

ORDINANCE NO. 09-2014

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GARNAVILLO, IOWA, BY AMENDING PROVISIONS PERTAINING TO OFF-ROAD UTILITY VEHICLES

Be It Enacted by the City Council of the City of Garnavillo, Iowa:

**SECTION 1. SUBSECTION MODIFIED.** Subsection 3 of Section 75.02 of the Code of Ordinances of the City of Garnavillo, Iowa, is repealed and the following adopted in lieu thereof:

3. "Off-road utility vehicle" means a motorized vehicle, with not less than four and not more than eight non-highway tires or rubberized tracks, 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. "Off-road utility vehicle" includes the following vehicles:

*(Code of Iowa, Sec. 321I.1)*

A. "Off-road utility vehicle – type 1" includes vehicles with a total dry weight of 1,200 pounds or less and a width of 50 inches or less.

B. "Off-road utility vehicle – type 2" includes vehicles, other than type 1 vehicles, with a total dry weight of 2,000 pounds or less and a width of 65 inches or less.

C. "Off-road utility vehicle – type 3" includes vehicles with a total dry weight of more than 2,000 pounds or a width of more than 65 inches, or both.

An operator of an off-road utility vehicle is also subject to the provisions of this chapter governing the operation of all-terrain vehicles.

**SECTION 2. 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 3. 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 on the 20<sup>th</sup> day of September, 2014, and approved this 20<sup>th</sup> day of September, 2014.

  
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Mayor

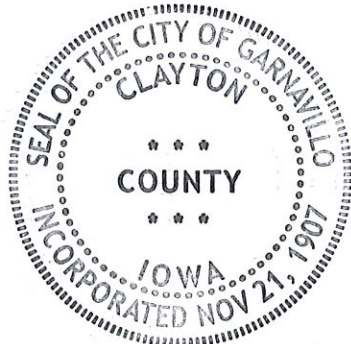
ATTEST:

  
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City Clerk

First Reading: 9-20-14

Second Reading: 9-20-14

Third Reading: 9-20-14



I certify that the foregoing was posted as Ordinance No. 09-2014 on the 22<sup>nd</sup> day of September, 2014 until the 2<sup>nd</sup> day of October, 2014.

Denise Schneider

Denise Schneider, City Administrator/Clerk