

## Resolution 12-35

### Amending ORDINANCE NO 401

#### A RESOLUTION AMENDING THE CODE OF ORDINANCES OF THE CITY OF URBANA, IOWA BY ADDING UTV'S TO THE GOLF CART ORDINANCE 401.

**BE IT ENACTED** by the City Council of the City of URBANA, Iowa:

**SECTION 1. NEW CHAPTER** The Code of Ordinances of the City of URBANA, Iowa, is amended by adding Resolution 12-35, entitled **OPERATION OF UTV'S ON CITY STREETS** which is hereby adopted to read as follows:

**71.02 PURPOSE.** The purpose of this chapter is to permit the operation of golf carts and UTV's on certain streets in the City, as authorized by Section 321.247 of the Code of Iowa, as amended. This chapter applies whenever a golf cart and UTV is operated on any street or alley of the City of URBANA, Iowa.

- **DEFINITIONS.** "Golf cart" means a three or four wheeled recreational vehicle generally used for transportation of person(s) in the sport of golf, that is limited in engine displacement of less than 800 cubic centimeters, and has a total dry weight of less than 800 pounds and also "UTV" - Utility terrain vehicle" means a motor driven device, other than a golf cart or low-speed vehicle, that is designed to be used primarily off of a highway and that has, and was originally manufactured with, all of the following: A gross weight of more than 900 pounds but not more than 1,999 pounds, four or more low pressure tires, cargo box or dump box , steering wheel, tail light, brake light, two headlights, width of not more than 65 inches, seats for at least 2 occupants, all of which seating is designed not to be straddled, a system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident, and a system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.

**71.03 OPERATION OF GOLF CARTS PERMITTED.** Golf carts may be operated upon the streets of the City by persons possessing a valid Iowa operator's license, proof of insurance and at least sixteen (16) years of age except as prohibited in the City's Traffic Code (Chapters 60 through 70) or this Chapter. A registration fee of \$25.00 will be required per year. upon which you will obtain a registration sticker. The owner will then be responsible for putting the reflective sticker on the side of vehicle.

**71.04 PROHIBITED STREETS.** Golf carts shall not be operated upon but may cross Sunset Street.

**71.05 UNLAWFUL OPERATION.**

1. No golf carts shall be operated or parked upon City sidewalks.
2. No golf cart shall be operated while under the influence of intoxicating liquor, narcotics or habit forming drugs.
3. No person shall operate a golf cart in a careless, reckless or negligent manner endangering the person or property of another or causing injury or damage to same.
4. No golf cart shall carry more passengers than golf cart is designed for.

**71.06 EQUIPMENT.** Golf carts operated upon City streets shall be equipped with a minimum of the following safety features.

1. A slow moving vehicle sign.
2. A bicycle safety flag, the top of which shall be a minimum of five (5) feet off of the ground.
3. Adequate brakes.
4. Rear view mirror – driver’s side

**71.07 HOURS OF OPERATION.** Golf carts may be operated on city streets only between sunrise and sunset.

**71.08 SPEED.** No golf cart shall be operated on any City street at a speed in excess of twenty-five (25) miles per hour. Posted Speed must be followed in accordance with the Code of Iowa.

**71.11 PENALTY.** In the event that a person violates this chapter and is guilty of a simple misdemeanor punishable as a scheduled violation under Iowa Code or of a municipal infraction under City Code, for which the penalty is at least \$750.00 for the first violation and at least \$1000.00 for a seconded or subsequent and \$1250.00 for the third violation resulting in impoundment of golf cart at the owners expense. Costs for recovery of golf cart may include and are not limited to towing, storage and others fees associated with the cost of impounding. After a third violation, your privileges will be permanently revoked.

(Code of Iowa, Sec. 321.247)

Passed by the Council this 12th day of December, 2012, and approved this 12th day of December 12th, 2012.

\_\_\_\_\_  
E. Duane Eldred, Mayor

ATTEST:

\_\_\_\_\_  
Traci K Wilson, City Clerk