

ORDINANCE NO. 203

AN ORDINANCE TO AMEND TITLE III, CHAPTER 3 OF THE ORDINANCES OF THE CITY OF LANSING, IOWA, AMENDING OFF ROAD VEHICLES ARTICLE 3-75 THRU 3-83.

WHEREAS, the City Council of the City of Lansing, Iowa, adopted the City Code of the City of Lansing, April 27th, 2022 and

WHEREAS, the City Council of the City of Lansing now wishes to make certain changes to this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lansing, Iowa, as follows:

That Title III, Chapter 3, Off-Road Vehicles is hereby amended with the following language:

BE IT ORDAINED by the City Council of the City of Lansing, Iowa, as follows:

OFF-ROAD VEHICLES

3-3-75 PURPOSE. The purpose of this chapter is to permit the operation of all-terrain vehicles and off-road utility vehicles on streets and alleys in the City, as authorized by Iowa House File 2130, as amended, and regulating their use. This chapter applies whenever an all-terrain vehicle or off-road utility vehicle is operated on any street or alley or on any other public or private property, Subject to the restrictions stated herein. The operation of golf carts is prohibited in the City of Lansing unless approved by council or for special events such as parades or school events.

3-3-76 DEFINITIONS. For purposes of this chapter, the following terms are defined:

1. "All-Terrain Vehicle" or "ATV" means a motorized flotation-tire vehicle with not less than three and not more than six low-pressure tires that is limited in engine displacement to less than one thousand cubic centimeters and in total dry weight of not more than 1,000 pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.
2. "Off-Road Utility Vehicle" or "UTV" means a motorized flotation-tire vehicle with not less than four and not more than eight low-pressure tires that is limited in engine displacement to less than 1,500 cubic centimeters and in total dry weight of not more than 1,900 pounds and that has a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control.

3. "Golf Cart" is defined as a three or four wheeled recreational vehicle generally used for the transportation of person(s) in the sport of golf.

4. "Street" means only that portion of the street between the curbs or, in the absence of curbs, only the traveled portion of the street.

3-3-77 TRAFFIC CODE APPLIES. Except as modified by this chapter, every person operating an ATV or UTV upon a street or alley shall be granted all the rights and privileges and shall be subject to all the duties and obligations applicable to the driver of a vehicle, including the financial responsibility provisions of Iowa Code Chapter 321A and amendment HF 2130, and to the laws of the State declaring the rules of the road applicable to the driver of the vehicle, except as to those provisions which by their nature can have no application.

3-3-78 RIDING ON ATVS AND UTVS. A person operating an ATV or UTV shall not ride other than on a permanent seat regularly attached thereto. All occupants must be in a seated position at all times with no more passengers than the seat(s) are designed to accommodate. No one may be standing on the vehicle or sitting on another passenger while the vehicle is in operation. The operator and all passengers of a UTV shall wear the seatbelt or harness as so equipped by the manufacturer.

3-3-79 OPERATORS PERMITTED. ATV's and UTV's may be operated upon the streets of the City by persons who are at least eighteen (18) years of age and who are legally licensed to drive in the State of Iowa. No person under the age of (18) may operate an ATV or UTV in the City of Lansing.

3-3-80 OPERATING AREAS.

1. ATVs and UTV's shall not be operated in any public park, cemetery or other public grounds or on any public sidewalk (with the exception of performing utility work such as plowing snow). ATV's and UTV's may operate in Mt. Hosmer City Park only with special ride event permit after application and approval by Lansing City CLERK'S OFFICE

2. No Golf Carts shall be operated on City streets at any time unless approved by council or for special events such as parades or school events.

3-3-81 PRIMARY ROAD EXTENSION CROSSINGS. The crossing of primary road extensions shall be made in compliance with the following requirements:

1. The crossing is made at an angle of approximately ninety degrees to the direction of the street or alley or highway and at a place where no obstruction prevents a quick and Safe crossing;

and

2. The ATV or UTV is brought to a complete stop before crossing the street or alley or highway; and

3. The operator yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.

3-3-82 OTHER REQUIREMENTS AND RESTRICTIONS. A person shall not drive or operate an ATV or UTV on a public street or alley:

1. Unless the person has a valid driver's license and valid proof of insurance in compliance with Iowa Code Chapter 321A and amendment HF2130.
2. Unless the ATV or UTV is registered with the Iowa Department of Natural Resources and properly displays a registration decal.
3. In a careless, reckless or negligent manner so as to endanger the person or property of another or cause injury or damage thereto.
4. At a speed in excess of the officially posted speed limit and not to exceed 35 miles per hour in any circumstance.
5. Every motor vehicle upon a highway within the state, at any time from sunset to sunrise, and at such other times when conditions such as fog, snow, sleet, or rain provide insufficient lighting to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead, shall display lighted headlamps as provided in section 321.415, subject to exceptions with respect to parked vehicles as provided in this chapter. However, an all-terrain vehicle shall display lighted headlamps as provided in section 321.415 at all times while the vehicle is operated on a highway
6. 321.385 Headlamps on motor vehicles. Every motor vehicle other than a motorcycle, motorized bicycle, or all-terrain vehicle shall be equipped with at least two headlamps with at least one on each side of the front of the motor vehicle, which headlamps shall comply with the requirements and limitations set forth in this chapter.
7. All ATV or UTV must be equipped with a working muffler that limits noise to 96 decibels or less.

3-3-83 VIOLATIONS. The operation of an ATV or UTV in violation of any of the provisions of this chapter may be charged either against the operator of the ATV or UTV or against the owner if the ATV or UTV is operated with the consent of the owner. In the case of violations by the operator of an ATV or UTV operating with the consent of the owner, the violation shall be charged against the owner as a municipal infraction or a misdemeanor and the following civil penalty shall be applicable:

1. In the case of a first violation -\$150.00
2. For the second violation within one calendar year - \$300.00.

3. In the event of a third violation within one calendar year - \$500.00.

Section 2 EFFECTIVE DATE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed and Approved this (**date**).

Date of First Reading: 09/06/2022

Date of Second Reading:

Date of Third and Final Reading:

Roll Call Vote:

Councilmen Voting Aye:

Councilmen Voting Nay:

Melissa Hammell, Mayor

attest:

Katie A. Becker, City Clerk