

CITY OF MISSOURI VALLEY

223 EAST ERIE STREET
MISSOURI VALLEY, IOWA 51555
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WELCOME HOME TO THE FUTURE

MAYOR
SHAWN KELLY

CITY ADMINISTRATOR
JODIE FLAHERTY

All-Terrain Vehicle (ATV) Registration Form

Registration Fee: \$25.00

ATV Identification

Vehicle Identification Number (if applicable) Make/Model Year

Owner Information

I certify that this ATV is owned by:

Owner Complete Legal Name (Last, First, Middle) D.L. Number

Co-Owner Complete Legal Name (Last, First, Middle) Co-Owner D.L. Number

Residential Street Address Home and/or Cell Phone

City State Zip Code

Insurance Certification

Under penalties of perjury, I declare this vehicle is insured with the company named below and I will maintain liability insurance throughout the registration period in accordance with section 321.20B of the Iowa Code.
Must show proof of insurance.

Name of Insurance Company:

Operating Restrictions

- The Permit Registration must be with the ATV whenever said ATV is in operation.
- Identification sticker must be affixed to the right-rear portion of the ATV and must be clearly visible.
- To be operated on City Streets only between sunrise and sunset.
- Must follow all posted speed limits.
- Operator must be 18 years of age or older and have a valid driver's license.
- The driver's license must be in the operator's possession.
- A copy of insurance must be carried in the ATV at all times.

I understand all drivers must meet requirements of the City of Missouri Valley Ordinance #587 and that I have received a copy of Ordinance #587.

Owners Signature:

Date:

OFFICE USE ONLY

Decal No.

Police Chief Signature

Date of Issue

10-13-2021

ORDINANCE #587

AN ORDINANCE TO DESIGNATE THAT PORTION OF CITY ROADWAYS UPON WHICH ALL-TERRAIN VEHICLES MAY BE OPERATED DURING A SPECIFIC PERIOD, TO SPECIFY SAID PERIODS AND TO ESTABLISH REGULATION REGARDING SUCH OPERATION.

WHEREAS, the City of Missouri Valley (The City) has evaluated the traffic conditions on all roadways and has determined that All-Terrain Vehicles as defined by Iowa Code Section 321I can be operated without unduly interfering with or constituting an undue hazard to conventional motor vehicle traffic, and;

WHEREAS, pursuant to Iowa Code Section 321I.10, the City may permit operation of said vehicles on the roadways designated by the City for use during a specified period, and;

WHEREAS, the operation of said vehicle would be regulated under Iowa Code Chapters 231I, 321.20B, 321A.21, and other applicable provisions of Iowa law;

NOW, THEREFORE, be it resolved by the City of Missouri Valley, Harrison County, Iowa, that the following regulations are hereby adopted regarding operation of All-Terrain Vehicles on roadways within the City:

SECTION 1: CHAPTER 74 CREATED. Chapter 74, titled, "All-Terrain Vehicles" is hereby created and the following Sections are adopted.

1. Purpose: The purpose of this Ordinance is to designate that portion of city roadways upon which All-Terrain Vehicles may be operated during a specified period, to specify said period, and to establish regulation regarding such operation.

2. Definitions:

1. "All-Terrain Vehicle", as defined in Iowa Code Section 321I.1, means a motorized vehicle with no less than three and not more than six nonhighway tires that is limited in engine displacement to less than one thousand cubic centimeters and in total dry weight to less than one thousand two hundred pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control. Two-wheeled, off-road motorcycles shall be considered All-Terrain vehicles only for the purpose of titling and registration. An operator of a two-wheeled, off-road motorcycle is exempt from the safety instruction and certification program requirements of Section 321I.25 and 321I.26 of the Code of Iowa.
2. "Roadway" means that portion of a street or highway improved, designed, or ordinarily used for vehicular travel.

3. Operation on Roadways: A registered All-Terrain Vehicle may be operated on any designated City of Missouri Valley roadway and such operation is further limited to the hours from official sunrise to official sunset of the same day, as established by the National Weather Service.

4. Unlawful Operations:

1. A person shall not drive or operate an All-Terrain Vehicle:

- a. At a rate of speed in excess of the posted speed limit, nor greater than reasonable or proper under all existing circumstances.
 - b. In a careless, reckless, or negligent manner so as to endanger the person or property or another or to cause injury or damage thereto.
 - c. While under the influence of intoxicating liquor or narcotics or habit-forming drugs.
 - d. Without a lighted headlight and taillight at such times when conditions provide insufficient lighting to render clearly discernible persons and vehicles at a distance of five hundred (500) feet ahead.
 - e. In any tree nursery or planting in a manner which damages or destroys growing stock.
 - f. On any public land, ice, or snow, in violation of official signs of the commission prohibiting such operation in the interest of safety for persons, property, or the environments. Any officer appointed by the commission may post an official sign in an emergency for the protection of persons, property, or the environment.
 - g. In any park, wildlife area, preserve, refuge, game management area, or any portion of a meandered stream, or any portion of the bed of a nonmeandered 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 riding trails. This paragraph does not prohibit the use of ford crossing of public roads or any other ford crossing when used for agricultural purposes; the operation of construction vehicles engaged in lawful construction, repair, or maintenance in a streambed; or the operation of All-Terrain vehicles on ice.
 - h. Upon an operating railroad right-of-way. An All-Terrain Vehicle may be driven directly across a 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's or employee's duties or to an employee of a utility with authority to enter upon the railroad right-of-way in the lawful performance of the employee's duties.
2. A person shall not operate or ride in an All-Terrain Vehicle with a firearm in the person's possession unless it is unloaded and enclosed in a carrying case. However, a nonambulatory person may carry an uncased and unloaded forearm while operating or riding in an All-Terrain Vehicle.
 3. A person shall not operate an All-Terrain Vehicle:
 - a. With more persons on the vehicle than it was designed to carry.
 - b. Paragraph "a" does not apply to a person who operates an All-Terrain Vehicle as a part of a farm operation as defined in Iowa Code Section 352.2.
 4. A person shall not operate an All-Terrain Vehicle on a designated riding area or designated trail unless the riding area or trail is signed as open to an All-Terrain Vehicle operation.
 5. A person shall not operate a vehicle other than an All-Terrain Vehicle on a designated riding area or designated trail unless the riding area or trail is signed as open to such other use.
 6. A person shall not operate an All-Terrain Vehicle unless the operator is 18 years of age or older and has a valid Iowa Driver's License; unless the vehicle is duly registered; and unless the operator has proof of insurance complying with that required of the operator of motor vehicle pursuant to applicable Iowa Statutes, Rules, and Regulations, including but not limited to Iowa Code Sections 321.20B and 321A.21.

5. Identification Stickers: Individuals who operate an All-Terrain Vehicle on the roadways of Missouri Valley must obtain an identification sticker from the office of the Missouri Valley Clerk. The following conditions apply:

1. The owner of each All-Terrain Vehicle shall be required to provide proof of ownership including by not limited to bill of sale, registration, and other documentation as may be accepted by the Recorder.
2. Each applicant for an identification sticker must provide proof that the vehicle is properly registered pursuant to Iowa Code Section 321I.3 and DNR regulations.
3. Each applicant for an identification sticker must pay a fee in the amount of \$25.00.
4. Identification Sticker's shall be affixed to the right-rear portion of all All-Terrain Vehicles in such a manner as to be clearly visible.

6. Exempt Vehicles: Registration shall not be required for vehicles exempt under Iowa Code Section 321I.9 (3).

7. Penalties: Violation of this Ordinance shall constitute a SIMPLE MISDEMEANOR punishable by a minimum fine of \$65.00, a maximum fine of \$625.00, plus applicable surcharges and court costs.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, 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.

SECTION 4. WHEN EFFECTIVE. This ordinance shall become effective October 13, 2021.

PASSED AND APPROVED this 5th day of October, 2021.

/s/Shawn Kelly, Mayor

/s/Attest: Jodie Flaherty, City Administrator