



**OELWEIN POLICE DEPARTMENT
CITY OF OELWEIN, IOWA
MEMORANDUM**

FROM: Jeremy P. Logan, Chief of Police

DATE: March 30, 2022

TO: City Administrator Dylan Mulfinger – Mayor Brett DeVore – Oelwein City Council

SUBJECT: UTV Ordinance

I would like to thank the city council for their discussions on the UTV ordinance and pointing out areas in which the council feels there should be adjustments. No one likes to see how the sausage is made, but ultimately, they hope to enjoy the final product. That should be our goal on this as well. There is plenty of time to vet this ordinance and ensure that we are getting the best product for our community. I would like to address a few areas in which I still have concerns about and also provide some clarifications.

22-212(6) – I would recommend the removal of all wording related to an appeal. If an officer is going to suspend the permit privileges based on a number of offenses, those offenses would have already been through the court system for action. Having a council committee review a guilty plea or a guilty finding from a judge is an unnecessary layer of process.

The original proposal, under section 22-214, called for the prohibition these devices on any state highway and three other city streets. As you may have read in other city ordinances, it is common to have some streets restricted from use. I would ask that the Oelwein City Council reconsider removing 2nd Street SE, 7th Street SE, and 8th Ave SE, from those roads that are prohibited. This proposal is based upon the understanding that these three roadways are main traffic routes to the hospital, medical clinics, nursing homes, the school, and the performing arts center. These routes hit both ends of the age spectrum for driver experience and driver concerns for response and reaction. The school presents a challenge with more inexperienced drivers on the roadway, and the hospital, medical clinics, and performing arts center present a challenge with an increase in emergency traffic as well as elderly drivers. With the number of other roadways in the community to travel on, the prohibition of these roadways should not be a hardship.

Removal of wording that restricts the UTV from travelling on roadways with a speed limit greater than 25 mph and from travelling greater than 25 mph. I respect the council's decision on this and would ask for a general restriction of speed that would be an acceptable compromise. Suggested wording to be added: "Operators shall abide by all traffic laws and posted traffic signs and operate at a rate of speed not greater than thirty-five miles per hour." The purpose that has been provided to allow UTV's on the roadway is for ease of travel and leisure. Operating faster than 35 mph reduces the safety to our overall public and reducing the "leisure" ride in a city.

Thank you for your consideration.