

City of St. Helens
ORDINANCE NO. 3320

**AN ORDINANCE AUTHORIZING THE OPERATION OF CLASS IV
ALL-TERRAIN VEHICLES ON STREETS LOCATED WITHIN THE
CITY OF ST. HELENS, OREGON, AND PROVIDING A
PENALTY FOR THE VIOLATION THEREOF**

WHEREAS, the City of St. Helens desires to authorize Class IV All-Terrain Vehicles (ATVs), also known as side-by-side (SxS) vehicles, on designated City streets to allow for the use of alternative transportation; and

WHEREAS, the City of St. Helens Charter authorizes the City to have all powers which the constitutions, statutes, and common laws of the United States and of Oregon expressly or impliedly grant or allow the City, as fully as though this Charter specifically enumerated each of those powers, which include the powers to manage the right-of-way; and

WHEREAS, ORS 810.010(3) provides that the governing body of an incorporated city is the road authority for all highways, roads, streets and alleys, other than state highways, within the boundaries of the incorporated city; and

WHEREAS, ORS 810.200(2)(c) establishes an exemption from the general prohibition on operating all-terrain vehicles on highways and provides that an all-terrain vehicle may be lawfully operated on a highway where posted to permit all-terrain vehicles; and

WHEREAS, the City desires to establish a city ordinance to allow Class IV All-Terrain vehicles to operate on City streets in accordance with Oregon law, including to establish clear regulations and safety standards for the safe and responsible Class IV ATV usage; and

WHEREAS, the St. Helens City Council has determined that it is a necessary and proper public purpose to impose certain restrictions on the operation of all-terrain vehicles on such City streets for the purpose of protecting the interest and safety of the general public.

NOW, THEREFORE, THE CITY OF ST. HELENS ORDAINS AS FOLLOWS:

Section 1. Recitations. The above recitations are true and correct and are incorporated herein by this reference.

Section 2. Chapter 10.24 of the City of St. Helens Municipal Code is hereby added to be read as follows:

Chapter 10.24: Class IV All-Terrain Vehicles

10.24.010 Title.

This chapter shall be known as the "Class IV All-Terrain Vehicles" for the City of St. Helens.

10.24.020 Purpose.

The purpose of this Chapter is to authorize the operation of Class IV All-Terrain Vehicles on City Streets, as defined, within the City of St. Helens subject to the terms, provisions, rights and responsibilities as set forth in this Chapter.

10.24.030 Definitions.

For the purpose of this Chapter, the following definitions are hereby established:

- (1) *Class IV All-Terrain Vehicle (Class IV ATVs).* As defined in ORS 801.194, any motorized vehicle that (a) travels on four or more pneumatic tires that are six inches or more in width and that are designed for use on wheels with a rim diameter of 14 inches or less, (b) is designed for or capable of cross-country travel on or immediately over, land, water, snow, ice, marsh, swampland, or other natural terrain, (c) has non-straddle seating, (d) has a steering wheel for steering control, (e) has a dry weight of 1,800 pounds or less; and (f) is 65 inches wide or less at its widest point, or current manufacturing standards of width and weight from the factory. Class IV ATVs may also be known as side-by-sides (SXS).
- (2) *Motorcycle Helmet.* As defined in ORS 801.366, a Motorcycle Helmet is a protective covering for the head consisting of a hard, outer shell, padding adjacent to and inside the outer shell, and a chin-strap type retention system with a sticker indicating that the motorcycle helmet meets standards established by the United States Department of Transportation.
- (3) *Traffic Law(s).* Any and all Oregon statutes and regulations relating in any way to the operation or use of motorized vehicles, including, without limitation, the Oregon Vehicle Code (ORS Chapters 801 to 826) and any regulations or administrative rules promulgated thereunder.
- (4) *Street(s).* For the purposes of this Chapter, Streets shall mean public right-of-way, roads, and alleys within the City of St. Helens, that are open, used or intended for the use of the general public for vehicles or vehicular traffic, and not including Highway 30.

10.24.040 Class IV All-Terrain Vehicles Authorized on City Streets, Not Including Highway 30.

- (1) Subject to the provisions of this Chapter, Class IV ATVs may be operated on Streets in the City of St. Helens, except on Highway 30, unless specifically designated for crossing.
- (2) Class I, II, and III ATVs (as defined in state law) are prohibited from operating on the Streets in the City of St. Helens.

10.24.050 Regulations for Operation of Class IV All-Terrain Vehicles.

- (1) **Compliance with all laws.** Class IV ATVs operating under this Chapter must be operated in compliance with all applicable federal, state, and local laws, regulations, and ordinances, including, without limitation, all applicable Traffic Law requirements (including, without limitation, ORS 811.255) and all posted speed limits.
- (2) **State of Oregon Permit issued under ORS 390.577 Required.** A person operating a Class IV All-Terrain Vehicle under this Chapter must hold a valid Class IV ATV Operator Permit issued under ORS 390.577 and an ATV Safety Education Card issued upon completion of an Oregon Parks and Recreation Departments approved ATV Safety Education course and passage of the minimum standards test of ATV Safety Education competency as established by the Oregon Parks and Recreation Department as set forth in OAR 736-004-0015(10).
- (3) **Financial Responsibility Requirements.** All-terrain vehicles operated under this Chapter must meet the financial responsibility requirements under ORS Chapter 806. For the purposes of this section, Financial Responsibility Requirements means maintaining liability insurance that meets or exceeds the minimum financial responsibility requirements set forth in ORS 806.010 and ORS 806.070 and the ability to respond to damages for liability, on account of accidents arising out of the ownership, operation, maintenance, and/or use of an ATV, in a manner provided under ORS 806. The minimum limits of coverage for the purposes of demonstrating Financial Responsibility under this section are set forth in [ORS 806.070 \(Minimum payment schedule\)](#). The exemption in 806.020 does not apply to this Chapter.
- (4) **Licensed Driver 18 Years or Older.** A person operating a Class IV ATV must be 18 years of age or older and hold a valid Driver License.
- (5) **Safety Equipment Requirements.**
Class IV ATVs must be equipped with the following:
- i. Safety equipment required under all applicable Traffic Laws, including, without limitation, ORS 821.030 and OAR 735-116-000;
 - ii. Rear facing mirror.
 - iii. A muffler, brakes, and windshield in compliance with ORS 821.040.
 - iv. Brake lights as required in ORS 816.100.
 - v. Turn signals as required in ORS 816.120
 - vi. Back up lights as required in ORS 816.110;
 - vii. Headlights (ORS 816.050) and Taillights (ORS 816.080) as required in this Chapter;
 - viii. A functioning horn;
 - ix. A rollover protection system; and
 - x. Class IV ATVs shall comply with ORS 816.350 (Prohibitions on number and kind of lights for certain vehicles) and no exemptions shall apply.

(6) **Personal Protection**

- i. **Helmets:** All persons operating or riding in a Class IV ATV must wear a Motorcycle Helmet with a fastened chin strap.

- ii. **Eye Protection:** Eye protection is required for operators or passengers in Class IV ATV without a windshield.

(7) **Safety Belt Requirements.** A person must be properly secured with a safety belt or safety harness while operating or riding as a passenger in an ATV in the same manner as required in ORS 811.210, which includes the requirements under ORS 811.210(2) as follows: (a) A person who is under two years of age must be properly secured with a child safety system in a rear-facing position; (b) A person who weighs 40 pounds or less must be properly secured with a child safety system that meets the minimum standards and specifications established by the Department of Transportation under ORS 815.055 for child safety systems designed for children weighing 40 pounds or less; and (c) Except as provided in subsection (3) of this section, a person who weighs more than 40 pounds and who is four feet nine inches or shorter must be properly secured with a child safety system that elevates the person so that a safety belt or safety harness properly fits the person. The exemption provided in ORS 811.215(2) does not apply.

(8) **Location of Operation.** Class IV ATVs are prohibited from operating on Highway 30 except that a person may, while operating a Class IV ATV, cross Highway 30 at Gable Road, as permitted under applicable Oregon law, including, without limitation, ORS 821.200.

(9) **Hours of Operation.**

- i. Class IV ATVs may be operated during daylight hours, which are one hour before sunrise to one hour after sunset.
- ii. Class IV ATVs shall not be operated during hours of darkness, which commence one hour after sunset through one hour before sunrise, and when limited visibility conditions exist, unless equipped with lighting equipment required for a motor vehicle under ORS 816.320 (including but not limited to high and low beam headlights, taillights, turn signals, and brake lights).

(10) **Speed Limits.** Class IV ATVs operated under this Chapter must be operated in compliance with all posted speed limits and may not be operated (a) at a rate of speed greater than reasonable and proper under the existing conditions, or (b) in a negligent manner so as to endanger or cause injury, death, and/or damage to the operator or person or property of another.

(11) **Prohibition on Operating All-Terrain Vehicles While Driving Privileges Suspended.** A person may not operate an ATV under this Chapter while the person's driving privileges (i.e., Driver License) are suspended or revoked.

(12) **Snowmobiles.** Nothing contained in this Chapter applies to the operation of snowmobiles as that term is defined by ORS 801.490.

10.24.080 Posting.

The City of St. Helens will post signs giving notice that the operation of ATVs is permitted upon Streets under the provisions of this Chapter. The City of St. Helens will post such signs at

locations necessary to inform the public that ATVs are permitted upon Streets, which sign locations will be determined by the City of St. Helens in its sole discretion.

10.24.090 Liability.

The operation of a Class IV ATV will be undertaken at the sole risk and responsibility of the owner and/or operator. The City of St. Helens assumes no responsibility for the operation of Class IV ATVs and to the extent permitted under Oregon law, the owner/operator agrees to hold the City harmless in any action arising from the operation of such ATVs on or off any public way within the City limits, including, without limitation, Streets and Highway 30.

10.24.100 Enforcement.

(1) Any violation of this Chapter that constitutes a violation of a Traffic Law, the enforcement shall be the same as provided for by Oregon statute. Any other violation of this Chapter shall be enforced by the issuance of a citation and shall be prosecuted in the St. Helens Municipal Court as a City Violation as now in effect or as may be amended from time to time. The Chief of Police or designee is authorized to enforce the provisions of this chapter.

(2) City Violations shall be subject to a fine of as follows:

- a. \$100.00 for the first violation;
- b. \$250.00 for the second violation;
- c. \$500.00 for the third or subsequent violation of this Chapter by the same person, unless superseded by state law.

10.24.110 Reference Statutes and Rules.

All reference to particular laws, statutes, or rules include that law, statute, or rule as now in effect or as may be amended from time to time.

10.24.120 Modifications.

The Chief of Police of the City of St. Helens has the authority to modify the provisions of this Chapter as a result of the occurrence of special events. Such modifications shall be temporary in nature and shall not violate Traffic Laws.

Section 3. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article," "section," or other word, and the sections of this Ordinance may be renumbered, or relettered provided however that Section 3 and 4 need not be codified.

Read the first time: February 4, 2026

Read the second time: February 18, 2026

APPROVED AND ADOPTED by the City Council this 18th day of February 2026, by the following vote:

Ayes:
Nays:
Abstains:

Jennifer Massey, Mayor

ATTEST:

Kathy Payne, City Recorder