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To: Local Media

Ref: Press Release Winter Regulations

It is that time of year where we can expect lasting snow accumulations. I would like to take the opportunity to remind everyone of certain regulations concerning this time of year and snow events. (Please see the attached document for the codes pertaining to snowmobiles, snow removal, and maximum parking times).

**Snowmobiles:** For a number of our citizens that enjoy snowmobiling, it is important to remember that operation on City streets is only allowed when the street has not been plowed. It is not lawful to ride on sidewalks and the area between the sidewalk and street or on someone else's property without their permission. If you are operating your snowmobile in the City, please take a moment and make sure you are familiar with the City Ordinance pertaining to snowmobiling.

**Snow removal:** Please remember that once snowfall has ceased, public works is tasked with getting our streets in shape for safe travel. Our snow removal ordinance pertaining to the downtown area requires that vehicles be removed from the City streets after 2:30 am when the signs are posted. Please ensure that your vehicles are moved so that the downtown area so that the snow removal can be accomplished without the need for enforcement action to be taken.

**Maximum Parking Time:** Vehicles can only be parked in public areas for 48 hours without being moved. It is especially important during this season to ensure this happens. Once the snowplows have cleared the streets, it becomes clear which vehicles have not been moved and we enforce this ordinance. When vehicles are not moved the snow plows must plow around them and the streets get narrower for traffic to get through. Additionally, as these piles melt and refreeze, they can cause damage to vehicles that may brush against or drive over them. Please make arrangements to have your vehicles off the street if you are going to be out of town or at least make plans to get them moved in the event we get snow.

Lastly, I would like to remind everyone that when the streets get slick or we get a snow storm, to consider whether your travel is important enough to go out in such conditions. If you do travel, remember to decrease your speed, increase your following distances, have a full tank of fuel and appropriate winter attire. It is always a good idea to include an emergency kit to include a shovel, blankets, a flashlight, and some snacks. A fully charged cell phone is important to have to call for help in the case you may get stranded. With Christmas fast approaching, and many travelling for the holiday, please drive safely and may all of you have a safe and wonderful holiday season.

As always, should you have any questions concerning this please let me know.

A handwritten signature in blue ink, appearing to read "D. Schaffer".

Daniel Schaffer  
Chief of Police

#### **75.04 OPERATION OF SNOWMOBILES.**

The operators of snowmobiles shall comply with the following restrictions as to where snowmobiles may be operated within the City:

1. Streets. Snowmobiles shall be operated only upon streets which have not been plowed during the snow season and in conformity with the following:

(Code of Iowa, Sec. 321G.9[4a])

A. Authorized Use on Streets and Alleys. Except as provided by paragraph C of this subsection, registered snowmobiles may be operated on the roadway of the streets and alleys of the City for the purpose of transportation by a direct route from a point within the City to a destination within the City, from a point within the City to the corporate limits or from the corporate limits to a destination within the City.

B. Illegal Use on Streets and Alleys. No person shall operate a snowmobile on the roadway of a street or alley for any person other than the purpose authorized by Paragraph A of this subsection.

C. Restricted Streets. Except to the extent authorized by subsection 2 and 4 of Section 321G.9 of the Code of Iowa, no person shall operate a snowmobile on the roadway of the following streets:

- (1) All primary highways located within the City;
  - a. Highway 30 from the eastern city limits to the western city limits.
  - b. Highway 39 from the northern city limits to Highway 59/141.
  - c. Highway 59/141 from the northern city limits to the southern city limits.
- (2) Main Street from 4th Avenue South to 2nd Avenue North;
- (3) Broadway from 11th Street to 16th Street.

2. Exceptions. Snowmobiles may be operated on prohibited streets only under the following circumstances:

A. Emergencies. Snowmobiles may be operated on any street in an emergency during the period of time when and at locations where snow upon the roadway renders travel by conventional motor vehicles impractical.

(Code of Iowa, Sec. 321G.9[4c])

B. Direct Crossing. Snowmobiles may make a direct crossing of a prohibited street provided all of the following occur:

- (1) The crossing is made at an angle of approximately ninety degrees (90°) to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;
- (2) The snowmobile is brought to a complete stop before crossing the street;

(3) The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard; and

(4) In crossing a divided street, the crossing is made only at an intersection of such street with another street.

(Code of Iowa, Sec. 321G.9[2])

3. Railroad Right-of-Way. Snowmobiles shall not be operated on an operating railroad right-of-way. A snowmobile may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.

(Code of Iowa, Sec. 321G.13[1h])

4. Trails. Snowmobiles shall not be operated on all-terrain vehicle trails except where so designated.

(Code of Iowa, Sec. 321G.9[4f])

5. Parks and Other City Land. Snowmobiles shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City. A snowmobile shall not be operated on any City land without a snow cover of at least one-tenth of one inch.

6. Sidewalk or Parking. Snowmobiles shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "parking" except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.

7. Obedience to Traffic Ordinances. Every person operating a snowmobile on the roadway of a street or alley shall obey all of the ordinances of the City regulating the operation of motor vehicles, except those provisions which by their nature can have no application.

8. Speed Limits.

A. No snowmobile shall be operated at a speed in excess of twenty (20) miles per hour on a street.

B. No snowmobile shall be operated at a speed in excess of ten (10) miles per hour on an alley.

9. Use on Private Property. No person shall operate a snowmobile on private property without the consent of the person in possession of the property.

10. Registration and User Permit Required. Each snowmobile used on public land, public ice, or a designated snowmobile trail of this state shall be currently registered. A person shall not operate, maintain, or give permission for the operation or maintenance of a snowmobile on public land, public ice, or a designated snowmobile trail unless the snowmobile is registered in accordance with Iowa Code Chapter 321G.4 or applicable federal laws or in accordance with an approved numbering system of another state and the evidence of registration is in full force and

effect. A snowmobile must also be issued a user permit in accordance with Chapter 321.G4A of the Code of Iowa.

11. Exempt Vehicles. Registration and user permits shall not be required for the following described snowmobiles:

A. Snowmobiles owned by the United States, this state, or another state, or by a governmental subdivision thereof, and used for enforcement, search and rescue, or official research and studies, but not for recreational or commercial purposes.

B. Snowmobiles used exclusively as farm implements.

12. Mufflers Required.

A. The exhaust of every internal combustion engine used in any snowmobile shall be effectively muffled by equipment constructed and used to muffle all snowmobile noise in a reasonable manner in accordance with rules adopted by the commission.

B. The commission may adopt rules with respect to the inspection of snowmobiles and testing of snowmobile mufflers.

C. A separate placard shall be affixed, permanently and conspicuously, to any new snowmobile sold or offered for sale in this state that does not meet the muffler requirements as state above. The placard shall designate each snowmobile which does not meet the muffler requirements.

D. A snowmobile manufactured after July 1, 1975, which is sold, offered for sale or used in this state, except in an authorized special event, shall have a muffler system that limits engine noise to not more than seventy-eight decibels as measured on the "A" scale at a distance of fifty feet.

13. Headlight - Taillight - Brakes. Every snowmobile shall be equipped with at least one headlight and one taillight. Every snowmobile shall be equipped with brakes.

14. Unlawful Operation. A person shall not drive or operate a snowmobile:

A. At a rate of speed greater than reasonable or proper under all existing circumstances.

B. In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.

C. While under the influence of any intoxicating substance to include but not limited to: beer, liquor, narcotics, or habit-forming drugs.

D. Without a lighted headlight and taillight from sunset to sunrise and at such other times when conditions provide insufficient lighting to render clearly discernible persons and vehicles at a distance of five hundred feet ahead.

E. In any tree nursery or planting in a manner which damages or destroys growing stock.

F. On any public land, public ice, or designated snowmobile trail, in violation of official signs of the commission prohibiting such operation in the interest of safety for persons, property, or the environment.

G. In any park, wildlife area, preserve, refuge, game management area, or any portion of a meandered stream, or any portion of the bed of a nonmeandered stream which has been identified as a navigable stream or river by rule adopted the department and which is covered by water, except on designated snowmobile trails. This paragraph does not prohibit the use of ford crossings of public or private roads or any other ford crossing when used for agricultural purposes; the operation of construction vehicles engaged in lawful construction, repair, or maintenance in a streambed; or the operation of snowmobiles on ice.

H. Upon an operating railroad right-of-way. A snowmobile may be driven directly across a railroad right-of-way only at an established crossing and, notwithstanding any other provisions of law, may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic. This paragraph does not apply to a law enforcement officer or railroad employee in the lawful discharge of the officer's or employee's duties or to an employee of a utility with authority to enter upon the railroad right-of-way in the lawful performance of the employee's duties.

I. Upon the surface of any public water in a maneuver known as water skipping, This paragraph does not apply to operation on rivers or streams between November 1 and April 1.

J. Firearms.

(1) A person shall not operate or ride a snowmobile with a firearm in the person's possession unless it is unloaded and enclosed in a carrying case. However, a non-ambulatory person may carry an uncased and unloaded firearm while operating or riding a snowmobile.

(2) A person may operate or ride on a snowmobile with a loaded firearm, whether concealed or not, without a permit to carry weapons, if the person operates or rides on land owned or possessed by the person, and the person's conduct is otherwise lawful.

(3) If a person is operating or riding on a snowmobile on land that is not owned or possessed by the person, the person may operate or ride the snowmobile with a loaded firearm, whether concealed or not, if all of the following apply: (i) The firearm is a pistol or revolver and is secured in a retention holster upon the person. (ii) The person has in the person's possession and displays to a peace officer on demand a valid permit to carry weapons which has been issued to the person. (iii) The person's conduct is within the limits of the permit to carry weapons.

(4) A person shall not discharge a firearm while on a snowmobile, except that a non-ambulatory person may discharge a firearm from a snowmobile while lawfully hunting if the person is not operating or riding a moving snowmobile.

*(Ord. 1461 - Oct. 16 Supp.)*

K. A person shall not drive or operate a snowmobile on public land or a designated snowmobile trail without a measurable snow cover.

15. Violation of Stop Signal. A person who has received a visual or audible signal from a peace officer to come to a stop shall not operate an Off-Road Utility Vehicle in willful or wanton disregard of the signal, interfere with or endanger the officer or any other person or vehicle, increase speed, or attempt to flee or elude the officer.

16. Operation by Minors. Persons operating a snowmobile in the City shall do so in accordance with Chapter 321G.20 of the Code of Iowa.

#### 68.15 SNOW REMOVAL.

No person shall park, abandon or leave unattended any vehicle in any of the following snow removal zones during snow removal operations unless the snow has been removed or plowed from said street, alley or parking area and the snow has ceased to fall.

(Code of Iowa, 321.236[1])

1. Exchange Street on both sides from 1<sup>st</sup> Avenue North to Broadway;
2. South 12<sup>th</sup> Street on both sides from Broadway to 1<sup>st</sup> Avenue South;
3. Avenue C on both sides from 1<sup>st</sup> Avenue North to Broadway;
4. Main Street on both sides from 3<sup>rd</sup> Avenue North to 1<sup>st</sup> Avenue South;
5. 14<sup>th</sup> Street on both sides from 2<sup>nd</sup> Avenue North to 1<sup>st</sup> Avenue South;  
*(Subsections 4 & 5 - Ord. 1394 – Mar. 11 Supp.)*
6. 1<sup>st</sup> Avenue North on both sides from Exchange Street to North 15<sup>th</sup> Street;
7. Broadway on both sides from 11<sup>th</sup> Street to 16<sup>th</sup> Street;
8. 1<sup>st</sup> Avenue South on both sides from South 12<sup>th</sup> Street to South 15<sup>th</sup> Street.

#### 68.05 MAXIMUM PARKING TIME; PARKING FOR CERTAIN PURPOSES ILLEGAL.

No person shall park a vehicle upon public property for more than 48 hours, unless otherwise limited under the provisions of this chapter, or for any of the following principal purposes:

(Code of Iowa, Sec. 321.236[1])

1. Sale. Displaying such vehicle for sale;
2. Repairing. For lubricating, repairing or for commercial washing of such vehicle except such repairs as are necessitated by an emergency;
3. Advertising. Displaying advertising;
4. Merchandise Sales. Selling merchandise from such vehicle except in a duly established market place or when so authorized or licensed under this Code of Ordinances.