

RESOLUTION 2022-37

WHEREAS, Lyon County has previously enacted Lyon County Ordinance No. 2021-03 regulating the operation of off-road utility vehicles in Lyon County, Iowa; and

WHEREAS, such regulations are designed to provide for the safety of Lyon County's citizens, the general public, and promote roadway safety;

WHEREAS, when Ordinance No. 2021-03 was enacted in 2021, State law permitted such county regulation, but the 89th General Assembly of the Iowa Legislature, found in HF 2130, made significant modifications to Iowa law regulating such vehicles as of July 1, 2022, specifically Iowa Code section 321I.10(2) which now permits such vehicles to be operated on any unpaved secondary road, among other changes, conflicting with Lyon County Ordinance No. 2021-03;

WHEREAS, the Lyon County Board of Supervisors must and desires to maintain ordinances in compliance with Iowa law;

WHEREAS, the Lyon County Board of Supervisors, desires to place a one (1) year moratorium on the Lyon County Ordinance No. 2021-03, giving time to allow additional guidance to county governments from the Legislature, the Department of Natural Resources, and/or other interested associations, on precisely how counties ought to comply with the new state law;

WHEREAS the Lyon County Board of Supervisors desires to achieve a one (1) year moratorium on Lyon County Ordinance No. 2021-03, temporarily lawfully suspending the same for a period of one (1) year.

THEREFORE BE IT RESOLVED by the Lyon County Board of Supervisors.

1. Lyon County Ordinance No. 2021-03, regulating the operation of off-road utility vehicles in Lyon County, Iowa, shall be temporarily lawfully suspended for a period of one (1) year from the date of passage.
2. Such moratorium shall be effective immediately upon passage. This moratorium shall sunset, automatically terminating one-year after passage.

PASSED AND APPROVED this 13 day of September, 2022.



Josh Feucht
Chairman, Board of Supervisors

ATTEST:



Jen Smit, Lyon County Auditor