I have read the city ordinance and agree to abide by all conditions in the ordinance.

Signature: \_\_\_\_\_ Print: \_\_\_\_\_

Approved by: \_\_\_\_\_ date: \_\_\_\_\_

City of Hartford

Office Use

Amount of fee:     **\$25.00**     Date paid: \_\_\_\_\_