

ARTICLE IX

SNOWMOBILES AND ALL-TERRAIN VEHICLES

SECTION 22-210. PURPOSE.

To provide reasonable rules and regulations for the maintenance and operation of snowmobiles and all-terrain vehicles and to establish areas where snowmobiles and all-terrain vehicles may be used for the safety and general welfare in the City of Oelwein, Iowa.

SECTION 22-211. DEFINITIONS.

For use within this Article, unless the context otherwise requires, all the terms used in this Article shall have the same meaning as those set forth in Iowa Code Section 321G.1.

SECTION 22-212. OPERATION LIMITATIONS.

1. Any person may operate and use an all-terrain vehicle or snowmobile upon the city streets with the exception of Highways 150 and 3 and all public right-of-way, streets and alleys in the C-1 Central Business District, taking the most direct street to the corporate limits of the City, or to property where consent has been secured, and no snowmobile shall be driven on any street solely for the entertainment or pleasure, except that a registered all-terrain vehicle or snowmobile may be operated upon a prohibited city street under the following conditions:

A. Upon a city street which has not been plowed during the snow season;

B. Upon a city street in an emergency during the period of time when and at locations where snow upon the roadways render travel by conventional motor vehicles impractical.

2. An all-terrain vehicle or snowmobile may make a direct crossing of a prohibited street or highway provided:

A. The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing; and

B. The all-terrain vehicle or snowmobile is brought to a complete stop before crossing the shoulder or main traveled way of the highway; and

C. The driver yields the right of way to all oncoming traffic which constitutes an immediate hazard;

3. Each snowmobile or all-terrain vehicle operated within the city shall be equipped with at least one head lamp and one tail lamp, which shall be lighted during the operation on a public street at any time from sunset to sunrise, and at such times when conditions such as fog, snow,

sleet or rain provide insufficient lighting to render clearly discernible persons and vehicles at a distance of five hundred feet ahead.

4. Every all-terrain vehicle and snowmobile shall be equipped with brakes which conform to standards prescribed by the director of transportation.

5. An all-terrain vehicle or snowmobile shall not be operated without suitable and effective muffling devices which limit engine noise to not more than eighty-six decibels as measured on the "A" scale at a distance of fifty feet, except a snowmobile, manufactured after July 1, 1973, which shall have a muffler system that limits engine noise to not more than eighty-two decibels as measured on the "A" scale at a distance of fifty feet, and a snowmobile manufactured after July 1, 1975, which shall have a muffler system that limits engine noise to not more than seventy-eight decibels as measured on the "A" scale at a distance of fifty feet.

6. Deleted. (Ord. No. 1010, 02-10-2003.)

7. An all-terrain vehicle or snowmobile shall not be operated at a rate of speed greater than reasonable or proper under all existing conditions. In no event shall an all-terrain vehicle or snowmobile be operated upon a public street at a rate of speed in excess of the posted speed limit.

8. An all-terrain vehicle or snowmobile shall not be operated in a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.

9. An all-terrain vehicle or snowmobile shall not be operated while the operator is under the influence of intoxicating liquor or narcotics or habit-forming drugs.

10. No person shall operate any snowmobile or all-terrain vehicle upon any sidewalk or public right-of-way outside the curblines of the street or alley.

11. A person, after having received a visual or audible signal from a police officer to come to a stop, shall not operate an all-terrain vehicle or snowmobile in willful or wanton disregard of the signal or interference with or endanger the officer or any other person or vehicle, or increase speed or attempt to flee to elude the officer.

12. An all-terrain vehicle or snowmobile shall not be operated on or across a city street or public highway by a person under sixteen years of age who does not have in the person's possession a safety certificate issued to the person by the State of Iowa.

13. When operating a all- terrain vehicle or snowmobile, a person twelve to fifteen years of age and possessing a valid safety certificate must be under the direct supervision of a parent, guardian or another adult authorized by the parent or guardian, who is experienced in all-terrain vehicle or snowmobile operation, and who possesses a valid motor vehicle license as defined in Section 321.1 of the Iowa code, or a safety certificate issued by the State of Iowa.

14. No person shall operate an all-terrain vehicle or snowmobile on private property of another without prior permission.

15. No person shall operate an all-terrain vehicle in any city park or cemetery.

No person shall operate a snowmobile in any cemetery or city park, except on the designated snowmobile trail in Oelwein City Park on the dates and times when snow conditions permit, as noted in Oelwein Ordinance 21-5(2).

All-terrain vehicles and snowmobiles shall be defined pursuant to Iowa Code 321I.1 and 3216.1(20). (Ord. No. 1120, 6-26-2012.)

SECTION 22-213. PENALTY.

Any person who shall violate any provision of this Chapter, shall upon conviction, be guilty of a simple misdemeanor.

(Ord. No. 473, 2-28-72; Ord. No. 514, Section 1, 1-17-75; Ord. No. 564, Section 1, 4-11-77; Ord. No. 909, 1-23-95.)

State law reference – Section 321G.1 (2), Code of Iowa.

SECTIONS 22-214 - - 22-229. Reserved.

ARTICLE X

JUNKED VEHICLES, TRAILERS AND SEMITRAILERS, AND OUTDOOR STORAGE OF MOTOR VEHICLES

SECTION 22-230. PURPOSE OF ARTICLE.

The Purpose of this article is to protect the health, welfare and safety of the citizens of the City of Oelwein and to preserve the value of property owned by these citizens by the prevention of the storage of outdoor storage of damaged or junked vehicles, trailers and semitrailers within the corporate limits of the city, except in places authorized; to provide for the removal of vehicles in violation of the provisions of this chapter; and for the enforcement and penalties for violation hereof.

SECTION 22-231. DEFINITIONS.

1. “Abandoned vehicle” means any of the following: