

ORDINANCE NO. 499

GOLF CARTS AND UTVs (UTILITY TRAIL VEHICLES)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA BY AMENDING PROVISIONS PERTAINING TO GOLF CARTS AND UTILITY TRAIL VEHICLES (UTVs)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF CRESCO AS FOLLOWS:

SECTION 1. SECTIONS MODIFIED. Chapter 74.05 (section 2e and 2f), 74.06 and 74.10 (sections 2, 3.B, 4, 5, & 6) of the Code of Ordinances of the City of Cresco, Iowa, is amended and the following adopted in lieu thereof:

74.05 EQUIPMENT:

Section 2. UTV's operated upon City streets shall be equipped with at least the following:

(The following equipment is added under Section 2)

E. Horn (Iowa Code 321.432)

F. Headlamps (Iowa Code 321.387)

74.06 HOURS: Golf carts ~~and UTV's~~ may be operated on City streets only between sunrise and sunset, ~~except that a UTV may be operated during prohibited hours to perform snow removal.~~

74.10 PERMITS: No person shall operate a golf cart or UTV on any public street or alley for any purpose unless the operator possesses a City of Cresco permit to operate a golf cart or **DNR Registration to operate** a UTV on City Streets.

2. Golf cart ~~and UTV~~ owners need to apply for a permit from the City of Cresco Police Department to operate a golf cart ~~or UTV~~ on City streets.

3. A permit shall not be issued until the owner has provided the following:

B. Proof that the owner and all permitted operators have liability insurance covering operation of a golf cart ~~or UTV~~ on City Streets with limits of liability at least as great as those required by the Code of Iowa chapter 321A.1.11 as amended.

4. Any golf cart ~~or UTV~~ operated on the City streets shall display the City of Cresco permit sticker prominently on a rear fender or similar component.

5. All permits issued shall uniquely identify the name(s) and address(es) of the owner and all permitted operators and shall be for a specific golf cart ~~or UTV~~, as evidenced by its serial number.

6. The fee for such permits shall be twenty-five dollars (25.00) per year. The fee will not be pro-rated for permit's purchased during the year. The fee will not be refunded if the golf cart ~~or UTV~~ is sold, or the permit is suspended or revoked.

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

ADOPTION OF ORDINANCE NO. 499

Council Member _____ moved the adoption of the foregoing Ordinance and Council Member _____ seconded said motion. Thereupon the Mayor called for a roll call vote and the following Council members voted in favor of the adoption of the foregoing Ordinance:

And the following Council members voted against the adoption of the foregoing Ordinance:

The Mayor thereupon declared the Ordinance passed and adopted by affirmative vote by the Council and Ordinance No. 499 is approved and adopted this _____ day of _____, 2022

CITY OF CRESCO

BY _____
Mayor David J. Brenno

ATTEST:

BY _____
City Clerk Michelle Elton

First Reading: _____ Second Reading: _____ Third Reading: _____

I certify that the foregoing was published as Ordinance No. 499 on the ___ day of _____, 2022.

City Clerk Michelle Elton