

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 14 OF THE MUNICIPAL CODE OF THE CITY OF CRESTWOOD, MISSOURI, RELATING TO OFF-ROAD VEHICLES WITHIN THE CITY

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WHEREAS, Section 304.120, RSMo, provides that cities may make additional rules of the road or traffic regulations to meet their needs and traffic conditions; and

WHEREAS, Section 300.348, RSMo, establishes certain regulations for the safe usage of all-terrain / off-road vehicles; and

WHEREAS, the Public Works Board is recommending certain revisions to the Municipal Code of the City of Crestwood (the “Code”); and

WHEREAS, the Board of Aldermen of the City of Crestwood has determined that amending Article I of Chapter 14 of the Code to establish regulations regarding off-road vehicles would be in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CRESTWOOD, MISSOURI, AS FOLLOWS:

SECTION 1: Article I of Chapter 14 of the Municipal Code of the City of Crestwood, Missouri, pertaining to motor vehicles, is hereby amended by adding a section, to be numbered as Section 14-33, which reads as follows:

**Sec. 14-33. Operating Off-Road Vehicles; Definitions, Prohibitions; Penalty.**

(a) *Purpose and intent.* It is the purpose and intent of this section to provide for the regulation of off-road vehicles in order to protect the safety of pedestrians, bicyclists, motor vehicle drivers and operators of off-road vehicles.

(b) *Definitions.* In this section, unless the context otherwise requires:

**OFF-ROAD VEHICLE**

Any vehicle designed for or capable of cross-country travel on or immediately over land, water, ice, snow, marsh, swampland, or other natural terrain without benefit of a road or trail, and which is not otherwise defined in the Crestwood Municipal Code as a “motor vehicle,” “motorcycle,” “motor-tricycle,” “motorized

bicycle,” “motorized play vehicle,” “motorized skateboard,” “personal assistive mobility device,” “golf cart,” or “low speed vehicle.”

- (c) *Allowable operation.*
  - (1) An off-road vehicle may be operated on private property, provided that such use shall be subject to the prohibitions in subsection (d) of this Section.
  - (2) An off-road vehicle owned and operated by a governmental entity may be operated in connection with official use, notwithstanding the prohibitions in subsection (d) of this Section.
  - (3) An off-road vehicle may be operated for agricultural purposes or industrial on-premises purposes, provided that such use shall be subject to the prohibitions in subsection (d) of this Section.
  - (4) The operator of an off-road vehicle must be insured, have a valid driver’s license, and the vehicle must be licensed with the State of Missouri, if state law requires a license for operation of such vehicle.
- (d) *Prohibited operation.*
  - (1) No off-road vehicle may be operated on any public sidewalk, roadway, or any other part of a highway or on any bikeway, bicycle path or trail, equestrian trail, shared-use path, or within any City park, except as set forth in subsection (c)(2) of this Section.
  - (2) No off-road vehicles may be operated on any private property within one hundred (100) feet of a property line.
  - (3) No off-road vehicles may be operated on private property of another without the written permission of the owner, the person entitled to immediate possession of the property, or the authorized agent of either.
  - (4) No person shall operate an off-road vehicle on any private property in a manner causing excessive, unnecessary, or offensive noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitivity.
- (e) *Responsibilities of parents, guardians, and legal custodians.*
  - (1) The parent, guardian, or legal custodian of any minor shall not authorize or knowingly permit such minor to violate any of the provisions of this section.
  - (2) If a fine is imposed upon a minor who is found to be in violation of this section, the parents or legal guardian having custody or control of the minor shall be jointly and severally liable with the minor for payment of the fine, whether or not the parents or guardian knew of, or anticipated, a violation of this section.
- (f) Any violation of this section is punishable as an ordinance violation pursuant to section 1-6 of the Crestwood Municipal Code.

SECTION 2: This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

PASSED AND SIGNED this \_\_\_\_\_ day of July, 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED this \_\_\_\_ day of July, 2020.

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Mayor