

Published 12/23/2020

**ORDINANCE NO. 2020-004**

**ORDINANCE AMENDING THE CODE OF  
ORDINANCES OF THE CITY OF FRUITLAND,  
IOWA ADOPTED ON JULY 2, 2019**

**WHEREAS**, pursuant to Iowa Code Section 380.8, the City Council does hereby amend the City Code of Fruitland, Iowa, adopted through action of the City Council on July 2, 2019; and

**WHEREAS**, an official copy of the City Code is on file in the office of the City Clerk, together with standard codes adopted by reference in this code; and

**WHEREAS**, copies of this code shall be kept in the City Clerk's office available for public inspection and for sale at cost to the public.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL  
FOR THE CITY OF FRUITLAND, IOWA:**

**THAT** Section 3-3-65 Operation of Off-Road Utility Vehicles of the Code of Ordinances, City of Fruitland, Iowa, is hereby amended, which said section reads as follows:

Off-road vehicles (UTV) may be operated upon the streets of the City by persons possessing a valid driver's license provided that a special permit is obtained from the City Hall. The application for a permit shall set forth that the applicant meets the requirements of this section. Permits shall be granted for one (1) year valid from January 1 through December 31. Permits may be purchased at any time during the year but will be valid only through December 31. The City Council may impose restrictions and conditions in addition to those set forth in this section. Before being operated on the streets of the City of Fruitland the permit holder must have attached a valid permit sticker issued by City Hall to the rear left side fender of the off-road vehicle. Operators must comply with all applicable provisions of the Code of Ordinances of the City of Fruitland and Code of Iowa related to motor vehicle traffic and parking regulations.

The owner of the UTV shall be required to provide proof of ownership, including but not limited to bill of sale, Iowa Department of Natural Resources registration or registration from the appropriate out-of-state authority, and proof of liability insurance as required by Iowa Code 321.20B and 321A.21.

The operation of off-road vehicles shall comply with the following specifications:

**THAT** section 3-3-65 1. Prohibited Operation of the Code of Ordinances, City of Fruitland, Iowa, is hereby renumbered to 3-3-65 5. Prohibited Operation, and is hereby amended, which said section reads as follows:

5. Prohibited Operation. Shall not be operated on sidewalks, railroad right-of-way, on private property belonging to others, City parks, or other City land. For purposes of clarification, it is permissible to park the UTV in the public parking areas of City parks or other City land, so long as these units are operated in the same fashion as a motor vehicle would be operated and do not cause damage to the parking areas.

**THAT** section 3-3-65 2. Time of Operation of the Code of Ordinances, City of Fruitland, Iowa, is hereby renumbered to 3-3-65 3. Time of Operation, and is hereby amended, which said sections reads as follows:

3. Time of Operation. The off-road vehicle may be operated any time during the day or night but subject to the requirements of this ordinance.

**THAT** section 3-3-65 3. Compliance with State Code of the Code of Ordinances, City of Fruitland, Iowa, is hereby renumbered to 3-3-65 1. Compliance with State Code.

**THAT** section 3-3-65 4. Equipment of the Code of Ordinances, City of Fruitland, Iowa, is hereby renumbered to 3-3-65 2., and is hereby amended, which said section reads as follows:

2. Equipment. Off-road vehicles operated upon City streets shall be equipped with a minimum of the following safety features:

Operational brakes, headlights, taillights, brake lights, a slow-moving vehicle sign and a properly functioning muffling device that complies with the standards and procedures required by Iowa Code 321I.12.

**THAT** the Code of Ordinances, City of Fruitland, Iowa, is hereby amended by repealing a section, numbered 3-3-65 4. a.

**THAT** the Code of Ordinances, City of Fruitland, Iowa, is hereby amended by repealing a section, numbered 3-3-65 4. b.

**THAT** the Code of Ordinances, City of Fruitland, Iowa, is hereby amended by repealing a section, numbered 3-3-65 4. c.

**THAT** section 3-3-65 5. Speed of the Code of Ordinances, City of Fruitland, Iowa, is hereby renumbered to 3-3-65 4. Speed.

**THAT** the Code of Ordinances, City of Fruitland, Iowa, is hereby amended by adding a section, to be numbered 3-3-65 6. Penalty, which said section reads as follows:

6. Penalty. A person convicted of a violation of this section is guilty of a municipal infraction punishable as a violation under Iowa Code and per

Fruitland Code of ordinances Title 1 Chapter 3.

**PASSED AND APPROVED THIS 23<sup>rd</sup> DAY OF DECEMBER, 2020**

  
Marty Hills, Mayor

ATTEST:

  
Becca Shoppa, City Clerk

Passed First Reading: 12/23/2020

Passed Second Reading: Waived 12/23/2020

Passed Third Reading: Waived 12/23/2020

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