



City Administrator & Staff Update

2022.11.23

- **Vehicle & Equipment List:** Attached is the latest version of the Vehicle and Equipment List.
- **Community Visioning:** The next Community Visioning Committee Meeting is December 8th at 6pm.
- **All-Terrain Vehicles:** Following Iowa Code Changes (HF 20), the City may wish to consider a change in the city code similar to Burlington's change. Attached is a copy of their ordinance.
- **Coffee Hour:** December 21 is targeted as the first Coffee Hour. Attached is a FB Post and Flyer that Kelly put together.
- **Chamber Podcast:** I will be taping a podcast on December 5th with the Chamber.
- **LMI:** Attached are the current LMI percentages for Des Moines County.
- **Mediapolis:** Met with their City Council, Planning & Zoning and local developers on the topics of TIF, Tax Abatement, Housing, etc.
- **Burlington:** Meeting next week to discuss RISE (I believe ABB) and service sharing opportunities.
- **IISC:** Holding a zoom meeting with Travis Kraus and the City of Burlington on December 8th to further discuss the IISC program. Below are additional informational links to the program. The online letter of intent and three letters of support have been provided to the program director.
 - <https://iisc.uiowa.edu/>
 - <https://iisc.uiowa.edu/communities>
 - <https://iisc.uiowa.edu/about-iisc>

IT (Newberry)

Last week I was out of town and on Wednesday updates were automatically pushed down that caused several issues throughout the rest of the week. Active Directory Federation Service which is the authentication mechanism we use for several different products to include Shaun's software Energov went down. I was able to fix it on Saturday and get it back up. Our Authentication Mechanism for Microsoft365 also went down and needed repaired. We also had credit card services go down while I was gone that was also fixed by a reboot of the server. So, Saturday we were able to take payments on the website again. I also troubleshooted the computer in the council chambers and determined that it needed a \$99.00 Hard drive so that was repaired this week as well. All budget quotes have been received and have been put in my budget for next year. Today (Tuesday November 22) Dell will be here to fix the in-car computer that was in warranty that they were waiting on parts for (Specifically the LCD panel). I will get this back in service as soon as possible. Tomorrow updates will be pushed down again, and I will verify that there are no issues before going on the holiday.

Definitions:

- Active Directory Federation Services (AD FS) is a feature of the Windows Server operating system (OS) that extends end users' single sign-on (SSO) access to applications and systems outside the corporate firewall

- Authentication is the process of determining whether someone or something is, in fact, who or what it says it is.

Police (Logan)

- We held 2 interviews this week for the position of Police Officer. They are scheduled for their MMPI (Minnesota Multiphasic Personality Inventory) test on Saturday, November 26th here at the PD. One of the applicants will be fingerprinted today and the other one on Saturday before the Test. We should have it on the next Council Meeting Agenda for a conditional offer of employment.
- We have ordered new Warning Tickets and Parking Tickets to reflect the changes with the Snow Ordinance. I ordered yellow warning tickets, so they will be different then our orange warning tickets for other violations.
- Preliminary Budget has been turned into Angie for next year.
- Cody has been really busy in the Task Force, and I might have some information next week on some things that he is working on.

Building/Fire (Ryan)

- Nuisances – Sent letters out to various nuisances. Spoke with owners at 217 Ballard and 221 Ballard regarding gravel that was put down on the properties. Advised to remove and replace with sod or concrete. Sent letter to Dennis Carlson regarding his tenant on commercial property along W. Mt Pleasant – parked vehicles in field by back of property.
- Building Permits and Licenses: Sign permits – 1 issued – for loan office at 914 Broadway. Burn barrel license.
- Code Review – Spoke with Borghi in-person about new parking ordinance. They had zero cars on the street the morning I spoke with them. Did speak with them about illegal parking in back though. Final at Daycare for hospital – passed. Speak with Midwest Realty about firewall/separation for units.
- Rental Inspections – Scheduling started.
- Alcohol – None
- Additional:
- Fire Dept –
 - Tower 1 got lucky. Just pulled tires and hubs, sprayed with brake cleaner and reassembled.
 - Engine 3 goes out next week for steering box. Approximately \$2,500 for parts and labor.
- Worked on FD and BI budgets.

City Clerk (Fry)

COMMUNITY VISIONING

- Our first in-person meeting will be held at **City Hall on Dec. 8th at 6:00 pm.** Tobin and Molly Krell from Homestead 1839 will be joining the committee.

EMPLOYEE WELLNESS

Employees participated in their End-of-Year screening last week. Our Wellness Coordinator will be at the December 21st Council meeting to discuss stats and renewal of the program for 2023.

BOARD/COMMITTEES

- City Council group photo – **Wed., December 21st** right before the City Council meeting at 6:00 p.m.
- **Joint Safety Committee** – In 2019, the City entered into a 28E Agreement with the Joint Safety Committee to take over safety training for the Public Works Department. Safety Training has been expanded to include the Police Department and City Hall Staff. In August, we received a list of partnership expectations. (Attached). In addition to offering safety training for all employees, the director would also like to handle Work Comp claims. Currently, I handle Work Comp claims and forward incident reports to Angie Vaughn, JSC Director. Vaughn uses this information to create training for employees and look for deficiencies that need to be corrected on the job site. Since this is a service that is included with the fee we are already paying, we are going to let her handle the Work Comp claims as described in the partnership expectations. Employees will notify their supervisor of an injury, call the Company Nurse Hotline to speak to a nurse, and be referred for treatment. Once they are treated, they will work with Vaughn as they come in and track the claims and paperwork for each incident. At the end of the year, she will create the OSHA report and a Joint Safety Report, which she will present to Council. I will still be the point of contact for employees and will be available to help them start the process of reporting a Work Comp injury through the Company Nurse portal and let Vaughn know when we have an incident.
- **Board of Adjustment** – The Board of Adjustment met on Nov 17th and approved a Special Use Permit to allow Menards to expand their self-storage at 922 W. Agency Rd. to the east between the current Menards storage facility and the new Menards store. Minutes from the meeting will be on the December 7th City Council meeting for review.

Emergency/Disaster Response Plan

Gina Hardin mentioned NIMS training for City Council members. Here is some information I found on the FIMA website (brochure attached). There are lots of courses available, but the following are the ones City Council members need to be certified in. Courses Include:

- **IS-100.c: Introduction to Incident Command System, I-100** - Introduces the Incident Command System (ICS) and provides the foundation for higher level ICS training. This course describes the history, features and principles, and organizational structure of the Incident Command System. It also explains the relationship between ICS and the National Incident Management System (NIMS). (0.2 CEUs)
- **IS-200.C: Basic Incident Command System for Initial Response** - Reviews the Incident Command System (ICS), provides the context for ICS within initial response, and supports higher level ICS training. This course provides training on, and resources for, personnel who are likely to assume a supervisory position within ICS. (0.4 CEUs)
- **IS-700.b: National Incident Management System (NIMS), and** Introduction - This course provides an overview of the National Incident Management System (NIMS). The National Incident Management System defines the comprehensive approach guiding the whole community - all levels of government, nongovernmental organizations (NGO), and the private sector - to work together seamlessly to prevent, protect against, mitigate, respond to, and recover from the effects of incidents. The course provides learners with a basic understanding of NIMS concepts, principles, and components. (0.4 CEUs)

OUT OF THE OFFICE:

City Hall will be closed on the following dates:

- Nov 24 - 25 for Thanksgiving
- Dec 23 – 26 for Christmas
- January 2 for New Years

ONGOING/FUTURE PROJECTS:

Record Retention

Comp Plan

Updating Job Descriptions – (most recently working on Public Works and we need to look through the Pool Manager)

Finance (Moore)

- Budget Requests were due on November 21st. So, I have started working on entering those into the system. I have also been working on auditing the partial self-funding fund and the FLEX fund. I am also updating and verifying the final numbers for the 2022 Pool Season.

GEOTYPE	STATE	COUNTY	COUSUB	PLACE	CONCIT	NAME	STUSAB	LOW	LOWMOD	LMIMI	LOWMODUNIV	LOWMOD_PCT	UCLOWMOD	UCLOWMOD_P
COUNTY	19	001				Adair County	IA	1,637	3,012	4,879	7,264	41.46%		
COUNTY	19	003				Adams County	IA	637	1,490	2,614	3,740	39.84%		
COUNTY	19	005				Allamakee County	IA	3,075	5,875	9,010	13,685	42.93%		
COUNTY	19	007				Appanoose County	IA	3,520	5,640	8,590	12,505	45.10%		
COUNTY	19	009				Audubon County	IA	1,244	2,310	3,480	5,725	40.35%		
COUNTY	19	011				Benton County	IA	5,302	9,553	15,820	25,470	37.51%		
COUNTY	19	013				Black Hawk County	IA	33,003	55,655	80,650	126,690	43.93%		
COUNTY	19	015				Boone County	IA	5,555	10,255	15,855	25,480	40.25%		
COUNTY	19	017				Bremer County	IA	4,510	8,080	13,660	22,935	35.23%		
COUNTY	19	019				Buchanan County	IA	3,919	7,589	12,690	20,660	36.73%		
COUNTY	19	021				Buena Vista County	IA	4,325	8,645	13,270	19,490	44.36%		
COUNTY	19	023				Butler County	IA	2,425	5,315	9,180	14,725	36.10%		
COUNTY	19	025				Calhoun County	IA	2,501	4,050	5,950	9,315	43.48%		
COUNTY	19	027				Carroll County	IA	4,237	7,490	11,839	20,185	37.11%		
COUNTY	19	029				Cass County	IA	3,420	6,240	9,365	13,255	47.08%		
COUNTY	19	031				Cedar County	IA	2,929	5,784	10,765	18,020	32.10%		
COUNTY	19	033				Cerro Gordo County	IA	9,558	17,568	26,584	42,300	41.53%		
COUNTY	19	035				Cherokee County	IA	2,734	4,415	7,005	11,405	38.71%		
COUNTY	19	037				Chickasaw County	IA	2,674	5,055	7,589	12,060	41.92%		
COUNTY	19	039				Clarke County	IA	2,453	4,280	6,205	9,085	47.11%		
COUNTY	19	041				Clay County	IA	3,817	6,985	10,015	16,230	43.04%		
COUNTY	19	043				Clayton County	IA	3,803	7,259	11,005	17,480	41.53%		
COUNTY	19	045				Clinton County	IA	11,195	19,370	28,750	47,440	40.83%		
COUNTY	19	047				Crawford County	IA	4,765	7,458	11,450	16,800	44.99%		
COUNTY	19	049				Dallas County	IA	10,829	19,475	35,745	74,275	26.22%		
COUNTY	19	051				Davis County	IA	2,605	4,105	5,990	8,625	47.59%		
COUNTY	19	053				Decatur County	IA	2,636	3,874	5,353	7,489	51.73%		
COUNTY	19	055				Delaware County	IA	4,205	6,665	10,930	17,270	38.59%		
COUNTY	19	057				Des Moines County	IA	10,629	17,935	26,615	39,505	45.40%		
COUNTY	19	059				Dickinson County	IA	3,011	5,704	10,075	16,720	34.11%		
COUNTY	19	061				Dubuque County	IA	17,928	32,868	51,854	91,489	35.93%		
COUNTY	19	063				Emmet County	IA	2,248	3,914	5,950	9,240	42.36%		
COUNTY	19	065				Fayette County	IA	4,670	8,970	13,015	19,760	45.39%		
COUNTY	19	067				Floyd County	IA	3,974	7,155	10,445	15,735	45.47%		
COUNTY	19	069				Franklin County	IA	2,345	4,595	6,785	10,315	44.55%		
COUNTY	19	071				Fremont County	IA	1,568	2,659	4,270	6,965	38.18%		
COUNTY	19	073				Greene County	IA	2,103	3,999	5,669	9,054	44.17%		
COUNTY	19	075				Grundy County	IA	1,694	3,795	6,640	12,270	30.93%		
COUNTY	19	077				Guthrie County	IA	2,829	5,014	7,519	10,559	47.49%		
COUNTY	19	079				Hamilton County	IA	3,128	6,290	9,830	15,075	41.72%		
COUNTY	19	081				Hancock County	IA	1,871	4,109	6,984	10,870	37.80%		
COUNTY	19	083				Hardin County	IA	3,189	6,503	10,390	16,535	39.33%		
COUNTY	19	085				Harrison County	IA	3,424	6,580	9,950	14,180	46.40%		
COUNTY	19	087				Henry County	IA	4,574	8,175	12,445	18,565	44.03%		
COUNTY	19	089				Howard County	IA	2,073	3,945	5,805	9,260	42.60%		
COUNTY	19	091				Humboldt County	IA	2,477	4,184	5,959	9,554	43.79%		
COUNTY	19	093				Ida County	IA	1,623	2,985	4,470	6,955	42.92%		
COUNTY	19	095				Iowa County	IA	3,269	6,160	9,325	15,970	38.57%		
COUNTY	19	097				Jackson County	IA	4,077	7,773	12,324	19,330	40.21%		
COUNTY	19	099				Jasper County	IA	7,286	13,240	21,445	34,810	38.04%		
COUNTY	19	101				Jefferson County	IA	4,314	7,094	10,694	15,484	45.82%		
COUNTY	19	103				Johnson County	IA	41,950	62,280	86,790	131,290	47.44%		
COUNTY	19	105				Jones County	IA	3,470	6,805	11,305	19,095	35.54%		
COUNTY	19	107				Keokuk County	IA	2,578	4,630	6,835	10,130	45.71%		
COUNTY	19	109				Kossuth County	IA	2,897	5,614	8,844	14,965	37.51%		
COUNTY	19	111				Lee County	IA	9,589	16,195	23,920	34,625	46.77%		
COUNTY	19	113				Linn County	IA	48,484	83,409	131,935	211,670	39.41%		
COUNTY	19	115				Louis County	IA	2,103	4,450	7,370	11,140	39.95%		
COUNTY	19	117				Lucas County	IA	1,994	3,635	5,905	8,590	42.32%		

West Burlington to host its first Coffee & Conversation



West Burlington City Administrator Gregg Mandsager, Mayor Ron Teater, and City Council Member Melanie Young invite the public to the City's first "Coffee & Conversation" with the Council from 7:30 a.m. – 9:00 a.m. on Wednesday, December 21, 2022, at The Broadway Bar & Grill, 111 Broadway Street, West Burlington, IA.

Residents are encouraged to ask questions about City initiatives while enjoying a cup of coffee. The Broadway will provide regular coffee at no cost to attendees and will have food available for purchase.

The event is the first of its kind for West Burlington. Our goal is to hold more events like this throughout the year to bring citizens and local government together in an informal, neutral space to discuss community issues, build relationships and drink coffee!

#bewb

#bewb



WEST
BURLINGTON
IOWA

7:30 AM - 9:00 AM

The Broadway Bar & Grill
111 Broadway St.
West Burlington, IA

PARTNERSHIP GUIDELINES

**CITY OF BURLINGTON
DES MOINES COUNTY
CITY OF WEST BURLINGTON
BURLINGTON MUNICIPAL WATERWORKS
DES MOINES COUNTY SOLID WASTE
SOUTHEAST IOWA REGIONAL AIRPORT**

AUGUST 2022

JOINT SAFETY COMMITTEE

JOINT SAFETY PARTNERSHIP EXPECTATIONS IS INTENDED TO PRESENT A DESCRIPTIVE LIST OF EXPECTATIONS FOR THE MEMBERS LISTED ABOVE OR NEW MEMBERS TO THE COMMITTEE. DESCRIPTIONS ARE NOT INTENDED TO REFLECT ALL EXPECTATIONS OR DUTIES PERFORMED WITHIN THIS MEMBERSHIP.

PURPOSE:

Maintain a safe and healthful work environment for all local government employees by identifying and anticipating concerns and hazards, and by developing, implementing and administering safety management programs, policies and procedures. Also perform related ADA and risk management work as required.

ACTIONS:

1. Each member entity will share a position on the Joint Safety Committee Board based on their number of employees. City of Burlington (2), Des Moines County (2), City of West Burlington (1), Burlington Municipal Waterworks (1), Des Moines County Solid Waste (1) and Southeast Iowa Regional Airport (1). These members will be chosen by their leadership and will be expected to make every effort to attend each quarterly board meeting of the Joint Safety Committee. (This includes any special sessions that may be called to order.) Only those appointed members will have voting rights for any board business. If a board member asked for a stand in for the meeting, that person can collect information, but will not have the authorization to vote or partake in discussions.
2. The board will elect from those members a Chairperson, a Vice Chairperson and a Treasurer. The Secretary position will be held by the JSC Administrative Assistant and will hold no vote within the board.
3. The Safety Director will report directly to the Joint Safety Committee. The Safety Director will be a "shared employee" by all entities. The City of Burlington will be the fiscal agent and the Joint Safety Office will be housed at City Hall in Burlington Iowa.
4. Each entity will be expected to support and maintain the shared Safety Program with top level down responsibilities. They will support the Joint Safety Office in all levels of the following guidelines.
 - A) Each member group will make sure that the Joint Safety Office has documentation from any incident or accident within 24 to 48 hours regardless if it is recordable, non-recordable or a near miss.
 - B) The Joint Safety Office will communicate with the employee and/or department head in necessary cases to look at further training either for the affected employee, the entire group or inspections of the site and incident as needed.
 - C) The Joint Safety Office will complete all documentation pertaining to all incidents that needs to be sent on to each entity's workers compensation carriers. The Joint Safety Office will maintain contact and open communication with those carriers through completion of each case.
 - D) The Joint Safety Office will contact medical personnel, manage and direct care of employees through the chosen Occupational Health Clinic or other care as needed. All member groups will forward any and all documentation they receive to the Joint Safety Office pertaining to each incident.
 - E) The Joint Safety Office will record and file all documentation in regards to IOSHA compliance, per regulations. Each member group will make sure the documentation and information passed on to the Joint Safety office is accurate and organized.

- F) The Joint Safety Office will develop and administer safety education and training programs for all local government departments. These trainings will consist of monthly trainings presented by the Safety Director or outside experts as necessary. The member groups will support these training programs and set expectations of their departments to attend each of these trainings.
 - G) The Joint Safety Office will video training for each month when it is possible and send department heads a link for any employees that can not attend in person, such as off-shifts or employees that are out for time off. The department heads will send a copy of the name list or individual names of each employee that watches the linked video to the JSC office administrator for documentation on each individual's attendance.
 - H) The Safety Director will complete department inspections as necessary in order to help assure a safe work environment.
 - I) The Safety Director will meet with insurance carriers Safety and Risk Advisors for annual inspections of the different departments and work with them on any improvements or concerns as needed. The director will maintain strong relationships and communication with those individuals.
 - J) The Joint Safety Office will work with the entities to write and enforce safety and risk management policies and procedures.
 - K) The Joint Safety Office will be contacted immediately if at any time there is an IOSHA inspection and every effort made for the Safety Director to be present during any of those meetings.
 - L) If at any time an employee is admitted to the hospital, the safety director will be contacted immediately so the safety director can contact IOSHA in the directed time frame when necessary.
 - M) If an employee is sent to the emergency room the safety director will be contacted in a reasonable time frame, which would be shortly after the incident or the next morning. All emergency room visits will follow-up with Occupational Health the following day at 10:00am if they are not admitted to the hospital.
 - N) The Joint Safety Office will lead safety discussions and safety committees within the membership, to help improve understanding of work safety to the individual departments and groups.
5. The Joint Safety Committee understands there will be variations between the different members. This information is to list the standard practices and procedures of The Joint Safety Office. If there are reasonable variations necessary for one group or another, they will be put up for discussion and vote with the Joint Safety Committee Board.

THE JOINT SAFETY COMMITTEE WAS CREATED TO HELP LOCAL GOVERNMENT WORK TOGETHER IN A JOINT EFFORT TO PROVIDE A SAFE ENVIRONMENT FOR NOT ONLY OUR EMPLOYEES BUT OUR COMMUNITIES AS WELL. IT IS NOT THE SOLE DUTY OF THE JOINT SAFETY OFFICE, BUT A COMBINED EFFORT BY ALL PARTIES INVOLVED TO WORK TOGETHER, SHARE IDEAS, FAILURES AND SUCCESSES. ONE PERSON CAN NOT COMPLETE THESE GOALS ALONE, HOWEVER EACH ENTITY WORKING TOGETHER WILL ENSURE THE CONTINUED SUCCESS OF THIS COMMITTEE AND OUR ORGANIZATIONS.

CHAPTER 81 ALL-TERRAIN VEHICLES, UTILITY TERRAIN VEHICLES AND SNOWMOBILES

81.01 PURPOSE.

The purpose of this chapter is to regulate the operation of all-terrain vehicles, utility terrain vehicles and snowmobiles within the City.

(Ord. No. 3475, 1-4-21)

81.02 DEFINITIONS.

For use in this chapter the following terms are defined:

1. "All-terrain vehicle" or "ATV" means a motorized flotation-tire vehicle with not less than three (3) low pressure tires, but not more than six (6) low pressure tires, or a two-wheeled, off-road motorcycle, that is limited in engine displacement to less than eight hundred (800) cubic centimeters and in total dry weight to less than seven hundred fifty (750) pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control. Two-wheeled, off-road motorcycles shall be considered all-terrain vehicles only for the purpose of titling and registration. An operator of a two-wheeled, off-road motorcycle is exempt from the safety instruction and certification program requirements of Section 321G.23 and 321G.24 of the Code of Iowa.

State law reference(s)—(Code of Iowa, Sec. 321G.1[1])

2. "Snowmobile" means a motorized vehicle weighing less than one thousand (1,000) pounds which uses sled-type runners or skis, endless belt-type tread, or any combination of runners, skis or tread, and is designed for travel on snow or ice.

State law reference(s)—(Code of Iowa, Sec. 321G.1 [18])

3. "Utility Terrain Vehicle" or "UTV" or "Off Road Utility Vehicle" or "ORV" means a motorized flotation tire vehicle with not less than four (4) low pressure tires, but not more than eight (8) low pressure tires, that is limited in engine displacement to less than one thousand five hundred (1,500) cubic centimeters and in total dry weight not more than two thousand (2,000) pounds and that has a seat that is bucket or bench design, not intended to be straddled by the operator and steering wheel or control levers for control. Off road utility vehicle DOES NOT include dune buggies, golf carts, go carts or mini trucks.

State law reference(s)—(Code of Iowa, Sec. 321I.1 [17a,1-3])

(Ord. No. 3475, 1-4-21)

81.03 GENERAL REGULATIONS.

No person shall operate an ATV, UTV or snowmobile within the City in violation of the provisions of Chapter 321G of the Code of Iowa or rules established by the Natural Resource Commission of the Department of Natural Resources governing their registration, numbering, equipment and manner of operation.

State law reference(s)—(Code of Iowa, Ch. 321G)

(Ord. No. 3475, 1-4-21)

81.04 PLACES OF OPERATION.

The operators of ATVs, UTVs and snow-mobiles shall comply with the following restrictions as to where ATVs, UTVs and snowmobiles may be operated within the City:

1. Streets. ATVs, UTVs and snowmobiles shall be operated only upon streets which have not been plowed during the snow season and on such other streets as may be designated by resolution of the Council. ATVs, UTVs and snowmobiles may be only operated on city streets that are subject to a speed limit of thirty-five (35) mph or less.

State law reference(s)—(Code of Iowa, Sec. 321G.9[4a])

2. Exceptions. ATVs, UTVs and snowmobiles may be operated on prohibited streets only under the following circumstances:
 - A. Emergencies. ATVs, UTVs and 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.
 - B. Snow removal. ATVs and UTVs may be operated in the city limits for snow removal purposes on private driveways, sidewalks and private parking lots. The operation of the vehicle on city streets is strictly for transportation to and from the site of the snow removal. The vehicle shall be equipped with a functioning blade, or snow blower, at all times, during operation. The ATV/UTV, and driver of said vehicle, shall meet all state requirements for legal operation of the vehicle.

State law reference(s)—(Code of Iowa, Sec. 321G.9[4c])

- C. Direct Crossing. ATVs, UTVs and snowmobiles may make a direct crossing of a prohibited street provided:
 - (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 ATV, UTV or 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.

State law reference(s)—(Code of Iowa, Sec. 321G.9[2])

3. Railroad Right-of-way. ATVs, UTVs and snowmobiles shall not be operated on an operating railroad right-of-way. An ATV, UTV or 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.

State law reference(s)—(Code of Iowa, Sec. 321G.13[8])

4. Trails. ATVs and UTVs shall not be operated on snowmobile trails and snowmobiles shall not be operated on all-terrain vehicle trails except where so designated.

State law reference(s)—(Code of Iowa, Sec. 321G.9[4f and g])

5. Parks and Other City Land. ATVs, UTVs and 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.

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6. Sidewalk or Parking. ATVs, UTV's and 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.

(Ord. No. 3475, 1-4-21)

81.05 NEGLIGENCE.

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

State law reference(s)—(Code of Iowa, Sec. 321G.18)

(Ord. No. 3475, 1-4-21)

81.06 ACCIDENT REPORTS.

Whenever an ATV, UTV or snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to two hundred dollars (\$200.00) or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report within forty-eight (48) hours, in accordance with State law.

State law reference(s)—(Code of Iowa, Sec. 321G.10)

(Ord. No. 3475, 1-4-21)

CHAPTER 82 BICYCLE REGULATIONS

82.01 SCOPE OF REGULATIONS.

These regulations shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

State law reference(s)—(Code of Iowa, Sec. 321.236 [10])

82.02 TRAFFIC CODE APPLIES.

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State declaring rules of the road applicable to vehicles or by the traffic code of the City applicable to the driver of a vehicle, except as to those provisions which by their nature can have no application. Whenever such person dismounts from a bicycle the person shall be subject to all regulations applicable to pedestrians.

State law reference(s)—(Code of Iowa, Sec. 321.234)

82.03 DOUBLE RIDING RESTRICTED.

A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

State law reference(s)—(Code of Iowa, Sec. 321.234 [3 and 4])

82.04 GROUP RIDING.

Bicycles must be ridden single file in the Business District, on sidewalks where permitted and may be ridden not more than two abreast elsewhere. Persons operating bicycles in the streets must stay as near to the right curb as is reasonably possible.

State law reference(s)—(Code of Iowa, Sec. 321.236 [10])

82.05 BICYCLE PATHS.

Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

State law reference(s)—(Code of Iowa, Sec. 321.236 [10])

82.06 SPEED.

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

State law reference(s)—(Code of Iowa, Sec. 321.236 [10])

82.07 EMERGING FROM ALLEY OR DRIVEWAY.

The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

State law reference(s)—(Code of Iowa, Sec. 321.236 [10])

82.08 CARRYING ARTICLES.

No person operating a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handle bars.

State law reference(s)—(Code of Iowa, Sec. 321.236 [10])

82.09 RIDING ON SIDEWALKS.

The following shall apply to riding bicycles on sidewalks:

1. Business District. No person shall ride a bicycle upon a sidewalk within the Business District, as defined in Section 70.02(1) of this Code of Ordinances.

State law reference(s)—(Code of Iowa, Sec. 321.236 [10])

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2. Other Locations. Bicycles may be operated on the sidewalks in residential districts, but not on sidewalks adjoining any school premises, except as permitted by the Police Chief. No bicycle may be operated on any of the sidewalks in the City parks except in the areas designated for that purpose by the Director of Parks and Recreation.

State law reference(s)—(Code of Iowa, Sec. 321.236 [10])

3. Yield Right-of-way. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing.

State law reference(s)—(Code of Iowa, Sec. 321.236 [10])

82.10 TOWING.

It is unlawful for any person riding a bicycle to be towed or to tow any other vehicle upon the streets of the City unless the vehicle is manufactured for such use.

82.11 IMPROPER RIDING.

No person shall ride a bicycle in an irregular or reckless manner such as zigzagging, stunting, speeding or otherwise so as to disregard the safety of the operator or others.

82.12 PARKING.

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

State law reference(s)—(Code of Iowa, Sec. 321.236 [10])

82.13 EQUIPMENT REQUIREMENTS.

Every person riding a bicycle shall be responsible for providing and using equipment as provided herein:

1. Lamps Required. Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least three hundred (300) feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of three hundred (300) feet to the rear except that a red reflector on the rear, of a type which shall be visible from all distances from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle, may be used in lieu of a rear light.

State law reference(s)—(Code of Iowa, Sec. 321.397)

2. Brakes Required. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

State law reference(s)—(Code of Iowa, Sec. 321.236 [10])

82.14 SPECIAL PENALTY.

Any person violating the provisions of this chapter may, in lieu of the scheduled fine for bicyclists or standard penalty provided for violations of the Code of Ordinances, allow the person's bicycle to be impounded by the City for not less than two (2) days for the first offense, ten (10) days for a second offense and thirty (30) days for the third and subsequent offenses.

