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ARLENE SCHAUF, RECORDER/REGISTRAR
JACKSON COUNTY IOWA

JACKSON COUNTY ORDINANCE #303

AN ORDINANCE REPEALING ORDINANCE #292 AND AUTHORIZING THE OPERATION OF ALL-TERRAIN VEHICLES AND OFF-ROAD UTILITY VEHICLES ON JACKSON COUNTY, IOWA SECONDARY ROADS.

WHEREAS, on August 25, 2020, the Jackson County Board of Supervisors approved Ordinance #292 "An Ordinance Establishing the Rules and Regulations Regarding the Use of All-Terrain Vehicles and Off-Road Utility Vehicles on Jackson County, Iowa Secondary Roads", and;

WHEREAS, on June 13, 2022, Governor Kim Reynolds signed House File 2130 into law, said law amending Iowa Code with regard to the regulation of all-terrain vehicles and off-road utility vehicles, allowing said vehicles to be operated on all unpaved secondary roads and creating additional rules for their use when operated on highways, and;

WHEREAS, pursuant to House File 2130, Iowa Code Section 321.10(2)(a)(3) gives the county board of supervisors discretion to authorize all-terrain vehicles and off-road utility vehicles to be operated on paved, undivided secondary roads or segments thereof, and;

WHEREAS, the Jackson County Board of Supervisors has decided to authorize the operation of all-terrain vehicles and off-road utility vehicles on all Jackson County paved, undivided secondary roads except as otherwise provided in this ordinance.

NOW THEREFORE BE IT RESOLVED, that Ordinance #292 is hereby repealed and the following is hereby adopted:

SECTION 1. PURPOSE.

The purpose of this ordinance is to designate that portion of Jackson County roadways upon which all-terrain vehicles or off-road utility vehicles may be operated.

SECTION 2. OPERATION ON ROADWAYS.

1. All-terrain vehicles and off-road utility vehicles may be operated on all unpaved and paved, undivided secondary roads in Jackson County, Iowa.
2. Operators of all-terrain vehicles or off-road utility vehicles shall be eighteen years of age, possess a valid driver's license, and have financial liability coverage in effect for the vehicle and carry proof of such financial liability coverage.
3. Operators shall comply with all laws related to the operation of all-terrain vehicles and off-road utility vehicles on highways including but not limited to Iowa Code Sections 321.234A, 321.384, 321.386, 321.387, 321.404, 321.432, 321.437, and 321.10.

SECTION 3. RESTRICTIONS.

1. All-terrain vehicles and off-road utility vehicles are prohibited from being operated on any secondary road or segment thereof when it is closed to motor vehicle traffic pursuant to section 306.41.
2. Only those persons with access rights to secondary roads that are classified as area service "C" shall be allowed to operate all-terrain vehicles and off-road utility vehicles on said roads.

SECTION 4. ENFORCEMENT.

Violations of this ordinance shall be written under the applicable State of Iowa code.

SECTION 5. SEVERABILITY.

If any section, provision, sentence, clause, phrase 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 provision, section, subsection, clause, phrase, or part hereof not adjudged invalid or unconstitutional.

SECTION 6. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its final passage, approval, and publication as provided by law.

PASSED AND APPROVED THIS 26th DAY OF July, 2022.

ATTEST:

Alisa Smith
Alisa Smith, Auditor

John J. Willey
John J. Willey, Chair
Jackson County Board of Supervisors