

ORDINANCE NO. 61

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OAKLAND, IOWA CONCERNING ALL-TERRAIN VEHICLES, OFF-ROAD UTILITY VEHICLES, AND SNOWMOBILES.

BE it enacted by the City of Oakland, Iowa:

CHAPTER AMENDED: Chapter 75, Sections 10 and 12 of the City Code of Ordinances are hereby amended and or added to read in full as follows:

75.10 REQUIREMENTS OF OPERATION OF ALL TERRAIN VEHICLES AND OFF ROAD UTILITY VEHICLES:

Individuals who operate on roadways in the city of Oakland must adhere to all applicable City Ordinances and provisions of the Iowa Code Chapters 321 and 321I. The operator of each all-terrain or off-road vehicle shall be required to provide, upon request by any peace officer, proof of ownership including but not limited to bill of sale or registration. This requirement shall be satisfied if an all-terrain or off-road vehicle is in compliance with the registration requirements of any state within the United States of America.

A person shall not operate an all-terrain or off-road vehicle unless the operator has a valid driver's license issued by any state within the United States of America. A person shall not operate an all-terrain or off-road vehicle unless the operator has proof of insurance complying with that required of an operator of a motor vehicle pursuant to applicable provisions of the Iowa Code, Rules and Regulations, including but not limited to Iowa Code 321.20B and 321A.21.

A person shall not drive or operate an all-terrain or off-road vehicle:

1. At a rate of speed greater than the posted speed limit.
2. In a careless, reckless, or negligent manner so as to;
3. Endanger any person
4. Cause injury or damage to person or property
5. Create unnecessary skidding or sliding or cause any wheel or wheels to unnecessarily lose contact with the ground.
6. While under the influence of intoxicating liquor or narcotics or habit-forming drugs as prescribed under chapter 321J of the Iowa Code.
7. In any park, wildlife area, reserve, refuge, game management area, or any portion of a meandered stream, which has been identified as a navigable stream or river by rule adopted by the department and which is covered by water, except on designated riding areas and designated trails should they be established.
8. Upon operating railroad right-of-way, an all-terrain or off-road vehicle may be driven directly across railroad right-of-way only at an established crossing and, notwithstanding any other provisions of law, may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic. This paragraph does not apply to a law enforcement officer or railroad employee of a utility authority to enter upon the railroad right-of-way in the lawful performance of the employee's duty.

9. With more persons on the vehicle than designed to be carried or seated.
10. The operator and passengers shall wear the seatbelt or harness as so equipped by the manufacturer.

75.12 VIOLATIONS AND PENALTIES: The penalty for violating the provisions of this Chapter shall be as set forth:
\$250 for the first occurrence
\$500 for each subsequent occurrence

PASSED AND APPROVED by the Oakland City Council on this 11th day of July, 2022.

Brant Miller, Mayor

ATTEST:

Marissa Lockwood, City Administrator/Clerk

City Council Action

1st Reading: 07/11/2022

2nd Reading: waived 07/11/2022

3rd Reading: waived 07/11/2022

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