

CHAPTER 77

OPERATION OF OFF ROAD VEHICLES AND GOLF CARTS

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77.01 DEFINITIONS. The following terms are defined for use in this chapter.

1. "Off road utility vehicle" means a motorized vehicle with four (4) or more non-highway tires that is limited in engine displacement to less than one thousand five hundred (1,500) cubic centimeters and in total dry weight to not more than two thousand (2,000) pounds and that has a seat that is of bucket or bench design not intended to be straddled by the operator, and a steering wheel or control levers for control. Vehicles designed for the primary purpose of recreation, such as dune buggies and recreational side by sides, shall not fit this definition and are not allowed under this section. The chief of police shall have the final say on whether a vehicle meets this definition. These vehicles shall be referred to as ORV or ORVs in this code.

2. Golf Carts shall be referred to as GC or GCs in this code

77.02 ORV EQUIPMENT REQUIREMENTS. Any ORV registered with the City of Marengo, shall be equipped as required by Section 321I.10, 321I.12, and 321I.13 of the Code of Iowa, including but not limited to: muffler, headlight, tail light, and brakes.

77.03 DRIVER'S LICENSE REQUIRED. No person shall operate an ORV or GC on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license.

Persons between age sixteen (16) and eighteen (18) who have passed an All-Terrain Vehicle (ATV) or Off Road Vehicle (ORV) educational course approved by the State of Iowa may operate an ORV within the corporate limits of the city. Proof of course completion should be kept with the operator while the vehicle is in use.

77.04 PROOF OF INSURANCE. The owner of every ORV or GC being operated upon city streets and alleys shall have in effect liability insurance covering the ORV or GC in the same limits as required of automobiles by the financial responsibility provisions of chapter 321A of the Code of Iowa. Certification of Insurance will need to be provided and the City of Marengo, Iowa shall be named certificate holder.

77.05 OPERATION RESTRICTIONS OF VEHICLES. The following restrictions shall apply to the operation of all vehicles covered under this chapter.

1. ORV or GCs may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city. ORV or GCs operation shall be permitted on trails subject to the location restrictions in section 77.07 of this code. ORV, GCs shall not be operated upon sidewalks unless the operator is engaged in snow removal or sidewalk maintenance activities.
2. All laws regarding the use of seatbelts and child restraints shall be obeyed.
3. No person may ride on an ORV or GC on any portion not designed to carry passengers. No person may stand on or ride in the cargo area of an off road utility vehicle.
4. Unattended Vehicles and Parking. No person shall leave a ORV or GC unattended on public property while the motor is running or the keys are in the ignition switch.

77.06 LOCATION RESTRICTIONS. The following location restrictions shall apply to the operation of all vehicles covered under this chapter.

1. City Streets. Registered ORV or GCs may be operated upon Streets under the jurisdiction and within the corporate limits of the City of Marengo pursuant to the restrictions and requirements contained in this chapter.
2. Trails. ORV or GCs shall not be operated on any recreational, bike or walking trail unless the trail is specifically designated to allow use of off road utility vehicles.
3. City Parks and other land owned by the City of Marengo. ORV or GCs shall not be operated in City parks or upon other city owned land unless for a special public event authorized by the Chief of Police. Approval for operation in city parks must be sought prior to the event and will be granted on an individual basis by the Chief of Police. ORV or GCs covered in this chapter may enter the Lions Field Facility.

77.07 REGISTRATION, LICENSING, FEES, AND INSPECTION.

1. Before operating ORV or GCs on any public highway, street, road or alley within the corporate limits of the city and each calendar year thereafter, the vehicle shall be registered with the city and a license shall be obtained and placed on the vehicle. The license fee shall be twenty five dollars (\$25.00) per calendar year, payable in advance to the Marengo Police Department. The full amount of the license fee shall be required regardless of the time of year that the application is made.

2. Application for registration of aforementioned vehicles shall be made by the owner, or owner's agent, with the Marengo Police Department. The application shall be made upon forms provided by the city and each application shall contain the name of the owner, the owner's residential address, or bona fide place of business, and a brief description of the vehicle to be registered (including make, model and serial or VIN number). Proof of insurance, as required in subsection 77.05 of this section, shall be furnished at the time of application for registration.

3. Prior to the issuance of the registration and license, each applicant for an ORV or GC license shall first present such vehicle for an official inspection. If, upon inspection and completion of the registration application, such vehicle is found to be in safe mechanical condition, and upon establishing proof of insurance and payment of the fees herein provided, a registration sticker shall be issued to the owner who shall attach it to the rear of the vehicle. The license number on the application will be recorded and then filed with the police department.

77.08 PENALTIES. Any person who is found to have violated subsection 77.02 or 77.07(3) of this section shall be subject to a municipal fine of one hundred dollars (\$100.00) plus surcharge and costs. A court appearance shall not be required if the fine is paid in full prior to the date set for the person's court appearance.

77.09 GOLF CART REQUIREMENTS. GCs shall be equipped with a slow moving vehicle sign and a bicycle safety flag. The carts shall be equipped with adequate brakes.

77.10 GOLF CART HOURS. Golf carts shall be allowed on the streets only between sunrise and sunset.

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