



ORDINANCE No. 2016-2807

AN ORDINANCE AUTHORIZING CITY PERSONNEL OR FIRE/EMS PERSONNEL TO OPERATE ATVS WITHIN THE CITY OF NEWBERG WHILE PERFORMING OFFICIAL DUTIES; AND DECLARING AN EMERGENCY

RECITALS:

1. All-terrain vehicles (ATVs) are an effective alternate to cars, trucks or bicycles.
2. The Newberg-Dundee Police Reserve Association has purchased an ATV with its own funds to donate to the city.
3. ATVs have been used during City events such as the Old Fashioned Festival and Special Olympics by the police department, fire department and public works department.
4. This ordinance clarifies the legal status of ATVs while operated on City streets and property, by authorizing City employees and volunteers, together with Fire/EMS personnel to operate ATVs in performance of official duties.
5. Emergency Clause is included in this ordinance to make it effective ahead of the 2016 Old Fashioned Festival.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1. Article VI. Penalty and Chapter 10.10.230 shall be renumbered as follows:

Article VII. Penalty

10.10.400 Penalty

Section 2. A new title, Article VI. Operation of All-Terrain Vehicles, is added to read as follows:

10.10.300 Definitions.

A. All-Terrain Vehicle. An “ATV” is defined, as it is in ORS 801.190 – 194, as any Class I, II, III or IV all-terrain vehicle.

B. City Operated ATV. A “City operated ATV” is defined as an ATV being operated by City of Newberg employees or volunteers while in the performance of their official duties.

C. Fire ATV. A “Fire ATV” is defined as an ATV being operated by Fire or Emergency Medical Service personnel while on duty within the city or while responding to a fire or medical emergency.

10.10.310 Operation ATVs permitted on city highways and property.

Operation of a City Operated ATV or Fire ATV shall be allowed upon public roadways, streets, highways, parks, park trails, pathways, city property and other related areas within the City of Newberg.

10.10.320 Signage required.

The city administration will determine what signage is appropriate and post appropriate signage on City streets, highways, roadways or other points within the City limits, as now constituted or hereafter changed, to give notice to all persons that the operation of City Operated ATV or Fire ATV are permitted.

Section 3. Emergency Clause.

The Council declares that an emergency exists because delay in passage would not allow effective use of ATVs during the 2016 Old Fashioned Festival; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

➤ EFFECTIVE DATE of this ordinance is: July 19, 2016.

ADOPTED by the City Council of the City of Newberg, Oregon, this 18th day of July, 2016, by the following votes: **AYE: 7 NAY: 0 ABSENT: 0 ABSTAIN: 0**



Sue Ryan, City Recorder

ATTEST by the Mayor this 20th day of July, 2016.



Bob Andrews, Mayor