

CHAPTER 76

UTV AND GOLF CART REGULATIONS

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76.01 PURPOSE. The purpose of this chapter is to permit the operation of UTVs and golf carts on certain streets in the City, as authorized by Section 321.247 of the *Code of Iowa*, as amended. This chapter applies whenever a UTV or golf cart is operated on any street or alley, subject to those exceptions stated herein.

76.02 DEFINITIONS.

1. "Golf cart" means a three- or four-wheeled recreational vehicle generally used for transportation of persons in the sport of golf and which is either electric powered or gas powered with an engine replacement of less than 351 cubic centimeters, and a total dry weight of less than 800 pounds. No golf cart may be modified from factory specifications.
2. UTVs have several different names including LUVs, utility vehicles, side by sides and recreational off-highway vehicles. Utility-type models include, but are not limited to, Kubota and the Kawasaki Mule; newer, sport-type models include the Polaris RZR and the Kawasaki Teryx.

76.03 BASIC SPECIFICATIONS FOR UTVs.

1. Not a Golf Cart. Golf cart means a vehicle whose speed attainable in one mile does not exceed 25 miles per hour on a paved, level surface, and that is designed and intended to convey one or more persons and equipment to play the game of golf in an area designated as a golf course.
2. Not a Low-Speed Vehicle. Low-speed vehicle means a low-speed vehicle, as defined in 49 CFR 571.3, that satisfies the equipment standards under 49 CFR 571.500 and that was originally manufactured to meet the applicable equipment standards under 49 CFR 571.500.
3. UTVs are originally manufactured with the following:
 - A. Between 900 pounds and 1,999 pounds.
 - B. Four or more low pressure tires.
 - C. Cargo or dump box.
 - D. Steering wheel, tail light, brake light, two headlights, seat belts or similar device.
 - E. Max width of 65 inches.

- F. Seating for at least two occupants, non-straddled seats.
- G. A roll bar or similar device.

76.04 OPERATION OF UTVS PERMITTED. UTVs may be operated upon the streets of the City by persons who are 18 years of age or older and are possessing a valid Iowa operator's license, except as prohibited in Section 76.06 of this chapter. While operated on a City street, the number of passengers permitted on a UTV shall not exceed the number of seats intended for passengers. While on City streets, operators must have on their person or in the UTV proof of the required insurance.

76.05 OPERATION OF GOLF CARTS PERMITTED. Golf carts may be operated upon the streets of the City by persons who are 16 years of age or older and have a valid operator's license, except as prohibited in Section 76.06 of this chapter. While operated on a City street the number of passengers permitted on a golf cart shall not exceed the number of seats intended for passengers. While on City streets, operators must have on their person or in the golf cart proof of the required insurance.

76.06 PROHIBITED LOCATIONS.

1. Streets. UTVs and golf carts shall not be operated upon any City streets with a posted speed limit of greater than 25 mph. However, UTVs and golf carts may cross such streets.
2. Trails. UTVs and golf carts shall not be operated on any recreational, bike, or walking trail.
3. Sidewalks. UTVs and golf carts shall not be operated upon sidewalks.
4. Parking. UTVs and golf carts shall not be operated upon that portion of a street right-of-way between the curb or edge of street paving and the sidewalk referred to as the "parking."
5. City Parks, Playgrounds, or Private Property. UTVs and golf carts shall not be operated on private property without prior permission or in City parks or upon other City-owned land unless for a special event authorized by the City Council and the operator possesses a valid City permit.
6. Special Exemptions. The Mayor is authorized to permit UTVs and golf carts to operate on restricted City streets for certain special events.

76.07 EQUIPMENT.

1. UTVs and golf carts operated upon City streets shall be equipped with at least the following:
 - A. A slow moving vehicle sign.
 - B. A bicycle safety flag, the top of which shall be a minimum of five feet from ground level, and extend a minimum of two feet above the highest point of the UTV.
2. UTVs operated on City streets shall be equipped with a muffler, headlights, taillights, and adequate brakes to stop and hold the UTV in a stopped position.
3. UTVs operated on City streets shall be equipped with an adequate exhaust system.

4. Golf carts operated on City streets shall be equipped with head lights and adequate brakes to stop and hold the cart in a stopped position.

76.08 HOURS OF OPERATION.

1. Golf carts may be operated on City streets only between sunrise and sunset as set by the U. S. Naval Observatory.
2. UTVs may be operated on City streets only between sunrise and sunset as set by the U. S. Naval Observatory, except for emergency situations or for loading or unloading from a transport trailer, and except that UTVs may be operated during prohibited hours to perform snow removal activities.

76.09 SPEED. No UTV shall be operated at a speed in excess of the lesser of 25 miles per hour or that posted, nor shall any UTV be operated at a speed greater than is reasonable and proper for the existing conditions. Golf carts shall be operated at a speed in excess of the lesser of 25 miles per hour or that posted. Golf carts shall not be modified to increase speed.

76.10 TRAFFIC CODE. Any person operating an UTV or golf cart, including those for which a City permit has been issued, shall strictly adhere to all traffic signs and signals and all other traffic rules and regulations, and shall obey the orders and direction of any law enforcement officer authorized to direct or regulate traffic. No person shall leave a UTV or golf cart unattended on public property while the motor is running or the keys are in the ignition switch.

76.11 PERMITS. No person shall operate a UTV or golf cart on any public street or alley for any purpose unless the operator possesses a City permit to operate a UTV or golf cart on City streets, issued by the City Clerk.

1. Owners of UTVs and golf carts may apply for a permit from the City Clerk on forms provided by the City.
2. The Clerk shall not issue a permit until the owner/operator has provided the following:
 - A. Evidence that the owner/operator possesses a valid driver's license.
 - B. Proof that the owner/operator has liability insurance (minimum limit of \$300,000.00 coverage) covering operation of UTV or golf cart on City streets.
3. The operator of a UTV shall display the City permit sticker prominently on a rear fender or on a similar component which is clearly visible from the rear. The operator of a golf cart shall display the City permit sticker on the front left fender or on a similar component which is clearly visible.
4. All permits issued shall uniquely identify the name and address of the owner.
5. The annual fee for such permits shall be set by resolution.
6. The permits expire annually on December 31 regardless of the date of issue.
7. Copy of permits that are signed and dated by the applicants are to be kept on file at City Hall.
8. Permits can be revoked by the Mayor as result of any violation of this Code of Ordinances or the *Code of Iowa*. The revocation, including a description of the violation, shall be provided in writing to the owner of the UTV or golf cart. The

revocation may be appealed to the City Council within 10 days of the written notice of revocation of the permit. The owner shall request the appeal in writing and submit the appeal to the City Clerk.

76.12 ACCIDENT REPORTS. Either the operator, or someone acting for the operator, shall immediately notify a law enforcement officer whenever a UTV is involved in an accident resulting in injury or death to anyone, or property damage amounting to \$1,500.00 or more, and shall file an accident report within 48 hours, in accordance with State law.

76.13 VIOLATION AND PENALTY.

1. Any person guilty of violating the provisions herein shall be guilty of a misdemeanor and shall be subject to a fine of \$100.00 and revocation of the City permit for a period of six months.
2. Any person guilty of violating this chapter two times shall be subject to a fine of \$300.00 and permanent revocation of the City permit.
3. Persons violating this chapter may also be prosecuted, and subject to the penalties set out in, Section 321I.36 of the *Code of Iowa*.

76.14 ANNUAL REVIEW. The City Council shall annually review this chapter to determine if it warrants amendment or repeal.