

# CITY OF AFTON GOLF CART, ATV & UTV PERMIT

Date: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Phone Number of Applicant: \_\_\_\_\_

Email Address of Applicant: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Current Age: \_\_\_\_\_

Driver's License #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Name of Golf Cart, ATV or UTV Owner: \_\_\_\_\_

Golf Car, ATV or UTV Info: Make: \_\_\_\_\_ Model: \_\_\_\_\_

Year: \_\_\_\_\_ Serial Number: \_\_\_\_\_

Liability Insurance Company: \_\_\_\_\_

Policy #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

\_\_\_\_ I hereby state that the golf cart, ATV or UTV to be operated upon City streets in Afton shall be in good mechanical condition, thoroughly safe for transportation of passengers, and equipped with: a reflective slow moving vehicle sign, a bicycle safety flag a minimum of five feet from ground level and adequate brakes.

\_\_\_\_ I acknowledge I have received and read a copy of the City of Afton Golf Cart, ATV & UTV Ordinance Chapter 75, and will abide by the regulations set forth in the Ordinance.

\_\_\_\_ I agree to affix reflective tag on the "**LEFT**" (drivers side) rear wheel well or similar component.

\_\_\_\_ I agree to provide or update liability insurance information to the City of Afton if I change policies or upon policy renewal.

\_\_\_\_ I understand that permits may be suspended or revoked upon violation of the conditions of the permit or abuse permit privileges. There will be no refund of the permit fee.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

## GOLF CART, ATV & UTV PERMIT

Slow-Moving Vehicle Sign \_\_\_Yes \_\_\_No      Bicycle Safety Flag Measured \_\_\_Yes \_\_\_No

Proof of Insurance (Attached) \_\_\_Yes \_\_\_No      Copy of Ordinance (to applicant) \_\_\_Yes \_\_\_No

Permit Fee: **\$50.00** (Golf Carts)      Permit Fee Paid (date): \_\_\_\_\_  
**\$ 0.00** (ATV/UTV -required to show proof registered with State)

Inspected by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit Number: \_\_\_\_\_

Permit Valid Until: **December 31, 20** \_\_\_\_

Maintain your copy of this form with you or on the golf cart, ATV or UTV when operating machine.

## CHAPTER 75

# ALL-TERRAIN VEHICLES, OFF ROAD UTILITY VEHICLES, SNOWMOBILES AND GOLF CARTS

75.01 Purpose	75.06 Negligence
75.02 Definitions	75.07 Accident Reports
75.03 General Regulations	75.08 Violation and Penalty
75.04 Operation of Snowmobiles	
75.05 Operation of Golf Carts, All-Terrain Vehicles and Off Road Utility Vehicles	

**75.01 PURPOSE.** The purpose of this chapter is to regulate the operation of all-terrain vehicles, off road utility vehicles, snowmobiles and golf carts 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 vehicle with not less than three and not more than six nonhighway 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.

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

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 with a width of forty-eight (48) inches or less, or any combination of runners, skis or tread, and is designed for travel on snow or ice. "Snowmobile" does not include an all-terrain vehicle which has been altered or equipped with runners, skis, belt-type tracks or treads.

*(Code of Iowa, Sec. 321G.1[26])*

3. "Golf cart" means a four wheeled recreational vehicle generally used for transportation of person(s) in the sport of golf that is either electric powered or gas powered and that is not designed to be operated at a speed of more than 25 miles per hour.

4. "Off-road utility vehicle" or "UTV" means a motorized vehicle with not less than four and not more than eight nonhighway 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:

A. "Off-road utility vehicle – Type 1" means an off-road utility vehicle with a total dry weight of one thousand two hundred pounds or less and a width of fifty inches or less.

B. "Off-road utility vehicle – Type 2" means an off-road utility vehicle, other than Type 1 off-road vehicle, with a total dry weight of two thousand pounds or less, and a width of sixty-five inches or less.

C. "Off-road utility vehicle – Type 3" means an off-road utility vehicle with a total dry weight of more than two thousand pounds or a width of more than sixty-five 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.

*(Code of Iowa, Sec. 321I.1[17])*

### 75.03 GENERAL REGULATIONS.

1. No person shall operate a snowmobile within the City in violation of the provisions of Chapter 321G 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.

*(Code of Iowa, Sec. 321G)*

2. The operation of golf carts, ATVs and UTVs is allowed on City streets by persons over the age of 18 and possessing a valid driver's license. The golf cart, ATV or UTV shall be equipped with a slow-moving vehicle sign, a bicycle safety flag and with adequate brakes and shall meet any other safety requirements imposed by the City of Afton and the State of Iowa. Golf carts, ATVs and UTVs shall be registered with the City of Afton annually and proof of insurance must be shown at the time of registration. Each golf cart, ATV and UTV operated on City streets shall have attached to the left rear of the golf cart, ATV or UTV a special permit sticker obtained from City Hall. The annual fee for a golf cart is \$50.00. Registered ATVs and UTVs have no fee. The annual golf cart fee will not be pro-rated for permits purchased during different months of the year or refunded if golf cart is sold or the permit is suspended or revoked.

*(Subsection 2 – Ord. 260 – Aug. 22 Supp.)*

*(Code of Iowa, Sec. 321.247 and 321I.10[3])*

**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 shall be operated only upon streets that have not been plowed during the snow season and on such other streets as may be designated by resolution of the Council.

*(Code of Iowa, Sec. 321G.9[4a])*

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.

*(Code of Iowa, Sec. 321G.9[4c])*

B. Direct Crossing. Snowmobiles may make a direct crossing of a prohibited street provided all of the following occur:

(1) The crossing is made at an angle of approximately 90 degrees to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;

(2) The snowmobile is brought to a complete stop before crossing the street;

(3) The driver yields the right-of-way to all on-coming traffic that constitutes an immediate hazard; and

(4) In crossing a divided street, the crossing is made only at an intersection of such street with another street.

*(Code of Iowa, Sec. 321G.9[2])*

3. Railroad Right-of-Way. Snowmobiles shall not be operated on an operating railroad right-of-way. A snowmobile may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.

*(Code of Iowa, Sec. 321G.13[1h])*

4. Trails. Snowmobiles shall not be operated on all-terrain vehicle trails except where so designated.

*(Code of Iowa, Sec. 321G.9[4f])*

5. 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 a snow cover of at least four (4) inches.

6. Sidewalk 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 GOLF CARTS, ALL-TERRAIN VEHICLES AND OFF ROAD UTILITY VEHICLES.** The operators of golf carts, ATVs and UTVs shall comply with the following restrictions as to where, when and how they may be operated within the corporate City limits of the City of Afton:

1. Streets. Golf carts, ATVs and UTVs may be operated upon City streets except they shall not be operated upon any City streets listed below:

- A. East Filmore Street
- B. East Grand Street
- C. U.S. Highway 169

Exceptions: Golf carts, ATVs and UTVs may cross the aforementioned streets and may be operated on any street in an emergency during a period of time when, and locations where, snow upon the roadway renders travel by conventional motor vehicles impractical. Permitted residents who reside on restricted streets are permitted to operate on that restricted street only to reach the nearest unrestricted street.

2. Trails. Golf carts, ATVs and UTVs shall not be operated on any recreational, bike or walking trail.

3. Sidewalks and Right-of-Ways. Golf carts, ATVs and UTVs shall not be operated upon public sidewalks or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "right-of-way" except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.

Exceptions: Golf carts, ATVs and UTVs may travel on the sidewalk on the west side of US HWY 169 between Railroad Street and Iowa Street in order to cross the highway

railroad bridge. Yield to oncoming pedestrians when crossing the bridge due to the narrow width.

4. City Parks and Other City Land. Golf carts, ATVs and UTVs shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City.

5. Hours of Operation. Golf carts, ATVs and UTVs may operate only from sunrise to sunset. Except that ATVs and UTVs may be operated during prohibited hours to perform snow removal activities.

6. Traffic Code. Any person operating a golf cart, ATV or UTV shall strictly adhere to all traffic signs 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 golf cart unattended on public property with the keys in the ignition switch. Owner/operators shall comply with all parking regulations in the City.

7. The number of occupants shall not exceed the number of seats installed in said vehicle and operated in a safe manner. All riders must be seated in permanent attached seats.

8. Minors. It is unlawful for any parent, guardian or other person having the care, custody and control of a minor under the age of eighteen (18) years to knowingly or negligently permit or allow such minor to violate the provisions of this chapter.

*(Code of Iowa, Sec. 321.219)*

9. Permits. No person shall operate a golf cart, ATV or UTV on any public street or alley for any purpose unless the golf cart, ATV or UTV has passed a safety inspection by the City of Afton Police Department and the operator possesses a City of Afton permit to operate a golf cart, ATV or UTV on City streets, issued by City Clerk.

10. Registration. Registration of all golf carts, ATVs and UTVs shall be effective from January 1 through December 31.

A. Exempt Vehicles. Registration shall not be required for:

(1) ATVs and UTVs owned by the United States, this State or another state, or by a governmental subdivision thereof, and used for enforcement, search and rescue, or official purposes, but not for recreational or commercial purposes.

(2) ATVs used in accordance with Iowa Code 321.234A(1)(a).

B. Golf cart, ATV or UTV dealerships shall purchase one (1) permit annually that can be used by the dealership owners only for any of their stock golf carts, ATVs or UTVs.

11. Insurance. The owner/operator of every golf cart, ATV or UTV being operated upon the streets and alleys of the City of Afton, Iowa shall have in effect liability insurance covering operation of the golf cart, ATV or UTV in the same limits, as required of automobiles by the financial responsibility provision of Section 321A, *Code of Iowa*, and shall show proof of same upon request of any law enforcement officer or City official.

**75.06 NEGLIGENCE.** The owner and operator of a golf cart, ATV, UTV or snowmobile are liable for any injury or damage occasioned by the negligent operation of the golf cart, ATV,

UTV or snowmobile. The owner of a golf cart, ATV, UTV or snowmobile shall be liable for any such injury or damage only if the owner was the operator of the golf cart, ATV, UTV or snowmobile at the time of the injury or damage occurred or if the operator had the owner's consent to operate the golf cart, ATV, UTV or snowmobile at the time of the injury or damage occurred.

*(Code of Iowa, Sec. 321G.18 and 321I.19)*

**75.07 ACCIDENT REPORTS.** Whenever a golf cart, ATV, UTV or snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to \$1,500 or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report, in accordance with State law.

*(Code of Iowa, Sec. 321G.10 and 321I.11)*

**75.08 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 one-hundred dollars (\$100.00) and revocation of the City of Afton registration for a period of two months.
2. Any person guilty of violating this ordinance two times in a twelve (12) month period shall be subject to a fine of two-hundred dollars (\$200.00) and revocation of the City of Afton registration for a period of two years.
3. Any person guilty of violating this ordinance three times shall be subject to a fine of three-hundred dollars (\$300.00) and permanent revocation of the City of Afton registration.
4. Persons violating this ordinance may also be prosecuted, and subject to the penalties set out in Section 321I.36 of the *Code of Iowa*.

*(Ch. 75 – Ord. 252 – Jun. 21 Supp.)*

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