

ORDINANCE NO. 367

AN ORDINANCE PERMITTING THE OPERATION OF ALL-TERRAIN VEHICLES OR UTILITY-TYPE VEHICLES IN THE VILLAGE OF PETERSBURG AND PROVIDING FOR CONDITIONS FOR SUCH OPERATION AND PROVIDING A PENALTY AND REPEALING THE PRIOR ORDINANCE.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF PETERSBURG, NEBRASKA:

Section 1: An all-terrain vehicle or a utility-type vehicle as the terms are defined in Nebraska Rules of the Road Section 60-6,355 may be operated on the Village streets and alleys but not on the sidewalks of the Village, provided the operation complies with the conditions set out in Section 2.

Section 2: The conditions for the operation of an all-terrain vehicle or a utility-type vehicle within the Village are as follows:

- a. The operation must occur only between the hours of sunrise and sunset.
- b. Any person operating an all-terrain vehicle or a utility-type vehicle shall have a valid Class O operator's license or a farm permit as provided in Nebraska Rules of the Road Section 60-4,126.
- c. The operator shall have liability insurance coverage for the all-terrain vehicle or the utility-type vehicle while operating the all-terrain vehicle or utility-type vehicle on a public road, and the operator shall provide proof of such insurance to any peace officer requesting such proof within five days of such a request.
- d. The operator shall not operate the all-terrain vehicle or the utility-type vehicle at a speed in excess of 30 miles per hour and if the speed limit posted in the Village is less than 30 miles per hour for a motor vehicle, the operator shall not operate the all-terrain vehicle or utility-type vehicle at a speed in excess of the speed limit provided by the Village Ordinances for motor vehicles.
- e. The all-terrain vehicle or utility-type vehicle shall have a headlight and a taillight and these must be on and the all-terrain vehicle or utility-type vehicle shall be equipped with a bicycle safety flag that extends not less than five feet above ground, attached to the rear of the vehicle. The safety flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color.

Section 3: An all-terrain vehicle or utility-type vehicle may be operated without complying with the Section 2 requirements in parades that have been authorized by the State of Nebraska or by a political subdivision of the State of Nebraska.

Section 4: Any person violating any provisions of this Ordinance shall be fined in a sum not to exceed \$500.00 and be assessed the Court costs of prosecution,

except that if such person is convicted of a second or subsequent offense within any period of one year, that person shall be fined a minimum of \$200.00.

Section 5. Ordinance No. 351 is repealed.

Section 6: This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

INTRODUCED BY: Trustee Faust

SECONDED BY: Trustee Seier

PASSED AND APPROVED THIS 4th DAY OF January, 2011.

PUBLISHED THIS 12th DAY OF January, 2011.

Anthony Thieman
Chairman of the Board, Village of Petersburg

ATTEST:

Jeanne Stokes, Village Clerk