

Section 630 – Regulation of Recreational Vehicles

630.01 Purpose and Intent. The purpose of this ordinance is to provide reasonable regulations for the use of special and recreational motor vehicles on public and private property in the city. This ordinance is not intended to allow what the Minnesota Statutes prohibit or to prohibit what the Minnesota Statutes expressly allow. It is intended to ensure the public safety and prevent a public nuisance.

630.02 Definition. For the purpose of this ordinance, the following definition shall apply unless the context clearly indicates or requires a different meaning:

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 trail bike, off-highway motorcycle, as defined by Minn. Stat. § 84.787, subd. 7, as it may be amended from time to time, or other all-terrain vehicle as defined by Minn. Stat. 84.90 and Minn. Stat. § 84.92, subd. 8-10 as it may be amended from time to time, or motorized go-carts, hovercraft, or motor vehicle licensed for highway operation, which is being used for off-road recreational purposes, but not including motorized golf carts, personal electric mobility devices, motorized foot scooters, neighborhood electric vehicles, medium-speed electric vehicles, or mini-trucks.

630.03 Recreational Vehicle Operation Requirements. It is unlawful for any person to operate a recreational motor vehicle:

1. No person shall enter on any land not owned by the person for the purpose of operating a recreational motor vehicle without specific written permission from the owner, or person with lawful control of the property.
2. On publicly owned land, including schools, city streets, boulevards, park property, playgrounds, recreation areas and greenways, except where permitted by this ordinance, and as permitted by Section 630.03, 2a & 2b.
 - a. An All-terrain vehicle as defined by Minn. Stat. § 84.92 subd. 8, Class 1 ATV as defined by Minn. Stat. § 84.92 subd. 9, and Class 2 ATV as defined Minn. Stat. § 84.92 subd 10 shall be permitted to operate on a city street, or other city roadway and parking lot designed for vehicular traffic in accordance with Section 600.
 - b. A snowmobile as defined under Minn. Stat. § 84.81 may be operated on a city street for the exclusive purpose of traveling the most direct route to, and from a place designated or permissible for operation. A snowmobile must be operated as far to the right of the roadway nearest the curb as practical.
3. In a manner so as to create a loud, unnecessary, or unusual noise that disturbs, annoys, or interferes with the peace and quiet of other persons.

4. On a public sidewalk, walkway, walking path, or bike trail provided or used for pedestrian or bicycle travel.
5. At a place while under the influence of intoxicating liquor or narcotics or habit-forming drugs.
6. At a rate of speed greater than reasonable or proper under all the surrounding circumstances.
7. At any place in a careless, reckless, or negligent manner so as to endanger or be likely to endanger any person or property or to cause injury or damage thereto.
8. On any public street, highway, or right-of-way unless registered pursuant to Minnesota law.
9. To intentionally drive, chase, run over, or kill any animal, wild or domestic.
10. By halting any recreational motor vehicle carelessly or heedlessly in disregard of the rights or the safety of others or in a manner so as to endanger or be likely to endanger any person or property.
11. Without a functioning headlight, taillight, and stoplight.
12. Without a brake operational by either hand or foot.
13. On residential lots less than two and one-half (2 ½) acres in size unless the purpose is for maintenance, plowing, or other work-related activities.
14. At a speed exceeding 10 miles per hour on the frozen surface of public waters within 100 feet of a person not on an all-terrain vehicle or within 100 feet of a fishing shelter.
15. Helmet and seat belts requirements shall be regulated in accordance with Minn. Stat. § 84.9256 subd. 2 Helmet and Seatbelts Required.
16. All-terrain vehicles and passengers.
 - a. No person under 18 years of age shall operate a Class 1 All-Terrain Vehicle while carrying a passenger except for a parent or lawful guardian.
 - b. No person under 18 years of age shall operate a Class 2 All-Terrain Vehicle while carrying a passenger except for a parent or lawful guardian.

630.04 Street Crossings.

Subd. 1. No person under 12 years of age operating the vehicles regulated herein shall make a direct crossing of any street, highway, or public right-of-way; or operate a vehicle regulated herein on a public street, highway, or road right-of-way; or operate a vehicle regulated herein on public lands or waters, except that a person at least 10 years of age but under 12 years of age may operate an all-terrain vehicle with an engine capacity up to 110cc on public lands or waters if accompanied by a

parent or legal guardian.

Subd. 2. A Recreational Vehicle may make a direct crossing of a public road right-of-way provided:

1. The crossing is made at an angle of approximately 90 degrees to the direction of the road and at a place where no obstruction prevents a quick and safe crossing.
2. The vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the road.
3. The driver yields the right-of-way to all oncoming traffic that constitutes an immediate hazard.
4. In crossing a divided road, the crossing is made only at an intersection of the road with another public road.
5. If the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

630.05 Hours of Operation. Hours for use are sunrise to sunset.

630.06 Minimum Equipment Requirements

Subd. 1. Standard mufflers shall be properly attached and in constant operation to reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass, straight pipe, or similar device on a recreational motor vehicle motor. The exhaust system shall not emit or produce a sharp popping or crackling sound, or emit in excess of 99db from a distance of 20 inches.

Subd. 2. Brakes shall be adequate to control the movement of and to stop and hold under any conditions of operation.

Subd. 3. At least one clear lamp shall be 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 that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least one red tail lamp having a minimum candlepower 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. This equipment shall be required and shall be in operating condition when the vehicle is operated between the hours of one-half hour after sunset and one-half hour before sunrise, or at times of reduced visibility.

630.07 Designation of Public Areas for Use

Subd. 1. The Council may designate areas and exclusive city streets for use of recreational motor vehicles by Ordinance approval by a majority of the members of the City Council. The areas designated may be changed from time to time by the City Council. Any area designated shall be published in the official newspaper of the city. If an area is changed, the change shall be published in like manner in the official newspaper of the city. An up-to-date map of any designated park areas open for recreational motor vehicle use shall be kept on file in the office of the city clerk, who shall provide on request a copy of the map together with the applicable rules, regulations, and this ordinance to each person requesting the information from the city.

Subd. 2. Unless designated by the City Council as an area for recreational motor vehicles, the use on city park property and city streets shall be unlawful. Further, the use of city parks designated by the City Council shall be in accordance with all of the applicable provisions of this ordinance.

630.08 Public Safety Usage. Notwithstanding the prohibitions in this Section, a recreational vehicle may be operated in a time, a place deemed appropriate by an official public safety entity in accordance with their lawful duties.

630.09 Penalty. All violations of this Section shall be a misdemeanor offense.

Section 631 - Regulation of Specialty Vehicles

631.01 Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

DRIVER. The person driving and having physical control over the motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck and being the licensee.

MOTORIZED GOLF CART. Any passenger conveyance being driven with four wheels with four low-pressure tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 800 pounds.

UTILITY TASK VEHICLE. As defined by Minn. Stat. § 169.045, subd. 1 (3).

MINI-TRUCK. As defined in Minn. Stat. § 169.011, subd. 40(a).

631.02 Permit Required for Operation of Specialty Vehicles. No person shall operate a motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck on streets, alleys, sidewalks or other public property without obtaining a permit as provided herein.

Subd. 1 Every application for a permit shall be made on a form supplied by the city and shall contain all of the following information:

1. The name and address of the Applicant.

Subd. 2 Any applicable permit fees shall be as set forth in the adopted City's Fee Schedule.

Subd. 3 Permits shall be granted for a period of three (3) years and may be renewed.

Subd. 4 Motorized golf carts, utility task vehicles, all-terrain vehicles, and mini-trucks are permitted to operate only on city streets, not state or federal highways, except to cross at designated intersections.

Subd. 5 Motorized golf carts, utility task vehicles and all-terrain vehicles may only be operated on designated roadways from sunrise to sunset.

Subd. 6 Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minn. Stat. § 169.045, as it may be amended from time to time, when operated on designated roadways.

Subd. 7 The operator of a motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck may cross any street or highway intersecting a designated roadway.

Subd. 8 The Chief of Police may suspend or revoke a permit granted hereunder upon a finding that the holder thereof if there is evidence that the permit holder cannot safely operate the motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck on the designated roadways. The applicant reserves the right to appeal this suspension or revocation to the City Council.

Subd. 9 The number of occupants on the golf cart, utility task vehicle, all-terrain vehicle, or mini-truck may not exceed the design occupant load.

631.03 Authorized Operators. Authorized city staff may operate city owned motorized golf carts, all-terrain vehicles, utility task vehicles, and mini-trucks without obtaining a permit within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

631.04 Penalty. All violations of this Section shall be a misdemeanor offense.

Section 632 - Operation of Electric Personal Assistive Mobility Devices

632.01 Electric Personal Assistive Mobility Device. Means a self-balancing device with two non-tandem wheels, designed to transport not more than one person, and operated by an electric propulsion system that limits the maximum speed of the device to 15 miles per hour.

632.02 Rights and Responsibilities of a Pedestrian. Except as otherwise provided by law, a person operating an electric personal assistive mobility device has the rights and responsibilities of a pedestrian.

632.03 Operation.

Subd. 1 An electric personal assistive mobility device may be operated on a bicycle path.

Subd. 2 No person may operate an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path at a rate of speed that is not reasonable and prudent under the conditions. Every person operating an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path is responsible for becoming and remaining aware of the actual and potential hazards then existing on the roadway or sidewalk and must use due care in operating the device.

Subd. 3 An electric personal assistive mobility device may be operated on a roadway only under the following circumstances:

1. While making a direct crossing of a roadway in a marked or unmarked crosswalk.
2. Where no sidewalk is available.
3. Where a sidewalk is so obstructed as to prevent safe use.
4. When so directed by a traffic control device or by a peace officer.
5. Temporarily in order to gain access to a motor vehicle.
6. As provided in Section 632.03, subd.7.

Subd. 4 An electric personal assistive mobility device may not be operated at any time on a roadway with a speed limit of more than 35 miles per hour except to make a direct crossing of the roadway in a marked crosswalk.

Subd. 5 An electric personal assistive mobility device may not be operated at any time while carrying more than one person.

Section 632 – Operation of Electric Personal Assistive Mobility Devices

Subd. 6 Designated exclusive city streets. The City Council may, by resolution, designate exclusive city streets within its jurisdiction where the operation of electric personal assistive mobility devices is not permitted, provided that any street so designated has a speed limit of more than 35 miles per hour.

Subd. 7 A person operating an electric personal assistive mobility device on a sidewalk must yield the right-of-way to pedestrians at all times. A person operating an electric personal assistive mobility device on a bicycle path must yield the right-of-way to bicycles at all times.

Subd. 8 An electric personal assistive mobility device may not be operated unless the device bears reflectorized material on the front, back, and wheels, visible at night from 600 feet when illuminated by the lower beams of headlamps of a motor vehicle.

632.04 Penalty. All violations of this Section shall be a misdemeanor offense.

Section 633 - Motorized Foot Scooters

633.01 Motorized Foot Scooter. Means a device with handlebars designed to be stood or sat upon by the operator, and powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion, and that has no more than two 12-inch or smaller diameter wheels and has an engine or motor that is capable of a maximum speed of 15 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged. An electric personal assistive mobility device, a motorized bicycle, an electric-assisted bicycle, or a motorcycle is not a motorized foot scooter.

633.02 Operation.

Subd. 1 Operation of a motorized foot scooter on city bicycle paths, bicycle lanes, bicycle trails, or bikeways is prohibited except as provided in Section 633.02, Subd. 2.

Subd. 2 Every person operating a motorized foot scooter shall have all rights and duties applicable to the operator of a bicycle, except in respect to those provisions relating expressly to motorized foot scooters and in respect to those provisions of law that by their nature cannot reasonably be applied to motorized foot scooters.

Subd. 3 No person may operate a motorized foot scooter upon a sidewalk, except when necessary to enter or leave adjacent property. No person may operate a motorized foot scooter that is carrying any person other than the operator.

Subd. 4 No person under the age of 12 years may operate a motorized foot scooter.

Subd. 5 No person under the age of 18 years may operate a motorized foot scooter without wearing properly fitted and fastened protective headgear that complies with standards established by the commissioner of Public Safety.

Subd. 6 A motorized foot scooter must be equipped with a headlight and a taillight that comply with standards established by the commissioner of Public Safety if the vehicle is operated under conditions when vehicle lights are required by law.

Subd. 7 A person operating a motorized foot scooter on a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway, except in the following situations:

1. When overtaking and passing another vehicle proceeding in the same direction.
2. When preparing for a left turn, in which case the operator shall stop and dismount at the right-hand curb or right edge of the roadway, and shall complete the turn by crossing the roadway on foot, subject to restrictions placed by law on pedestrians.

3. When reasonably necessary to avoid impediments or conditions that make it unsafe to continue along the right-hand curb or edge, including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes.

633.03 Penalty. All violations of this Section shall be a misdemeanor offense.

Section 634 - Medium-Speed Electric Vehicles and Neighborhood Electric Vehicles

634.01 Definitions.

MEDIUM SPEED ELECTRIC VEHICLE. Means an electrically powered four-wheeled motor vehicle, equipped with a roll cage or crushproof body design, that can attain a maximum speed of 35 miles per hour on a paved level surface, is fully enclosed and has at least one door for entry, has a wheelbase of 40 inches or greater and a wheel diameter of 10 inches or greater, and except with respect to maximum speed, otherwise meets or exceeds regulations in the Code of Federal Regulations, title 49, section 571.500, and successor requirements.

NEIGHBORHOOD ELECTRIC VEHICLE. Means an electrically powered motor vehicle that has three or four wheels, and has a speed attainable in one mile of at least 20 miles per hour, but not more than 25 miles per hour on a paved level surface.

634.02 Operation.

Subd. 1 Operation of neighborhood electric vehicles on city streets is prohibited except as provided in Section 634.02, Subd. 2.

Subd. 2 Use on designated exclusive city streets. The City Council may, by Ordinance, designate exclusive city streets within its jurisdiction where the operation of neighborhood electric vehicles or medium-speed electric vehicles is permissible, provided that no street so designated has a speed limit of more than 35 miles per hour.

Subd. 3 A neighborhood electric vehicle or a medium-speed electric vehicle may be operated on public streets and highways only if it meets all equipment and vehicle safety requirements in Code of Federal Regulations, title 49, section 571.500, as it may be amended from time to time.

634.03 Authorized Operators. Authorized city staff may operate city owned neighborhood electric vehicles and medium-speed electric vehicles within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

634.04 Penalty. All violations of this Section shall be a misdemeanor offense.