

Introduced by Alderman Russell Rost

AN ORDINANCE AMENDING ARTICLE III, CHAPTER 340, BY REPEALING SECTION 340.240 Utility Vehicles, Prohibited-Exceptions, of the CITY CODE AND REPLACING IT WITH NEW SECTION 340.240 TO THE CITY'S CODE AND ESTABLISHING THE EFFECTIVE DATE THEREOF.

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

SECTION 1. The Board of Aldermen, City of Union, Missouri, hereby finds it is in the best interest of the citizens of the City of Union that the Code of Municipal Ordinances be changed so that the current Section 340.240 be repealed and new Sections so numbered be replaced with the following:

SECTION 2. The new Section 340.240 shall read:

Section 340.240 Utility Vehicles, Prohibited — Exceptions — Operation of Under an Exception — Prohibited Uses — Penalty.

A. No person shall operate a utility vehicle, as defined in Section **300.010** of the City of Union Code, upon the streets of this City except as follows:

1. The City Clerk may issue a special permit, pursuant to Section 304.032, RSMo., for utility vehicles to be used on streets within the City limits by licensed drivers. Applicants for said permit must present a paid personal property tax receipt for the vehicle for the previous year. Said permit to be issued upon proof that the applicant has a valid operator's or chauffeur's license, that the applicant has liability insurance covering the operation of said vehicle in an amount meeting the Missouri minimum standards for automobile insurance and the payment of a fee of fifteen dollars (\$15.00).

2. No person shall operate a utility vehicle within any stream or river in this State, except that utility vehicles may be operated within waterways which flow within the boundaries of land which a utility vehicle operator owns, or for agricultural purposes within the boundaries of land which a utility 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. All Law Enforcement Officials or Peace Officers of this State and its political subdivisions or Department of Conservation agents or Department of Natural Resources Park Rangers shall enforce the provisions of this Subsection within the geographic area of their jurisdiction.

3. A person operating a utility vehicle on a highway shall have a valid operator's or chauffeur's license, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at a speed no greater than the posted or established speed limit for the street which they are on, but in no case shall they operate at a speed in excess of forty-five (45) miles per hour.

4. No persons shall operate a utility vehicle:

- a.** In any careless way so as to endanger the person or property of another; or
- b.** While under the influence of alcohol or any controlled substance.

5. No operator of a utility vehicle shall carry a passenger, except for a utility vehicle in which the seat of such vehicle is designed to carry more than one (1) person.

6. Display and Renewal of Permit.

a. The UTV permit sticker shall be displayed on the UTV at a location which is visible from the exterior of the vehicle.

b. The UTV permit shall be carried at all times by the operator to whom issued while operating the UTV in the City, and shall be exhibited by such operator while operating the vehicle when requested to do so by any Police Officer.

c. Every UTV permit issued by the City shall be renewed every third year after the initial issue by the applicant/owner of the permit. All permits shall renew in April regardless of the month of issue.

B. A violation of this Section shall be an ordinance violation. In addition to other legal remedies, the City Attorney may institute a civil action in a court of competent jurisdiction for injunctive relief to prevent such violation or future violations and for the assessment of a civil penalty not to exceed one hundred dollars (\$100.00) per day of violation.

SECTION 3. This ordinance shall be in full force and effect from and after its final passage and approval.

Passed this 12 day of August, 2024.

VOTE:

Russell Rost	<u>YEA</u>	Edwin K. Van Weelden	<u>YEA</u>
Brian Pickard	<u>YEA</u>	Dennis Soetebier	<u>YEA</u>
Tom Strubberg	<u>YEA</u>	Heather Epple	<u>YEA</u>
Barbara E. Laberer	<u>YEA</u>	Jacob T. Doepke	<u>ABSENT</u>

Robert L. Schmuke
Presiding Officer

Approved this 12 day of August, 2024.

Robert L. Schmuke
Robert L. Schmuke, Mayor

Attest:

Jonita Copeland
Jonita Copeland, City Clerk

