

An Ordinance authorizing and regulating All-Terrain and Off-Road utility vehicles on certain roadways within the city of Bloomfield.

Section 1. Purpose- The purpose of this ordinance is to identify regulations regarding all-terrain vehicles and/or off road utility vehicle operation on the portion of city roads as designated by the Bloomfield City Council and the city streets in Bloomfield as designated by all streets/roadways including that portion of Highway 63 and Highway 2 that is within the city limits.

Section 2. Definitions

1. All-Terrain Vehicle (ATV)- A motorized flotation-tire vehicle with not less than four 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 designated to be straddled by the operator and handlebars for steering control.
2. Off-Road Utility Vehicle (UTV) A motorized flotation-tire vehicle with not less than four and not more than eight non-highway tires that is limited in engine displacement to less than one thousand five hundred cubic centimeters and in total dry weight less 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- that portion of a roadway improved, designed, or ordinarily used for vehicle travel. 4. Private Roadways- Roadways that have not been dedicated and accepted by the city of Bloomfield.

Section 3.- Operation on city streets and roadways permitted. A registered ATV or UTV may be operated on all city roadways in Bloomfield, Iowa. Operation of the vehicles are restricted on Highway 63 and Highway 2. Crossing one of these highways to reach a city street is permissible but driving on the highway is restricted to crossing. Operation is permitted on paved seal coat and gravel public roadways. Operation of an ATV or UTV on Bloomfield roadways is only permitted from one hour after sunrise to one hour before sunset. The operator of an ATV or UTV must obey all provisions of the Code of Iowa and all city/county ordinances related to motor vehicle traffic and parking regulations.

Section 4. – A person shall not drive or operate an ATV or UTV

1. At a rate of speed greater than the posted speed limit up to 35 MPH 2. In a careless, reckless or negligent manner 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. While under the influence of an alcoholic beverage or narcotics or habit-forming drugs.
 4. Without lighted headlights and taillights at such times when conditions provide insufficient lighting to render clearly discernible persons and vehicle at a safe distance.
 5. Without displaying a reflective slow-moving vehicle sign on the back of the vehicle.
 6. Without all persons in the vehicle properly secured by seat belts if the vehicle is equipped with seat belts.

Section 5.- Recommendations. The safety of the travelling public is of great importance. The City of Bloomfield also recognizes that each individual operator is primarily responsible for the safe operation of any ATV or UTV on a roadway. The city assumes no liability for such operation, when permitted. The city of Bloomfield recommends but does not require;

1. Any time an ATV or UTV is operated on a paved roadway it should operate on the shoulder if and when shoulder space is available and it is safe to do so.
2. All persons operating or riding on an ATV or UTV are encouraged to wear protective headgear at all times.

Section 6.- No person shall operate an ATV or UTV on any approved roadway, for any purpose, unless the operator possesses a City of Bloomfield permit to do so, issued by the Bloomfield Police Department.

1. The Bloomfield Police Department shall not issue a permit until the owner/operator has provided the following:
 - a. Evidence that the operator is at least 18 years of age and is in possession of a valid Iowa driver's license.
 - b. Proof that the ATV or UTV is registered with the Iowa DNR.

c. Proof that the owner and operator has liability insurance covering operation of ATV or UTVs on approved roadways in the amount required by the Code of Iowa.

2. The fee for such city permits shall be set by the City of Bloomfield by Resolution and shall be valid for one calendar year from July 1 through June 30.
3. All permits shall be issued for a specific ATV or UTV. Permit holders will be issued a number and a sticker to affix to the left rear of the vehicle in a place that can be easily seen by others viewing said vehicle from behind.
4. The permit shall be suspended for thirty days for a first offense, ninety days for a second offense and a permanent revocation for the third offense occurring within a calendar year for any violation occurring while operating an ATV or UTV of Iowa Code Chapters 321 or 3211 or Bloomfield Municipal Code.
5. The permit may be suspended or revoked by any law enforcement officer upon finding evidence that the permit holder has violated the conditions of the permit or has abused the privilege of being a permit holder. There shall be no refund of the permit fee. Should permit be suspended or revoked, the owner or operator may seek review of such action by the Bloomfield City council, where the operator must receive a majority vote of the Bloomfield City Council to allow reinstatement of an existing permit or issuance of a new permit.

Section 7.- Exempt Vehicles- The terms of this ordinance shall not be required for an ATV or UTV used as a authorized emergency vehicle.