

AN ORDINANCE OF THE COUNCIL OF THE CITY OF CAMERON, WEST VIRGINIA, REPEALING AND REENACTING BILL NO. 05-001 RELATING TO ALL-TERRAIN VEHICLES

BE IT ORDAINED, by the City Council of the City of Cameron, West Virginia:

The entirety of Bill No. 05-001 is hereby repealed in its entirety and reenacted as follows:

Section 100.01 Definitions

The following terms whenever used or referred to in this article have the following meanings, unless a different meaning clearly appears from the context:

- (a) “All-Terrain Vehicle” or “ATV” shall mean any motor vehicle designed for off-highway use and designed to travel on not less than three low-pressure or nonhighway tires, is fifty inches (50”) or less in width and intended by the manufacturer to be used by a single operator or is specifically designed by the manufacturer with seating for each passenger. ATVs do not include mini trucks, golf carts, riding lawnmowers, electric bicycles as defined in W. Va. Code § 17C-1-70, or tractors.
- (b) The definition of “All-Terrain Vehicle” or “ATV” shall include “Utility terrain vehicles” as that term is defined in W. Va. Code § 17A-1-1.

Section 100.02 Adoption of West Virginia Code § 17F-1-1

The acts prohibited by West Virginia Code § 17F-1-1 are hereby incorporated by reference as if set forth herein verbatim.

Section 100.04 Requirement of Valid Operator's License

It shall be unlawful for any person to operate an ATV within the municipal corporate limits of the City of Cameron without a valid driver’s license issued to him or her to operate a motor vehicle within the State of West Virginia. Any person operating an ATV shall have his or her driver’s license on their person. A learner's permit or substantial equivalent shall not suffice to satisfy the requirements of this section.

Section 100.05 Requirement of Liability Insurance

It shall be unlawful for any person to operate an ATV within the municipal corporate limits of the City of Cameron without liability insurance coverage written or otherwise issued to cover bodily/personal injury as well as property damage, arising out of the use and/or operation of the ATV being operated. Said liability insurance coverage shall be equal to or greater than Twenty Thousand Dollars (\$20,000.00) per person, Forty Thousand Dollars (\$40,000.00) per incident for bodily injury coverage and Ten Thousand Dollars (\$10,000.00) for property damage. Evidence of satisfactory liability insurance coverage shall be kept with the ATV at all times.

Section 100.08 Headlights

It shall be unlawful for any person to operate an ATV within the municipal corporate limits of the City of Cameron without his or her headlights on.

Section 100.09 Passengers

It shall be unlawful for any person to operate an ATV within the municipal corporate limits of the City of Cameron with a passenger unless the ATV is factory-designed to carry a passenger. Notwithstanding the foregoing, it shall be unlawful for any person to operate an ATV within the municipal corporate limits of the City of Cameron: (a) with a passenger that exceeds the manufacturer's weight limits; (b) or carry more than one (1) passenger. Passengers shall be liable for any violation of this section in addition to the operator.

Section 100.10 State Traffic Laws

It shall be unlawful for any person to operate an ATV within the municipal corporate limits of the City of Cameron in violation of any state traffic law, rule, or regulation, including, without limitation, exceeding posted speed limits.

Section 100.11 All Other "Off-Highway Vehicles" Prohibited

It shall be unlawful to operate an ATV-UTV within the municipal corporate limits of the City of Cameron in violation of any state traffic law, rule, or regulation, including, without limitation, exceeding posted speed limits.

Section 100.12 Penalties

Any person found to be in violation of any section of this ordinance shall be guilty of a misdemeanor and shall be punished by the following fines:

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| (a) First Offense: | not less than Fifty Dollars (\$50.00) and no more than One Hundred Dollars (\$100.00) |
| (b) Second Offense: | not less than One Hundred Dollars (\$100.00) and no more than Two Hundred Dollars (\$200.00) |
| (c) Each subsequent offense: | not less than Two Hundred Dollars (\$200.00) and no more than Five Hundred Dollars (\$500.00) |

First Reading: **February 20th, 2025**

Second Reading: **March 3rd, 2025**

PASSED AND ADOPTED THIS **3rd** DAY OF **March**, 2025 BY THE CITY COUNCIL OF THE CITY OF CAMERON, WEST VIRGINIA

Sherry Johnson, Mayor

Attest:

Nichole Bryan, Clerk