

**CITY OF LAKE OZARK**  
A Missouri Municipality of the 4th Class

**BILL NO.: 2024-13**

**ORDINANCE NO.: 2024-13**

*AN ORDINANCE ADDING SECTION 340.115  
OF THE CODE OF THE CITY OF LAKE OZARK, MISSOURI  
RELATING TO THE OPERATION OF UTILITY VEHICLES AND  
RECREATIONAL OFF-HIGHWAY VEHICLES*

**WHEREAS**, the City of Lake Ozark, currently prohibits the use of utility vehicles and recreational off-highway vehicles from operation on any streets and highways in this City; and

**WHEREAS**, the Board of Aldermen has discussed the use of utility vehicles and recreational off-highway vehicles at a recent work session and have directed City staff to authorize the use of said vehicles on certain roads under the City’s jurisdiction pursuant to RSMo. Secs. 304.033 and 304.032 respectively.

**Now, therefore, be it ordained by the Board of Aldermen of the City of Lake Ozark, Missouri, as follows:**

**Section 1 of this Ordinance.** Section 340.115 of the Code of the City of Lake Ozark shall read as follows:

**Section 340.115. Recreational Off-Highway Vehicles & Utility Vehicles – Prohibited – Exceptions – Operation Under An Exception – Prohibited Uses – Penalty.**

- A.** No person shall operate a recreational off-highway vehicle or utility vehicle, as defined in Section **300.010**, upon highways, as defined in Section 300.010, under the jurisdiction of the City, except as follows:
  - 1. Recreational off-highway vehicles or utility vehicles owned and operated by a governmental entity for official use;
  - 2. Recreational off-highway vehicles or utility vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation, unless equipped with proper lighting;
  - 3. Recreational off-highway vehicles or utility vehicles operated by handicapped persons for short distances occasionally only on the state’s secondary roads when operated between the hours of sunrise and sunset;

4. Recreational off-highway vehicles operated within three (3) miles of the operator's primary residence.
  5. Recreational off-highway vehicles or utility vehicles issued a special permit may be operated on streets under the City's jurisdiction with a posted speed limit of forty-five (45) miles per hour or less. There shall be no operation of a recreational off-highway vehicle or utility vehicle on any Federal, State or county highways, except to cross at an intersection where the speed limit is less than forty-five (45) miles per hour. Crossing a State highway is prohibited where the speed limit is forty-five (45) miles per hour or more. Said vehicles may only be operated between the hours of sunrise and sunset, unless equipped with proper lighting.
  6. To obtain a special permit as referenced in Paragraph 4 of this Subsection, the applicant must contact the Lake Ozark Police Department for an inspection of the utility vehicle for which a permit is sought and provide proof of financial responsibility liability insurance as required by RSMo. Section 303.160 or maintain any other insurance policy providing equivalent liability coverage for a recreational off-highway vehicle or utility vehicle. To be issued a permit, all required safety devices must be in proper working order. There shall be a fee of \$15.00 paid to the City of Lake Ozark for the issuance of said permit, which shall be valid for three-hundred and sixty-five days (365) from the date of issuance.
- B.** No person shall operate an off-road vehicle or utility vehicle, as defined in Section 300.010, within any stream or river in this City, except that off-road vehicles may be operated within waterways which flow within the boundaries of land which an off-road vehicle operator owns, or for agricultural purposes within the boundaries of land which an off-road vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this State at such road crossings as are customary or part of the highway system.
- C.** A person operating a recreational off-highway vehicle or utility vehicle on a street or highway pursuant to an exception covered in this Section shall have a valid operator's or chauffeur's license issued by a State authorizing such person to operate a motor vehicle but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than forty-five (45) miles per hour.

- D.** No person shall operate a recreational off-highway vehicle or utility vehicle on any highway under the jurisdiction of the City:
- 1.** In any careless way so as to endanger the person or property of another; while under the influence of alcohol or any controlled substance; or in violation of any general traffic ordinance contained within the City's Code;
  - 2.** Without the minimally required headlamps (when operated between sunset and sunrise); taillamps (when operated between sunset and sunrise); reflectors; exterior driver's side mirror or interior rearview mirror; one (1) seatbelt per occupant; parking brake; and horn or alert sound mechanism as required of vehicles generally in Chapter 370. Additionally, when operated on a highway under the jurisdiction of this City, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover.
  - 3.** In any designated special event area except as requested by the event organizer and with the express permission of the Chief of Police.
- E.** Any recreational off-highway vehicle or utility vehicle that is limited in speed to less than twenty-five miles per hour shall also display a slow-moving vehicle emblem in accord with RSMo. Sec. 307.127 and shall not be operated between sunset and one-half (1/2) hour before sunrise.
- F.** No operator of an off-highway recreational vehicle or utility vehicle shall carry a passenger, except for agricultural purposes unless the recreational off-highway vehicle or utility vehicle is designed to carry more than one passenger, in which case the number of passengers may not exceed the number of passengers for which said vehicle is designed.
- G.** All persons operating any recreational off-highway vehicle or utility vehicle shall do so in accordance with all other pertinent ordinances and State traffic laws. Any person found guilty of this Section shall be deemed guilty of a traffic ordinance violation and upon conviction thereof, shall be punishable as set forth in Section 100.220 of this Code.

**Section 2 of this Ordinance.** This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen of the City of Lake Ozark.

**First Reading:** April 09, 2024

**Second Reading:** April 23, 2024

**DULY READ AND APPROVED THIS 23RD DAY OF APRIL 2024.**

Alderman Watts	Aye	
Alderman Franzeskos		Nay
Alderman Denny	Aye	
Alderman Neels		Nay
Alderman Ridgely	Aye	
Alderman Thompson	Aye	

**APPROVE:**

**ATTEST:**

**MAYOR:**

**DEPUTY CITY CLERK:**

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**Dennis Newberry**

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**Kim Stevens**  
**(for City Clerk, Kathy Vance)**