

ORDINANCE NO. 381

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HULL, IOWA, BY REMOVING CITY PERMITS AND ADDING HIGHWAY DRIVING REGULATIONS IN CHAPTER 75 RELATED TO ALL-TERRAIN VEHICLES

BE IT ENACTED by the City Council of Hull, Iowa:

Section 1. SECTIONS AMENDED. The Code of Ordinances of the City of Hull, Iowa, is amended as follows:

- a) Section 75.05 is amended by striking subparagraphs 1 and 2 in their entirety and replacing them as follows:
 1. Streets. Permitted ATVs and off-road utility vehicles may be operated on streets under the jurisdiction and within the corporate City limits of Hull. The Council may authorize ATVs and off-road utility vehicles to stop at service stations or convenience stores along a designated street.
 2. Highway regulations. A registered all-terrain vehicle or off-road utility vehicle may be operated on an undivided two-lane primary highway that is not part of the interstate road system according to the following provisions:
 - A. A person operating an all-terrain vehicle on a primary highway shall be at least eighteen years of age and carry proof of liability insurance in accordance with the *Code of Iowa Chapter 321*.
 - B. An all-terrain vehicle operated on a highway shall be equipped with, but not limited to, the parts, lamps, and other equipment in proper condition in accordance with the *Code of Iowa Chapter 321*. ATVs shall display lighted headlamps at all times while the vehicle is operated on the highway.
 - C. An all-terrain vehicle or off-road utility vehicle may be operated on a two-lane primary highway over the most direct and accessible route between any of the following locations:
 1. An all-terrain vehicle park or trail
 2. A secondary road on which such vehicles are authorized to operate on
 3. A city street on which such vehicles are authorized to operate on
 4. The vehicle operator's residence
- b) Section 75.05 is further amended by striking subparagraph 7 in its entirety and replacing it as follows:
 7. License. No person shall operate an ATV on the public streets of the City, secondary roads, or a two-lane primary highway without a valid motor vehicle operator's license.
- c) Section 75.09 is amended by striking it in its entirety and replacing it as follows:

75.09 VIOLATIONS AND PENALTIES. A violation of this chapter shall be a simple misdemeanor or a municipal infraction. The fine for operating a golf cart without a permit as required by Section 75.06, as applicable or operating an ATV or golf cart without a valid driver's license shall be \$100.00. The fine for a violation of any other provision of this chapter shall be \$25.00. Three violations of this chapter within a period of twelve (12) months by any one person or involving any one vehicle shall result in the revocation of any permit issued under this chapter or the refusal to issue a permit for a period of two (2) years.

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 be in effect from and after its final passage, approval, and publication as provided by law.

Passed and approved by the Council the 8th day of August, 2022.



Arlan Moss, Mayor

ATTEST:



Heidi Kramer, City Clerk

First Reading: WAIVED
AYES:
NAYS:

Second Reading: WAIVED
AYES:
NAYS:

Third Reading: August 8, 2022
AYES: Beukelman; Te Slaa; Van Roekel; De Kam
NAYS: None
ABSENT: Wielenga

Date of Publication: August 17, 2022