

ORDINANCE NO. 451

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EARLHAM, IOWA, 2017, CHAPTER 75 GOLF CARTS, ATVS, UTVS, AND SNOWMOBILES

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

SECTION 1. SECTION AMENDED. Chapter 75.04 of the Code of Ordinances of the City of Earlham, Iowa, 2017, is here by deleted and replaced by the following:

75.04 PERMIT

No person shall operate a Golf cart, ATV or UTV on any city street, or alley for any purpose unless the operator(s) possesses a City of Earlham permit to operate a golf cart, UTV or ATV on the city streets, issued by the City's Clerks Office.

1. Owners shall register a golf cart, ATV or UTV with the City Clerk using forms provided by the City.
2. Owner registration will not be approved until the following has occurred:
 - a. Owner provides proof of liability insurance covering operation on City streets. If the policy changes or renews during the duration of the issued permit dates, the owner is responsible to provide new or renewed policy.
 - b. An inspector designated by the City has inspected the vehicle to verify it meets the requirements of this chapter.
 - c. Operator(s) provide a valid driver's license.
 - d. Golf Cart owner has paid fee of seventy-five dollars (\$75.00). No fee is required from owners of ATVs or UTVs for the permit.
 - e. Owner will not have to pay a permit fee, or be inspected, if the vehicle has been issued an Iowa registration and license plate.
3. The permit sticker shall be displayed visibly and prominently on the left rear fender.
4. Permits will be granted for two years, valid from April 1st through March 31st of the permit period. Permits may be purchased at any time but will be valid only through March 31st of the second year. The fee will not be pro-rated if the permit is purchased during first year. If a vehicle is purchased within the second year of the permit period, the fee will be fifty dollars (\$50.00). The fee will not be refunded if the golf cart, ATV or UTV is sold, or the permit is suspended or revoked.
5. Permits may be suspended or revoked 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 will be no refund for suspended or revoked permits.
 - a. First violation – permit is revoked for the remainder of the permit year.
 - b. Second violation- permit is revoked for the remainder of the permit year as well as the following year.
 - c. Third violation - permanent revocation with no possibility of reinstatement.
In cases deemed to be a severe violation the City Council may move to treat as a second or third violation.

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 and approved by the City Council of Earlham, Iowa, this ____ day of February, 2024

Jeff Lillie, Mayor

ATTEST: _____
Mary Sue Hibbs, City Clerk/Treasurer

Passed First Reading: _____

Passed Second Reading: _____

Third Reading: _____

<u>Member</u>	<u>1st Reading</u>	<u>2nd Reading</u>	<u>3rd Reading</u>
Fredericksen			
Miller			
Mudge			
Nelsen			
Visser			

I certify that the foregoing Ordinance was published as Ordinance No. 451 on the ____ day of February, 2024

Mary Sue Hibbs, City Clerk/Treasurer