

AN ORDINANCE OF THE CITY OF CLEVELAND, MISSOURI, ALLOWING THE USE OF ALL-TERRAIN VEHICLES, UTILITY VEHICLES AND GOLF CARTS ON THE STREETS OF THE CITY.

WHEREAS, The State of Missouri allows the use of All-Terrain Vehicles and other vehicles on the streets of a municipality by ordinance according to RSMO 304.

WHEREAS, The City of Cleveland is a small rural community that lends itself to use of All-terrain vehicles, Utility vehicles and Golf Carts on the city streets.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the City of Cleveland, Missouri, as follows:

Section 1. Definitions:

- a. **All-terrain vehicle**, any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;
- b. **Utility vehicle**, any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;
- c. **Golf Cart**, means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty (20) miles per hour.

Section 2. Purpose:

- a. The City of Cleveland will allow All-terrain vehicles, Utility Vehicles and Golf Carts to travel upon the streets of the City of Cleveland in accordance with section 3.

Section 3. Requirements:

- a. Any person operating an All-terrain vehicle, Utility Vehicle or Golf Cart pursuant to this municipal ordinance shall maintain proof of financial responsibility in accordance with section 303.160 RSMO or maintain any other insurance policy providing equivalent liability coverage for the vehicle.

- b. All-terrain vehicles, Utility vehicles and Golf Carts are required to have a bicycle safety flag, which extends not less than seven feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color.
- c. A person operating an All-terrain vehicle, Utility vehicle and Golf cart shall have a valid operator's or chauffeur's license.
- d. Operation of an All-terrain vehicle, Utility vehicle and Golf cart on any state or federal highway is prohibited, except to cross a portion of the state highway system which intersects a municipal street.
- e. No person shall operate an All-terrain vehicle, Utility vehicle and Golf cart at night without a lighted headlight and lighted tail lamp which must be lit and in operation at all times. The headlight must be of a white light and be capable of illuminating the road ahead at night to be observed at a distance of five hundred (500) feet. Taillights shall be red in color and shall be observable to a distance of five hundred (500) feet at night.
- f. No operator of an All-terrain vehicle shall carry a passenger, except for agricultural purposes. The provisions of this subsection shall not apply to any all-terrain vehicle in which the seat of such vehicle is designed to carry more than one (1) person.
- g. No person shall operate an All-terrain vehicle, Utility vehicle and Golf Cart:
 - (1) In any careless way so as to endanger the person or property of another;
 - (2) While under the influence of alcohol or any controlled substance;
 - (3) Without a securely fastened safety helmet on the head of an individual who operates or is a passenger on an all-terrain vehicle unless the individual is at least eighteen (18) years of age;
 - (4) In a manner which disturbs the public peace as detailed in Noise Ordinance 014-0011 of the City of Cleveland.
 - (5) Drivers/operators must adhere to all traffic laws.


Section 4. Violation:

- a. A person convicted of or who pleads guilty to a violation of this ordinance shall not be assessed a fine, if combined with the amount of court costs, totaling in excess of two hundred and twenty five (225) dollars.


Section 5. EFFECTIVE DATE: That this Ordinance shall be in full force and effect from and after its passage and approval.

Duly read two (2) times, once in entirety and once by title only and approved by the Board of Aldermen of the City of Cleveland, Missouri, this 7th day of November 2017

APPROVED:


Jeff McKee, Mayor

ATTEST:


Tasneam Nawaz, City Clerk

VOTE:

Alderman Morgan	<u>Aye</u>
Alderman Hemenway	<u>Aye</u>
Alderman Cruce	<u>Absent</u>
Alderman Reintjes	<u>Aye</u>
Alderman Muller	<u>Aye</u>
Alderman McKee	<u>Aye</u>

(City Seal)

