

ORDINANCE NUMBER 77

AN ORDINANCE PROHIBITING THE OPERATION OF UNLICENSED ALL TERRAIN VEHICLES UPON THE STREETS AND SIDEWALKS OF THIS CITY.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ARCADIA, MISSOURI, as follows:

SECTION 1. DEFINITIONS. For the purposes of this ordinance, the following terms shall have the meaning given therewith:

a. "All terrain vehicle" shall include all three and four wheel vehicles designed primarily for use over terrain other than paved streets.

b. "License" refers to a license issued by the State of Missouri that a vehicle receives in order to be operated on a public street or highway within this State.

SECTION 2. ALL TERRAIN VEHICLES PROHIBITED FROM STREETS AND SIDEWALKS. In order to promote the safe movement of traffic and pedestrians upon the streets and sidewalks of this City, the operation of unlicensed "all terrain vehicles" as heretofore defined upon the public streets and sidewalks of this city is prohibited.

SECTION 3. PENALTY. Any person, driver, operator, owner, company, firm, corporation, or chauffeur violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00), or by imprisonment in the City Jail, not exceeding ninety (90) days, or by both such fine and imprisonment.

SECTION 4. SEVERANCE CLAUSE. That if any section, sentence, phrase or clause of this ordinance shall be held to be invalid for any reason by a court of competent jurisdiction, the invalidity of such section, sentence, phrase or clause shall not impair the validity of the remaining sections, sentences, phrases or clauses of this ordinance; the Board of Aldermen hereby declares that it would have passed the remaining portions of this Ordinance had it known that such section, sentence, phrase or clause would be held invalid.

SECTION 5. REPEALING CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith, shall be, and the same are hereby repealed; and this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

WHEREUPON, this ordinance was read three times and approved
by vote of the Board of Aldermen of the City of Arcadia,
Missouri on this 9th day of May, 1988.

/s/ Kenneth W. Lumbley
Kenneth W. Lumbley
Mayor of the City of Arcadia

ATTEST:

/s/ Joyce Callisto
Joyce Callisto, City Clerk

SEAL