

ORDINANCE NO. 032216-1

AN ORDINANCE AMENDING CHAPTER 75, SECTION 75.05 OF THE CODE OF
ORDINANCES, CITY OF AKRON, IOWA,
CONCERNING THE OPERATION OF ALL-TERRAIN VEHICLES
WITHIN THE CITY OF AKRON, IOWA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AKRON, IOWA:

That Chapter 75, Section 75.05 of the Code of Ordinances, City of Akron, Iowa, concerning the operation of all-terrain vehicles within the City of Akron, be amended to read as follows:

Section 75.05 **Operation of All-Terrain Vehicles.** The operators of ATVs shall comply with the following restrictions as to where ATVs may be operated within the City:

1. Streets. ATVs and off-road utility vehicles may be operated on streets only in accordance with Section 321.234A of the *Code of Iowa* or on such streets as may be designated by resolution of the Council for the operation of registered ATVs or registered off-road utility vehicles. In designating such streets, the Council may authorize ATVs and off-road utility vehicles to stop at service stations or convenience stores along a designated street.

(Code of Iowa, § 321I.10 (1 & 3))

2. Trails. ATVs shall not be operated on snowmobile trails except where designated.

(Code of Iowa, § 321I.10 (4))

3. Railroad Right-of-Way. ATVs shall not be operated on an operating railroad right-of-way. An ATV 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, § 321I.14 (1h))

4. Parks and Other City Land. ATVs shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City except in those areas that have designated roads open for vehicle travel.

5. Sidewalk or Parking. ATVs 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 "parking", except in the following instances:

a) ATVs may be operated upon public sidewalks, the area referred to as "parking", and prohibited streets for the express purpose of snow removal and plowing.

6. Restricted streets and highways. All-Terrain Vehicles may be operated upon the public streets, highways, and other areas within the city limits of the City of Akron, Iowa and may stop at service stations or convenience stores along such designated streets. ATV use may not occur upon the following prohibited streets:

- (1) Highway 12 from 8th Street to South Street.
- (2) Highway 3 (South Street) from Highway 12 to 5th Street.

Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

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.

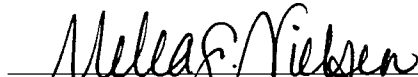
Effective Date. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed, approved and adopted by the City Council of the City of Akron, Iowa, this 22nd day of March, 2016.



Sharon R. Frerichs, Mayor

ATTEST:




Melea Nielsen, City Clerk

CLERK'S CERTIFICATE

STATE OF IOWA)
) ss.
COUNTY OF PLYMOUTH)

I, Melea Nielsen, Clerk of the City of Akron, Iowa, hereby certify that the foregoing Ordinance passed and adopted by the City Council of the City of Akron, Iowa, on the date above set out was published in the Akron Hometown in its issue dated this 22nd day of March, 2016.



Melea Nielsen, City Clerk