

TITLE III COMMUNITY PROTECTION

CHAPTER 15 OFF-ROAD UTILITY VEHICLES

3-15-1 Purpose	3-15-7 Operation
3-15-2 Definitions	3-15-8 Violation and Penalty
3-15-3 Operation of Off-Road Utility Vehicles Permitted	3-15-9 Repealer Clause
3-15-4 Required Equipment	3-15-10 Severability
3-15-5 Speed	3-15-11 When Effective
3-15-6 Passengers	

3-15-1 PURPOSE

The purpose of this chapter is to permit the operation of “Off-road utility vehicles” on certain streets in the City. This chapter applies whenever a Off-road utility vehicle is operated on any street or alley, subject to those exceptions stated herein.

3-15-2 DEFINITIONS

“Off-road utility vehicle” means a motorized vehicle with not less than four and not more than eight nonhighway tires or rubberized tracks 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. “Off-road utility vehicle” includes the following vehicles: (1) “Off-road utility vehicle – type 1” means an off-road utility vehicle with a total dry weight of one thousand two hundred pounds or less and a width of fifty inches or less. (2) “Off-road utility vehicle – type 2” means an off-road utility vehicle other than a type 1 off-road utility vehicle, with a total dry weight of two thousand pounds or less, and a width of sixty-five inches or less. (3) “Off-road utility vehicle – type 3” means an off-road utility vehicle with a total dry weight of more than two thousand pounds or a width of more than sixty-five inches, or both.

3-15-3 OPERATION OF OFF-ROAD UTILITY VEHICLES PERMITTED

Off-road utility vehicles may be operated upon the streets of the City by persons possessing a valid operator’s license, valid proof of insurance and at least eighteen (18) years of age, as long as the Off-road utility vehicle possesses a valid State of Iowa permit and all other requirements of this ordinance are met.

3-15-4 REQUIRED EQUIPMENT

Off-road utility vehicles operated upon City streets shall be equipped with at least the following:

1. An unobstructed retro-reflective slow-moving vehicle sign that meets ASAE standard S276.5 or newer.
2. An orange safety flag, the top of which shall be a minimum of five (5) feet above the ground level. The flag shall be triangular in shape with an area of not less than thirty square inches and be blaze orange in color.
3. Valid liability insurance covering the Off-road utility vehicle in the same limits as required of automobiles by the financial responsibility provisions of Chapter 321A of the Code of Iowa.
4. Operational headlights turned on at all times on all primary road extensions and on City streets and alleys during the hours of sunset to sunrise; tail and brake lights; horn and rearview mirror.
5. A valid State of Iowa permit.

3-15-5 SPEED

Off-road utility vehicles shall be subject to posted speed limits with a maximum speed of 35 MPH.

3-15-6 PASSENGERS

No person may ride on a Off-road utility vehicle on any portion not designed to carry passengers. No person may stand on or ride in the cargo area of a Off-road utility vehicle while it is in motion. Each person riding must be in

their own seat. No more than three (3) people may ride on a bench seat. If seatbelts are available, they must be used by all occupants. No person may ride on the lap of another.

3-15-7 OPERATION

1. Except as noted otherwise, therein, any person operating a Off-road utility vehicle on City streets or alleys shall adhere to all traffic signs and signals, all other City of Sigourney and State of Iowa traffic rules and regulations and shall obey the orders and direction of any law enforcement officer authorized to direct or regulate traffic or the direction of a fire department officer during a fire.
2. This ordinance forbids the operation of Off-road utility vehicles on:
 - a. Any recreational, bike or walking trail unless the trail is specifically designed to allow the use of motor vehicles.
 - b. Sidewalks
 - c. Private property without the consent of the property owner.
3. Street Etiquette:
 - a. Except when executing a left turn, Off-road utility vehicles shall be driven as close as practical to the right-hand edge of any street or alley.
 - b. When necessary to prevent congestion of traffic, Off-road utility vehicles shall be pulled to the right-hand edge of streets and be stopped to allow other motor vehicles traveling in the same direction to pass.
 - c. When two or more Off-road utility vehicles are being operated in the same direction and general vicinity on a City Street or Alley, they shall proceed in single file.

3-15-8 VIOLATION AND PENALTY

1. Any person guilty of violating the provisions herein shall be guilty of a simple misdemeanor and shall be subject to a fine of one hundred dollars (\$100.00) or a municipal infraction as provided by the Sigourney Code of Ordinances, Title I – General Provisions, Chapter 3 – Penalty, Section 1-3-2 – Civil Penalty – Municipal Infraction.

3-15-9 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.

3-15-10 SEVERABILITY

If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional by a court of competent jurisdiction, 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.

3-15-11 WHEN EFFECTIVE

This Ordinance shall be in effect upon publication from and after its final passage, approval and publication as provided by law.

ADOPTED AND PASSED by the City Council of the City of Sigourney this 19th day of October 2022.

Jimmy Morlan, Mayor

Seal of City

Attest:

Angela K. Alderson, City Clerk

First Reading of Ordinance:	<u>September 21, 2022</u>
Second Reading of Ordinance:	<u>October 5, 2022</u>
Third Reading of Ordinance:	<u>October 19, 2022</u>
Publication Date:	<u>October 26, 2022</u>
Effective Date:	October 26, 2022