

CITY OF CEDARVILLE, ARKANSAS

ORDINANCE NO. 2025-12-16-01

AN ORDINANCE AUTHORIZING AND REGULATING THE OPERATION OF UTILITY TASK VEHICLES AND ALL-TERRAIN VEHICLES ON CERTAIN STREETS WITHIN THE CITY OF CEDARVILLE, ARKANSAS; AND FOR OTHER RELATED PURPOSES.

WHEREAS, Arkansas Code Annotated § 27-21-106 authorizes municipalities to permit, by ordinance, the operation of all-terrain vehicles and utility task vehicles on city streets; and

WHEREAS, Arkansas Code Annotated § 27-21-109 authorizes municipalities to regulate the routes, times, and conditions under which such vehicles may be operated; and

WHEREAS, the City Council of the City of Cedarville, Arkansas, finds that allowing limited operation of utility task vehicles and all-terrain vehicles on certain city streets, subject to reasonable safety regulations, is in the best interest of the public health, safety, and welfare of the citizens of Cedarville.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDARVILLE, ARKANSAS:

SECTION 1. AUTHORIZATION.

Pursuant to Ark. Code Ann. §§ 27-21-106 and 27-21-109, the operation of utility task vehicles (UTVs) and all-terrain vehicles (ATVs) is hereby authorized on certain streets within the corporate limits of the City of Cedarville, Arkansas, subject to the restrictions and conditions set forth in this Ordinance.

SECTION 2. DEFINITIONS.

(A) “All-terrain vehicle” or “ATV” means a vehicle defined as an all-terrain vehicle under Arkansas law.

(B) “Utility task vehicle” or “UTV” means a side-by-side vehicle defined as a utility task vehicle under Arkansas law.

(C) “City street” means any street, road, or right-of-way maintained by the City of Cedarville and does not include any state or federal highway.

SECTION 3. STREETS AUTHORIZED.

(A) UTVs and ATVs may be operated only on city streets within the corporate limits of Cedarville.

(B) Operation on any state highway, federal highway, or controlled-access roadway is expressly prohibited unless separately authorized by state law.

#### SECTION 4. OPERATIONAL RESTRICTIONS.

(A) UTVs and ATVs shall be operated only between the hours of sunrise and sunset unless the vehicle is equipped with operational headlights and taillights.

(B) The maximum speed shall not exceed thirty-five (35) miles per hour or the posted speed limit, whichever is less.

(C) UTVs and ATVs shall not be operated in a reckless or unsafe manner.

(D) Operators shall obey all traffic control devices and applicable traffic laws unless otherwise exempted by state law.

#### SECTION 5. OPERATOR REQUIREMENTS.

(A) The operator must be at least sixteen (16) years of age.

(B) The operator must possess a valid driver's license.

(C) No person under the influence of alcohol or a controlled substance shall operate a UTV or ATV.

#### SECTION 6. VEHICLE REQUIREMENTS.

(A) Operational headlights and taillights;

(B) At least one (1) rearview mirror;

(C) A muffler in good working order;

(D) A safety flag or reflective device visible from the rear;

(E) Any other equipment required by Arkansas law.

#### SECTION 7. INSURANCE.

Each UTV or ATV operated on city streets shall be covered by liability insurance meeting or exceeding the minimum requirements of Arkansas law for motor vehicles.

#### SECTION 8. EXCLUSIONS.

(A) Government-owned UTVs or ATVs operated in the performance of official duties;

(B) Emergency or utility operations;

(C) Parades or special events authorized by the City.

#### SECTION 9. PENALTIES.

Any person violating this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding five hundred dollars (\$500.00) for each offense.

SECTION 10. SEVERABILITY.

If any provision of this Ordinance is held invalid, such invalidity shall not affect the other provisions, which shall remain in full force and effect.

SECTION 11. EFFECTIVE DATE.

This Ordinance shall be effective upon passage, approval, and publication as required by law.

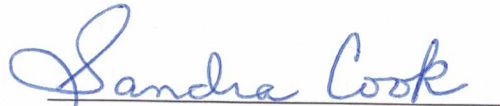
PASSED AND APPROVED this 19<sup>th</sup> day of May, 2028.

APPROVED:

ATTESTED:

A handwritten signature in blue ink that reads "Deborah Pinkerton". The signature is written in a cursive style and is underlined.

Mayor

A handwritten signature in blue ink that reads "Sandra Cook". The signature is written in a cursive style and is underlined.

Recorder/Treasurer