

**ORDINANCE NO. 2019-002**

TO PROVIDE FOR THE USE OF ALL-TERRAIN VEHICLES OPERATED ON PUBLIC ROADS WITHIN THE INCORPORATED LIMITS OF THE CITY OF WINSLOW, ARKANSAS.

WHEREAS, the City of Winslow desires to promote tourism and recreational activities for its citizens because of the community benefit it will provide and for the positive economic impact it has on the community; and

WHEREAS, the City of Winslow desires to have its own laws governing the use of all-terrain vehicles in order to provide a safe, suitable, and appropriate venue for the enjoyment of such activities within the City's jurisdiction; and

WHEREAS, the City of Winslow recognizes the use of public roads by all-terrain vehicles as specified in Arkansas Code, specifically Section 27-21-109; "...given the right to use Arkansas road access for the reason(s) thereof: travel from one trail to another trail, or: from a place of business necessary to all-terrain vehicle use to a trail, ...";

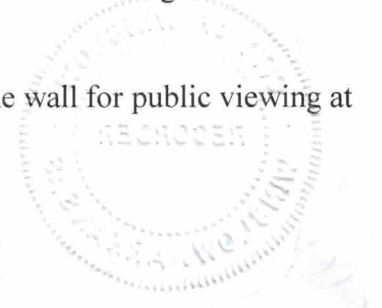
NOW, THEREFORE, BE IT ORDAINED by the City Council of Winslow, Arkansas, that:

Section 1: Notwithstanding any law to the contrary, that any all-terrain vehicle, as specified in Arkansas Code of Regulations, may be operated on the portions of public roads within the incorporated limits of Winslow, Arkansas per afore mentioned motor vehicle code and the conditions listed in this ordinance.

Section 2: For the purpose of this ordinance, all-terrain vehicles are ATV, UTV, OHV's, dirt bikes, and similar type vehicles as defined in the Arkansas motor vehicle code to be suitable and appropriate for safe operation on the public roads of the City of Winslow.

Section 3: The City of Winslow shall, in effort to assist tourists and residents to conform to ordinance requirements and afore mentioned motor vehicle code, create a map of the agreed upon routes the City deems acceptable for travel from trail to trail or trail to place of business by all-terrain vehicles. The City Council shall have the authority to add or delete requested routes meeting the intent of this ordinance.

Section 4: As available, the City of Winslow shall post said map on the wall for public viewing at the City Hall located at 108 N. Winslow Blvd, Winslow, Arkansas 72959.



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Section 5: The operation of all-terrain vehicles using roadways under conditions of this ordinance that are designated on said map shall be subject to the following conditions or restrictions:

- a. Operators *shall* be 16 or *older* and possess a valid driver's license.
- b. Operators not protected by a windshield shall wear safety glasses.
- c. Alcoholic beverages consumption is prohibited while operating vehicles.
- d. Vehicles operated within the City shall be operated in a safe manner.
- e. Vehicles must stay on streets and roads designated on the aforementioned ordinance map.
- f. Proof of liability insurance and registration/ownership shall be kept in vehicle or on the driver's person at all times.
- g. Vehicles, operators, and riders shall be subject to any and all applicable laws as required and established by the State of Arkansas as applying to all-terrain vehicles, including (but not limited to):
  - 1. Vehicles and its riders must adhere to "standard equipment required".
  - 2. Vehicles must have approved muffler and spark arrestors.
  - 3. Operators and riders must lawfully obey all rules of the road applicable to other motor vehicles.

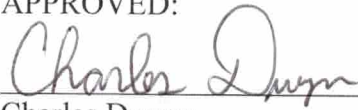
Section 6: The City of Winslow shall provide for the enforcement of terms of this Ordinance in areas affected by the ordinance provisions by banning individuals not following the Ordinance through the notification of local law enforcement officials.

Section 7: The City of Winslow shall have absolute authority to repeal the Ordinance by Ordinance; with a two-week advance written electronic notice immediately followed by certified letter signed by the Mayor or City Clerk.

Section 8: This Ordinance shall be in full force and effect beginning on April 2, 2019.

PASSED: February 11, 2019

APPROVED:

  
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Charles Dwyer  
Mayor

ATTEST:

  
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Ann A. Malkie  
City Clerk