

## CHAPTER 173: TRAFFIC CODE

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**GENERAL PROVISIONS**

**§ 173.01 ENGINE BRAKING PROHIBITED.**

(A) The practice of engine braking commonly known as “Jake Braking” is prohibited within the corporate limits of the city.

(B) Signs shall be posted at each roadway entrance to the city giving notice that engine braking is prohibited.

(Prior Code, § 5-316)

**§ 173.02 SIGNS AND SIGNALS.**

The governing body may, by resolution, provide for the placing of stop signs, or other signs, signals, standards, or mechanical devices in any street or alley under the municipality's jurisdiction for the purpose of regulating, or prohibiting traffic thereon. Such resolution shall describe the portion of the street or alley wherein traffic is to be regulated or prohibited; the regulation or prohibition; the location where such sign, signal, standard or mechanical device shall be placed; and the hours when such regulation or prohibition shall be effective. It shall be unlawful for any person to fail, neglect, or refuse to comply with such regulation, or prohibition.

(Prior Code, § 5-208)

***Statutory reference:***

*Signs and signals, see Neb. RS 39-609 - 39-611, 39-697*

***SNOW EMERGENCY ROUTES*****§ 173.10 DESIGNATION.**

The following described streets are hereby declared to be snow emergency routes in the city. The Mayor shall, at his or her discretion, place appropriate signs or other traffic control devices indicating the existence of such snow emergency routes. A designation of any street, avenue, road, or highway,

or portion thereof as a snow emergency route shall in no way affect any previous designation of that street, avenue, road or highway for any other purposes. The snow emergency routes are as follows:

(A) Walnut Street from Highway 30 to 14th Street.

(B) Maple Street from Highway 30 to 8th Street.

(C) 11th Street from Walnut to Catalpa.

(D) The four square blocks of downtown consisting of Highway 30 to 8th and 7th Streets from Mulberry to Maple Street.

(Prior Code, § 5-210)

#### **§ 173.11 DECLARATION OF EMERGENCY.**

Whenever the Mayor of the city, or his or her designated representative, shall find, on the basis of falling snow, sleet, or freezing rain, or on the basis of an official forecast by the U.S. Weather Bureau, of snow, sleet, or freezing rain, that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on city snow emergency routes be prohibited or restricted for snow plowing and other purposes, the Mayor or his or her designated representative may place into effect a parking prohibition on all snow emergency routes by declaring that emergency conditions exist. In such declaration of emergency conditions the Mayor or his or her designated representative shall state the time that said emergency shall be in effect and from the time so designated, all parking of vehicles on snow emergency routes shall be prohibited. While the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route. Once in effect, the parking prohibition imposed under this section shall remain in effect until terminated by declaration of the Mayor or his or her designated representative. However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.

(Prior Code, § 5-211)

#### **§ 173.12 DECLARATION BROADCAST.**

(A) The Mayor or his or her designated representative shall cause each declaration of a snow emergency made by him, pursuant to this subchapter, to be publicly announced by means of broadcast or telecast from broadcasting stations with a normal operating range covering the city, which may include KFAB or KHUB radio stations and the SAM alert system over local cablevision system, and he or she may cause such declaration to be further announced in newspapers of general circulation when feasible. Each announcement shall describe the action taken by the Mayor or his or her designated representative, including the time it became or will become effective, and shall specify the streets or areas affected. The Mayor or his or her designated representative shall make or cause to be made a record of each time and date when any declaration is announced to the public by issuing an executive order as soon after the declaration of an emergency as is feasible.

(B) Whenever the Mayor or his or her designated representative shall find that some or all of the conditions which gave rise to a parking prohibition placed in effect pursuant to the provisions of this subchapter no longer exist, he or she may declare the prohibition terminated, in whole or in part, effective immediately upon announcement or at a later specified time.

(Prior Code, § 5-214)

### **§ 173.13 STALLED OR PARKED VEHICLES.**

(A) The Mayor or his or her designated representative or members of the Dodge County Sheriff's office are hereby authorized to remove or have removed a vehicle from a street to another place or location on a street or to a lot, garage, storage yard, or other similar facility designated by the Mayor or Sheriff's offices when:

(1) The vehicle is parked on a snow emergency route on which a parking prohibition is in effect;

(2) The vehicle is stalled or stuck on a snow emergency route on which there is a parking prohibition in effect and the person who is operating said vehicle does not appear to be removing it in accordance with the provisions of this subchapter;

(3) The vehicle is parked on any street in violation of any parking prohibition or provision of law contained in this subchapter and is interfering or about to interfere with snow removal operations.

(B) Members of the Dodge County Sheriff's office or Mayor or city employee designated by the Mayor may cause such vehicle to be removed to a private lot, garage, storage yard, or other similar facility; and any such vehicle shall not be released therefrom except upon payment by the owner of the vehicle to the person or persons in charge of the lot, garage, storage yard or other similar facility for the reasonable cost of towing, and the reasonable cost of storage during which time the vehicle remains stored, and a receipt for such fees shall be issued to the owner of the vehicle.

(C) It shall be the duty of the person or persons in charge of the lot, garage, storage yard, or other similar facility designated by members of the Dodge County Sheriff's office or the Mayor, to keep a record of the name of the owner of all vehicles towed in under the provisions hereof, together with the registration number of each vehicle, and the nature and circumstances of each violation, and the amount of fees collected hereunder, and to deliver a report of each day's transactions to the Mayor or city employee designated by the Mayor not later than one day following the day for which the report is made. (Prior Code, § 5-216)

### **§ 173.14 CLEARING ILLEGALLY PLACED SNOW IN STREET; CHARGE OF COST.**

In the event that the owner or owners, or their agents, of any lot, lots, or lands, abutting on any street, avenue, or part thereof have placed snow from their driveways or sidewalks in the streets of the

city, and shall fail to promptly remove the snow or ice so placed on said street by such owner or agent of such owner after directed by the Mayor or his or her designated representative to remove same, the Mayor or his or her designated representative shall have power to remove any such snow or ice and charge removal cost thereof against such property owner. In the event the property owner is a nonresident of the county in which the property lies, then the Mayor or designated representative shall notify the person who so placed the snow in the street to promptly remove same from the streets and upon failing to do so, the city may remove said snow and charge the person failing to remove the cost of removing same. Said charge may be included by the Court within the penalty allowed by law for violation of § 92.77 of the Neb. Basic Code.

(Prior Code, § 2-218)

### ***UTILITY-TRANSPORT VEHICLES***

#### **§ 173.20 DEFINITIONS.**

For purposes of this subchapter the following definition shall apply unless the context clearly indicates or requires a different meaning.

***ORIGINAL MANUFACTURER.*** Refers to a business enterprise engaged in the mass production of utility-transport vehicles for commercial and industrial use purposes and specifically excludes custom-made or modified vehicles produced by individuals for their own purposes and use.

***STREET or HIGHWAY.*** The entire width between the boundary limits of any street, road, avenue, boulevard, or way, which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. (Neb. RS. 60-624)

***UTILITY-TYPE VEHICLE.*** Any motorized off-highway vehicle which:

- (1) Is 74 inches or less in width, not more than 180 inches, including bumper, in length;
- (2) Has a dry weight of 2,000 pounds or less;
- (3) Travels on four or more non-highway tires;
- (4) Is equipped with a steering wheel and a bench or bucket type seating designed for at least two people to sit side-by-side;
- (5) Is equipped with an operational brake light (Neb. RS 60-6,355); and

(6) A utility type vehicle does not include golf carts, low-speed vehicles, go-carts, riding lawn mowers, and garden tractors.  
(Ord. 532, passed 1-20-15)

### § 173.21 OPERATION.

(A) A utility-transport vehicle may be operated on streets within the corporate limits of the city only if the operator and the vehicle comply with the provisions of this section. A UTV is not allowed to drive down Highway 30 or Highway 79, but may cross those highways at a street intersection. UTV's shall only be allowed in the city park for special events such as Old Settlers or baseball tournaments.

(B) A utility-transport vehicle may be operated only between the hours of sunrise and sunset and shall not be operated at a speed in excess of the posted speed limit and in no event in excess of 30 miles per hour. When operating a utility-transport vehicle as authorized in division (A) above, the following requirements shall be adhered to:

(1) The headlight and taillight of the vehicle shall be on while operating vehicle; and

(2) Vehicle shall be equipped with electric strobe/flashing beacon mounted on the top of the vehicle or a bicycle safety flag which extends not less than five feet above ground attached to the rear of such vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than 30 square inches and shall be day-glow in color; and

(3) Vehicle shall have an operational and visual brake light system.

(C) Any person operating a utility-transport vehicle as authorized in division (B) above shall:

(1) Be at least 19 years of age and have a valid Class O operator's license or a farm permit as provided in Neb. RS 60-126. The operation of a utility-type vehicle shall be subject to all of the statutory requirements of any motor vehicle in the State of Nebraska; specifically including those statutes dealing with the rules of the road, child restraint systems and the operation of a motor vehicle by any person impaired by alcohol or drugs; and

(2) Have liability insurance coverage for the utility-transport vehicle while operating in the city. The person operating the utility-transport vehicle shall provide proof of such insurance coverage to any peace officer requesting such proof within five days of such a request; and

(D) A utility-transport vehicle shall not be operated on any controlled access highway with more than two marked traffic lanes, and the crossing of any controlled access highway with more than two marked traffic lanes shall not be permitted. For purposes of this subchapter turn lanes are deemed to be auxiliary lanes and not traffic lanes. The crossing of a highway shall be permitted by a utility-transport vehicle without complying with divisions (B) and (C) above only if:

- (1) The crossing is made at an angle of approximately 90 degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;
  - (2) The vehicle is brought to a complete stop before crossing the shoulder or roadway of the street or highway;
  - (3) The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard;
  - (4) In crossing a divided highway, the crossing is made only at an intersection of such highway with another highway; and
  - (5) Both the headlight and taillight of the vehicle are on when the crossing is made.
- (Neb. RS 60-6,356) (Ord. 532, passed 1-20-15)

#### **§ 173.22 REGISTRATION.**

The owner of each utility-transport vehicle to be operated within the city limits of the City of North Bend under the provisions of this subchapter shall be required to pay to the city the sum of \$50 the first year to register or any time to reinstate said vehicle and \$25 each year after that. If the annual renewal fee is not paid by February 1 of each year, the fee is \$50. Each registered vehicle will be issued a sticker for identification purposes after the owner's proof of insurance has been reviewed by the City Clerk. Said sticker shall be of a size and shape as determined by the City Council, and shall be displayed prominently on the left rear fender of said vehicle. Said registration shall be revoked for violation of the terms of this subchapter under the provisions set out in § 173.99. The registration fee shall not be transferable, and no refund will be allowed in case of sale or disposition of the vehicle.

(Ord. 532, passed 1-20-15)

#### **§ 173.23 PARADE EXCEPTION.**

Utility-transport vehicles may be operated on street, roads or highways in parades, which have been authorized by the State of Nebraska or the City.

(Neb. RS 60-6,356) (Ord. 532, passed 1-20-15)

#### **§ 173.24 EQUIPMENT, REQUIREMENT.**

Every utility-transport vehicle shall be equipped with:

- (A) A brake system maintained in good operation condition;



(B) An adequate muffler system in good working condition; and

(C) A U.S. Forest Service qualified spark arrester.

(Neb. RS. 60-6,358) (Ord. 532, passed 1-20-15)

#### **§ 173.25 PROHIBITIONS.**

No person shall:

(A) Equip the exhaust system of a utility-transport vehicle with a cutout, bypass or similar device;

(B) Operate a utility-transport vehicle with an exhaust system so modified; or

(C) Operate a utility-transport vehicle with the spark arrester removed or modified except for use in closed-course competition events.

(Neb. RS 60-6,359) (Ord. 532, passed 1-20-15)

#### **§ 173.26 COMPETITION.**

Utility-transport vehicles participating in competitive events may be exempted from the provisions of this subchapter if approved by the Nebraska Department of Motor Vehicles.

(Neb. RS 60-6,360) (Ord. 532, passed 1-20-15)

#### **§ 173.27 ACCIDENT REPORT.**

If an accident results in the death of any person or in the injury of any person requiring treatment by a physician, the operator of each utility-transport vehicle involved in the accident shall give notice of the accident in the same manner as provided in Neb. RS 60-699.

(Neb. RS 60-6,361) (Ord. 532, passed 1-20-15)

### ***ALL-TERRAIN VEHICLES***

#### **§ 173.40 DEFINITIONS.**

For purposes of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ALL-TERRAIN VEHICLE.** Any motorized off-highway vehicle, which:

- (1) Is 50 inches or less in width;
  - (2) Has a dry weight of 1200 pounds or less;
  - (3) Travels on four or more non-highway tires;
  - (4) Is designed for operator use only and no passengers unless specifically designed by the original manufacture for the operator and one passenger;
  - (5) Has a seat or saddle designed to be straddled by the operator;
  - (6) Has handlebars or any other steering assembly for steering control; and
  - (7) An all-terrain vehicle does not include golf carts, low-speed vehicles, go-carts, riding lawn mowers, and garden tractors.
- (Ord. 533, passed 1-20-15)

**§ 173.41 OPERATION.**

Operation of all-terrain vehicles shall be permitted within the city only if operators of such vehicles comply with the provisions as set forth below.  
(Ord. 533, passed 1-20-15)

**§ 173.42 STREET CROSSING.**

The crossing of a street, road or highway shall be permitted only if:

- (A) The crossing is made at an angle of approximately 90 degrees to the direction of the street, road or highway and at a place where no obstruction prevents a quick and safe crossing;
- (B) The vehicle is brought to a complete stop before crossing the shoulder or roadway of the street, road or highway;
- (C) The operator yields the right of way to all oncoming traffic that constitutes an immediate potential hazard;
- (D) In crossing a divided street, road or highway, the crossing is made only at an intersection of such street, road or highway with another street, road or highway; and

(E) Both the headlight and taillight of the vehicle are on at all times.  
(Ord. 533, passed 1-20-15)

#### **§ 173.43 OPERATION PROVISIONS.**

An all-terrain vehicle may be operated on a street or road when such operation occurs only between the hours of sunrise and sunset. Any person operating an all terrain vehicle on a street or road shall be at least 19 years of age and shall have a valid Class O operator's license or a farm permit as provided in Neb. RS 60-4,126, and shall not exceed 30 miles per hour or less where posted speed limits are less. Said vehicle shall be covered by a policy of liability insurance in minimum amounts as required by the laws of the State of Nebraska as shall be in effect from time to time. When operated on a street or road, the headlight and taillight of the vehicle shall be on and the vehicle shall be equipped with a bicycle safety flag attached to the rear of such vehicle, extending not less than five feet above the ground. The bicycle safety flag shall be triangular in shape with an area of not less than 30 square inches and shall be in a day-glo color. An ATV is not allowed to drive down Highway 30 or Highway 79, but may cross those highways at a street intersection. ATV's shall only be allowed in the park for special events such as Old Settlers or baseball tournaments. The operation of an ATV shall be subject to all of the statutory requirements of any motor vehicle in the State of Nebraska; specifically including those statutes dealing with the rules of the road, child restraint systems, and the operation of a motor vehicle by any person impaired by alcohol or drugs.  
(Ord. 533, passed 1-20-15)

#### **§ 173.44 REGISTRATION.**

The owner of each all-terrain vehicle to be operated within the city limits of the City of North Bend under the provisions of this subchapter shall be required to pay to the city the sum of \$50 the first year to register or any time to reinstate said vehicle and \$25 every year after that. If the annual renewal fee is not paid by February 1 of each year, the fee is \$50. Each registered vehicle will be issued a sticker for identification purposes after the owner's proof of insurance has been reviewed by the City Clerk. Said sticker shall be of a size and shape as determined by the City Council, and shall be displayed prominently on the left rear fender of said vehicle. Said registration shall be revoked for violation of the terms of this subchapter under the provisions set out in § 173.99. The registration fee shall not be transferable, and no refund will be allowed in case of sale or disposition of the vehicle.  
(Ord. 533, passed 1-20-15)

#### **§ 173.45 PARADE EXCEPTION.**

All-terrain vehicles may be operated on street, roads or highways in parades, which have been authorized by the State of Nebraska or the city.  
(Neb. RS 60-6,356) (Ord. 533, passed 1-20-15)

**§ 173.46 EQUIPMENT, REQUIREMENT.**

Every all-terrain vehicle shall be equipped with:

- (A) A brake system maintained in good operation condition;
- (B) An adequate muffler system in good working condition; and
- (C) A U.S. Forest Service qualified spark arrester.

(Neb. RS 60-6,358) (Ord. 533, passed 1-20-15)

**§ 173.47 PROHIBITIONS.**

No person shall:

- (A) Equip the exhaust system of an all-terrain vehicle with a cutout, bypass or similar device;
- (B) Operate an all-terrain vehicle with an exhaust system so modified; or
- (C) Operate an all-terrain vehicle with the spark arrester removed or modified except for use in closed-course competition events.

(Neb. RS 60-6,359) (Ord. 533, passed 1-20-15)

**§ 173.48 COMPETITION.**

All-terrain vehicles participating in competitive events may be exempted from the provisions of this subchapter if approved by the Nebraska Department of Motor Vehicles.

(Neb. RS 60-6,360) (Ord. 533, passed 1-20-15)

**§ 173.49 ACCIDENT REPORT.**

If an accident results in the death of any person or in the injury of any person requiring treatment by a physician, the operator of each all-terrain vehicle involved in the accident shall give notice of the accident in the same manner as provided in Neb. RS 60-699.

(Neb. RS 60-6,361)

(Ord. 533, passed 1-20-15)

***GOLF CART VEHICLES*****§ 173.60 DEFINITIONS.**

For purposes of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***GOLF CART VEHICLE.*** A vehicle that has at least four wheels, has a maximum level ground speed of less than 20 miles per hour, has a maximum payload capacity of 1,200 pounds, has a maximum gross vehicle weight of 2,500 pounds, has a maximum passenger capacity of not more than four persons, is designed and manufactured for operation on a golf course for sporting and recreational purposes, and is not being operated within the boundaries of a golf course.

***STREET or HIGHWAY.*** The entire width between the boundary limits of any street, road, avenue, boulevard, or way, which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(Neb. RS 60-624) (Ord. 548, passed 9-20-16)

**§ 173.61 OPERATION.**

(A) A golf cart vehicle may be operated on streets within the corporate limits of the city only if the operator and the vehicle comply with the provisions of this section. A golf cart is not allowed to drive down Highway 30 or Highway 79, but may cross those highways at a street intersection. Golf carts shall only be allowed in the city park for special events such as Old Settlers or baseball tournaments.

(B) A golf cart vehicle may be operated only between the hours of sunrise and sunset and shall not be operated at a speed in excess of 20 miles per hour. When operating a golf cart vehicle as authorized in division (A) above, the following requirements shall be adhered to:

(1) Vehicle shall be equipped with electric strobe/flashing beacon mounted on the top of the vehicle or a bicycle safety flag which extends not less than five feet above ground attached to the rear of such vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than 30 square inches and shall be day-glow in color.

(C) Any person operating a golf cart vehicle as authorized in division (B) above shall:

(1) Be at least 19 years of age and have a valid Class O operator's license or a farm permit as provided in Neb. RS 60-126. The operation of a golf cart vehicle shall be subject to all of the

statutory requirements of any motor vehicle in the State of Nebraska; specifically including those statutes dealing with the rules of the road, child restraint systems and the operation of a motor vehicle by any person impaired by alcohol or drugs; and

(2) Have liability insurance coverage for the golf cart vehicle while operating in the city. The person operating the golf cart vehicle shall provide proof of such insurance coverage to any peace officer requesting such proof within five days of such a request.

(D) A golf cart vehicle shall not be operated on any controlled access highway with more than two marked traffic lanes, and the crossing of any controlled access highway with more than two marked traffic lanes shall not be permitted. For purposes of this subchapter turn lanes are deemed to be auxiliary lanes and not traffic lanes. The crossing of a highway shall be permitted by a golf cart vehicle without complying with divisions (B) and (C) above only if:

(1) The crossing is made at an angle of approximately 90 degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

(2) The golf cart vehicle is brought to a complete stop before crossing the shoulder or roadway of the street or highway;

(3) The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard;

(4) In crossing a divided highway, the crossing is made only at an intersection of such highway with another highway; and

(5) Both the headlight and taillight of the vehicle are on when the crossing is made.  
(Neb. RS 60-6,356) (Ord. 548, passed 9-20-16)

#### **§ 173.62 REGISTRATION.**

The owner of each golf cart vehicle to be operated within the city limits of the city under the provisions of this subchapter shall be required to pay to the city the sum of \$50 the first year to register or any time to reinstate said vehicle and \$25 each year after that. If the annual renewal fee isn't paid by February 1 of each year, the fee is \$50. Each registered golf cart vehicle will be issued a sticker for identification purposes after the owner's proof of insurance has been reviewed by the City Clerk. Said sticker shall be of a size and shape as determined by the City Council, and shall be displayed prominently on the left rear fender of said vehicle. Said registration shall be revoked for violation of the terms of this subchapter under the provisions set out in § 173.99(C). The registration fee shall not be transferable, and no refund will be allowed in case of sale or disposition of the vehicle.

(Ord. 548, passed 9-20-16)

**§ 173.63 PARADE EXCEPTION.**

Golf cart vehicles may be operated on street, roads or highways in parades which have been authorized by the State of Nebraska or the city.

(Neb. RS 60-6,356) (Ord. 548, passed 9-20-16)

**§ 173.64 EQUIPMENT; REQUIREMENT.**

Every golf cart vehicle shall be equipped with:

(A) A brake system maintained in good operation condition;

(B) An adequate muffler system in good working condition; and

(C) A U.S. Forest Service qualified spark arrester.

(Neb. RS 60-6,358) (Ord. 548, passed 9-20-16)

**§ 173.65 PROHIBITIONS.**

No person shall:

(A) Equip the exhaust system of a golf cart vehicle with a cutout, bypass or similar device;

(B) Operate a golf cart vehicle with an exhaust system so modified; or

(C) Operate a golf cart vehicle with the spark arrester removed or modified except for use in closed-course competition events.

(Neb. RS. 60-6,359) (Ord. 548, passed 9-20-16)

**§ 173.66 COMPETITION.**

Golf cart vehicles participating in competitive events may be exempted from the provisions of this subchapter if approved by the Nebraska Department of Motor Vehicles.

(Neb. RS 60-6,360) (Ord. 548, passed 9-20-16)

**§ 173.67 ACCIDENT REPORT.**

If an accident results in the death of any person or in the injury of any person requiring treatment by a physician, the operator of each golf cart vehicle involved in the accident shall give notice of the accident in the same manner as provided in Neb. RS 60-699.

(Neb. RS 60-6,361) (Ord. 548, passed 9-20-16)

**§ 173.99 PENALTY.**

(A) (1) Any person violating the terms of §§ 173.20 through 173.27 shall be guilty of an offense, fined in a sum of not more than \$500, and shall have the registration revoked as to the vehicle involved in said offense as follows:

(a) For the first offense, use by the owner and/or driver of any UTV vehicle shall be prohibited within the city for a period of six months;

(b) For the second offense, use by the owner and/or driver of any UTV vehicle shall be prohibited within the city for a period of one year; and

(c) For the third offense, use by the owner and/or driver of any UTV vehicle shall be permanently prohibited within the city.

(2) At the expiration of each period of revocation as set out in divisions (A)(1)(a) and (b) above, the owner of said vehicle may make application to the city for reinstatement of the privilege to operate said vehicle within the city according to the provisions of § 173.22, at a fee of \$50.

(Ord. 532, passed 1-20-15)

(B) (1) Any person violating the terms of §§ 173.40 through 173.48 shall be guilty of an offense, fined in a sum of not more than \$500, and shall have the registration revoked as to the vehicle involved in said offense as follows:

(a) For the first offense, use by the owner and/or driver of any ATV vehicle shall be prohibited within the city for a period of six months;

(b) For the second offense, use by the owner and/or driver of any ATV vehicle shall be prohibited within the city for a period of one year; and

(c) For the third offense, use by the owner and/or driver of any ATV vehicle shall be permanently prohibited within the city.



(2) At the expiration of each period of revocation as set out in divisions (B)(1)(a) and (b) above, the owner of said vehicle may make application to the city for reinstatement of the privilege to operate said vehicle within the city according to the provisions of § 173.44, at a fee of \$50.  
(Ord. 533, passed 1-20-15)

(C) (1) Any person violating the terms of this §§ 173.60 et seq. shall be guilty of an offense, fined in a sum of not more than \$500, and shall have the registration revoked as to the vehicle involved in said offense as follows:

(a) For the first offense, use by the owner and/or driver of any golf cart vehicle shall be prohibited within the city for a period of six months;

(b) For the second offense, use by the owner and/or driver of any golf cart vehicle shall be prohibited within the city for a period of one year; and

(c) For the third offense, use by the owner and/or driver of any golf cart vehicle shall be permanently prohibited within the city.

(2) At the expiration of each period of revocation as set out in divisions (C)(1)(a) and (b), above, the owner of said vehicle may make application to the city for reinstatement of the privilege to operate said vehicle within the city according to the provisions of § 173.62, at a fee of \$50.  
(Ord. 548, passed 9-20-16)