

***ARTICLE IV. SNOWMOBILES, ALL-TERRAIN VEHICLES, UTILITY TASK VEHICLES
AND MOTORIZED DIRT BIKES***

Sec. 54-83. Legislative findings of fact.

The city council finds:

- (1) Due to the development level now existing within the city, the operation of snowmobiles, all-terrain vehicles, utility task vehicles, and motorized dirt bikes, except as provided herein, poses a threat to public health, welfare and safety; and
- (2) There exists within the county a series of snowmobile trails maintained by other jurisdictions which provides more than adequate opportunity for snowmobile recreation by city residents.

Sec. 54-84. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

All-terrain vehicles or *ATV* means as provided in Minn. Stats. § 84.92.

Established riding area means tracks or trails on a lot created for and used by a snowmobile, *ATV*, UTV, and/or motorized dirt bike.

Motorized dirt bike means a two-wheeled vehicle being capable of cross-country travel on natural terrain without benefit of a road or trail.

Operate means to ride in or on and control the operation of a snowmobile, *ATV*, UTV, and/or motorized dirt bike.

Operator means every person who operates or is in actual physical control of a snowmobile, *ATV*, UTV, and/or motorized dirt bike.

Owner means a person, other than a lien holder having the property in or title to the snowmobile, *ATV*, UTV, and/or motorized dirt bike and entitled to the use or possession thereof.

Right-of-way means the improved and traveled portion of a highway or street in which the public owns the fee or an easement for roadway purposes.

Roadway means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

Safety or *deadman throttle* means a device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving track.

Snowmobile means any self-propelled vehicle used for recreational purposes whether steered by wheels, skis, or runners and designed for travel on snow or ice or natural terrain.

Snowmobile trail system means snowmobile trails which have been established, groomed and maintained for the legal operation of snowmobile traffic by the other organizations or jurisdictions.

Street or *highway* means the entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic.

Utility Task Vehicle or *UTV* means as provided in Minn. Stats. § 169.045.

Sec. 54-85. Operation.

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- (a) General prohibition. No person shall operate a snowmobile, ATV, UTV, and/or motorized dirt bike within the corporate limits of the city, except upon the snowmobile trail system or on private property if in possession of written permission.
 - (b) The use of a snowmobile, ATV, UTV, and/or motorized dirt bike is allowed on private lots.
 - (c) A snowmobile, ATV, UTV, and/or motorized dirt bike may be used on private lots located within the city on the condition that riders shall adhere to the following:
 - (1) An established riding area for a snowmobile, ATV, UTV, and/or motorized dirt bike is to be located no closer than 100 feet from any lot line or 50 feet if a privacy fence, approved by the city, has been constructed along the lot line.
 - (2) Dust and noise control measures are to be maintained by the lot owner. These dust and noise control measures are to be enforced by the city if owners of lots that are adversely affected by dust and noise, due to snowmobile, ATV, UTV, and/or motorized dirt bike use, file a written complaint to the city.
 - a. Dust control measures shall include, but are not limited to, the planting of 12-foot high coniferous trees planted ten feet on center or the construction of a six-foot minimum height board-on-board style fence.
 - b. A snowmobile, ATV, UTV, and/or motorized dirt bike must have a federally-approved spark arrestor, the noise emission may not exceed 99 decibels at a distance of 20 inches at idle, and mufflers may not be altered to increase motor noise, have a cut out bypass or similar device.
 - (3) A snowmobile, ATV, UTV, and/or motorized dirt bike may only be operated on the lot during the following times: Months of June, July and August, 9:00 a.m. to 9:00 p.m.; Months of September through May, 9:00 a.m. to 9:00 p.m. (Friday and Saturday) and 9:00 a.m. to 7:00 p.m. (Sunday through Thursday). Operation of a snowmobile, ATV, UTV, and/or motorized dirt bike must cease for a minimum of one hour after every hour of riding.
 - (d) Towing. No snowmobile, ATV, UTV, and/or motorized dirt bike shall tow another object.
 - (e) Persons responsible for violations. The registered owner of any snowmobile operated in violation of this section shall be deemed to have permitted the violation to have occurred, and shall be liable to criminal prosecution in the same manner as the operator. It shall be the responsibility of the registered owner, when allowing a snowmobile to be operated by another, to advise the operator of the provisions of this section.

Sec. 54-86. Emergency operation.

Notwithstanding any prohibition in section 54-85, a snowmobile, ~~or~~ ATV or UTV may be operated on a public thoroughfare in an emergency during the period of time when and at locations where snow upon the roadway renders travel by automobile impractical.

Sec. 54-87. Equipment.

It is unlawful for any person to operate a snowmobile, ATV, UTV, and/or motorized dirt bike any place within the corporate limits of the city unless it is equipped with the equipment as provided by state law or rules adopted by the state commissioner of natural resources.

Sec. 54-88. Leaving snowmobile, ATV, UTV, and/or motorized dirt bike unattended.

Every person leaving a snowmobile, ATV, UTV, and/or motorized dirt bike in a public place shall lock the ignition, remove the key and take the same with them.

Sec. 54-89. Chasing animals forbidden.

It is unlawful to intentionally drive, chase, run over, kill or otherwise take or attempt to take any animal, wild or domestic, with a snowmobile, ATV, UTV, and/or motorized dirt bike.

Sec. 54-90. Exemption.

Any snowmobile, ATV, UTV, and/or motorized dirt bike used by the city or any other governmental body in conducting official business.