

CITY OF DODGE CENTER ATV Ordinance:

SEC. 10.08. ALL TERRAIN VEHICLES.

Subd. 1. Definitions. The following terms, as used in this Section, shall have the meanings stated:

1. "Agricultural Zone" means the areas in Minnesota lying South and West of a line starting at the Minnesota-North Dakota border and formed by rights-of-way of Trunk Highway No. 10, thence Easterly along Trunk Highway No. 10 to Trunk Highway No. 23, thence Easterly along Trunk Highway No. 23 to Trunk Highway No. 95, thence Easterly along Trunk Highway No. 95 to its termination at the Minnesota-Wisconsin border.
2. "Commissioner" means the Commissioner of Natural Resources.
3. "Owner" means a person, other than a person with security interest, having a property interest in or title to an all-terrain vehicle and entitled to the use and possession of the vehicle.
4. "All-Terrain Vehicle" or "Vehicle" means a motorized flotation-tired vehicle of not less than three (3) low pressure tires, but not more than six (6) tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 600 pounds.
5. "Operator" means the person driving or in actual physical control of the all-terrain vehicle.
6. "Dead-Man Throttle" means a device which when pressure

is removed from the accelerator or throttle, causes the motor to be brought to an immediate stop.

Subd. 2. It is a misdemeanor for any person to operate an all-terrain vehicle as follows:

A. On private property of another without written permission to do so by the owner or occupant of said property.

B. On public school grounds, park property, playgrounds, recreational areas, without written permission to do so by the proper public authority.

C. 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.

D. In a careless, reckless, or negligent manner so as to be likely to endanger the safety of any person, including the operator, or the property of any other person.

E. Without having the all-terrain vehicle registered and registration properly displayed in accordance with the provisions of Minnesota Statutes 84.92, except that this provision shall not apply to the operation of an all-terrain vehicle on the private property of the owner by the owner or a member of his immediate family.

F. While the operator is under the influence of liquor or narcotics, or habit-forming drugs.

Subd. 3. All all-terrain vehicles operated within the City shall have the following equipment:

A. Mufflers which are properly attached and which reduce the noise of operation of the vehicle to the minimum noise

necessary for the operation of the vehicle, and no person shall use a muffler cut-out, by-pass, or similar device on said vehicles.

B. A safety or so-called "dead-man" throttle in good operating condition.

C. No trailers, toboggans, sleds or other devices shall be pulled by an all-terrain vehicle unless a solid type fixed hitch is used between the all-terrain vehicle and the towed device.

D. The lighting requirements of Minnesota Statutes 84.92 shall also apply to the operation of all-terrain vehicles.

E. It is a misdemeanor for the owner or operator to leave or allow an all-terrain vehicle, to be, or remain unattended on public property while the motor is running or with the keys to start the ignition in the ignition switch.

Subd. 4. The following requirements shall be met by the operator of all-terrain vehicles:

A. The absolute maximum speed limit is 15 miles per hour. B. All all-terrain vehicles shall come to a complete stop at all intersections and shall yield the right-of-way to motor vehicle travel and/or pedestrians.

C. There shall be no operation of all-terrain vehicles within the street right-of-way, except those portions of the streets normally intended for vehicular travel.

D. No all-terrain vehicle shall be operated between the hours of 10:00 o'clock P.M. and 7:00 o'clock A.M. the following morning.

E. No all-terrain vehicle shall be operated any nearer than 500

feet of any church on Saturday or Sunday mornings or at any other time that it should appear to a reasonable person that such church is holding services.

Subd. 5. No all-terrain vehicles shall be permitted to operate on any of the following streets; however, an all-terrain vehicle may make a direct 90° crossing of such streets or highways:

A. U.S. Highway No. 14.

B. Trunk Highway No. 56.

C. County Road 7.

D. County Road H from Trunk Highway 56 westerly to the City limits.

E. County Road I (Airport Road North and South) within the City limits.

F. Main Street between Trunk Highway No. 56 and First Avenue NE.

G. First Avenue NE between East Main Street and U.S. Highway 14.

H. A person shall not operate an all-terrain vehicle within the right-of-way of a Trunk, County State-aid or County Highway from April 1 to August 1 in the Agricultural Zone unless the vehicle is being used exclusively as transportation to and from work on agricultural lands.

Subd. 6. It is a misdemeanor for a person to operate an all-terrain vehicle upon a public street or highway unless the vehicle is equipped with at least one headlight and one tail light, each of minimum candle power as prescribed by the

Commissioner. Such lights shall be illuminated at all times while operating upon the streets or highways.

Subd. 7. No person under the age of 14 may operate an all-terrain vehicle upon the streets, or on public property, unless in the company of the child's legal parent or guardian and in possession of a valid all-terrain vehicle safety certificate. "In company of" means on the same all-terrain vehicle or within such a close vicinity that the parent or guardian can adequately supervise the operation of the vehicle by the child.

Subd. 8. A person 14 years of age or older, but less than 16 years of age may operate an all-terrain vehicle upon the streets only if that person possesses a valid all-terrain safety certificate issued by the Commissioner. A person 16 years of age or older, but less than 18 years of age, may operate an all-terrain vehicle upon the streets if that person possesses a valid all-terrain vehicle safety certificate issued by the Commissioner, or possesses a valid driver's license. A person 18 years of age or older may operate an all-terrain vehicle upon the streets if that person has in his possession a valid driver's license.

Subd. 9. Any all-terrain vehicle found to be in violation of this Section or the applicable provisions of Minnesota Statutes shall be impounded following a second violation of these provisions within a six month period time. The impoundment shall be for a period not to exceed five days, and only released to the registered owner of the all-terrain vehicle. A storage fee of \$2.00 per day shall be levied and collected prior to release.

Subd. 10. Any all-terrain vehicle which is used in the commission of any crime as outlined in Minnesota Statutes, Chapter 609, shall immediately be seized and become the property of the City or sold at public auction as authorized by

Minnesota Statutes.

Subd. II. Certain Statutes Adopted. Minnesota Statutes, Sections 84.92 through 84.928, inclusive, as amended in 1987, together with rules and regulations promulgated thereunder, are hereby adopted by reference, incorporated herein, and made a part hereof, except as otherwise provided herein.

SEC. 10.09. SPECIAL VEHICLE USE BY HANDICAPPED.

Subd. I. Operation Authorized. Operation of motorized golf carts or four-wheel all-terrain vehicles are hereby authorized on the roadways of all streets, except such as are prohibited by resolution of the Council, and only in strict compliance with this Section.

Subd. 2. Permits. Permits shall be issued only to handicapped persons as defined by statute. Application for a permit to operate a motorized golf cart or a four-wheel all-terrain vehicle on the roadways of streets shall include the name and address of the applicant and such other information as may from time-to-time be required by the Council. Applications for initial or renewal permits 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 of streets. All permits shall expire on December 31, unless renewed. The fee for a permit shall be fixed by resolution of the Council.

Subd. 3. Unlawful Acts. It is unlawful for any person to operate a motorized golf cart or a four-wheel all-terrain vehicle on the roadway of a street unless:

A. The operator has in possession a valid, current and unrevoked permit from the City.

B. The operation is on a roadway which has not been designated as prohibited for such operation, except crossing at an intersection.

C. The operation is during daylight hours between sunrise and sunset.

D. The operation is not 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 or vehicles thereon at a distance of 500 feet.

E. The motorized golf cart or four-wheel all-terrain vehicle displays a slow moving vehicle emblem, as described by statute, on the rear thereof.

F. The motorized golf cart or four-wheel all-terrain vehicle is equipped with rear view mirrors as required by statute for other vehicles.

G. The operator has insurance coverage as provided by statute (presently Section 65B.48, Subdivision 5) for motorcycles.

H. The operator observes all traffic laws, except such as cannot reasonably be applied to motorized golf carts or four-wheel all-terrain vehicles.

Source: City Code

Effective Date: 6-1-89

(Sections 10.10 through 10.98, inclusive, reserved for future expansion.)

***OPERATOR MUST COMPLY WITH ALL STATE
LAWS AND REGULATIONS REGARDING
VEHICLE OPERATION.***