

ORDINANCE NUMBER 153

AN ORDINANCE REGULATING AND CONTROLLING THE USE OF SNOWMOBILES AND ALL TERRAIN VEHICLES.

The City Council of the City of Carlton Ordains:

Section 1. Intent. It is the intent of this ordinance to supplement Minnesota Statutes, Section 84.81 through 84.88 as amended and Minnesota Statutes Chapter 169, with respect to the operation of snowmobiles and all terrain vehicles. Such statutes are incorporated herein by reference. This section is not intended to allow what the statutes prohibit.

Section 2. Definitions. Subdivision 1. For the purpose of this ordinance, the terms defined herein shall have the meaning ascribed to them.

Subd. 2. "Person" includes an individual, partnership, corporation, the state and its agencies and subdivisions, and any body of persons, whether incorporated or not.

Subd. 3. "Snowmobile" means a self-propelled vehicle designed for travel on snow or ice, steered by skis or runners.

Subd. 4. "All Terrain Vehicle" or "ATV" or "Recreational Vehicle" refers to self-propelled vehicles of the kinds known variously as "trail bikes", "dirt bikes", "Mini bikes", "three wheelers", "four wheelers", amphibious vehicles and similar devices other than snowmobiles used at least partially for travel on natural terrain.

Subd. 5 "Owner" means a person, other than a lien holder having the property in or title to snowmobile or ATV entitled to the use or possession thereof.

Subd. 6 "Operate" means to ride in or on and control the operation of a snowmobile or ATV.

Subd. 7 "Operator" means every person who operates or is in actual physical control of a snowmobile or ATV.

Subd. 8 "Deadman throttle" or "Safety throttle" means a device which when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.

Subd. 9 "Natural Terrain" means areas other than roadways or driveways (private or public), parking lots and other areas the surface of which has been intentionally modified for motor vehicle operation thereon.

Section 3. Except as herein specifically permitted and authorized, it is unlawful for any person to operate a snowmobile or ATV not licensed as a motor vehicle within the limits of the City of Carlton:

1. On the portion of any right of way of any public highway, street, road, trail or alley used for motor vehicle travel, except that a snowmobile may operate upon the most right hand lane 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. Snowmobiles traveling together or being driven in the same direction must travel in single file. It shall be unlawful for 2 or more snowmobiles to travel abreast on any street within the City of Carlton. Snowmobiles may also be operated upon the ditch bottom or the outside bank of trunk, county state-aid and county highways where such highways are so configured within the corporate limits.
2. On a public sidewalk provided for pedestrian travel.
3. On boulevards within any public right of way.
4. On private property of another without specific permission of the owner or person in control of said property.
5. Upon any school grounds except as permission is expressly obtained from responsible school authorities.
6. On any other public place or grounds including parks, golf courses, cemeteries, parking lots, airport runways, etc.
7. On streets as permitted by this ordinance at a speed exceeding 15 miles per hour.
8. During the hours from 10:00 P.M. to 7:00 A.M. unless entering or leaving the City by the most direct route and at a speed not in excess of 15 miles per hour.
9. At any place in a careless, reckless or negligent manner or needlessly 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.
10. At any place while under the influence of alcohol or drugs as defined in M.S.A. 169.121, which is hereby incorporated herein by reference.

Section 4. City traffic ordinances shall apply to the operation of snowmobiles upon streets and highways, except for those relating to required equipment, and except for those which by their nature have no application.

Section 5. 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 at the intersection, or so close to the intersection as to constitute an immediate hazard.

Section 6. Persons under 18. Subdivision 1. No person under 14 years of age shall operate on streets or make a direct crossing of a city street as the operator of a snowmobile. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile on streets as permitted under this ordinance and make a direct crossing of such streets only if he has in his immediate possession a valid snowmobile safety certificate issued by the commissioner of natural resources as provided by M.S. 84.86.

Subd. 2 It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this section.

Section 7. It is unlawful for any person to operate a snowmobile within the limits of the City of Carlton:

1. So as to tow any person in a public street or highway except through use of a rigid tow bar attached to the rear of the snowmobile.
2. Within 100 feet of any fisherman, pedestrian, skating rink or sliding area where the operation would conflict with use or endanger other persons or operation.

Section 8. It is unlawful for any person to operate a snowmobile any place within the limits of the City of Carlton unless it is equipped with the following:

1. Brakes adequate to control the movement of and to stop and hold the snowmobile under any condition of operation.
2. Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cut-out, by pass, straight pipe or similar device on a snowmobile or ATV motor.
3. A safety or so-called "deadman" throttle in operating condition.
4. When operated between the hours of one-half hour after sunset to one-half hour before sunrise or at times of reduced visibility, a least one 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. Such head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile operator. It shall also be equipped with a 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 hours of darkness and under normal atmospheric conditions, both of which must be operating when the machine is in operation.
5. Reflective material at least 16 square inches on each side, forward of the handlebars so as to reflect lights at a ninety degree angle.

Section 9. Every person leaving a snowmobile on a public place shall lock the ignition, remove the key and take the same with him.

Section 10. Emergencies. Notwithstanding the prohibition of operating a snowmobile upon a roadway to the contrary, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time when, at locations where, snow upon the roadway renders travel by automobile impractical.

Section 11. Signal from Officer to Stop. It is unlawful for a snowmobile operator, after having received a visible or audible signal from any law enforcement officer to come to a stop, to (1) operate a snowmobile in intentional disregard of such signal or (2) interfere with or endanger the law enforcement officer or any other person or vehicle, or (3) increase his speed or attempt to flee or elude the officer.

Section 12. Penalties. Any person violating any provision of this ordinance shall upon conviction be guilty of a misdemeanor and shall be punishable as provided by law.

Section 13. Severability. Should any section, subdivision, clause or other provision of this ordinance be held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part held to be invalid.

Section 14. Effective Date. This ordinance shall take effect and be in force from after passage by the City Council and publication, according to law.

Passed by the City Council - November 5, 1991

Published - Pine Knot - November 14th, 1991

CITY OF CARLTON

By: Stephen Hedinger

Mayor

ATTEST :

Larry Beckstrom

City Clerk/Treas.