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ORDINANCE 525 GOLF CARTS, SNOWMOBILES, ATV'S AND ALL OTHER RECREATIONAL VEHICLES

Section 525.01: CERTAIN STATUTES ADOPTED. The regulatory provisions of Minnesota statutes, Section 84.81 to 84.929, 169.974, 169.223, 171.01 and 171.02, as amended, regulating the use of Snowmobiles, all-terrain vehicles, or other or means of Transportation not licensed for Minnesota streets and highways are hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

Section 525.02: DEFINITIONS. Except as otherwise defined in the City Code, the words and terms defined in Minnesota State Statute, Chapter 169, as it may be amended from time to time, shall be applicable to this chapter.

Section 525.03: PERMIT. It shall be unlawful for any person to operate a motorized golf cart or neighborhood electric vehicle on roadways under the jurisdiction of Stearns County (Hazel Ave/County Road 44 & 63), except when the vehicle is traveling on designated roadways and is prominently displaying a valid permit obtained from the City as provided herein.

Subd. 1. Every application for a permit shall be made on a form supplied by the City and shall contain all of the following information:

- (a) The name and address of the applicant.
- (b) Model name, make, and year and number of the motorized golf cart, or neighborhood electric vehicle.
- (c) Current driver's license.
- (d) Proof of insurance.
- (e) Other information as the city may require.

Subd. 2. The annual permit fee shall be as set forth in the Schedule of Fees, Section 215 of this Code, as that ordinance may be amended from time to time.

Subd. 3. Permits shall be granted for a period of one year and may be renewed annually January 1 to December 31.

Subd. 4. No permit shall be granted or renewed unless the following conditions are met:

- (a) The applicant may be required to submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart on the roadways designated.

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- (b) The applicant must provide evidence of insurance equivalent to that required by the provisions of Minnesota State Statutes 65B.48 Subd. 5, as it may be amended from time to time.
- (c) The applicant has not had his or her driver's license suspended, revoked or cancelled.

Section 525.04: DRIVING, OPERATING OR CONTROLLING OF A MOTORIZED GOLF CART. A motorized golf cart may be driven, operated, or controlled on the roadways or shoulders of roadways under the jurisdiction of the City of Kimball, but not those under the jurisdiction of Stearns County or the State of Minnesota (U.S. Highway, State Highway 15 / 55) and except such roadways prohibited by resolution of the City Council and only in strict compliance with this section.

Section 525.05: UNLAWFUL ACTS OF MOTORIZED GOLF CART OPERATION. No motorized golf cart shall be driven, operated, or controlled on the roadways or shoulders of roadways under the jurisdiction of the City of Kimball or Stearns County under the following conditions:

Subd. 1. Between sunset and sunrise; unless equipped with at least one head light and one tail light; each operational and of a minimum candle powers prescribed by rules of the Commissioner of Conservation.

Subd. 2. In inclement weather, when visibility is reduced or impaired by weather, smoke fog, or other conditions or at any time when there is insufficient light clearly to see a person or vehicle on a roadway at a distance of 500 feet.

Subd. 3. Without prominent display of a slow-moving vehicle emblem provided in Minnesota State Statute 169.522:

- (a) The emblem must consist of a fluorescent or illuminated red-orange triangle and be mounted so as to be visible from a distance of not less than 600 feet to the rear.
- (b) Without a mirror so located as to reflect to the driver, operator, or controller, a view of the roadway for a distance of at least 200 feet to the rear of such vehicle;
- (c) Contrary to any traffic law of the City of Kimball or the State of Minnesota, except those which cannot reasonably be applied to motorized golf carts, or are not applied, by reason of Minnesota State Statute 169.045;
- (d) Contrary to any provisions of the City Code, County, State, and Federal law;
- (e) PROHIBITIONS on OWNER. It is the owner's responsibility, when letting someone else operate a golf cart that they follow the City ordinances and laws that are provided above.

Subd. 4. No person under the age of 14 shall operate a golf cart within the Corporate limits of the City of Kimball.

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Section 525.06: DRIVING, OPERATING, OR CONTROL OF ATVS AND ALL OTHER RECREATIONAL VEHICLES.

Subd. 1. Operation on Roadways, Public Lands and Public Waterways. ATVs may be operated on roadways, public lands and public waterways only as herein specified. It is unlawful to operate an ATV upon roadways, public lands or public waterways as follows:

- (a) At a speed in excess of fifteen (15) miles per hour.
- (b) Other than single file on roadway.
- (c) Carelessly or Recklessly.
- (d) On a public sidewalk provided for pedestrian travel.
- (e) On boulevards within any public right-of-way.
- (f) Public property - On any other public property, including Parks and Recreational areas, except as City's ordinance may specifically permit.
- (g) Alcohol and Drugs - No person shall operate a snowmobile, ATV or other recreational vehicles within the city limits at any place while under the influence of alcohol or drugs, as defined in M.S. 169A.20, which is incorporated by reference.
- (h) ATV - Must have a valid driver license to operate in Road Right-of-way. Anyone born after July 1st, 1987 must have safety certificate.

Subd. 2. Operation Continued.

- (a) Snowmobiles, ATVs or other vehicles shall yield to all other vehicles and traffic including pedestrians at all intersections and shall abide by all signs governing the operation of motor vehicles within the limits of the City.
- (b) Snowmobiles, ATVs or other vehicles shall not travel in highway right-of-way between Magnus Johnson Street and Linden Avenue East. Such travel is prohibited. Said violation of this Subparagraph is a petty misdemeanor.
 - (1) Snowmobiles will be permitted to operate in the road right-of-way from December 1st to March 1st, in the area of Magnus Johnson Street to Linden Avenue East. Such other times of travel are prohibited.

Subd. 3. Private Property. It is unlawful to operate an ATV on private property without the permission or consent of the owner or occupant.

Subd. 4. Operation By Minors.

- (a) It is a misdemeanor for any person under the age of fourteen years to operate a snowmobile, all-terrain vehicle (ATV) or vehicle or means of transportation not licensed for Minnesota streets and highways on streets or other public property.
- (b) A person 14 years or older, but less than 18 years of age, may operate a snowmobile, or all-terrain vehicle (ATV) or other vehicle or means of

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transportation not licensed for Minnesota streets and highways on the streets of the City of Kimball only if he/she has in his/her immediate possession a valid driver license, permit or certificate for the operation of said snowmobile, ATV or other vehicle or means of transportation.

Subd. 5. Owners/Parents Allowing.

- (a) ATV – It is unlawful for any person who is in lawful control of an ATV to permit it to be operated contrary to the law. (Allow illegal operation).
ATV - Allowing illegal operation by a Juvenile. 84.9256 (3)

Subd. 6. Hours of Operations. It is unlawful to operate an ATV within the City of Kimball between the hours of 10:30 p.m. and 7:00 a.m. except when entering or leaving the City.

Subd. 7. Equipment. It is unlawful to operate an ATV unless it is equipped with the following.

- (a) At least one head light and one tail light, each of minimum candle powers prescribed by rules of the Commissioner of Conservation.
- (b) Headlights and tail lights lighted at all times.
- (c) ATV - Must be equipped with brakes, throttle, mufflers that may not exceed 99 decibels at **a distance of 20' (feet)** and lights that must be on at all times if they are equipped with them.

Subd. 8. Helmet Required. A person less than 18 years of age shall not operate an ATV on public land unless wearing a safety helmet approved by the Commissioner of Public Safety.

Subd. 9. Operators have all of the same rights and responsibilities as any other vehicles operated on City streets and must abide with all state and local statutes.

Section 525.07: PENALTY. The City of Kimball has the right to revoke riding privileges of any individual on a motorized golf cart, snowmobile, ATV and all other recreational vehicles within the City limits, as needed, by discretion of the Chief of Police or Chief Law Enforcement Officer of any contracted law enforcement office or agency, based on number of complaints received, and/or violations. Any violation of the statutes adopted by reference in Section 525 is a violation of this ordinance when it occurs within the City of Kimball. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a maximum fine of seven hundred (700) dollars or imprisonment for ninety (90) days, or both.