

CHAPTER 8
MOTOR VEHICLES

	<u>Page</u>
Section 1 Snowmobiles and Other Recreational Motor Vehicles	8-3
Section 2 Unreasonable Acceleration and Erratic Driving	8-11
Section 3 On-Street Parking	8-13

SECTION 1

SNOWMOBILES AND OTHER RECREATIONAL MOTOR VEHICLES

Section:

- 8-1-1 Purpose and Intent
- 8-1-2 Definitions
- 8-1-3 Snowmobile Operation Restrictions
- 8-1-4 Snowmobile Required Equipment
- 8-1-5 Snowmobile Operations and Prohibited Conditions Within Designated Areas
- 8-1-6 Snowmobile Prohibited Conditions and Operations Outside of Designated Areas
- 8-1-7 Recreational Motor Vehicle Required Equipment
- 8-1-8 Recreational Motor Vehicle Prohibited Conditions and Operations Within Designated Areas
- 8-1-9 Recreational Motor Vehicle Prohibited Conditions and Operations Outside of Designated
- 8-1-10 Exemptions
- 8-1-11 Penalty

8-1-1: PURPOSE AND INTENT: It is the intent of this Section to supplement Minnesota Statutes, Sections 84.81 through 84.88 and Chapter 169, with respect to operation of snowmobiles and Sections 84.787 through 84.805 and Sections 84.92 through 84.929 with respect to recreational motor vehicles. (Ord. 2001-12, Oct. 8, 2001)

8-1-2: DEFINITIONS: For purposes of this Section, terms defined herein shall have the meanings ascribed to them.

Boulevard: The portion of the street right-of-way between the curb line and the property line.

Designated Area: All areas of the City that as set forth on attached Exhibit A, which are may be amended by resolution of the City Council from time to time.

Operate: To ride in or on and control the operation of a snowmobile or recreational motor vehicle.

Operator: Every person who operates or is in actual physical control of a snowmobile or recreational motor vehicle.

Owner: A person, other than a lien holder having the property in or title to a snowmobile or recreational motor vehicles.

Person: Includes an individual, partnership, corporation, the State and its agencies and subdivisions, and any body of person, whether incorporated or not.

Recreational Motor Vehicle: Trail bikes, amphibious vehicles and similar devices other than snowmobiles, used at least partially for travel on natural terrain, but not “special mobile equipment” as defined in M.S.A. 168.011, Subdivision 22, which is hereby incorporated herein by reference. Also including any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes, including but not limited to a motorized bicycle, all terrain vehicle, hovercraft or motor vehicle licensed for highway operation which is being used for off-road recreational purposes. This definition includes “off highway motorcycles” as defined in Minnesota Statutes 84.787, “off road vehicles” as defined in Minnesota Statutes 84.797, and “all terrain vehicles” as defined in Minnesota Statutes 84.92.

Right-of-Way: The entire strip of land traversed by a highway or street in which the public owns the fee or an easement for roadway purposes or holds prescriptive rights.

Roadway: That portion of a highway, improved, designed, or ordinarily used for vehicular travel.

Snowmobile: A self-propelled vehicle designated for travel on snow or ice steered by skis or runners.

Street: A public thoroughfare, roadway, alley, or trail used for motor vehicle traffic which is not an interstate, trunk, County State aid road, or County highway. (Ord. 2001-12, Oct. 8, 2001)

8-1-3: SNOWMOBILE OPERATION RESTRICTIONS: Except as herein otherwise provided, snowmobiles may be operated on City streets and all City traffic ordinances shall apply to the operations of snowmobiles upon the streets and highways, except for those relating to required equipment and except those which by their nature have not application.

A. The following operating restrictions shall also apply:

1. Stop, Yield Intersections. No snowmobile shall enter any intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians at the intersection, or in such close proximity as to constitute an immediate hazard.
2. Minors. No person under fourteen (14) years of age shall operate on streets or make a direct crossing of a City street as the operator of a

snowmobile, unless accompanied by someone eighteen (18) years of age or older. A person fourteen (14) years of age or older, but less than eighteen (18) years of age, may operate a snowmobile on streets as permitted under this Section and make a direct crossing of such streets only if he or she has in his or her immediate possession a valid snowmobile safety certificate or indicator. (Ord. 2001-12, Oct. 8, 2001)

8-1-4: SNOWMOBILE REQUIRED EQUIPMENT:

- A. Snowmobiles operated within the jurisdiction of the City shall be equipped in accordance with all applicable Minnesota Statutes rules and regulations.
- B. When operated between the hours of one-half (1/2) hours after sunset to one-half (1/2) hour before sunrise or at times of reduced visibility, at least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead during the hours of darkness under normal atmospheric conditions. Such head lamp shall be so aided that glaring rays are not projected into the eyes of an oncoming snowmobile operator.
- C. Reflective material at least sixteen (16) square inches on each side, forward on the handlebars, so as to reflect lights at a ninety (90) degree angle.
- D. Standard mufflers which are properly attached and in constant operation, and which reduce the noise of operation of the motor to the minimum necessary for operation. Mufflers shall comply with regulation CONS.55 which is hereby adopted by reference as it existed on September 1, 1970. No person shall use a muffler cut out, bypass, straight pipe, or similar device on a snowmobile, and the exhaust system shall not emit or produce a sharp popping or crackling sound.

8-1-5: SNOWMOBILE OPERATIONS AND PROHIBITED CONDITIONS AND WITHIN DESIGNATED AREAS:

- A. You may not operate a snowmobile on the inside slope (closest to the road), shoulder and roadway of State and County highways, or in the median of a four lane highway. You can operate a snowmobile in the bottom or outside slope of a ditch (farthest from the road, closest to the house), of a County or State highway.
- B. Operation of snowmobiles within that portion of CSAH 42 (Parrish Avenue) from the Mississippi River bridge southward to Park Avenue is prohibited. (Ord. 2003-28, October 27, 2003) (Ord. 2005-25, November 28, 2005)
- C. You may operate a snowmobile on the portion of the right-of-way of any street, in single file, on the most right-hand lane when available for traffic or as close as practical to the right-hand curb or edge of the roadway, except when passing

another vehicle stopped in that lane at a maximum speed of ten (10) miles per hour. Where there are no curbs, snowmobiles must be operated on the right-hand side of the street or highway and within six (6) feet of the roadway surface, except where an obstruction prevents passages within said distance of the roadway, the entire right-of-way may be used only to bypass the obstruction. (Ord. 2004-02, February 9, 2004)

- D. You may not operate a snowmobile on a paved walkway or walkway used for pedestrian use.
- E. You may not operate a snowmobile on boulevards within any public right-of-way.
- F. You may not operate a snowmobile on private property of another without specific permission of the owner or person in control of said property.
- G. You may not operate a snowmobile upon any school grounds except as written permission is obtained from responsible school authorities.
- H. You may not operate a snowmobile on any other public place or grounds except as may be specifically permitted by other provisions of this City Code.
- I. You may not operate a snowmobile anywhere in a careless, reckless or negligent manner or heedlessly in disregard of the rights of safety to others, or in a manner so as to endanger or be likely to endanger or cause injury or damage to any person or property.
- J. The maximum speed on the streets as permitted by this Section shall not exceed ten (10) miles per hour in "designated areas." See attached outline of "designated areas."
- K. Snowmobile is prohibited during the hours from eleven o'clock (11:00) PM to eight o'clock (8:00) AM, Sunday through Thursday and one o'clock (1:00) AM to eight o'clock (8:00) AM on other days including days immediately previous to national holidays.
- L. You may not operate a snowmobile closer than three hundred (300) feet from any residential area, except in coming and going from a residence to a designated trail on the most direct route or you are on your own property or have the property owners' permission.
- M. A rigid tow bar is required when towing any person or thing with a snowmobile, except in an emergency or towing a disabled snowmobile.
- N. Within one hundred (100) feet of any fisherman, pedestrian, skating rink, or sliding area where the operation would conflict with use or endanger other persons or operation.

- O. In a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of other persons.
- P. Chasing, running over, or killing any animal, wild or domestic. (Ord. 2001-12, October 8, 2001)

8-1-6: SNOWMOBILE PROHIBITED CONDITIONS AND OPERATIONS OUTSIDE OF DESIGNATED AREAS: All Minnesota State laws regarding prohibited conditions and operations apply. (Ord. 2001-12, Oct. 8, 2001)

8-1-7: RECREATIONAL MOTOR VEHICLE REQUIRED EQUIPMENT: All Minnesota State safety and required equipment laws apply. (Ord. 2001-12, Oct. 8, 2001)

8-1-8: RECREATIONAL MOTOR VEHICLE PROHIBITED CONDITIONS AND OPERATIONS WITHIN DESIGNATED AREAS: Recreational motor vehicles may not be operated in designated areas except on private property with owner's written permission between the hours of eight o'clock (8:00) AM and ten o'clock (10:00) PM. (Ord. 2002-22, Dec. 23, 2002)

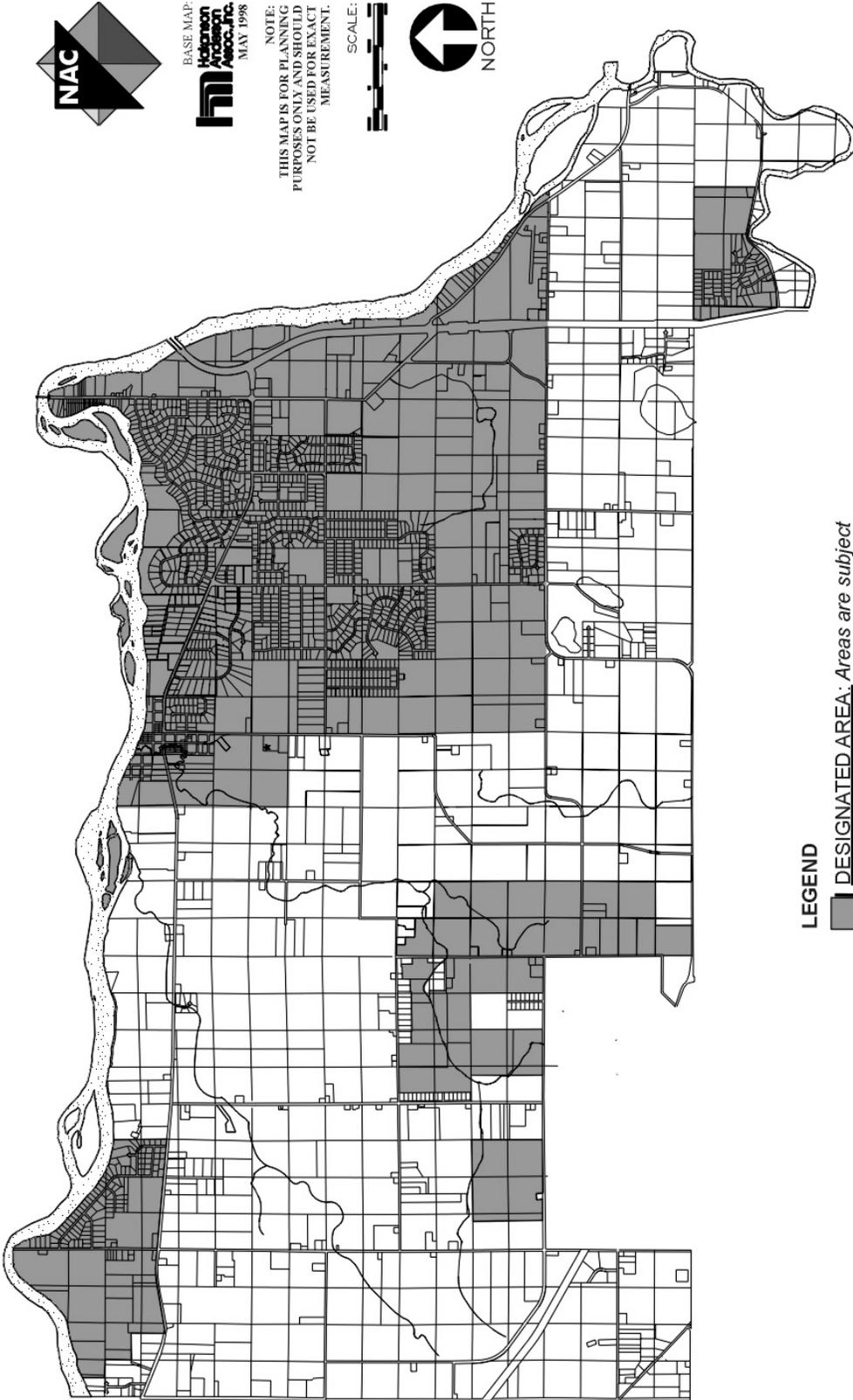
8-1-9: RECREATIONAL MOTOR VEHICLES PROHIBITED CONDITIONS AND OPERATIONS OUTSIDE OF DESIGNATED AREAS: All Minnesota State laws regarding prohibited conditions and operations apply. (Ord. 2001-12, Oct. 8, 2001)

8-1-10: EXEMPTIONS:

- A. Law enforcement officers shall be exempt from the restrictions of this Section while operating a snowmobile or recreational motor vehicle in response to an emergency situation or in the immediate pursuit of an actual or suspected violator of the law.
- B. Notwithstanding the provisions of this Section, the Chief of Police and City Council shall have the authority to supervise and regulate events or programs conducted by the City or the City Park and Recreation Department in which snowmobiles or recreational motor vehicles are used. The City Council shall have the authority to designate City park areas that shall be deemed available for such use. (Ord. 2001-12, Oct. 8, 2001)

8-1-11: PENALTY: Every person convicted of a violation of any of the provisions of this Section shall be subject to the fines and penalties provided by State Statute for a misdemeanor, as amended, plus costs of prosecution. (Ord. 2001-12, Oct. 8, 2001)

SNOWMOBILE ORDINANCE



BASE MAP:
HA Hokanson
Anderson
Assoc., Inc.
MAY 1998

NOTE:
THIS MAP IS FOR PLANNING
PURPOSES ONLY AND SHOULD
NOT BE USED FOR EXACT
MEASUREMENT.



LEGEND

 **DESIGNATED AREA:** Areas are subject to more restrictive standards as outlined in Section 8-1-5 of the City Code

CITY OF
OTSEGO
ON THE GREAT RIVER ROAD

EXHIBIT A

SECTION 2

UNREASONABLE ACCELERATION AND ERRATIC DRIVING

Section:

- 8-2-1 Unreasonable Acceleration
- 8-2-2 Erratic Driving
- 8-2-3 Penalty

8-2-1: UNREASONABLE ACCELERATION:

- A. No person shall start or accelerate any motor vehicle with an unnecessary exhibition of speed on any public highway, street, road, parking lot, alley, or other public property, or upon any private street or road freely used by the general public.
- B. Unreasonable acceleration of a motor vehicle hereby defined as acceleration which unnecessarily breaks the traction between a tire or tires of a motor vehicle and the driving surface, thereby causing squealing or screeching sounds by the motor vehicle's tire or tires or the unnecessary throwing of sand or gravel by the tires of said vehicle or both. (Ord. 7, March 6, 1988)

8-2-2: ERRATIC DRIVING: No person shall drive a motor vehicle on a public highway, street, road, parking lot, alley or other public property, or upon a private street or road freely used by the general public at erratic or irregular and changing speeds so as to create a hazard to himself or other persons or property or so as to interfere with other traffic in the area. (Ord. 7, March 6, 1988)

8-2-3: PENALTY: Any person found guilty of violating any provision of this section shall be guilty of a petty misdemeanor and upon conviction thereof shall be punished by a fine not to exceed the maximum fine for a petty misdemeanor provided for by State law, plus costs of prosecution. (Ord. 7, March 6, 1988)

SECTION 3

ON-STREET PARKING

Section:

8-3-1	Purpose
8-3-2	General Parking Prohibitions
8-3-3	Exceptions
8-3-4	Parked Vehicles Impounded
8-3-5	Penalties

8-3-1: PURPOSE: The City Council finds that it is necessary to promote the health, safety, and welfare of the citizens of Otsego, and to promote traffic flow, that restrictions be placed upon the parking of certain vehicles upon City streets. (Ord. 95-28, Nov. 13, 1995)

8-3-2: GENERAL PARKING PROHIBITIONS:

- A. **General Limit.** Parking of vehicles is hereby prohibited for more than eighteen (18) hours continuously on all public streets, boulevards, ditches, and rights-of-way within the corporate limits of the City, with the exception of those streets or highways otherwise provided time limitations in Section 8-3-2.C of this City Code.
- B. **Trucks and Semi-Tractors and Trailers.** Commercial vehicles, semi-tractors, trailers or trucks exceeding a gross vehicle capacity of twelve thousand (12,000) pounds or an overall length of twenty-five (25) feet may not be parked or stored on public streets, boulevards, ditches, and rights-of-way within the City.
- C. **Designation of Parking Zones and Fire Lanes.**
1. The Council may, by resolution, designate streets, blocks or alleys, or portions thereof, as no parking zones, as fire lanes, or as five (5) minute, ten (10) minute, fifteen (15) minute, thirty (30) minute, one (1) hour, two (2) hour, or three (3) hour parking zones.
 2. The Council may also upon application by the Fire Marshal or an owner, lessee or operator of any building, which building generally attracts numerous numbers of the public, designate and thus establish a fire lane upon private property. The application shall be reviewed and approved or disapproved by the Fire Marshal prior to being presented to the City Council for approval. The designated area, when approved by the City Council, shall effectively become a fire lane.

3. All designated zones pursuant to this section shall be appropriately marked at the direction of the City, at the property owner's expense when on private property, and the City's expense when on public property. Unless otherwise provided within the resolution or application approval, such restrictions shall apply every day of the week, including Saturdays, Sundays, and holidays.
- D. **Night Parking.** No vehicle shall be parked upon any public streets, boulevards, ditches, and rights-of-way in the City between the hours of two o'clock (2:00) AM and six o'clock (6:00) AM inclusive, between November and April, including, but not limited to, Saturdays, Sundays and holidays.
 - E. **Snow Emergency.** After a snowfall of at least two and one-half (2-1/2) inches in the City, parking is prohibited on any public streets, boulevards, ditches, and rights-of-way until and after that particular public way has been plowed and the snow removed to the curb line. It is unlawful to deposit snow or ice, plowed or removed from private property, onto the traveled portion of a street, alley or public way.
 - F. **Immobile Vehicles and Trailers.** Vehicles and trailers incapable of movement under their own propulsion shall not be parked or stored on public streets, boulevards, ditches, and rights-of-way within the City.
 - G. **Access.** No vehicle shall be parked so as to obstruct a public sidewalk or trail or block access to a driveway or block access to a mailbox. (Ord. 2004-21, Sep. 27, 2004)

8-3-3: EXCEPTIONS: This Section shall not apply to the following circumstances:

- A. City vehicles parked in connection with official City business. (Ord. 95-28, Nov. 13, 1995)
- B. Vehicles picking up or delivering products to residential customers, or providing a service to a residential customer. Even in the event of a pick up or delivery, in no case shall any vehicle park for any period of time in any manner which tends to block a designated bike path.
- C. Police, fire and medical emergency vehicles or public or private utility vehicles parked in connection with official duties. (Ord. 2004-21, Sep. 27, 2004)

8-3-4: PARKED VEHICLES IMPOUNDED: A vehicle in violation of this Section may be ordered removed from a public street, boulevard, ditch, and right-of-way by a law enforcement officer. The vehicle may be towed away to a garage, service station or

other place of safekeeping as authorized by the City Council as soon as possible to facilitate snow removal, street maintenance, the orderly flow of traffic, fire fighting or other lawful purpose. The vehicle will be surrendered to the duly identified owner thereof upon payment of the required fees for such towing and storage. Removal of a vehicle does not bar prosecution for a violation of traffic or parking regulations. (Ord. 2004-21, Sep. 27, 2004)

8-3-5: PENALTIES:

- A. Any person found to be in violation of any provision of this Section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by penalty established by State Statute for a misdemeanor, and as amended. Each day in which such violation occurs shall be deemed a separate offense.
- B. Any person violating any of the provisions of this Section, shall become liable to the City for any expense, loss or damage occasioned by the City as the result of such violation, including court costs and reasonable attorneys fees. (Ord. 2004-21, Sep. 27, 2004)