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Fort Dodge, IA 515-573-1452
Return to: Webster County Auditor, Courthouse, Fort Dodge, Iowa 515-573-4920

ORDINANCE NO. 052

AN ORDINANCE REPEALING ORDINANCE NUMBER 51 AND AMENDMENT 1 TO ORDINANCE 51 IN THEIR ENTIRITY AND REPLACING WITH ORDINANCE NUMBER 52 REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES AND OFF-ROAD VEHICLES IN WEBSTER COUNTY, IOWA.

SECTION 1 PURPOSE. This ordinance shall regulate the operation of all-terrain vehicles and off-road utility vehicles upon roadways in Webster County.

SECTION 2 DEFINITIONS. The definitions of terms used in this ordinance are:

- 1) All-terrain Vehicle as defined by Iowa Code section 321I.1 means a motorized vehicle with not less than three and not more than six non-highway tires that is limited in engine displacement to less than one thousand cubic centimeters and in total dry weight to less than one thousand two hundred pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.
- 2) Off-road Utility Vehicle as defined by Iowa Code section 321I.1 means a motorized vehicle with not less than four and not more than eight non-highway tires or rubberized tracks that is limited in engine displacement to less than one thousand five hundred cubic centimeters and in total dry weight to not more than two thousand 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.
- 3) Roadway as defined by Iowa Code section 321I.1 means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

SECTION 3 OPERATION ON ROADWAYS. A registered all-terrain vehicle or off-road utility vehicle may be operated on all County owned roadways in Webster County, subject to the following exceptions:

- 1) Such operation shall only be permitted from sunrise to sunset.
- 2) Such operation shall not be permitted on the traveled portion of County Highway P-59 from U.S. Highway 20 to Fifth Avenue South in Fort Dodge, Iowa. However, such operation shall be permitted on the paved shoulder of the above section of County Highway P-59.
- 3) Such operation shall not be permitted within the boundaries of Brushy Creek State Recreation Area.
- 4) Such operation shall be subject to the restrictions and in compliance with this ordinance and those restrictions imposed by the Iowa Code.
- 5) The Webster County Board of Supervisors reserves the right to prohibit such operation on any County owned roadway or any parts thereof.

SECTION 4 UNLAWFUL OPERATION. A person shall not operate an all-terrain vehicle and/or off-road utility vehicle under any of the following conditions:

- 1) At a rate of speed greater than the lowest of the following categories of speed:
 - a. at a rate of speed greater than any speed permitted for an all-terrain vehicle and/or off road utility vehicle within the Code of Iowa;
 - b. that speed which is reasonable and/or proper under the existing conditions;
 - c. at a rate of speed greater than the posted speed limit.
- 2) In a careless, reckless or negligent manner so as to:
 - a) Endanger any person
 - b) Cause injury or damage to person or property
 - c) Create unnecessary skidding or sliding or cause any wheel or wheels to unnecessarily lose contact with the ground.
- 3) Without a lighted headlight and taillight.
- 4) In any tree nursery or planting in a manner which damages or destroys growing stock.
- 5) On public land, ice or snow in violation of official signs prohibiting such operation.
- 6) Off the County owned and designated roadway and parking areas in any park, wildlife area, preserve, refuge or game management area.
- 7) Any portion of a meandered stream or the bed of a non-meandered stream which has been identified as a navigable stream or river by the Department of Natural Resources and which is covered by water. This provision does not apply to designated riding areas, designated riding trails, construction vehicles engaged in lawful activity and/or the operation of all-terrain vehicles or off-road utility vehicles on ice.
- 8) Upon an operating railroad right-of-way. An all-terrain vehicle or off-road utility vehicle may be driven directly across a railroad right-of-way only at established crossings.
- 9) With more persons on the vehicle than it was designed to carry.
- 10) On any riding area or trail unless the trail is designated by sign as open to all-terrain vehicle and off-road utility vehicle operation.
- 11) From sunset to sunrise.

Webster County Board of Supervisors



Mark Campbell, Chairperson



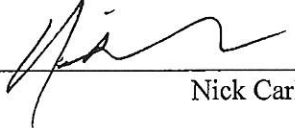
Keith Dencklau, Supervisor



Merrill Leffler, Supervisor

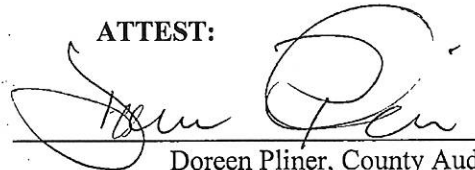
Refused to sign

Bob Thode, Supervisor



Nick Carlson, Supervisor



ATTEST:


Doreen Pliner, County Auditor

I, Doreen Pliner, being duly sworn under oath, hereby state that I am the Auditor for Webster County, Iowa and that this is a true and accurate copy of Ordinance 052 passed by the Webster County Board of Supervisors on this 8th day of May, 2018.