

CITY OF GRETNA, NEBRASKA

ORDINANCE NO. 1050

AN ORDINANCE OF THE CITY OF GRETNA, NEBRASKA TO AMEND CITY OF GRETNA MUNICIPAL CODE SECTIONS 4-403 THROUGH 4-410 REGARDING ALL-TERRAIN VEHICLES; TO ENACT RESTRICTIONS FOR OFF-ROAD DESIGNED VEHICLES; TO REPEAL ALL ORDINANCES AND MUNICIPAL CODE SECTIONS IN CONFLICT HEREWITH; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GRETNA, NEBRASKA.

Section 1. Sections 4-403 through 4-410 of Article 4 of Chapter 4 of the City of Gretna Municipal Code as enacted via City of Gretna Ordinance No. 948 are hereby amended so as to provide as follows:

SECTION 4-403: OFF-ROAD DESIGNED VEHICLES; DEFINED

As used in this article, unless the context otherwise requires, “off-road designed vehicles” shall mean golf car vehicles as defined in Neb. Rev. Stat. § 60-329.01, go-carts, riding lawnmowers, garden tractors, all-terrain vehicles and utility-type vehicles as defined in Neb. Rev. Stat. § 60-6,355, snowmobiles registered or exempt from registration under Neb. Rev. Stat. §§ 60-3,207 to 60-3,219, and minibikes.

SECTION 4-404: OFF-ROAD DESIGNED VEHICLES; OPERATION PROHIBITED; EXCEPTIONS

A. Except as provided in subsections B, C and D of this section, off-road designed vehicles shall not be operated on any street, road, highway, alley, public right-of-way, or sidewalk within the City.

B. An all-terrain vehicle or a utility-type vehicle may be operated on any street, road, or highway within the City by persons participating in an organized parade, by persons participating in the operations of an organized community event of a limited duration, and by employees of a governmental entity in conjunction with their employment duties, provided that:

1. Such operation occurs only between the hours of sunrise and sunset.
2. The headlights and taillights of the all-terrain or utility-type vehicle shall be on.
3. The all-terrain or utility-type vehicle shall be equipped with:
 - a. A bicycle safety flag triangular in shape with an area of not less than 30 square inches and day-glo in color shall be attached to the rear of such vehicle and shall extend not less than five feet above the ground; and

- b. A brake system maintained in good operating condition, an adequate muffler system in good working condition, and a United States Forest Service-qualified spark arrester.
4. The person operating the all-terrain or utility-type vehicle shall have a valid Class O operator's license and shall not operate such vehicle at a speed in excess of 30 miles per hour or the posted speed limit, whichever is less.
5. There shall be liability insurance coverage for the all-terrain or utility-type vehicle and the operator shall provide proof of such insurance coverage to any law enforcement officer requesting such proof within five days of such request.

C. A riding lawnmower may be operated on any alley or sidewalk within the City in conjunction with lawn mowing on the adjoining property. A riding lawnmower may be operated on any street, road, or highway within the City by employees of a governmental entity in conjunction with their employment duties.

D. Off-road designed vehicles may be operated in the City on private property which the operator owns or where the operator resides or is employed, or with the permission of the owner or occupant of the private property.

SECTION 4-405: OFF-ROAD DESIGNED VEHICLES; ACCIDENT REPORT

If an accident results in the death of any person or in the injury of any person which requires the treatment of the person by a physician, the operator of each off-road designed vehicle involved in the accident shall give notice of the accident in the same manner provided in Neb. Rev. Stat. § 60-699.

SECTION 4-406: OFF-ROAD DESIGNED VEHICLES; PENALTY

Any violation of Section 4-404 to 4-405 of this article which is also a violation under Neb. Rev. Stat. Chapter 60 may be punished under the penalty provisions of such chapter.

SECTION 4-407: OFF-ROAD DESIGNED VEHICLES; ENFORCEMENT

Any peace officer of the State or of any political subdivision, including conservation officers of the Game and Parks Commission, shall be charged with the enforcement of the provisions of Sections 4-404 to 4-405 of this article.

Section 2. Sections 4-403 through 4-410 of Article 4 of Chapter 4 of the City of Gretna Municipal Code as enacted via City of Gretna Ordinance No. 948 are hereby repealed.

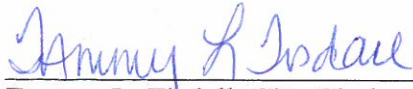
Section 3. All other Ordinances and City Municipal Code Sections and parts of Ordinances and City Municipal Code Sections in conflict herewith are hereby repealed.

Section 4. This Ordinance shall be in full force and take effect after its passage, approval, and publication as provided by law.

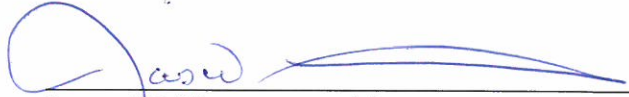
PASSED AND APPROVED this 18th day of November, 2014.

ATTEST:

CITY OF GRETNA, NEBRASKA



Tammy L. Tisdall, City Clerk



James W. Timmerman, Mayor