



**SPECIAL VEHICLE PERMIT FORM**

Name of Owner(s): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Type:                      GolfCart                      ATV                      ORV                      (please circle)

Color/Description: \_\_\_\_\_

**Attach a copy of current insurance and DNR registration (if required) and return to city hall with payment of \$50.00. A registration sticker will be issued to you and must be placed on the rear of the vehicle.**

*Sticker#* \_\_\_\_\_

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## Humboldt, Iowa Code of Ordinances

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## CHAPTER 78

### GOLF CARTS, ATV/ORVs ON CITY STREETS

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**78.01 PURPOSE.**

The purpose of this Chapter is to regulate the use and operation of golf carts and ATV/ORVs on certain designated streets within the City of Humboldt pursuant to the provisions of Iowa Code Sections 321.247 and 321I.10.

**78.02 DEFINITIONS.**

For use in this Chapter the following terms are defined as follows:

1. “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, with an engine displacement of less than 351 cubic centimeters and a total dry weight of less than 800 pounds.
2. “All-terrain vehicle” (“ATV”) means a motorized flotation-tire vehicle with not less than three and not more than six low pressure tires, that is limited in engine displacement to less than 1,000 cubic centimeters and in total dry weight to less than 1,000 pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.
3. “Off-road utility vehicle” (“ORV”) 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.

**78.03 PERMITTED OPERATION.**

Except for those streets designated in this 78.04 and subject to the restrictions set forth in 78.05, golf carts and ATV/ORVs may be operated upon the streets of Humboldt by persons 18 years or older who have a valid Iowa driver’s license.

**78.04 PROHIBITED STREETS.**

1. No golf cart or ATV/ORVs shall be operated on the following streets within the City limits of Humboldt, Highway 169 (13<sup>th</sup> Street), Highway 3 (10<sup>th</sup> Avenue North), 5<sup>th</sup> Street, 6<sup>th</sup> Avenue North, and Sumner Avenue between 8<sup>th</sup> and 4<sup>th</sup> Streets.
2. Direct Crossing. An ATV/ORV may make a direct crossing of a highway or street provided all of the following occur:
  - A. The crossing is made at an angle of approximately ninety degrees to the direction of the highway or street and at a place where no obstruction prevents a quick and safe crossing.

- B. The ATV/ORV is brought to a complete stop before crossing the shoulder or main traveled way of the highway.
- C. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.
- D. In crossing a divided highway, the crossing is made only at an intersection of such highway with another public street or highway.
- E. The crossing is made from a street, roadway, or highway designated as an all-terrain vehicle trail by a State agency, County, or City to a street, roadway, or highway designated as an all-terrain vehicle trail by a State agency, County, or City.
- F. Golf carts and ATV/ORVs must yield to all on-coming traffic and pedestrians.

#### **78.05 RESTRICTIONS.**

1. Golf carts or ATV/ORVs may only be operated on permitted City streets and alleys between sunrise and sunset.
2. No golf cart or ATV/ORV shall be operated in the City at a speed in excess of 25 miles per hour.
3. No golf cart or ATV/ORV shall be operated or parked upon public sidewalks or trails.
4. No person shall operate a golf cart or ATV/ORV in a careless, reckless or negligent manner endangering the person or property of another or causing injury or damage to same.
5. No golf cart or ATV/ORV shall carry more passengers than the golf cart or ATV/ORV has designed seating for, and all riders must remain seated.
6. All golf carts or ATV/ORVs operated upon City streets shall be equipped with the following, all of which shall be in good condition and/or proper working order:
  - A. A slow moving vehicle sign or rear tail lights;
  - B. A safety flag that is 30 square inches and displayed so the bottom of the flag is either at least five feet in the air above the ground, or the bottom of the flag shall be above the top of the roofline; and
  - C. Adequate brakes.
7. No golf cart or ATV/ORV shall be operated while under the influence of intoxicating liquor, narcotics or habit-forming drugs.
8. No golf cart or ATV/ORV shall be operated on public streets or alleys with an open container of alcohol as referred to in §321.284 of the *Code of Iowa*.

#### **78.06 FINANCIAL RESPONSIBILITY.**

The owner or operator of a golf cart or ATV/ORV must maintain and provide proof of financial responsibility to the same extent as is required under Iowa Code §321.2013 upon request by a peace officer or City official. The owner or operator of a golf cart or ATV/ORV is liable for any injury or damage occasioned by the negligent operation of the golf cart or ATV/ORV.

#### **78.07 PERMITS.**

No person shall operate a golf cart or ATV/ORV on any public street or alley in the City of Humboldt, for any purpose, unless the operator possesses a permit issued by the Humboldt City Clerk.

1. Golf cart or ATV/ORV owners 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 permittee is at least 18 years of age, and possesses a valid State-issued driver's license.
  - B. Proof of financial responsibility pursuant to Section 78.06.
  - C. That the ATV/ORV is properly registered with the State.
3. All permits shall be issued for a specific golf cart or ATV/ORV.

Permit holders will be issued a sticker that must be affixed to the rear of the golf cart or ATV/ORV and be, at all times, visible to any police officer or City official.

4. The fee for such permits shall be set by resolution. Permits will be valid for one year from January 1 through December 31. Permits may be purchased at any time during the year but will be valid only through December 31.

5. A permit may be suspended up to 60 days by the police department upon finding evidence that the permit holder has violated the conditions of the permit or has abused the privilege of being a permit holder. The permittee may request a hearing in front of the City Council to have their permit reinstated. There will be no refund of the permit fee in the event of a suspension.

#### **78.08 PERMITTED USE SNOW REMOVAL.**

1. Beginning November 1st through and including April 30th of each year, a person 16 years or older (*persons under the age of 18 must possess an ATV safety certificate, issued by the Iowa Department of Natural Resources*) may operate an ATV equipped with a snow blade or blower for the sole purpose of snow removal or direct travel between snow removal sites, on the public streets, alleys, and sidewalks of the City of Humboldt, except for the following:

- A. Sumner Avenue
- B. U.S. Highway 169
- C. Iowa Highway 3

2. Direct Crossing as set forth in Section 78.04(2).

3. All ATVs operated upon a public street, alley, or sidewalk pursuant to this section shall:

- A. Be registered and numbered with the Humboldt County Recorder as required by the Iowa Code and DNR regulations for the operation of ATVs on public land;
- B. Be equipped with proper muffling devices, headlamps, tail lamps, and brakes;
- C. Comply with the provisions of Iowa Code §321I.14; and
- D. Comply with all applicable traffic laws.

#### **78.09 PENALTY.**

A violation of the provisions of this Chapter shall be deemed to be a municipal infraction, subject to a civil penalty of up to \$750.00 per offense. An offender may also be subject to prosecution under Iowa Code for any scheduled violation. Any person who commits two violations of this Chapter within a 24 month period shall have their permit to operate a golf cart or ATV/ORV revoked, with no chance of reissuance for a period of 12 months from the date of revocation.