

CHAPTER 5
MOTOR VEHICLES

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SECTION 1

ON-STREET PARKING

Section:

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| 5-1-1 | Purpose |
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5-1-1: PURPOSE: The purpose of regulating parking during the prescribed time period is to protect the general health, safety, and welfare of the citizens of the City of Nowthen and to facilitate snow removal. (Ordinance #18, adopted October 11, 2005)

5-1-2: GENERAL STANDARD:

- A. Night Parking. It shall be unlawful for any person to park a motor vehicle, trailer, mobile home or recreational vehicle on a public street from the 15th of November to the 1st day of April between the hours of 11:00 PM to 7:00 AM.
- B. Maximum Time Limit. It shall be unlawful for any person to park a motor vehicle, trailer, mobile home or recreational vehicle on a public street for more than a 24-hour consecutive period.
- C. Immobile Vehicles and Trailers Prohibited. Vehicles and trailers incapable of movement under their own propulsion shall not be parked or stored on public streets, boulevards, ditches, and rights-of-way within the City.
- D. Obstructing Public Access. No vehicle shall be parked or permitted to stand so as to obstruct a public sidewalk, trail or crosswalk, or block access to a driveway or block access to a mailbox.
- E. Oversized or Commercial Vehicles, Recreational Vehicles and Equipment. Trucks, semi-tractors/trailers, commercial vehicles with a Class 4 rating or higher or commercial vehicles licensed for more than twenty thousand (20,000) pounds gross vehicle weight, dumpsters or any commercial or construction equipment shall not be parked on public streets, boulevards, ditches or public rights-of-way within the City.
- F. No Parking Zones and Fire Lanes. The City Council may, by resolution, designate streets, blocks or alleys, or portions thereof, as no parking zones, as fire lanes, or as limited parking zones between five (5) minutes and three (3) hours. (Ordinance 2013-05, adopted April 9, 2013; Ordinance 2021-04, adopted March 9, 2021)

5-1-3: SNOW REMOVAL REQUIRED:

- A. Obstruction of Right-of-Way Prohibited. It is unlawful to obstruct any roadway or deposit snow or ice thereon which has been removed from private property onto public streets or rights-of-way.
1. All snow and ice removed from private driveways or any other portion of private property shall be stored on the property from which it was removed.
 2. Snow and ice shall not be pushed, plowed, snow-blown or shoveled across or onto the traveled portion of a street, except for a very brief period of time during the snow removal process as necessary to turn a snow removal vehicle around and to push or blow the snow and ice back onto the private property from where it came.
 3. Piles of snow stored adjacent to public rights-of-way shall be located such that:
 - i. Snow and ice piles do not form which interfere with the City's snow removal equipment and jolts plow drivers.
 - ii. Snow and ice shall be stored a minimum of two (2) feet back from the paved road edge (or 14 feet from the centerline of gravel roads) or behind existing snow ridges created by the City plows, whichever is greater.
 4. Reflectors, stakes or other items installed in the right-of-way to mark the pavement, shoulders or landscaped boulevards interfere with the snow removal process, are not the responsibility of the City and will not be returned, replaced or compensated, if damaged.

5-1-4: SNOW EMERGENCY:

- A. Parking Prohibited. It shall be unlawful for any person to park on any public streets, boulevards, and rights-of-way within the City during any time which two (2) inches or more of snow has accumulated, either through fresh snowfall or as a result of drifting or blowing of snow from previous snow falls, until such time as the snow removal crews have cleared the roadway.

5-1-5: VIOLATION:

- A. The Anoka County Sheriff's department or other authorized representatives of the City are hereby authorized to remove any offending vehicle from a City road.

- B. Vehicles will be towed and stored at the owner's own expense.
- C. Any person(s) violating any provisions of this Section shall be guilty of an administrative offense defined under City Code Chapter 1, Section 5 or petty misdemeanor as defined by Minnesota Statute 609.02, Subdivision 4A. (Ordinance #18, adopted October 11, 2005; Ordinance 2021-04, adopted March 9, 2021))

SECTION 2

SEASONAL WEIGHT RESTRICTIONS

Section:

- 5-2-1 Definitions
- 5-2-2 General Standards
- 5-2-3 Violation

5-2-1: DEFINITIONS: Any term used in this Section and defined in Minnesota Statutes, Section 609.01, has the same meaning given it by that section. (Ordinance #7, adopted May 10, 1994)

5-2-2: GENERAL STANDARDS:

1. The City Engineer and Public Street Supervisor may prohibit the operation of vehicles upon any street under this Jurisdiction or impose weight restrictions on vehicles to be operated on such street whenever the street, by reason of deterioration, rain, snow, or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles on the street is prohibited or the permissible weights are reduced.
2. The Public Street Supervisor shall erect and maintain signs plainly indicating the prohibition or restriction at each end of the portion of the street affected.
3. No person shall operate a vehicle on a posted street in violation of the prohibition or restriction. (Ordinance #7, adopted May 10, 1994)

5-2-3: VIOLATION: Any person shall violate any provision of this Section shall be guilty of a misdemeanor and upon conviction thereof shall be punished as defined by state law. (Ordinance #7, adopted May 10, 1994)

SECTION 3

ALL-TERRAIN VEHICLES, OFF ROAD VEHICLES AND MOTORCYCLES

Section:

- 5-3-1 Purpose and Intent
- 5-3-2 Definitions
- 5-3-3 Permitted Uses
- 5-3-4 Established Riding Track
- 5-3-5 Crossing of Streets or Highways
- 5-3-6 Yielding Right-of-Way
- 5-3-7 Persons Under 18 Years of Age
- 5-3-8 Permits for Handicapped Operation
- 5-3-9 Uses, Specifically Prohibited
- 5-3-10 Equipment Required
- 5-3-11 Ignition Lock
- 5-3-12 Exemptions
- 5-3-13 Failing to Stop For Law Enforcement Prohibited
- 5-3-14 DNR Off-Highway Vehicle Regulations
- 5-3-15 Penalties

5-3-1: PURPOSE: The operation of all-terrain vehicles, off road vehicles and motorcycles in a repetitive/continuous manner on an established riding track is deemed to be a public nuisance by the City due to the noise the vehicles generate unless the operator of such vehicle complies with the terms and conditions of this Chapter. The purpose of this Chapter is to take all reasonable measures within the City's jurisdiction to prevent the establishment of activities that maintain or permit a condition which unreasonably annoys, injures or endangers the health, safety, or public peace so that the operation of all-terrain vehicles, off road vehicles and motorcycles do not affect the comfortable enjoyment of life and property. (Ordinance #30, adopted August 11, 2009)

5-3-2: DEFINITIONS: For the purpose of this Section, the following terms have the meanings stated:

Class 1 All-terrain Vehicle (ATV): A motorized flotation-tired vehicles with at least three but no more than six low pressure tires that have an engine displacement of less than 960 cubic centimeters and total dry weight of less than 1,000 pounds.

Class 2 All-terrain Vehicle (ATV): A motorized flotation-tired vehicles with at least three, but no more than six, low pressure tires that have an engine displacement of less than 960 cubic centimeters and total dry weight of 1,000-1,800 pounds.

Go-Cart: A motorized miniature vehicle capable of achieving speeds in excess of ten (10) miles per hour and commonly used on courses or racetracks specifically designed for such vehicles.

Established Riding Track: A course built for the operation of motorized vehicles which operate in a repetitive, continuous manner or an area where recreational motorized vehicles, through their repetitive use have altered or changed the natural contour of the landscape and created a clearly identifiable track. (Ordinance #33, adopted February 8, 2011)

Off-highway motorcycles (OHMs): A motorized off-highway vehicle traveling on two wheels. OHMs have a seat or saddle designed to be straddled by the operator and have handlebars for steering control. Motorcycles may be legal for highway use and still considered to be OHMs if used for off-highway operation on trails or natural terrain.

Off-road vehicles (ORVs): A motorized recreational vehicle capable of cross-country travel on natural terrain, such as four-wheel-drive trucks. This does not include vehicles such as snowmobiles, ATVs, OHMs, motorcycles, watercraft or aircraft. Farm, logging, military, emergency, law enforcement, utility, trail grooming, and construction vehicles are not considered to be ORVs when used for their intended purpose.

Owner: A person, other than a lien holder, having the property in or title to a ATV, OHMs, ORV, or go-cart entitled to the use or possession thereof

Operate: To ride in or on and have control of the operation of the motorized ATV, OHMs, ORV, or go-cart.

Operator: Every person who operates or is in actual physical control of a ATV, OHMs, ORV, or go-cart.

Safety Throttle: A device which when pressure is removed from the engine accelerator or throttle, causes the motor to stop supplying power.

Natural Terrain: Areas other than roadways, driveways (private or public), parking lots and other areas the surface of which has been intentionally modified for motor vehicle operation thereon.

Public Roads: Any township, municipal, county, state or federal road or highway.

Right-Of-Way: The entire strip of land traversed by any highway, street, county road or roadway easement for the purpose of vehicle travel, and includes the entire width of the land dedicated or acquired by law for right-of-away purposes.

Roadway: That portion of the improved right-of-way designed or ordinarily used for vehicle travel, including the shoulder. (Ordinance #30, adopted August 11, 2009)

5-3-3: PERMITTED USES: Except as specifically permitted and authorized herein, it is unlawful for any person to operate a ATV, OHM, ORV or go-cart under the following conditions within the City:

- A. On any right-of-way of any public highway, street, road, trail or alley, except that a Class 1 ATV may operate upon the most right hand side of a municipal street or alley and may in passing or making a left turn operate on other lanes which are used for vehicle traffic in the same direction, for purposes of going to or returning from a non-highway or non-county area of permissible operation, by the most direct route.
- B. On a public sidewalk provided for pedestrian travel.
- C. On a trail not specified for ATV use.
- D. ATVs, and ORVs operating in Nowthen City not licensed as a motor vehicle.
- E. On boulevards within any public right-of-way.
- F. On private property of another without specific permission of the owner or person in control of the property.
- G. On any other public place except as may be specifically permitted by other provisions of the City.
- H. Class 1 ATVs shall not exceed a speed of twenty (20) miles per hour on local city streets unless specifically posted.
- I. In a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.
- J. In a careless, reckless or negligent manner so as to endanger, or be likely to endanger, the safety of any person or property of any other person.
- K. At any place while under the influence of alcohol or drugs as defined in Minn. Stat. Chapter 169A.
- L. Nothing in this Section shall prohibit the agricultural use of an all-terrain vehicle in the right-of- ways, as defined in the Minnesota Statue 84.92, Subd. 1d, or the use an all-terrain vehicle to maintain permitted accesses over Public Road Right-of-way.
- M. Nothing in this Section is intended to prohibit the crossing of a City or County Right-of-Way, which is otherwise allowed by Minnesota Statues 84.87 and 84.928.

N. Nothing in this Section is intended to prohibit the use of an all-terrain vehicle for the removal of snow. (Ordinance #30, adopted August 11, 2009)

5-3-4: ESTABLISHED RIDING TRACK:

A. A motorized ATV, OHM, ORV, or go-cart may be used on an established riding track on lots of five (5) acres or greater in size located within the city on the condition that the riders shall adhere to the following: (Ordinance #33, adopted February 8, 2011)

1. Established Riding Track is to be located no closer than one thousand (1,000) feet from a neighboring building occupied by humans or livestock; one hundred (100) feet from the public right-of-way of an existing street or highway; and one hundred (100) feet from wetlands, storm water ponds or any other bodies of water. If there are any new structures built after the established riding track is created and the established riding track is less than one thousand (1,000) feet from the new building occupied by humans or livestock, the established riding track will have to cease operations.
2. Established Riding Track is to be located at least one hundred (100) feet away from any property line.
3. Dust and noise control measures are to be maintained at all times. Property owners with established riding tracks shall control dust and noise by either: 1) planting of eight (8) foot high coniferous trees planted ten (10) feet on center around the established riding track; or 2) the construction of a six (6) foot maximum board on board style fence around the established riding track. Nothing in this Ordinance shall prevent a property owner with an established riding track from taking additional dust and noise control measures.
4. A motorized OHM, ORV, or go-cart must have a factory approved exhaust. The noise emission may not exceed ninety four (94) decibels at a distance of 20 inches during operation, and mufflers may not be altered to increase motor noise, or have a cut out bypass, or similar device.

This chart shows the decibels measured at different RPM's based on the bike engine sizes:

| <u>ENGINE SIZE</u> | <u>ENGINE SPEED</u> |
|-----------------------------|---------------------|
| Up to 85 CC | 7000 RPM |
| 86 CC to 125 CC | 6000 RPM |
| 126 CC – 250 CC & 300 CC 2T | 4,250 RPM |
| 126 CC – 250 CC 4T | 5,500 RPM |
| 251 CC – 500 CC | 4,500 RPM |
| 501 CC – Open & 500 2T | 3,750 RPM |

5. If properties are adversely affected by dust and noise due to motorized dirt bike, go-cart and/or all-terrain vehicles use, the owners affected must file a written complaint with the Anoka County Sheriff's Department.
6. No more than four (4) riders may operate a motorized dirt bike, go-cart or all-terrain vehicles on the property. A motorized dirt bike, go-cart and/or all-terrain vehicle may only be operated on the property during the following times: Monday through Friday, 9:00 a.m. through 7:00 p.m.; and Saturdays and Sundays, 11:00 a.m. through 6:00 p.m. Operation of all vehicles at an established riding track must cease for a minimum of one (1) hour after every two hours of riding.
7. Operation of a motorized dirt bike, go-cart and/or all-terrain vehicle shall not be allowed on either primary or secondary septic sites. (Ordinance #30, adopted August 11, 2009; Ordinance 2013-05, adopted April 9, 2013)

5-3-5: CROSSING OF STREETS OR HIGHWAYS: A Class 1 ATV may make a direct crossing of a street or highway, other than 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 Class 1 ATV first comes to a complete stop at the edge of the shoulder of the main traveled way.
- 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 made only at the intersection of such street or highway with another public street or highway.
- E. If the crossing is made between the hours of 1/2 hour after sunset to 1/2 hour before sunrise or, in conditions of reduced visibility, both front and rear lights shall be on. (Ordinance #30, adopted August 11, 2009)

5-3-6: YIELDING RIGHT-OF-WAY: No ATV shall enter any intersection without yielding the right-of-way to any vehicles or pedestrians at the intersection, or so cross the intersection as to constitute an immediate hazard. (Ordinance #30, adopted August 11, 2009)

5-3-7: PERSONS UNDER 18 YEARS OF AGE: All riders under the age of eighteen (18) years must comply with the Minnesota Department of Natural Resources Off-Highway Vehicles Regulations as amended from time to time. (Ordinance #30, adopted August 11, 2009)

5-3-8: PERMITS FOR HANDICAPPED OPERATION: Class 1ATVs for the physically handicapped persons may be operated on city streets without a city permit, but must display the triangular slow-moving vehicles emblem. A driver's license is not required. (Ordinance #30, adopted August 11, 2009)

5-3-9: USES SPECIFICALLY PROHIBITED: It is unlawful for any person to operate a ATV under the following conditions:

- A. At any place while under the influence of alcohol or drugs as defined in Minnesota Statutes Chapter 169A which is hereby incorporated herein by reference.
- B. At a rate of speed greater than reasonable or proper under all surrounding circumstances.
- C. At any place in a careless, reckless, or negligent manner or heedlessly in disregard of the rights or safety of others, or in a manner so as to endanger or be likely to endanger or cause injury or damage to any person or property.
- D. No person shall operate a Class 1 ATV on any street in the City between the hours of 12:01 a.m. and 7:00 a.m., except going to or from their usual place of abode at a reduced speed and using the most direct route.
- E. So as to tow any person or thing except through use of a rigid tow bar attached to the rear of the ATV.
- F. Within one hundred (100) feet of any fisherman, pedestrian, skating rink or sliding area where the operation would conflict with use or endanger other persons or property, or within 100 feet of any dwelling which is usually occupied by one or more persons. Notwithstanding this provision, a person shall be allowed to operate an ATV on a municipal public road, street or alley.
- G. It is unlawful to intentionally drive, chase, run over or kill any animal with a ATV. (Ordinance #30, adopted August 11, 2009)

5-3-10: EQUIPMENT REQUIRED: It is unlawful for any person to operate a ATV any place within the limits of the City unless it is equipped with the following:

- A. Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation.
- B. No person shall use a muffler cut-out, bypass straight pipe or similar device on a ATV motor.
- C. Brakes adequate to control the movement of and to stop and hold the ATV under any conditions of operation.
- D. A safety throttle in operating condition.
- E. When operated between the hours of 1/2 hour after sunset and 1/2 hour before sunrise or at a time of reduced visibility at least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead during the hours of darkness and under normal atmospheric conditions. The headlamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming ATV operator. It shall also be equipped with at least one red tail lamp having am minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions.
- F. Reflective material at least sixteen (16) inches square on each side, forward of the handlebars or steering device of a ATV and at the highest practical point on any towed object, as to reflect light at a ninety (90) degree angle. (Ordinance #30, adopted August 11, 2009)

5-3-11: IGNITION LOCK: Every person leaving a ATV on a public place or way shall lock the ignition, and remove and take the keys with them. (Ordinance #30, adopted August 11, 2009)

5-3-12: EXEMPTIONS: The following uses are exempt from this Section:

- A. Any motorized vehicles used for the purpose of property maintenance.
- B. Any agent or employee of any road authority, law enforcement or public safety agency, or any agent or employee of the Minnesota Department of Natural Resources or any other governmental body in conducting official business.
- C. Any organized track-racing event that is required to be registered with the Minnesota Department of Natural Resources.
- D. Farm, logging, military, emergency, law enforcement, utility trail grooming and construction vehicles are not considered to be ATV or ORVs when used for the purposes outlined herein. (Ordinance #30, adopted August 11, 2009)

5-3-13: FAILING TO STOP FOR LAW ENFORCEMENT PROHIBITED: It is unlawful for an operator, after having received a visual or audible signal from a law enforcement officer, to operate the vehicle in willful or wanton disregard of the signal to stop, interfere with or endanger the law enforcement officer or any other person or vehicle, or increase speed or attempt to flee or elude the officer. (Ordinance #30, adopted August 11, 2009)

5-3-14: DNR OFF-HIGHWAY VEHICLE REGULATIONS: Any aspect of ATV, OHM, or ORV operation not specifically covered under this Section will be in accordance with the Minnesota Department of Natural Resources Off-Highway Vehicle Regulations as amended. (Ordinance #30, adopted August 11, 2009)

5-3-15: PENALTIES: Any person who violates the provisions of this Section shall be guilty of a misdemeanor and shall be punished pursuant to the applicable State statute regarding misdemeanor penalties as may be amended from time to time, plus the cost of prosecution. (Ordinance #30, adopted August 11, 2009)

SECTION 4
SNOWMOBILES

Section:

| | |
|--------|------------------------------------------------|
| 5-4-1 | Definitions |
| 5-4-2 | Prohibited Uses within City Limits |
| 5-4-3 | Permitted Uses |
| 5-4-4 | Crossing of Public Roads |
| 5-4-5 | Yielding Right-of-Way |
| 5-4-6 | Persons Under 18 Years of Age |
| 5-4-7 | Equipment Required |
| 5-4-8 | Ignition Lock |
| 5-4-9 | Emergency Operation Permitted |
| 5-4-10 | Exemptions |
| 5-4-11 | Failing to Stop For Law Enforcement Prohibited |
| 5-4-12 | Owner Responsibility |
| 5-4-13 | Severability |
| 5-4-14 | Penalties |

5-4-1: DEFINITIONS: For the purpose of this Section, the following terms have the meanings stated:

Snowmobile: A self-propelled vehicle designed for travel on snow or ice and steered by skis or runners.

Owner: A person, other than a lien holder, having the property in or title to a snowmobile entitled to the use or possession thereof.

Operate: To ride in or on and have control of the operation of the snowmobile.

Operator: Every person who operates or is in actual physical control of a snowmobile.

Natural Terrain: Areas other than roadways, driveways (private or public), parking lots and other areas the surface of which has been intentionally modified for motor vehicle operation thereon.

Public Roads: Any township, municipal, county, state or federal road or highway.

Right-Of-Way: The entire strip of land traversed by any highway, street, county road or roadway easement for the purpose of vehicle travel, and includes the entire width of the land dedicated or acquired by law for right-of-away purposes.

Roadway: That portion of the improved right-of-way designed or ordinarily used for vehicle travel, including the shoulder.

Safety Throttle: A device which when pressure is removed from the engine accelerator or throttle, causes the motor to stop supplying power. (Ordinance #36, adopted May 20, 2011)

5-4-2: PROHIBITED USES WITHIN CITY LIMITS: Except as specifically permitted and authorized herein, it is unlawful for any person to operate a snowmobile under the following conditions within the City:

- A. On any public roads except that a snowmobile may operate upon the most right hand side of a public road in order to avoid obstructions to travel. When traveling on any public roads snowmobiles shall follow all posted signs and in no event shall exceed a speed of twenty (20) miles per hour.
- B. On a public sidewalk provided for pedestrian travel.
- C. On a trail not specified for snowmobile use.
- D. On boulevards within any public right-of-way.
- E. On private property of another without specific permission of the owner or person in control of the property. This provision incorporates by reference Minn. Statute 97A.315 as amended.
- F. On any other public place including parks except as may be specifically permitted by the City.
- G. The operation of snowmobiles off of public roads (while operating in the ditch or right-of-way) shall be at a rate of speed not greater than posted speed signs or proper under all surrounding circumstances and shall not exceed fifty (50) miles per hour.
- H. In a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.
- I. At any place while under the influence of alcohol or drugs as defined in Minnesota Statutes Chapter 169A which is hereby incorporated herein by reference.
- J. At any place in a careless, reckless, or negligent manner or heedlessly in disregard of the rights or safety of others, or in a manner so as to endanger or be likely to endanger or cause injury or damage to any person or property.

- K. So as to tow any person or thing except through use of a rigid tow bar attached to the rear of the snowmobile.
- L. Within one hundred (100) feet of any fisherman, pedestrian, skating rink or sliding area where the operation would conflict with use or endanger other persons or property, or within one hundred (100) feet of any dwelling which is usually occupied by one (1) or more persons.
- M. It is unlawful to intentionally drive, chase, run over or kill any animal with a snowmobile.
- N. No person shall operate a snowmobile within the City limits between the hours of 12:01 am and 7:00 am, except going to their usual place of abode at a reduced speed not to exceed ten (10) miles per hour and using the most direct route. (Ordinance #36, adopted May 20, 2011)

5-4-3: PERMITTED USES: Nothing in this Section is intended to prohibit the operation of a snowmobile upon the shoulder, inside bank, or slope of any public highway, street, road, trail, or alley as permitted by Minnesota Statute 84.87, Subd. 3 as amended. (Ordinance #36, adopted May 20, 2011)

5-4-4: CROSSING OF PUBLIC ROADS: A snowmobile may make a direct crossing of a public road, other than an interstate highway or freeway, provided:

- A. The crossing is made at an angle of approximately ninety (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 first comes to a complete stop at the edge of the shoulder of the main traveled way.
- 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 made only at the intersection of such street or highway with another public street or highway.
- 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, both front and rear lights shall be on.
- F. Nothing in this Section is intended to prohibit the crossing of a City or County Right-of-Way which is otherwise allowed by Minnesota Statutes 84.87 and 84.928 as amended. (Ordinance #36, adopted May 20, 2011)

5-4-5: YIELDING RIGHT-OF-WAY: No snowmobile shall enter any intersection without yielding the right-of-way to any vehicles or pedestrians at the intersection, or so cross the intersection as to constitute an immediate hazard. (Ordinance #36, adopted May 20, 2011)

5-4-6: PERSONS UNDER 18 YEARS OF AGE:

- A. No person under fourteen (14) years of age shall operate a snowmobile on public roads or make a direct crossing of a public road.
- B. A person fourteen (14) years of age or older, but less than eighteen (18) years of age, may operate a snowmobile on public roads so as to avoid an obstruction and make a direct crossing of the public roads only if he/she has in his/her immediate possession a valid snowmobile safety certificate issued by the Commissioner, as provided by Minnesota Statute 84.87.
- C. A person under eighteen (18) years of age must wear approved helmet. (Ordinance #36, adopted May 20, 2011)

5-4-7: EQUIPMENT REQUIRED: It is unlawful for any person to operate a snowmobile any place within the limits of the City unless it is equipped with the following:

- A. Standard mufflers which are property attached and which reduce the noise of operation of the snowmobile to the minimum necessary for operation (muffler cut-out, bypass straight pipe or similar device on a snowmobile).
- B. Brakes adequate to control the movement of and to stop and hold the snowmobile under any conditions of operation.
- C. A safety throttle in operating condition.
- D. Operating functional head lights and tail lights. When operated between the hours of ½ hour after sunset and ½ hour before sunrise or at a time of reduced visibility at least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead during the hours of darkness and under normal atmospheric conditions. The headlamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile 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 five hundred (500) feet to the rear during hours of darkness under normal atmospheric conditions.

- E. Reflective material at least 16 inches square on each side, forward of the handlebars or steering device of a snowmobile and at the highest practical point on any towed object, as to reflect light at a ninety (90) degree angle. Any sled, trailer, or other device that is towed by a snowmobile during the hours of darkness must display visible reflector material on each side and at the rear.
- F. Operators or riders under eighteen (18) years of age must wear an approved helmet, except when participating in a parade or operating on land belonging to a parent, grandparent, sibling, uncle or aunt. An approved helmet must meet federal law, which requires the helmet to display the symbol DOT. DOT is the manufacturer's certification that the helmet conforms to motor vehicle safety standards. Standard bicycle and hockey helmets are not legal helmets for snowmobiling. (Ordinance #36, adopted May 20, 2011)

5-4-8: IGNITION LOCK: Every person leaving a snowmobile on a public place or way shall lock the ignition, and remove and take the keys with them. (Ordinance #36, adopted May 20, 2011)

5-4-9: EMERGENCY OPERATION PERMITTED: Notwithstanding any other provisions in this Section, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time and at locations where snow upon the roadways renders travel by an automobile impractical. (Ordinance #36, adopted May 20, 2011)

5-4-10: EXEMPTIONS: The following uses are exempt from this Section:

- A. Any motorized vehicles used for the purpose of property maintenance.
- B. Any agent or employee of any road authority, law enforcement or public safety agency, or any agent or employee of the Minnesota Department of Natural Resources or any other governmental body in conducting official business. (Ordinance #36, adopted May 20, 2011)

5-4-11: FAILING TO STOP FOR LAW ENFORCEMENT PROHIBITED: It is unlawful for a snowmobile operator, after having received a visual or audible signal from a law enforcement officer, to operate the vehicle in willful or wanton disregard of the signal to stop, interfere with or endanger the law enforcement officer or any other person or vehicle, or increase speed or attempt to flee or elude the officer. (Ordinance #36, adopted May 20, 2011)

5-4-12: OWNER RESPONSIBILITY: It is unlawful for the owner or person in lawful control of a snowmobile to knowingly allow the snowmobile to be operated by

someone physically or mentally unable to drive the vehicle safely, or is under the influence of drugs or alcohol. (Ordinance #36, adopted May 20, 2011)

5-4-13: SERVERABILITY: If any portion of this Section is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof. (Ordinance #36, adopted May 20, 2011)

5-4-14: PENALTIES:

- A. Except as provided in Section 5-4-2.E, any person who violates the provisions of this Section shall be guilty of a misdemeanor which carries a fine of up to one thousand (\$1,000) dollars and imprisonment for up to ninety (90) days.
- B. Violations by youths under the age of eighteen (18) may also result in snowmobile safety certificate suspension.
- C. Anyone operating a snowmobile in violation of the snowmobile State Trail Sticker law shall be required to purchase an annual penalty sticker for thirty one (\$31) dollars in addition to any penalties imposed pursuant to this Section. (Ordinance #36, adopted May 20, 2011)