

CITY OF WEST POINT, KENTUCKY  
ORDINANCE 2012-07

**AN ORDINANCE ESTABLISHING REGULATIONS PERTAINING TO THE PROPER USE OF ALL-TERRAIN VEHICLES, COMMONLY REFERRED TO AS ATV'S, ON AND AROUND ALL CITY STREETS WITHIN THE CITY OF WEST POINT, KENTUCKY IN AN EFFORT TO PROMOTE THE HEALTH, SAFETY, AND WELFARE OF CITIZENS.**

WHEREAS, KRS 189.515(6)(C) authorizes a city or county to designate, those public highways, segments of public highways, and adjoining rights-of-way of public highways under its jurisdiction where all-terrain vehicles that are prohibited may be operated and,

WHEREAS, the City of West Point desires to establish a set of regulations to allow for a safe and cost-effective means of transportation within the city via all-terrain vehicles.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF WEST POINT, HARDIN COUNTY, KENTUCKY:**

Section 1: Purpose

The purpose of this ordinance is to establish rules and regulations to allow for safe and lawful operation of all-terrain vehicles upon city streets within the City of West Point as an alternative means of transportation.

Section 2: Inspection and Permits

Any person who intends to operate an ATV on any city street within the limits of the City of West Point shall obtain an annually issued **NON-TRANSFERRABLE** operator's permit from the West Point Police Department for no greater than \$10 for a fee of \$10.

All permits expire on April 30<sup>th</sup> of said year. New permits are required as of May 1<sup>st</sup> of said year. A penalty of \$5.00 will be charged for all permits not purchased by April 30<sup>th</sup> of said year.

The West Point Police Dept. shall issue **A NON-TRANSFERRABLE** operator's permit upon completion of a vehicle safety inspection.

No permit shall be issued without proof of state required minimum liability insurance per KRS 304.39-060, which covers said ATV. Proof of insurance shall be with the ATV at all times of operation on city streets.

### Section 3: Inspection Requirements

All ATV's shall be inspected by the West Point Police Department to ensure that they comply with the following safety regulations:

- A) A standard noise-reducing muffler shall be used. No cut-outs or straight pipes will be allowed.
- B) Brakes shall be adequate to control the movement of the ATV and to stop and hold the ATV under any condition of operation.
- C) At least one clear lamp shall be attached to the front with sufficient intensity to reveal a person or vehicle at a safe distance of 100 feet ahead during normal atmospheric conditions while the ATV is operated.
- D) At least one red tail lamp with working brake light, visible during hours of darkness and during normal atmospheric conditions, shall be attached to the ATV.
- E) Any ATV without adequate front and rear lighting must display an orange "Slow-Moving Vehicle" triangle placard.
- F) Tires must have sufficient tread for safe use on city streets.

### Section 4: Restrictions on ATV Operation on City Streets

The operator of any ATV on any city street shall obey all Kentucky Motor Vehicle Traffic rules and regulations (such as stopping at stop signs and obeying speed limits) as well as all manufacturers' recommendations for said ATV.

No person operating an ATV on any city street shall:

- A) Operate an ATV without having a valid driver's license in the operator's possession.
- B) Operate an ATV between sunset and sunrise without approved front and rear lighting.
- C) Carry a passenger except on a seat attached hereto ATV.
- D) Operate an ATV on any sidewalk intended for pedestrian travel.
- E) Operate an ATV on the private property of another without the written and dated permission of that property owner.
- F) Operate an ATV on school grounds.
- G) Operate an ATV in any public park.

### Section 5: Penalties

Whoever violates any provision of this ordinance for which no other penalty is specifically provided shall be guilty of a misdemeanor and shall be fined not less than \$20 and not more than \$500.

Section 6: Severability

If any provision of this ordinance or related ordinances or statute or the application thereof is held invalid, such invalidity shall not affect other provisions of this ordinance.

Section 7: Definitions

City streets – any highway, street, alley, or right of way owned and maintained by the City of West Point. . (Mulberry Street, Elm Street, Riverview Drive, Short Street, Geoghegan Street, Southview Drive, 15<sup>th</sup> Street, South Street, North 2<sup>nd</sup> Street, South 3<sup>rd</sup> Street, South 4<sup>th</sup> Street, South 5<sup>th</sup> Street, South 6<sup>th</sup> Street, South 7<sup>th</sup> Street, South 8<sup>th</sup> Street, South 9<sup>th</sup> Street, South 10<sup>th</sup> Street, South 12<sup>th</sup> Street, South 13<sup>th</sup> Street, South 14<sup>th</sup> Street, North 2<sup>nd</sup> Street, North 3<sup>rd</sup> Street, North 4<sup>th</sup> Street, North 5<sup>th</sup> Street, North 6<sup>th</sup> Street, North 7<sup>th</sup> Street, North 8<sup>th</sup> Street, North 9<sup>th</sup> Street, North 10<sup>th</sup> Street, North 11<sup>th</sup> Street, North 12<sup>th</sup> Street, North 13<sup>th</sup> Street, North 14<sup>th</sup> Street, Salt River Drive and Ft. Duffield Road.)  
(Dixie Highway and Main Street are owned and maintained by the Commonwealth of Kentucky) and are not permitted to travel on.)

Read at a meeting of the West Point City Council on the 9<sup>th</sup> day of July 9, 2012. A second reading was held on the 13<sup>th</sup> day of August 2012. Said ordinance was read, passed, and approved on the 13<sup>th</sup> day of August 2012.

William C. Ash  
William C. Ash, Mayor

Attest:

*Melissa H. Williams*

Melissa H. Williams, City Clerk/Treasurer