

ORDINANCE NO. 269

CITY OF OKOBOJI, IOWA

AN ORDINANCE AMENDING CHAPTER 75 OF THE CITY OF OKOBOJI MUNICIPAL CODE BY AMENDING SECTION 75.09.9 PERTAINING TO HOURS OF OPERATION

WHEREAS, the Council (“Council”) of the City of Okoboji, Dickinson County, Iowa (“City”) is considering an amendment to Chapter 75 of the City of Okoboji Municipal Code;

WHEREAS, the City is considering a text amendment to Section 75.09.9 pertaining to the hours of operation for ATVs/UTVs;

WHEREAS, the current language reads as follows:

Hours of Operation. ATVs/UTVs shall not be operated anywhere within the City limits, after sunset and before sunrise. The only permitted operation during these hours shall be for routine snow removal or in emergency situations.

WHEREAS, the proposed amendment reads as follows:

Hours of Operation. ATVs/UTVs may be operated in the City twenty-four (24) hours a day and must be equipped with operating headlights and taillights.

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

SECTION 1. The Code of Ordinances of the City of Okoboji, Iowa Section 75.09.9 us hereby amended/replaced as follows:

Hours of Operation. ATVs/UTVs may be operated in the City twenty-four (24) hours a day and must be equipped with operating headlights and taillights.

SECTION 2. REPEALER. All Ordinances or part of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this Ordinance 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 invalidated or unconstitutional.

SECTION 4. PUBLICATION. The City Clerk / Administrator is hereby authorized and directed to publish this Ordinance in the newspaper of general circulation in Dickinson County, Iowa, in conformance with Iowa Law.

A motioned was made on March 8, 2022 at a regular meeting after a public hearing by Councilmember Hentges and a second by Councilmember Sanders to consider approval of this Ordinance on its first consideration and upon roll call the following vote was recorded:

AYE: Mendenhall, Sanders, Hentges, Delperdang

NAY:

Motion approved 4-0.

A motion was made on April 12, 2022 at a regular meeting by Councilmember Delperdang and a second by Councilmember Hentges to consider approval this Ordinance on its second consideration and upon roll call the following vote was recorded:

AYE: Delperdang, Andres, Sanders, Hentges NAY:

Motion approved 4-0.

A motion was made on April 12, 2022 at a regular meeting by Councilmember Hentges and a second by Councilmember Delperdang to waive the third reading of this ordinance and upon roll call the following vote was recorded:

AYE: Delperdang, Andres, Sanders, Hentges NAY:

Motion approved 4-0.

A motion was made on April 12, 2022 at a regular meeting by Councilmember Hentges and a second by Councilmember Delperdang to adopt Ordinance No. 269 and upon roll call the following vote was recorded:

	AYE	NAY
Councilmember Andres	✓	
Councilmember Delperdang	✓	
Councilmember Hentges	✓	
Councilmember Mendenhall		
Councilmember Sanders	✓	

THEREUPON, the Mayor declared this Ordinance, passed and approved on the date shown below.

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Okoboji, Iowa:

PASSED AND APPROVED this 12th day of April, 2022.



Mary VanderWoude, Mayor

ATTEST:


Michael Meyers, City Administrator