

Ordinance #794

AN ORDINANCE AMENDING THE CAMANCHE IOWA MUNICIPAL CODE By Amending Chapters 3-3-70 Golf Carts and 3-3-66 Off-Road Vehicles

Section 1. Purpose. The purpose of this Ordinance is to provide for additions to the Camanche Golf Cart Ordinance 3-3-70 and the Camanche Off-Road Vehicle Ordinance 3-3-66 to provide additional requirements regarding safety and operation.

Section 2. Facts Found. The City Council of the City of Camanche, Iowa hereby makes the following findings of fact:

- A. That for safety considerations, the operators of golf carts and off-road vehicles should be eighteen years of age or older.
- B. That there is a scrivener's error in 3-3-70 (3) which requires correction to state the original intentions of the Council.
- C. That additional safety regulations are necessary to provide for the health and safety of operators and passengers of both golf carts and off-road vehicles when operated within the City of Camanche.

Section 3. Amendment. The Camanche, Iowa Code of Ordinances for Golf Carts and Off-Road Vehicles are hereby amended as follows:

Ordinance 3-3-70 is amended as follows:

3-3-70(1) Golf carts may be operated on City streets by persons eighteen years of age and older possessing a valid driver's license and provided that a special permit is obtained from the City regarding the golf cart being operated.

3-3-70(3) The last sentence of 3-3-70(3) shall be amended to read as follows:

- Golf carts may only traverse areas in 3-3-70 subsections 3 parts a-d when traveling to a point on those routes from the nearest allowed street and from a point on those routes to the nearest allowed street.

The following subsections are added:

- 3-3-70(14): Any golf cart which has factory-installed seat belts or a similar system of restraints for occupants shall maintain the restraints in working order and all occupants for which a seat belt or similar system of restraints is available shall be restrained while the golf cart is in motion. If such restraint system is available in the golf cart, the following requirements are applicable: all

occupants, except as noted below, must wear safety belts or safety harnesses which meet the definition of a safety belt or safety harness as set forth by Iowa Code Chapter 321.445 while the golf cart is in motion.

a) Children under one year old and weighing less than twenty pounds must be secured in a rear-facing child restraint system while the golf cart is in motion.

b) Children ages one to six years must be secured in a child restraint system (safety seat or booster seat) while the golf cart is in motion.

1) A child restraint system is a specially-designed seating system, including a belt positioning seat or booster seat which meets Federal Motor Vehicle Safety Standards. The child restraint system must be used in accordance with the manufacturer's instructions, the child must be secured in the child restraint, and the child restraint must be properly secured to the golf cart.

- 3-3-70(15): There shall be no passengers on any portion of the golf cart not designed to carry passengers. No person may stand on or ride in the cargo area of a golf cart while it is in motion.
- 3-3-70(16): No golf cart may carry more passengers than the number listed by the manufacturer for that golf cart.
- 3-3-70(17): Golf carts lacking safety belts shall not have passengers under 18 years of age.

Camanche Ordinance 3-3-66 is amended as follows:

The following new subsections shall be added to Camanche Ordinance 3-3-66:

3-3-66(8): Off-road utility vehicles shall be equipped with a system of seat belts or a similar system for restraining each occupant of the vehicle in the event of an accident.

3-3-66(9): All occupants, except as noted below, must wear safety belts or safety harnesses which meet the definition of a safety belt or safety harness as set forth by Iowa Code Chapter 321.445 while the UTV is in motion.

- a) Children under one year old and weighing less than twenty pounds must be secured in a rear-facing child restraint system while the UTV is in motion.
- b) Children ages one to six years must be secured in a child restraint system (safety seat or booster seat) while the UTV is in motion.

1. A child restraint system is a specially-designed seating system, including a belt-positioning seat or booster seat which meets Federal Motor Vehicle Safety Standards. The child restraint system must be used in accordance with the manufacturer's instructions, the child must be secured in the child restraint, and the child restraint must be properly secured to the UTV.

- 10. No seat shall be used by more than one person at a time.
- 11. No person may ride on the lap of another.
- 12. The number of passengers in a UTV shall not exceed the number of factory-installed seats in the UTV.
- 13. No UTV will be operated in a careless or reckless manner so as to: endanger any person; cause injury or damage to person or property; create unnecessary skidding or sliding; or cause a wheel or wheels to lose traction or contact with the ground.
- 14. A person shall not drive or operate an off-road utility vehicle at a rate of speed greater than the posted speed limit or 35 miles-per-hour, whichever is less.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

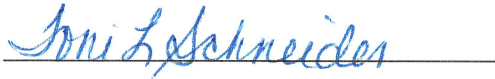
Section 5. Severability Clause. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. When Effective. This ordinance shall be in full effect from and after its final passage, approval, and publication as required by law.

Passed and approved by the Camanche City Council this 17th day of October, 2023.



Austin Pruett, Mayor



Attest: Toni L. Schneider, City Clerk

Certification of Posting

I, Toni L. Schneider, City Clerk, do hereby certify that a copy of this ordinance was posted at the Camanche City Hall, the Camanche Public Library, and the Clinton National Bank in Camanche on the 17th day of October, 2023 as required by law.



Name



Date