

ORDINANCE NO. 688

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HAWARDEN, IOWA, 2011, BY AMENDING PROVISIONS PERTAINING TO OFF-ROAD UTILITY VEHICLES**

Be It Enacted by the City Council of the City of Hawarden, Iowa:

**SECTION 1. SUBSECTION MODIFIED.** Subsection 3 of Section 75.02 of the Code of Ordinances of the City of Hawarden, Iowa, 2011, is repealed and the following adopted in lieu thereof:

3. "Off-road utility vehicle" means a motorized vehicle, with not less than four and not more than eight non-highway tires or rubberized tracks, that has a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control. "Off-road utility vehicle" includes the following vehicles:

*(Code of Iowa, Sec. 3211.1)*

A. "Off-road utility vehicle – type 1" includes vehicles with a total dry weight of 1,200 pounds or less and a width of 50 inches or less.

B. "Off-road utility vehicle – type 2" includes vehicles, other than type 1 vehicles, with a total dry weight of 2,000 pounds or less and a width of 65 inches or less.

C. "Off-road utility vehicle – type 3" includes vehicles with a total dry weight of more than 2,000 pounds or a width of more than 65 inches, or both.

An operator of an off-road utility vehicle is also subject to the provisions of this chapter governing the operation of all-terrain vehicles.

**SECTION 2. 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 3. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 24th day of September, 2014, and approved this 24th day of September, 2014.



Mayor

ATTEST:


  
City Clerk

First Reading: August 27, 2014

Second Reading: September 10, 2014

Third Reading: September 24, 2014

I certify that the foregoing was published as Ordinance No. 688 on the 2nd day of October, 2014.

  
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City Clerk