

AN ORDINANCE REGULATING THE OPERATION OF ALL TERRAIN VEHICLES  
WITHIN THE CORPORATE LIMITS OF THE CITY OF GALENA, MISSOURI.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF GALENA, MISSOURI AS  
FOLLOWS:

1. No person shall operate an all TERRAIN vehicle, hereinafter ATV, as defined below, within the corporate limits of the City of Galena except as follows:

- (A) ATV owned and operated by a governmental entity for official use;
- (B) ATV operated for agricultural purposes or industrial onpremises purposes between the official sunrise and sunset on the day of operation;
- (C) A person may operate an ATV on private property with the consent of the owner. In the event that the ATV is being operated upon the property of another, the operator shall stop and identify himself upon request of the landowner or his duly authorized representative and, if requested to do so, shall remove the ATV from the premises.

2. No person shall operate an ATV:

- (A) In any careless way so as to endanger the person or property of another;
- (B) While under the influence of alcohol or any controlled substance;
- (C) Without a securely fastened safety helmet on the head of an individual who operates an ATV or who is being towed or otherwise propelled by an ATV, unless the individual is at least eighteen (18) years of age;
- (D) While carrying a passenger, except for agricultural purposes;
- (E) In any City Park, or on City owned property;

3. Every ATV shall have the following equipment: a lighted headlight and tail lamp which shall be in operation at any time in which the ATV is being used on any street or highway within this city as setforth above; an equilateral triangular emblem to be mounted on the rear of the vehicle at least two feet above the roadway when such vehicle is operated on a street or highway as setforth above; a braking system maintained in good working condition; and with an adequate muffler system in good working condition and a United States Forest Service qualified spark arrester.

4. No person shall operate an ATV within this city unless the ATV has been registered with the State Department of Revenue and every person so operating an ATV shall have a valid operator's or chauffer's license and shall operate at speeds less than thirty miles per hour. When operated on a highway or street of this city, an ATV shall have a bicycle safety flag which shall extend not less than seven feet above the ground and shall be attached to the rear of said ATV. Said flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color.

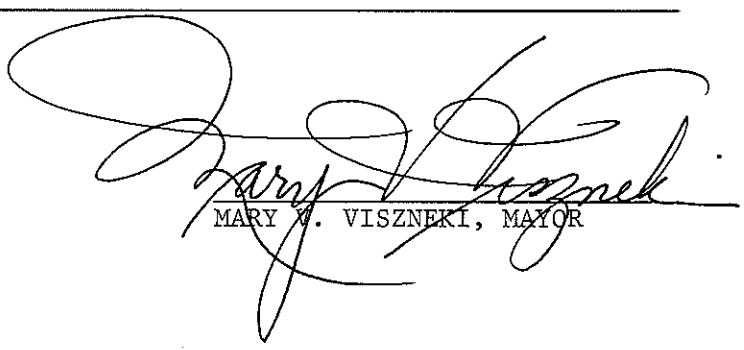
5. As used herein all TERRAIN vehicles shall mean any motorized vehicle manufactured and used exclusively for off-road use which is fifty inches or less wide, with an unladen dry weight of six hundred pounds or less, traveling on three, four, or more low pressure tires with a seat designed to be straddled by the operator and with handlebars for steering control.

6. Any person found guilty or having plead guilty to any violation of the above provisions shall be subject to a fine of not more than five hundred (\$500.00), a term of imprisonment of up to six months in the County Jail or both such fine and imprisonment.

7. The City Council or, at its direction, the City Clerk may issue Special Permits to licensed drivers for special use of ATV on the highways and streets of this city. A fee of fifteen dollars (\$15.00) shall be assessed and collected for the issuance of said limited use permits as permitted by state law.

PASSED AND APPROVED THIS 9th day of June, 1997 WITH THE FOLLOWING ALDERMEN VOTING YES: Mary Lou Ross, Hazel Thomas & Lee E. Young

AND THE FOLLOWING VOTING NO: None

  
MARY V. VISZNEKI, MAYOR

ATTEST:

  
LOUISE D. CUMMINGS, CITY CLERK