

CITY OF MERRILL, IOWA  
ORDINANCE NO. 2023-1  
*CHAPTER 75*

AN ORDINANCE OF THE CITY OF MERRILL, IOWA,  
TO ADD TO AND AMEND PROVISIONS OF CHAPTER 75  
CONCERNING ALL TERRAIN VEHICLES AND SNOWMOBILES

BE IT ENACTED by the City Council of the City of Merrill, Iowa:

CHAPTER 75 of the Code of Ordinances of the City of Merrill, Iowa, is hereby amended to include additional provisions governing operation of all terrain vehicles and snowmobiles within the city limits of the City of Merrill, Iowa as follows:

SECTION 75.05. (Amended) NEGLIGENCE. The owner and operator of an ATV or snowmobile are liable for any injury or damage occasioned by the negligent operation of the ATV or snowmobile. The owner of an ATV or snowmobile shall be liable for any such injury or damage only if the owner is the operator of the ATV or snowmobile at the time of the injury or damage occurred, or if the operator had the owner's consent to operate the ATV or snowmobile at the time the injury or damage occurred.

The owner or operator of an ATV is required to maintain and provide current proof of financial responsibility in accord with provisions of Section 321.20(b) of the Code of Iowa, as amended, when operated or used within the City Limits of the City of Merrill, Iowa.

SECTION 75.07 (Addition) VALID MOTOR VEHICLE LICENSED REQUIRED. No ATV shall be operated on the streets of the City unless the operator thereof has within his or her possession at all times while operating said ATV, a valid motor vehicle driver's license.

SECTION 75.08 (Addition) TIME OF OPERATION. ATVs, off road motorcycles or off road utility vehicles may be operated on the streets of the City of Merrill, Iowa, only between the hours of 8:00 a.m. and 10:00 p.m., except for emergency situations connected with loading and unloading vehicles to or from a transport trailer.

SECTION 75.09 (Addition) MOTOR VEHICLE LAWS APPLY. The motor vehicle laws provided for in the Code of Iowa apply to the operation of ATVs, off road motorcycles and off road utility vehicles to the extent practically applicable. A person who violates a provision of this Ordinance commits a simple misdemeanor punishable as a scheduled violation under Section 805.8(A)(3) of the Code of Iowa, as amended.

SECTION TWO. REPEALER. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION THREE. SEVERABILITY CLAUSE. If any section, provision or part of this Ordinance, as modified and added to shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION FOUR. WHEN EFFECTIVE. This Ordinance shall be in full force and effect from and after its final passage, approval and publication as provided by law.

PASSED by the City Council of the City of Merrill, Iowa, the 20 day of February, 2023.

APPROVED this 20 day of February, 2023.

CITY OF MERRILL, IOWA

ATTEST:

BY: Bruce E. Norgaard  
BRUCE NORGAARD, MAYOR

Angela Gray  
ANGELA GRAY, CITY CLERK

First Reading: 01/16/2023

Second Reading: 2 / 20 / 2023

Third Reading: 2 / 20 / 2023

I CERTIFY that the foregoing is published as Ordinance No. 2023-1 on the 20 day of February, 2023.

Angela Gray  
ANGELA GRAY, CITY CLERK