CITY OF MARYVILLE, MISSOURI
COUNCIL ACTION REPORT

Title:	An Ordinance Amending Title III, Traffic Code, of the Maryville City Code by Repealing Sections 340.110 and 340.115 and Enacting a New Chapter 395 Regulating Utility Vehicles, All-Terrain Vehicles, Recreational Off-Highway Vehicles, and Golf Carts Upon City Streets
Council Bill No.:	2026'103
Agenda Date:	November 9, 2026
Presented by:	Ryan Heiland, City Manager

BACKGROUND:
The City of Maryville currently regulates the operation of utility vehicles, all-terrain vehicles, and similar vehicles through Sections 340.110 and 340.115 of the Maryville City Code. Over the past several months, City Council and staff have discussed potential amendments to the City Code to provide a more comprehensive regulatory framework for the operation of these vehicles upon City streets.

Following these discussions, staff developed a proposed ordinance that would repeal the existing Sections 340.110 and 340.115 and establish a new Chapter 395 of the Maryville City Code. The proposed Chapter provides separate regulations for Utility Vehicles (UTVs), All-Terrain Vehicles (ATVs), Recreational Off-Highway Vehicles, and golf carts and establishes requirements intended to address vehicle eligibility, permitting, equipment, operation, enforcement, and public safety.

Under the proposed ordinance, qualifying UTVs would be permitted to operate upon authorized City streets provided the vehicle has been inspected and issued an annual City permit. The operator must possess a valid driver's license, maintain required liability insurance, and comply with the equipment and operating requirements established by Chapter 395. The annual registration fee would be $25.00, with permits expiring December 31 of each year.

The ordinance establishes minimum equipment requirements for permitted UTVs, including operational headlights, taillights, brake lights and turn signals; brakes; horn; mirrors; reflectors; muffler and exhaust system; occupant restraints; rollover protection; appropriate tires; and windshield or eye protection.

Under the proposed ordinance, UTVs would be required to undergo a visual inspection to verify compliance with the equipment and safety requirements established by Chapter 395. Inspections would be conducted by the Chief of Police or designee, allowing the City to utilize authorized third-party inspection providers. Applicants would be required to present their UTV and a City-provided inspection form to an authorized inspection provider. Following successful completion of the inspection, the applicant would submit the approved inspection form to the Department of Public Safety to obtain the required annual UTV permit. This process would provide a standardized method for verifying vehicle compliance while minimizing the administrative responsibilities of City staff.

UTVs would be limited to a maximum operating speed of 30 miles per hour and would not be permitted on City streets posted above 35 miles per hour. Operation would also be prohibited on State or Federal highways except for lawful crossings and on sidewalks, pedestrian or bicycle paths, recreational trails,

parks, public lawns, and other areas not designated for motor-vehicle travel. UTV operation would generally be prohibited between 10:00 p.m. and 6:00 a.m.

The proposed ordinance would continue to prohibit ATVs and recreational off-highway vehicles from operating upon City streets or other public property under City jurisdiction except when specifically authorized by Missouri law. The installation of additional safety equipment would not change the statutory classification of an otherwise prohibited vehicle.

Golf carts would continue to be permitted without a UTV permit but would be limited to residential streets with posted speed limits of 25 miles per hour or less. Golf carts would be limited to a maximum speed of 20 miles per hour and would be subject to minimum equipment, driver's license, passenger, and operating requirements. Golf carts would not be permitted to operate from sunset to sunrise, regardless of lighting or other safety equipment.

Chapter 395 also establishes procedures for violation penalties and revocation of UTV permits. Following revocation, the vehicle owner would be ineligible to reapply for a permit for one year, with a reapplication fee of $250.00. The ordinance also authorizes City Council to designate streets as prohibited for UTV or golf-cart operation based upon traffic and public-safety considerations.

If approved, the ordinance would be adopted on November 9, 2026, but would not become effective until January 1, 2027. Existing Sections 340.110 and 340.115 will remain in effect through December 31, 2026. The delayed effective date will provide staff with the necessary time to develop the permit application, inspection procedures, permit decals, public information materials, and other administrative measures necessary to implement the new regulations.

FINANCIAL CONSIDERATIONS:
The proposed ordinance establishes an annual UTV registration fee of $25.00. Applicants will also be responsible for a third-party inspection fee, typically around $15.00.

Permits will expire on December 31 of each year and will be nontransferable, nonrefundable, and will not be prorated.

Following the revocation of a UTV permit, an owner may reapply after one year and will be subject to a $250.00 reapplication fee.

Staff anticipate minor administrative costs associated with development of applications, permit decals, public information materials, and implementation of the inspection and permitting program. These costs are expected to be absorbed within existing departmental operating budgets.

LEGAL CONSIDERATIONS:
The proposed ordinance repeals existing Sections 340.110 and 340.115 and replaces those provisions with a comprehensive Chapter 395 governing UTVs, ATVs, recreational off-highway vehicles, and golf carts.

The ordinance has been reviewed and approved by the City Attorney.

COMPREHENSIVE PLAN:
The proposed ordinance supports the City's broader objectives related to safe transportation, responsible use of the public street system, and maintaining a safe and accessible community transportation network.

RECOMMENDED ACTION:
Approve the proposed ordinance repealing Sections 340.110 and 340.115 of the Maryville City Code and enacting a new Chapter 395 regulating the operation of Utility Vehicles, All-Terrain Vehicles, Recreational Off-Highway Vehicles, and golf carts upon City streets.

The ordinance establishes a permitting and inspection program for qualifying UTVs, continues restrictions on ATVs and recreational off-highway vehicles, establishes operating requirements for golf carts, and provides enforcement provisions intended to promote the safe operation of these vehicles upon City streets. The ordinance will become effective January 1, 2027, allowing City staff sufficient time to implement the permitting and inspection program.

AN ORDINANCE TO AMEND TITLE III, TRAFFIC CODE, OF THE MARYVILLE CITY CODE BY REPEALING SECTIONS 340.110 AND 340.115 AND ENACTING A NEW CHAPTER 395 REGULATING UTILITY VEHICLES, ALL-TERRAIN VEHICLES, RECREATIONAL OFF-HIGHWAY VEHICLES, AND GOLF CARTS UPON CITY STREETS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYVILLE, MISSOURI, AS FOLLOWS:

SECTION 1. REPEAL OF SECTIONS 340.110 AND 340.115.
Sections 340.110 and 340.115 of Title III, Traffic Code, of the Code of Ordinances of the City of Maryville, Missouri, are hereby repealed in their entirety.

SECTION 2. ENACTMENT OF CHAPTER 395.
Title III, Traffic Code, is hereby amended by enacting a new Chapter 395 to read as follows:

CHAPTER 395
UTILITY VEHICLES, ALL-TERRAIN VEHICLES, RECREATIONAL OFF-HIGHWAY VEHICLES, AND GOLF CARTS

Section 395.010. Definitions and Applicability.
ALL-TERRAIN VEHICLE or ATV. An all-terrain vehicle as defined by Missouri law.
CITY STREET. A public street, roadway, or alley maintained by or under the jurisdiction of the City of Maryville, excluding State and Federal highways.
GOLF CART. A motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and not capable of exceeding twenty (20) miles per hour.
RECREATIONAL OFF-HIGHWAY VEHICLE. A recreational off-highway vehicle as defined by Missouri law.
RESIDENTIAL STREET. A City street having a posted speed limit of twenty-five (25) miles per hour or less, primarily serving residential property and not designated by the City as an arterial, collector, prohibited, or otherwise unsuitable street for golf-cart operation.
UTILITY VEHICLE or UTV. A utility vehicle as defined by Missouri law having side-by-side occupant seating, steering wheel, occupant restraints, and rollover protection.
Except as authorized by this Chapter or Missouri law, no ATV, UTV, recreational off-highway vehicle, or golf cart shall be operated upon City streets or other City property not designated for motor-vehicle travel.

Section 395.020. UTV Permit Required.
A. A qualifying UTV may be operated upon authorized City streets only when:
   1. The vehicle has been inspected and issued a current City permit;
   2. The permit decal is properly displayed;
   3. The operator possesses a valid driver's license;
   4. The vehicle is covered by liability insurance satisfying Missouri financial-responsibility requirements; and
   5. The vehicle complies with the equipment and operating requirements of this Chapter.

B. A permit applies only to the vehicle for which issued, is nontransferable, and does not authorize operation upon a State or Federal highway except for a lawful crossing.

Section 395.030. Permit, Fee and Inspection.
A. The owner shall apply through the Maryville Public Safety Department or other department designated by the City Manager and provide proof of ownership, a valid driver's license, proof of insurance identifying the vehicle, required vehicle information, and such other reasonably necessary information to determine eligibility.

B. The annual registration and inspection fee shall be twenty-five dollars ($25.00). Permits expire December 31, are nontransferable and nonrefundable, and shall not be prorated.

C. Prior to issuance, the vehicle shall be visually inspected by the Chief of Police or designee for apparent compliance with this Chapter. Upon approval, the City shall issue a permit decal to be displayed on the left rear portion of the vehicle.

Section 395.040. UTV Equipment Requirements.

A. A UTV operated upon a City street shall be maintained in safe operating condition and equipped with:
   1. Operational headlights, taillights, brake lights and turn signals;
   2. Adequate service and parking brakes;
   3. A functioning horn;
   4. A driver's-side mirror and either a passenger-side or interior rearview mirror;
   5. Appropriate reflectors;
   6. A functioning muffler and exhaust system;
   7. Manufacturer-installed seat belts or approved occupant restraints for each seating position;
   8. Manufacturer-installed rollover protection;
   9. Tires with adequate tread;
   10. A safety-glass or manufacturer-approved windshield, or appropriate eye protection for each occupant;
   11. All other safety equipment originally installed by the manufacturer.

B. Required safety equipment shall not be removed or disabled.

Section 395.050. UTV Operating Requirements.

A. UTVs shall comply with applicable City traffic ordinances and Missouri law.

B. The operator shall possess a valid driver's license, maintain proof of financial responsibility, obey traffic-control devices, display illuminated headlights and taillights, and ensure each occupant is seated in a manufacturer-designed seating position and uses an available occupant restraint.

C. No person shall operate a UTV:
   1. At a speed greater than thirty (30) miles per hour;
   2. Upon a City street posted above thirty-five (35) miles per hour;
   3. Upon a State or Federal highway except for a lawful crossing;
   4. Upon a prohibited street or upon a sidewalk, pedestrian or bicycle path, recreational trail, park, public lawn, or other area not designated for motor-vehicle travel;
   5. Carelessly, recklessly, or while under the influence of alcohol, cannabis, a controlled substance, or other intoxicating substance;
   6. With more occupants than manufacturer-designed seating positions or with any occupant riding in a cargo bed or other location not designed for passengers;
   7. While towing a person or animal;
   8. While controlling an animal by hand, leash, rope, or similar means; or
   9. In a manner creating excessive or unreasonable noise, smoke, dust, or other disturbance.

D. No operator or passenger shall possess an open container of or consume intoxicating liquor while a UTV is being operated upon a City street.

E. Child passenger restraints shall comply with applicable Missouri law.

F. A prohibited City street may be crossed at an intersection or designated crossing as close to a ninety-degree angle as reasonably practicable after yielding to approaching traffic. State or Federal highways may be crossed only as authorized by Missouri law and the governmental agency having jurisdiction.

G. UTVs shall not be operated upon any property owned or controlled by Northwest Missouri State University.

H. UTV’s operating at Mozingo Lake Recreation Park are subject to all requirements established in Chapter 212 of the Maryville City Code.

Section 395.060. ATVs and Recreational Off-Highway Vehicles.

A. Except as expressly authorized by Missouri law or by special authorization issued pursuant thereto, no person shall operate an ATV or recreational off-highway vehicle upon any City street or other public property under City jurisdiction.

B. Installation of lights, mirrors, seat belts, windshields, roll cages, or other equipment does not change a vehicle's statutory classification or make an otherwise ineligible vehicle eligible for a UTV permit.

Section 395.070. Golf Carts.

A. A qualifying golf cart may be operated without a UTV permit only upon a residential street having a posted speed limit of twenty-five (25) miles per hour or less.

B. No golf cart shall exceed twenty (20) miles per hour or be operated upon an arterial, collector, prohibited street, State or Federal highway, sidewalk, pedestrian or bicycle path, recreational trail, park, public lawn, or other area not designated for motor-vehicle travel, except for a lawful crossing.

C. A golf cart may cross a prohibited City street at an intersection or designated crossing as close to a ninety-degree angle as reasonably practicable after yielding to approaching traffic. State or Federal highways may be crossed only as authorized by Missouri law and the governmental agency having jurisdiction.

D. No golf cart may be operated on any City street from sunset to sunrise, regardless of lighting or other safety equipment.

E. The operator shall possess a valid driver's license and shall not operate carelessly, recklessly, or while impaired.

F. A golf cart shall have adequate brakes, functioning steering, a rearview mirror, appropriate reflectors, a rear warning emblem or reflective triangle, and manufacturer-designed seating for every occupant.

G. No person shall ride upon any portion of a golf cart not designed for passenger occupancy, and the number of occupants shall not exceed the number of manufacturer-designed seating positions.

Section 395.080. Permit Enforcement and Prohibited Streets.

A. Violation Penalty. Any person who violates the terms of this Section shall, upon a plea of guilty or a finding of guilt, be fined not less than Two Hundred Twenty Five Dollars ($225.00). Any person who violates the terms of the Section for a second time shall, upon a plea of guilty or a finding of guilt, be subject to the financial penalty described herein and have their UTV permit suspended for ninety (90) days. Any person who violates the terms of this Section for a third time shall, upon a plea of guilty or a finding of guilt, be subject to the financial penalty described herein and have their UTV permit revoked for a period of time not less than one (1) year. Any subsequent violation under this subsection shall result in a permanent revocation of the individual's UTV permit together with the financial penalties described herein.

B. The City Council may by resolution designate any City street or portion thereof as prohibited for UTV or golf-cart operation based upon speed, traffic volume, roadway design, pedestrian or bicycle activity, proximity to schools, parks or other high-activity areas, construction, crash history, or other public-safety considerations.

C. The City Manager may temporarily prohibit operation during construction, emergencies, special events, hazardous conditions, or similar temporary circumstances.

D. Following the revocation of a permit, the owner shall not be eligible to reapply for a new permit until one (1) year after the effective date of revocation. The reapplication fee following a suspension or revocation shall be two hundred fifty dollars ($250.00).

Section 395.090. Exemptions, Enforcement and Liability.

A. Nothing in this Chapter prohibits governmental or emergency operation, operation on private property with the owner's permission, operation authorized as part of a parade or special event, or other operation expressly authorized by Missouri law.

B. A violation of this Chapter constitutes an ordinance violation subject to the general penalty provisions of the City Code and may also result in suspension or revocation of a City-issued permit.

C. A UTV or golf cart shall be parked within a lawful automobile parking space and shall not obstruct motor-vehicle, bicycle, or pedestrian traffic.

D. Issuance of a permit or completion of an inspection does not constitute a representation or warranty that a vehicle is mechanically safe or roadworthy.

E. Nothing in this Chapter creates or imposes upon the City, its officers, employees, or agents a duty or liability not otherwise imposed by law.

SECTION 3. CONFLICTING ORDINANCES.

All ordinances or portions of ordinances in conflict with this Ordinance are repealed to the extent of the conflict.

SECTION 4. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, that determination shall not affect the validity of the remaining portions.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall be passed and adopted on November 9th, 2026, and shall become effective on January 1, 2027. Sections 340.110 and 340.115 shall remain in full force and effect through December 31, 2026, and shall be repealed upon the effective date of this Ordinance.

Prior to January 1, 2027, City staff is authorized to develop and implement all forms, applications, permits, decals, inspection procedures, public information materials, and other administrative measures necessary to implement Chapter 395.

PASSED AND ADOPTED this 9th day of November 2026

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John J. McBride, Mayor

ATTEST:

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Stacy Wood, City Clerk