

**TITLE VII: TRAFFIC CODE**  
**CHAPTER 73: RECREATIONAL AND OTHER VEHICLES**

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**§ 73.01 PURPOSE AND INTENT.**

- A. The purpose of this chapter is to provide reasonable regulations for the use of recreational motor vehicles on public and, in conformance with private property, in the city.
- B. This chapter is not intended to allow what the Minnesota Statutes prohibit or to prohibit what the Minnesota Statutes expressly allow.
  - 1. It is intended to ensure the public safety and prevent a public nuisance.

**§ 73.02 DEFINITION.**

- A. For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

**RECREATIONAL MOTOR VEHICLE.** Any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes including, but not limited to trail bike, off-highway motorcycle, as defined by Minn. Stat. § 84.787, subd. 7, as it may be amended from time to time, or other all-terrain vehicle as defined by Minn. Stat. § 84.90 and Minn. Stat. § 84.92, subd. 8-10 as it may be amended from time to time, or motorized go-carts, hovercraft, or motor vehicle licensed for highway operation, which is being used for off-road recreational purposes, but not including motorized golf carts, personal electric mobility devices, motorized foot scooters, neighborhood electric vehicles, medium-speed electric vehicles, or mini-trucks.

**§ 73.03 PERMITS.**

- A. No person shall operate a recreational vehicle on streets, alleys, sidewalks or other public property without obtaining a permit as provided herein.

- B. Every application for a permit shall be made on a form supplied by the city and shall contain all of the following information:
  - 1. The name and address of the applicant.
  - 2. Model name, make, and year and VIN number of the recreational vehicle.
  - 3. Current driver's license or reason for not having a current license.
  - 4. Other information as the city may require.
- C. The annual permit fee shall be as set forth by resolution of the City Council, and shall initially be in the amount of \$5.00.
- D. Permits shall be granted for a period of one year and may be renewed annually January 1 to December 31.
- E. No permit shall be granted or renewed unless the following conditions are met:
  - 1. The applicant must demonstrate that he or she is legally entitled to operate a recreational vehicle.
  - 2. The applicant may be required to submit a certificate signed by a physician that the applicant is able to safely operate a recreational vehicle.
  - 3. The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for recreational vehicles.
  - 4. The applicant has not had his or her driver's license revoked as the result of criminal proceedings.
- F. **EXCEPTION TO PERMIT REQUIREMENT.** In the event the City Council designates certain city streets or city property as part of a larger State or County recreational trail system, it may waive the city permitting requirement for recreational motor vehicles which enter, traverse and depart from the City on said designated trail. In the event the recreational motor vehicle is utilized within the city in areas other than those designated as part of a larger trail system, a permit pursuant to this Ordinance shall be required.

**§ 73.04 RECREATIONAL VEHICLE OPERATION REQUIREMENTS.**

- A. It is unlawful for any person to operate a recreational motor vehicle:
  - 1. To enter on any land not owed by the person for the purpose of operating a recreational motor vehicle after being notified, either orally or by written or posted notice, by the owner, occupant, or lessee not to do so. Where posted notice is used, signs shall bear letters not less than two inches high and shall state one of the following: "Recreational Vehicles Prohibited,;" "Snowmobiles Prohibited,;" "Trail Bikes Prohibited,;" "All-Terrain Vehicles

Prohibited,” or words substantially similar. In lieu of the above notice, an owner, occupant, or lessee may post any sign prohibiting recreational motor vehicles that has been adopted by rule of the commissioner of Natural Resources. The Notice or sign shall be posted at corners and ordinary ingress and egress to the property and when so posted shall serve so as to raise a conclusive presumption that a person operating a recreational motor vehicle thereon had knowledge of entering upon such posted lands. Failure to post notice as provided in this subdivision shall not deprive a person of the right to bring a civil action for damage to one’s person or property as otherwise provided by law.

2. On publicly owned land, including school, exclusive city streets, park property, playgrounds, recreation areas and golf courses, except where permitted by this chapter.
3. In a manner so as to create a loud, unnecessary, or unusual noise that disturbs, annoys, or interferes with the peace and quiet of other persons.
4. On a public sidewalk or walkway provided or used for pedestrian travel.
5. At a place while under the influence of intoxicating liquor or narcotics or habit-forming drugs.
6. At a rate of speed greater than reasonable or proper under all the surrounding circumstances.
7. At any place in a careless, reckless, or negligent manner so as to endanger or be likely to endanger any person or property or to cause injury or damage thereto.
8. On any public street, highway, or right-of-way unless registered pursuant to Minnesota law.
9. To intentionally drive, chase, run over, or kill any animal, wild or domestic.
10. By halting any recreational motor vehicle carelessly or heedlessly in disregard of the rights or the safety of others or in a manner so as to endanger or be likely to endanger any person or property or in excess of 25 miles per hour on publicly owned lands.
11. Without headlight and taillight lighted at all times if the vehicle is equipped with headlight and taillight.
12. Without a functioning stoplight if so equipped.
13. Without a brake operational by either hand or foot.
14. At a speed exceeding 10 miles per hour on the frozen surface of public waters within 100 feet of a person not on an all-terrain vehicle or within 100 feet of a fishing shelter.
15. Helmet and seat belts required.
  - a. A person less than 18 years of age shall not ride as a passenger or as an operator of a recreational vehicle regulated herein on public land, public waters, or on a public road

right-of-way unless wearing a safety helmet approved by the commissioner of Public Safety.

- b. A person less than 18 years of age shall not ride as a passenger or as an operator of a vehicle regulated herein without wearing a seat belt when such seat belt has been provided by the manufacturer.

16. All-terrain vehicles and passengers.

- a. No person under 18 years of age shall operate a class 1 all-terrain vehicle while carrying a passenger. A person 18 years of age or older may operate a class 1 all-terrain vehicle carrying one passenger. For the purposes of this division a **CLASS 1 ALL-TERRAIN VEHICLE** means an all-terrain vehicle that has a total dry weight of less than 1000 pounds.
- b. No person under 18 years of age shall operate a class 2 all-terrain vehicle while carrying a passenger. A person 18 years of age or older may operate a class 2 all-terrain vehicle while carrying a passenger, or up to the number of passengers for which the vehicle was designed, whichever is greater. For the purposes of this division a **CLASS 2 ALL-TERRAIN VEHICLE** means an all-terrain vehicle that has a total dry weight of 1,000 to 1,800 pounds.

**§ 73.05 STREET CROSSINGS.**

- A. No person under 12 years of age operating the vehicles regulated herein shall make a direct crossing of any street, highway, or public right-of-way; or operate a vehicle regulated herein on a public street, highway, or road right-of-way; or operate a vehicle regulated herein on public lands or waters, except that a person at least 10 years of age but under 12 years of age may operate an all-terrain vehicle with an engine capacity up to 90cc on public lands or waters if accompanied by a parent or legal guardian.
- B. *Additional restrictions for all-terrain vehicles.* An all-terrain vehicle may make a direct crossing of a public road right-of-way provided:
  - 1. The crossing is made at an angle of approximately 90 degrees to the direction of the road and at a place where no obstruction prevents a quick and safe crossing.
  - 2. The vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the road.
  - 3. The driver yields the right-of-way to all oncoming traffic that constitutes an immediate hazard.
  - 4. In crossing a divided road, the crossing is made only at an intersection of the road with another public road.

5. If the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

**§ 73.06 HOURS OF OPERATION.**

- A. Hours of operation will be located on permit and trail operation signage.

**§ 73.07 MINIMUM EQUIPMENT REQUIREMENTS.**

- A. Standard mufflers shall be properly attached and in constant operation to reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass, straight pipe, or similar device on a recreational motor vehicle motor. The exhaust system shall not emit or produce a sharp popping or crackling sound.
- B. Brakes shall be adequate to control the movement of and to stop and hold under any conditions of operation.
- C. At least one clear lamp shall be 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. The head lamp shall be so that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at 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 the hours of darkness under normal atmospheric conditions. This equipment shall be required and shall be in operating condition when the vehicle is operated between the hours of one-half hour after sunset and one-half hour before sunrise, or at times of reduced visibility. If the vehicle has no turn signals, the driver must use hand signals as directed in state statutes and the Minnesota DNR regulations.

**§ 73.08 DESIGNATION OF PUBLIC AREAS FOR USE.**

- A. The Council may designate areas and certain city streets for use of recreational motor vehicles by approval of a resolution by a majority of the members of the City council. The areas designated may be changed from time to time by the City Council. Any area designated shall be published in the official newspaper of the city in a conspicuous place after the approval. If an area is changed, the change shall be published in like manner in the official newspaper of the city. An up-to-date map of any designated park areas open for recreational motor vehicle use shall be kept on file in the office of the city clerk, who shall provide on request a copy of the map together with the applicable rules, regulations, and this chapter to each person requesting the information from the city.
- B. Unless designated by the City Council as an area for recreational motor vehicles, the use on city park property and city streets shall be unlawful. Further, the use of city parks designated by the City Council shall be in accordance with all of the applicable provisions of this chapter. Authorized roadways permitted according to permit.

## MOTORIZED GOLF CARTS

### § 73.09 MOTORIZED GOLF CARTS

- A. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DRIVER.** The person driving and having physical control over the motorized golf cart and being the licensee.

**MOTORIZED GOLF CART.** Any passenger conveyance being driven with four wheels with four low-pressure tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 800 pounds.

- B. No person shall operate a motorized golf cart on streets, alleys, sidewalks or other public property without obtaining a permit as provided herein.
- C. 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. The nature of the applicant's physical handicap, if any.
  - c. Model name, make, and year and number of the motorized golf cart.
  - d. Current driver's license or reason for not having a current license.
  - e. Other information as the city may require.
- D. The annual permit fee shall be as set forth in the Ordinance Establishing Fees and Charges adopted pursuant to § 73.03 of this code, as that ordinance may be amended from time to time.
- E. Permits shall be granted for a period of one year and may be renewed annually January 1 to December 31.
- F. No permit shall be granted or renewed unless the following conditions are met:
1. 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.
  2. The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the golf cart.
  3. The applicant has not had his or her driver's license revoked as the result of criminal proceedings.

- G. Motorized golf carts are permitted to operate only on city streets, not state or federal highways, except to cross at designated intersection or where permit granted.
- H. Motorized golf carts may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather conditions or any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
- I. Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minn. Stat. §169.045. as it may be amended from time to time, when operated on designated roadways.
- J. Motorized golf carts shall be equipped with a rearview mirror to provide the driver with adequate vision from behind as required by Minn. Stat. § 169.70.
- K. The operator of a motorized golf cart may cross any street or highway intersecting a designated roadway.
- L. Every person operating a motorized golf cart under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minn. Stat., ch. 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to motorized golf carts or mini-trucks and except as otherwise specifically provided in Minn. Stat. § 169.045(7), as it may be amended from time to time.
- M. The City Council may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this section or Minn. Stat., ch. 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the motorized golf cart on the designated roadways.
- N. The number of occupants on the golf cart may not exceed the design occupant load.
- O. Authorized city staff may operate city owned motorized golf carts without obtaining a permit within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

**§ 73.99 PENALTY** Unless otherwise provided in State statute, a violation of any provision of this ordinance or the violation of the conditions or provisions of any permit issued pursuant to the Ordinance shall be a misdemeanor.

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