



## § 71.09 RECREATIONAL MOTOR VEHICLES.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ALL-TERRAIN VEHICLE or ATV.** Motorized trail bikes, amphibious vehicles, ATVs as defined in M.S. § 84.92 and similar devices, other than snowmobiles and utility task vehicles, used at least partially for travel on natural terrain, but not "special mobile equipment", as defined in M.S. § 168.011, Subdivision 22, which is hereby incorporated herein by reference.

**MOTORIZED BICYCLE.** A bicycle with fully operable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of 2 break horsepower, which is capable of a maximum speed of not more than 30 mph on a flat surface with not more than 1% grade in any direction when the motor is engaged.

**MOTORIZED FOOT SCOOTERS.** A transportation device that has handlebars; can be either stood on or sat on by the operator (saddle optional); is powered by an electric motor or internal combustion engine that is capable of powering the device with or without human propulsion; and has either (1) wheels no more than 10 inches in diameter, or (2) an engine that is capable of a maximum speed of not more than 15 miles per hour on a flat surface.

**OPERATE.** To ride in or on and have control of a recreational motor vehicle.

**OPERATOR.** The person who operates or is in actual physical control of a recreational motor vehicle.

**OWNER.** A person, other than a lien holder, having a property interest in, or title to, a recreational motor vehicle, who is entitled to the use or possession thereof.

**RECREATIONAL MOTOR VEHICLE.** Any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes, including but not limited to a motorized bicycle, all-terrain vehicle, utility task vehicle, snowmobile, hovercraft, or motor vehicle licensed for highway operation which is being used for off-road recreational purposes.

**SNOWMOBILE.** A self-propelled vehicle designed for travel on snow or ice or natural terrain steered by wheels, skis or runners.

**UTILITY TASK VEHICLE or UTV.** A side-by-side, four-wheel drive, off-road vehicle that has four wheels, is capable of carrying at least 2 and up to 6 people, is equipped with a steering wheel and rollover protection, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,000 but less than 2,600 pounds.

**SNOWMOBILE.** A self-propelled vehicle designed for travel on snow or ice or natural terrain steered by wheels, skis or runners.

(B) *Recreational motor vehicle operating restrictions.* It is unlawful for any person to operate a recreational motor vehicle as follows:

- (1) On a public sidewalk or walkway provided or used for pedestrian travel;
- (2) On private property of another without lawful authority or permission of the owner or occupant;
- (3) On any lands or frozen waters owned or occupied by a public body, including, but not limited to, school grounds, park property, playgrounds, recreational areas, private roads, platted but unimproved roads, utility easements, public trails and golf courses. Provided, however, that the Council may, by resolution, specifically permit use on city property, in which event the shortest route to and from areas so permitted shall be used;
- (4) While the operator is under the influence of liquor or narcotics, or habit-forming drugs;
- (5) At a rate of speed greater than reasonable or proper under all of the surrounding circumstances;
- (6) In a careless, reckless or negligent manner so as to endanger the person or property of another or cause injury or damage thereto;
- (7) Towing any person or thing on a public street or highway except through the use of a rigid tow bar attached to the rear of an automobile;
- (8) Subject to division (B)(5) of this section, at a speed greater than 10 mph, excluding utility task vehicles, which must be operated at or below the posted speed limit;
- (9) In a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of other persons;
- (10) Chasing, running over, or killing any animal, wild or domestic; and
- (11) During the hours between 11:00 p.m. of 1 day and 7:00 a.m. of the day next following, except that during such hours a recreational motor vehicle, if otherwise lawfully operated, may be operated on a public street. Utility task vehicles are excluded from this division (B)(11) as their hours of operation are governed by division (G)(5) of this section.

(C) *Owner responsibility.*

(1) It is unlawful for the owner of any recreational motor vehicle to permit its operation on private property without permission of the landowner or occupant, on city property without the permission of the Council, or on other public property without permission of the body in charge thereof. For purposes of this section, the owner of the recreational motor vehicle shall be conclusively presumed to have given the permission unless the recreational motor vehicle so operated shall have been reported stolen to a law enforcement agency.

(2) Every person leaving a recreational motor vehicle in a public place shall lock the ignition, remove the key and take the same with him or her.

(D) *Additional snowmobile operating regulations.*

(1) A person may not operate a snowmobile anywhere within city limits between the hours of 11:00 p.m. and 7:00 a.m. It is unlawful for any person to operate a snowmobile upon the roadway, shoulder, or inside bank or slope of any street or highway except on a direct route from their residence to the nearest snowmobile trail designated by the Council. No person may operate a snowmobile on any trail designated by the City Council unless they are on a direct route to or from their residence to or from city limits. Operation on boulevards and sidewalks is prohibited. The intent of this section is to allow snowmobile travel within city limits from the snowmobile operator's residence to the trail system outside of the city. This must be accomplished by the most direct route. Any operation other than that allowed in this section is prohibited.

(2) A snowmobile may make a direct crossing of a street or highway except an interstate highway or freeway, provided:

(a) The crossing is made at an angle of approximately 90 degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

(b) The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way of the highway;

(c) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard;

(d) In crossing a divided street or highway, the crossing is made only at an intersection of the street or highway with another public street or highway; and

(e) If the crossing is made between the hours of ½ hour after sunset to ½ hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

(3) No snowmobile shall enter any uncontrolled intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians which constitute an immediate hazard.

(4) Notwithstanding any prohibition in this section, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time when, and at locations where, snow upon the roadway renders travel by automobile impractical.

(5) All residents born after December 31, 1979, must have in their possession a valid snowmobile safety certificate issued by the State of Minnesota to operate a snowmobile. No person under 16 years of age shall operate on streets or highways or make a direct crossing of a street or highway as the operator of a snowmobile. A person 14 years of age or older, but less than 16 years of age, may operate a snowmobile on streets or highways and make direct crossings of streets and highways within the municipality provided that the person is accompanied by a parent or guardian. It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this section.

(E) *Snowmobile equipment.* It is unlawful for any person to operate a snowmobile unless it is equipped with the following:

(1) Standard mufflers which are properly attached and in constant operation, and which reduce the noise of operation of the motor to the minimum necessary for operation. Mufflers shall comply with Regulation CONS. 55 which is hereby adopted by reference as it existed on September 1, 1970. No person shall use a muffler cut-out, by-pass, straight pipe or similar device on a snowmobile motor, and the exhaust system shall not emit or produce a sharp popping or crackling sound.

(2) Brakes adequate to control the movement of and to stop and hold the snowmobile under any conditions of the operation.

(3) A safety or so-called "deadman" throttle in operating condition, so that when pressure is removed from the accelerator or throttle, the motor is disengaged from the driving track.

(4) At least 1 clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least 1 red tail lamp having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness under normal atmospheric conditions. The equipment to be in operating condition when the vehicle is operated between the hours of ½ hour after sunset to ½ hour before sunrise or at times of reduced visibility.

(5) Reflective material at least 16 inches on each side, forward of the handlebars, so as to reflect or beam light at a 90 degree angle.

(F) *Additional ATV regulations.* ATVs are not allowed in the city limits except on private property where permission has been granted by the property owner; however, authorized city staff may operate city-owned ATVs on city streets, sidewalks,

trails, rights-of way, and public property when conducting city business.

(G) *Additional UTV regulations.* No person shall operate a utility task vehicle on: (a) private property unless permission has been granted by the property owner; or (b) city streets or alleys within the City without obtaining a permit as provided herein; however, authorized city staff may operate city-owned utility task vehicles without obtaining a permit on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

(1) Application for a utility task vehicle operating permit shall be made on a form supplied by the Police Department and shall contain all of the following information:

- (a) The name and address of the applicant.
- (b) Model name, make, and year and registration number of the utility task vehicle.
- (c) Evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the utility task vehicle.
- (d) The applicant's current driver's license.
- (e) Such other information as the city may require.

(2) Permits shall be granted by the Chief of Police for a period of 1 year and may be renewed. It is the responsibility of each permit holder to apply for renewal as necessary. The city is not responsible for providing permit holders with renewal reminders.

(3) No permit shall be granted or renewed unless the applicant demonstrates that he or she possesses a current and valid Minnesota driver's license, they must show their UTV is currently registered with the State of Minnesota, and they must provide current proof of insurance for their UTV.

(4) Utility task vehicles are permitted to operate only on city streets, not state or federal highways, with the exception of being allowed to cross state or federal highways at designated intersections.

(5) Utility task vehicles may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather conditions or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet. Except for the purpose of snow removal, operation of utility task vehicles is prohibited when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons or vehicles on the roadway at a distance of 500 feet.

(6) Utility task vehicles shall be equipped with working headlights, taillights, turn signals, and a rear-view mirror to provide the driver with adequate vision from behind.

(7) Every person operating a utility task vehicle under permit on designated roadways has all the rights, obligations and duties applicable to the driver of any other vehicle under the provisions of M.S. 169, as it may be amended from time to time.

(8) The Chief of Police may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this section or M.S. Ch. 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the utility task vehicle on the designated roadways.

(9) The number of occupants on the utility task vehicle may not exceed the design occupant load.

(Prior Code, § 8.11) (Am. Ord. 40, Second Series, passed 12-18-2000; Am. Ord. 2018-01, passed 1-2-2018) Penalty, see § 71.99