

City of Hull, Iowa ATV Permit Form

The City of Hull has approved the use of ATVs within the city limits of Hull on city streets. Please complete the permit form with the correct information. It is the responsibility of the owner of the ATV to provide each operator with the regulations outlined in Chapter 75 of the Hull City Code and Section B of this Permit Form.

Section A. ATV Owner & ATV Information

Date: _____ Name _____

Address: _____ City / State / Zip _____

Phone: _____ Cell Phone : _____

Driver's License No. _____

*A copy of a valid driver's license must accompany this permit.

ATV Information: Year _____ Manufacturer _____ Model _____
Color _____ VIN# _____

Section B. Primary Road Crossing

Current language in the City of Hull ATV Ordinance makes an allowance for ATVs to cross the primary road of Highway 18 at intersections. It is our understanding that until permission is granted from the Iowa Department of Transportation, this is not an allowed provision of the Iowa State Code. Please make note of this until further information is provided and the City of Hull assumes no responsibility for actions otherwise.

Section C. Special Event Permit

Is this permit being requested for the use of an ATV on City park or other land for a special event? Yes _____ No _____

If YES, please list name of special event? _____

I hereby acknowledge that the above information is correct to the best of my knowledge, that I have read and understand Section B of this permit, and that I have received a copy of Chapter 75 of the Hull City Code.

Signature: _____

Please print name: _____

-----For Office Use Only-----

This Permit ___ Approved ___ Denied Date: _____

Permit No. Assigned: _____ Permit Fee \$25/yr Paid: Cash ___ Check ___

Signature of City Manager: _____

Permit Expires ___/___/___

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HULL, IOWA, BY REPEALING CHAPTER 75 IN ITS ENTIRETY.

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

Section 1. CHAPTER REPEALED. The Code of Ordinances of the City of Hull, Iowa, is amended by repealing Chapter 75 in its entirety and adopting the following in lieu thereof:

75.01 PURPOSE. The purpose of this chapter is to regulate the operation of all-terrain vehicles and snowmobiles within the City.

75.02 DEFINITIONS. For use in this chapter the following terms are defined:

1. "All-terrain vehicle" or "ATV" means a motorized flotation-tire vehicle with not less than three (3) and not more than six (6) low-pressure tires that is limited in engine displacement to less than one thousand five hundred (1,500) cubic centimeters and in total dry weight to less than one thousand five hundred (1,500) pounds and that has a bench seat or seat or saddle designed to be straddled by the operator and handlebars or a steering wheel for steering control.

2. "Snowmobile" means a motorized vehicle weighing less than one thousand (1,000) pounds which uses sled-type runners or skis, endless belt-type tread, or any combination of runners, skis or tread, and is designed for travel on snow and ice. (Code of Iowa, Sec. 321G.1 [18])

75.03 GENERAL REGULATIONS. No person shall operate an ATV or snowmobile within the City limits of Hull, Iowa in violation of the provisions of Chapter 321G and 321I of the Code of Iowa or rules established by the Natural Resource Commission of the Department of Natural Resources governing their registration, numbering, equipment and manner of operation.

75.04 OPERATION OF SNOWMOBILES. The operators of snowmobiles shall comply with the following restrictions as to where snowmobiles may be operated within the City:

1. Streets. Snowmobiles may be operated upon streets which have not been plowed during the snow season and on any street within the City for the sole and exclusive purpose of using the most direct roadway for the ingress to the egress from the City. No snowmobile shall be driven on any for entertainment or pleasure.

2. Exceptions. Snowmobiles may be operated on prohibited streets only under the following circumstances:

a. Emergencies. Snowmobiles may be operated on any street in an emergency during the period of time when and at locations where snow upon the roadway renders travel by conventional motor vehicles impractical.

b. Direct Crossing. Snowmobiles may make a direct crossing of a prohibited street provided:

- i. The crossing is made at an angle of approximately ninety degrees to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;
 - ii. The snowmobile is brought to a complete stop before crossing the street;
 - iii. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard; and
 - iv. In crossing a divided street, the crossing is made only at an intersection of such street with another street.
3. Trails. Snowmobiles shall not be operated on All-Terrain Vehicle trails except where so designated.
4. Parks and Other City Land. Snowmobiles shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City. A snowmobile shall not be operated on any City land without snow cover.
5. Sidewalks or Parking. Snowmobiles shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "parking" except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.

75.05 OPERATION OF ALL-TERRAIN VEHICLES. The operators of ATV's shall comply with the following restrictions as to where ATVs may be operated within the City:

1. Permits. Operators of ATVs may apply at the Hull City Office for a permit to allow the operation of an ATV on City Streets. Each ATV to be driven must have a permit. The fee for the permit shall be \$25 per calendar year. The permit will be issued by the City Administrator. A copy of the permit shall be carried by any operator while operating the ATV. A permit decal shall be displayed next to the registration decal in the manner prescribed by rules of the Natural Resource Commission.
2. Streets. Permitted ATVs may be operated upon streets under the jurisdiction and within the corporate city limits of Hull. ATVs shall not be operated upon any City street which is a primary road extension or state highway through the City, to wit:
US Highway 18
However, ATVs may cross such primary road extension or highway at intersections.
3. Trails. ATVs shall not be operated on bike trails, walking trails or snowmobile trails.
4. Private Property. ATVs may only be operated on private property with the express consent of the owner.
5. Sidewalk or Parking. No ATV shall be operated upon sidewalks unless engaged in snow removal or maintenance activities, nor shall they be operated upon that portion of the street from the curb to the sidewalk or property line, commonly referred to as the "parking", or any off-street right-of-way, except for the purpose of snow removal, maintenance or landscaping activities.
6. Parks or Other City Land. A permit may be issued for the operation of an ATV in City parks or other city land for special events authorized by the city council.

7. License. No person shall operate an ATV on the public street of the City without a valid motor vehicle operator's license.

*need
copy of
license*

8. Equipment. All ATVs shall be equipped according to the following provisions:

a. Mufflers required. An all-terrain vehicle shall not be operated without suitable and effective muffling devices. An all-terrain vehicle shall comply with the sound level standards and testing procedures established by the society of automotive engineers under SAE J1287. (Code of Iowa, Sec 3211.12). No person shall operate an all-terrain vehicle within the City limits, which is equipped with a muffler cut-out, bypass or similar device.

b. Headlamp - tail lamp - brakes. Every all-terrain vehicle operated during the hours of darkness shall display a lighted headlamp and tail lamp. Every all-terrain vehicle shall be equipped with brakes. (Code of Iowa, Sec 3211.13).

c. When operated on a street, an ATV shall have a bicycle safety flag which extends not less than five (5) feet above the ground attached to the rear of the ATV. The bicycle safety flag shall be triangular in shape with an area of not less than thirty (30) square inches, and be day-glow in color.

9. Traffic Code Observed. Any operator of any ATV must observe all state and local traffic control regulations and devices and shall not operate an ATV at a speed in excess of that posted, nor at any time operate an ATV at a speed greater than is reasonable and proper under the existing conditions.

10. Unattended ATVs and Parking. No owner or operator of an ATV shall leave the ATV unattended on public property while the motor is running or with keys in the ignition switch. Owners and operators of ATVs must obey all parking regulations in the City.

11. Registration. The owner or operator of an ATV must maintain current vehicle registration as required by Iowa law.

12. Hours of Operation. No ATV shall be operated in the City between the hours of 10:00 p.m. and 6:00 a.m. except for emergency situations or for loading and unloading from a transported trailer, except that an ATV may be operated during prohibited hours for snow removal purposes.

13. Penalties. A violation of this chapter shall be a simple misdemeanor or a municipal infraction according to Section 3.01 & 3.03 of the Hull City Code. Three violations of this Ordinance within a period of twelve (12) months shall result in the revocation of the permit for a period of two (2) years. The offender may also be prosecuted pursuant to Sect. 3211.36 of the Iowa Code.

75.06 FINANCIAL RESPONSIBILITY / NEGLIGENCE. The owner or operator of an ATV must maintain and provide current proof of financial responsibility in accordance with Iowa Code Section 321.20B. The owner and operator of an ATV or snowmobile are liable for any injury or damage caused by the negligent operation of the ATV or snowmobile.

75.07 ACCIDENT REPORTS. Whenever an ATV or snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to one thousand dollars (\$1,000.00) or more, either the operator or someone acting for the operator shall immediately notify a law enforcement

officer and shall file an accident report within forty-eight (48) hours, in accordance with the State law.

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 by the Council the 26th day of October, 2009, and approved this 26th day of October, 2009.

John S. Kooima, Mayor

ATTEST:

Les Van Roekel, City Administrator

First Reading: 10/12/2009

AYES: Buys, Westra, Rankin and Van Otterloo

NAYS: Vis

Second Reading: waived 10/26/09

Third Reading: 10/26/09

AYES: Rankin and Buys

NAYS: Vis