

PROPOSED

CHAPTER 70: TRAFFIC RULES

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§ 70.01 DEFINITIONS.

Any term used in this chapter and defined in M.S. § 169.01, as it may be amended from time to time, has the meaning given it by that section.

('77 Code, § 701.01)

§ 70.02 TURNING RESTRICTIONS.

The Council by resolution may, whenever necessary to preserve a free flow of traffic or to prevent accidents, designate any intersection as one where the turning of vehicles to the left or to the right, or both, is to be restricted at all times during specified hours. The City Engineer shall mark by appropriate signs any intersection so designated. No intersection on a trunk highway shall be so designated until the consent of the Commissioner of Transportation to the designation is first obtained. No person shall turn a vehicle at any intersection contrary to the directions on the signs.

('77 Code, § 701.02) Penalty, see § 10.99

§ 70.03 DESIGNATION OF THROUGH AND ONE-WAY STREETS; AUTHORITY.

The Council, by resolution, may designate any street or portion of street as a through highway or a one-way roadway where necessary to preserve the free flow of traffic or to prevent accidents. The City Engineer shall post appropriate signs at the entrance to the street. No trunk highway shall be so designated unless the consent of the Commissioner of Transportation to the designation is first secured.

('77 Code, § 701.03)

§ 70.04 ESTABLISHMENT OF SAFETY ZONES.

To assist in the direction and control of traffic, to improve safe driving conditions at any intersection or dangerous location and to warn pedestrians or drivers of motor vehicles of dangerous conditions or hazards, the Chief of Police may establish safety zones, lanes of traffic and stop intersections, and he or she may order installation by the

City Engineer of stop signs, yield signs, warning signs, signals, pavement markings or other devices. No regulation may be established on a trunk highway unless the consent of the Commissioner of Transportation is first secured.

('77 Code, § 701.11)

§ 70.05 EXHIBITION DRIVING PROHIBITED.

No person shall turn, accelerate, decelerate or otherwise operate a motor vehicle within the city in a manner which causes unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing of sand or gravel, or in a manner simulating a race. Unreasonable squealing or screeching sounds emitted by tires, or the throwing of sand or gravel by the tires is a prima facie evidence of a violation of this section.

('77 Code, § 701.13) Penalty, see § 10.99

§ 70.06 ENFORCEMENT.

The Police Department shall enforce the provisions of this chapter and the state traffic laws. Police officers are authorized to direct all traffic within the city, either in person or by means of visible or audible signal, in conformity with this chapter and the state traffic laws. During a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the Police Department may direct traffic as conditions require notwithstanding the provisions of this chapter and the state traffic laws. Officers of the Fire Department may direct or assist the police in directing traffic at the scene of a fire or in the immediate vicinity.

('77 Code, § 701.14)

§ 70.07 STATE HIGHWAY TRAFFIC REGULATIONS ADOPTED BY REFERENCE.

(A) The Highway Traffic Regulations Act is hereby adopted by reference. The regulatory provisions of M.S. Chapter 169, as it may be amended from time to time, are hereby adopted as a traffic ordinance regulating the use of highways, streets and alleys within the city and are hereby incorporated in and made a part of this section as completely as if set out in full herein.

(B) The penalty for violation of the provisions of state statutes adopted by reference in this section shall be identical with the penalty provided for in the statutes for the same offense.

§ 70.08 RECREATIONAL VEHICLES & GOLF CARTS.

Section 1. Definitions.

Unless the language or context clearly indicates that a different meaning is intended, the following terms shall have the following meanings:

- a. **Motorized Golf Cart** - a vehicle usually three or four wheeled, which is self-propelled and is designed to be used to provide transportation on a golf course.

- b. **Snowmobile** - means a self-propelled vehicle originally manufactured and designed for travel on snow or ice steered by skis or runners. Snowmobile does not include the following vehicles equipped with aftermarket ski and track configurations.
- c. **All-Terrain Vehicle (ATV)** - Class 1 ATVs are motorized flotation-tired vehicles with at least three but no more than six low pressure tires that have an engine displacement of less than-1000 cubic centimeters and total dry weight of less than 1000 pounds.
- d. **All-Terrain Vehicle (ATV)** - Class 2 ATVs are motorized flotation-tired vehicles with at least three but no more than six low pressure tires that have an engine displacement of less than 1000 cubic centimeters and total dry weight of 1000 to 1800 pounds.
- e. **Insurance** - motor vehicle liability insurance, which complies with the requirements set forth in Minn. State Statutes. If a person cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage, from the Minnesota Automobile Insurance Plan at a rate to be determined by the commissioner of commerce.
- f. **Slow moving vehicle emblem** - a sign, which complies with the requirements set forth in Minn. Stat. § 169.522.
- g. **Physically disabled person** - any person meeting the criteria set forth in Minn. Stat. § 169.345, Subd. 2 that qualifies for a certificate allowing the person to park in a handicapped-parking space.

Section 2. Restricted and Prohibited Operation

It shall be unlawful for any person to operate a snowmobile or ATV under the following circumstances:

- a. On city parks, playgrounds, recreational areas, and the city beach.
- b. On private property of another without permission to do so by the owner of said property.
- c. On any city sidewalk, designated walking/bike trail
- d. On State Hwy 87 and State Hwy 71; with the exception of crossing as state statute allows.
- e. Between the hours of midnight (12:00) AM and six o'clock (6:00) AM, Sunday through Saturday, within city limits.

Exceptions: Emergency vehicles in the course of their duties and vehicles authorized by the city.

Section 3. Operator Permits.

a. Persons wishing to operate motorized golf carts on public roadways must obtain application from the city police department and shall be issued by the city clerk. The city council will set a reasonable fee to cover the cost of issuing such permits.

b. **Conditions for issuance of a permit are as follows:**

1) Persons at least sixteen (16) years of age and holding a driver's license recognized by the State of Minnesota as permitting the operation of motor vehicles in the state are eligible for permits. A permit issued under this section shall be valid during the time and under the circumstances that the holder's driver's license would allow operation of a motor vehicle in the State of Minnesota.

Persons not holding a driver's license may apply for an initial or renewal permit. Applications shall be accompanied by a certificate signed by a physician stating that the applicant is capable of safely operating a motorized golf cart or a four-wheel all-terrain vehicle on the roadway or streets.

2) Applicant's Golf Cart must be equipped with a rearview mirror.

3) Applicant's Golf Cart must have a reflective slow moving vehicle sign on the rear of the vehicle.

4) Applicant's Golf Cart must have current vehicle/homeowners insurance per M.S.S. 169.045 Subd. 8

5) All Golf Carts and ATVs must have mufflers that are properly attached, which reduce the noise of operation of the vehicle to a minimum. No person shall use a muffler cutout, bypass, or similar device on said vehicles.

6) Each golf cart will be issued its own permit. Permits issued to dealers may be transferred for the purpose of test-driving a vehicle. However, vehicles used for the operation of a business will have their own permit.

7) All vehicles will be inspected by the police department at time of initial application for that particular vehicle.

c. If an applicant satisfies the above-described conditions, the city shall issue a permit. Permits will be valid for the calendar year in which they were issued. Permits will be issued throughout the year however permits will not be prorated if purchased for less than twelve months.

Section 4. Operation.

- a. A person who has been granted a permit shall have the permit displayed on the Golf Cart. The permit will be placed on the rear of the Vehicle in such a fashion as to be visible to following vehicles.
- b. Motorized golf carts, snowmobiles and ATVs shall only be operated on city-owned streets, alleys, and county roads or county state-aid highways located within the boundaries of the city. Golf carts, snowmobiles and ATV's are permitted to cross State Highway 71.
- c. Golf carts may not be operated during inclement weather or when visibility is impaired by weather, smoke, fog or other conditions or when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
- d. Motorized golf cart, snowmobiles and ATV operators must obey all traffic laws which can be applied to motorized vehicles. Golf Carts, snowmobiles and ATV's may not travel at a speed in excess of 15 MPH.
- e. Physically disabled persons wishing to park in marked handicap parking spaces are required to display their state issued handicap-parking permit.
- f. A permit may be revoked at any time if there is evidence that the permittee cannot safely operate the motorized golf cart on the designated roadways. The city may require, as a condition to obtaining a permit, that the applicant submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart or all-terrain vehicle on the roadways designated.
- g. Golf Carts, snowmobiles and ATV's not equipped with brake lights or turn signals must use appropriate hand signals as defined by Minnesota State Statute 169.19 Subd. 8.
- h. This ordinance is not all-inclusive. Operators of ATV's, snowmobiles need to comply with all Off-Road Vehicle laws, which are available for review in the MN Department of Natural Resource Off-Highway Vehicle Regulations Manual.
- i. The operator is required to obey all Minnesota Traffic Laws and use hand signals.
- j. The operator is required to have a valid driver's license for legal operation.
- k. An Operator can be arrested for D.U.I. while operating a golf cart, snowmobile or ATV.

Section 5. Limitation of Liability

- a. Nothing in this chapter shall be construed as an assumption of liability by the city for any injuries to persons or property which may result from the operation of

a motorized golf cart, snowmobiles or ATV by a permit holder or the failure by the city to revoke the permit.

Section 6. Violations.

- a. Violation of any of the requirements of this chapter is a misdemeanor punishable by up to 90 days in jail, a fine of up to \$1,000.00 or both.
- b. In addition to any criminal sanctions, the permit may be revoked by the city for any violations of this ordinance.
- c. The city is notified by any court that a permit holder was convicted of violating a state or local traffic law other than a parking law while operating the motorized Golf cart, snowmobile or ATV.
- d. An applicant is found to have made fraudulent representations in a permit application.

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