

## CHAPTER 75

# OPERATION OF UTVS ON CITY STREETS

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**75.01 PURPOSE.** The purpose of this chapter is to permit the operation of UTVs on certain streets in the City, as authorized by Section 321.247 of the Code of Iowa, as amended. This chapter applies whenever a UTV is operated on any street or alley, subject to those exceptions stated herein.

**75.02 DEFINITIONS.** UTVs have several different names; including LUVs, utility vehicles, side by sides and recreational off-highway vehicles. Utility-type models include, but are not limited to, Kubota and the Kawasaki Mule; newer, sport-type models include the Polaris RZR and the Kawasaki Teryx.

### **75.03 BASIC SPECIFICATIONS.**

1. Not a golf cart. Golf Cart means a three or four wheeled recreational vehicle generally used for transportation of person(s) in the sport of golf, which is limited in engine displacement of less than 800 cubic centimeters and total dry weight of less than 800 pounds.
2. Not a low speed vehicle. Low-speed means a low-speed vehicle, as defined in 49 CFR 571.3, that satisfies the equipment standards under 49 CFR 571.500 and that was originally manufactured to meet the applicable equipment standards under 49 CFR 571.500.
3. UTVs are originally manufactured with the following:
  - A. Between 900 lbs. and 1,999 lbs.
  - B. Four or more low pressure tires.
  - C. Cargo or dump box.
  - D. Steering wheel, tail light, brake light, 2 headlights, seat belts or similar device.
  - E. Max width of 65 inches.
  - F. Seating for at least 2 occupants, non-straddled seats.
  - G. A roll bar or similar device.

**75.04 OPERATION OF UTVS PERMITTED.** UTVs may be operated upon the streets of the City by persons possessing a valid Iowa Driver's License and at least sixteen (16) years of age, except as prohibited in Section 75.05 of this chapter..

**75.05 PROHIBITED LOCATIONS.** UTVs may be operated upon the streets of the City by persons possessing a valid Iowa Driver's License and at least sixteen (16) years of age, except as prohibited in Section 75.05 of this chapter..

1. Streets. UTVs shall not be operated upon any City Street, which is a primary road extension through the City. However, UTVs may cross such primary road extensions. Included are the following street(s):
  - A. East Street.
  - B. Hwy 30.
2. Sidewalks. UTVs shall not be operated upon sidewalks.

**75.06 EQUIPMENT.** UTVs operated upon City streets shall be equipped with at least the following:

1. A slow moving vehicle sign.
2. A bicycle safety flag, the top of which shall be a minimum of five (5) feet from ground level and extend a minimum of 2 feet above the highest point of the UTV.
3. UTVs operated on City streets shall be equipped with a muffler, headlights, taillights, and adequate brakes to stop and hold the UTV in a stopped position.
4. UTVs operated on city streets shall be equipped with an adequate exhaust system.

**75.07 HOURS OF OPERATION.** UTVs may be operated on City Streets only between sunrise and sunset as set by the U.S. Naval Observatory, except for emergency situations or for loading or unloading from a transport trailer; except that UTVs may be operated during prohibited hours to perform snow removal activities.

**75.08 SPEED.** No 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 UTV be operated at a speed greater than is reasonable and proper for the existing conditions.

**75.09 TRAFFIC CODE.** Any person operating an UTV, including those for which a City of Grand Mound permit has been issued, 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. No person shall leave an UTV unattended on public property while the motor is running or the keys are in the ignition switch.

**75.10 PERMITS.** No person shall operate an UTV on any public street, or alley, for any purpose, unless the UTV has passed a safety inspection by the City of Grand Mound's Public Work's Department; and the operator possesses a UTV permit issued by the City Clerk.

1. UTV owners may apply for a permit from the City Clerk on forms provided by the City.
2. The Clerk shall not issue a permit until the owner/operator has provided the following:
  - A. Evidence that the owner/operator possesses a valid driver's license.
  - B. Proof owner/operator has liability insurance (minimum limit of \$300,000.00 coverage) covering operation of UTVs on City Streets.
  - C. A form indicating that the golf cart has passed the required inspection conducted by the Grand Mound Public Works Department. The fee for such inspection shall be set by resolution. This is a one-time inspection. Vehicles that pass an inspection will not need to be re-inspected unless the vehicle is found in violation of this code, then a vehicle might need to be inspected again.
3. The operator of the UTV shall display the permit sticker prominently on a rear fender or on a similar component, which is clearly visible from the rear.
4. All permits issued shall uniquely identify the name and address of the Owner/Operator.
5. The annual fee for such permits shall be twenty dollars (\$20.00).
6. The permits expire annually on December 31<sup>st</sup>, regardless of the date of issue.
7. Permits can be revoked by the City of Grand Mound as a result of any violation of the City's Code or the Code of Iowa or abusive behavior of the privilege of being a permit holder. There will be no refund of the permit fee. The revocation, including a description of the violation, shall be provided in writing to the owner of the UTV. The revocation may be appealed to the City Council within 10 days of the written notice of

revocation of the permit. The owner shall request the appeal in writing and submit the appeal to the City Clerk of Grand Mound.

**75.11 ACCIDENT REPORTS.** Either the operator, or someone acting for the operator, shall immediately notify law enforcement whenever a UTV is involved in an accident resulting in injury or death to anyone, or property damage amounting to one thousand dollars (\$1,000.00) or more, and shall file an accident report within forty-eight (48) hours, in accordance with State Law.

**75.12 VIOLATIONS AND PENALTY..**

1. Any person guilty of violating the provisions herein shall be guilty of a misdemeanor and shall be subject to a fine of one-hundred dollars (\$100.00) and revocation of the City of Grand Mound permit for a period of six months.
2. Any person guilty of violating this ordinance two times shall be subject to a fine of two hundred dollars (\$200.00) and revocation of the City of Grand Mound permit for a period of twelve (12) months.
3. Any person guilty of violating this ordinance three times shall be subject to a fine of three hundred dollars (\$300.00) and a permanent revocation of the City of Grand Mound permit.
4. Persons violating this ordinance may also be prosecuted, and subject to the penalties set out in, Section 3211.36 of the Code of Iowa.

*(Ch. 75 - Ord. 277-16 – Sep. 16 Supp.)*

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