

ORDINANCE NO. 12-02

**AN ORDINANCE OF THE CITY OF MINNEOTA
REPEALING AND REPLACING ORDINANCE NO. 01/07/08 AN ORDINANCE
REGULATING THE USE OF GOLF CARTS AND ALL-TERRAIN VEHICLES
ADOPTED JANUARY 7, 2008**

Be it ordained that Ordinance No. 01/07/08-A of the Minneota City Code is amended and replaced in its entirety to read as follows:

Section 1. Definitions.

Unless the language or context clearly indicates that a different meaning is intended, the following terms shall have the following meanings:

- a. **Motorized Golf Cart** - a vehicle usually three or four wheeled, which is self, propelled and is designed to be used to provide transportation on a golf course.
- b. **All-Terrain Vehicle (ATV)** - Class 1 ATVs are motorized flotation-tired vehicles with at least three but no more than six low pressure tires that have an engine displacement of less than 1000 cubic centimeters and total dry weight of less than 1000 pounds.
- c. **All-Terrain Vehicle (ATV)** - Class 2 ATVs are motorized flotation-tired vehicles with at least three but no more than six low pressure tires that have an engine displacement of less than 1000 cubic centimeters and total dry weight of 1000 to 1800 pounds.
- d. **Insurance** - motor vehicle liability insurance, which complies with the requirements set forth in Minn. State Statutes. If a person cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage, from the Minnesota Automobile Insurance Plan at a rate to be determined by the commissioner of commerce.
- e. **Slow moving vehicle emblem** - a sign, which complies with the requirements set forth in Minn. Stat. § 169.522.
- f. **Physically disabled person** - any person meeting the criteria set forth in Minn. Stat. § 169.345, Subd. 2 that qualifies for a certificate allowing the person to park in a handicapped-parking space.
- g. **Motorized Golf Cart and ATV dealers** - any business that regularly sells golf carts and ATVs.

Section 2. Limitations.

- a. Motorized golf carts and ATV may be operated within Minneota City limits but only as expressly provided in this section. Any use that is not expressly authorized by this section is prohibited.

Example: Driving on designated walking/bike trails, driving on city dikes, driving on sidewalks, driving on street boulevards, snowmobile trail, and State Highways.

Exceptions: Emergency vehicles in the course of their duties and vehicles authorized by the city.

Section 3. Operator Permits.

a. Persons wishing to operate motorized golf carts or ATV on public roadways must obtain application from the city police department and shall be issued by the city clerk. The city council will set a reasonable fee to cover the cost of issuing such permits.

b. **Conditions for issuance of a permit are as follows:**

1) Persons at least sixteen (16) years of age and holding a driver's license recognized by the State of Minnesota as permitting the operation of motor vehicles in the state are eligible for permits. A permit issued under this section shall be valid during the time and under the circumstances that the holder's driver's license would allow operation of a motor vehicle in the State of Minnesota.

Persons not holding a driver's license may apply for an initial or renewal permit. Applications shall be accompanied by a certificate signed by a physician stating that the applicant is capable of safely operating a motorized golf cart or a four-wheel all-terrain vehicle on the roadway or streets.

ATV drivers born after January 1, 1995 must possess a valid off highway motorcycle safety certificate.

2) Applicant's Golf Cart or ATV must be equipped with a rearview mirror.

3) Applicant's Golf Cart or ATV must have a slow moving vehicle sign.

4) Applicant's Golf Cart or ATV must have current vehicle insurance.

5) ATVs will be properly licensed by the State of Minnesota.

6) All Golf Carts and ATVs will have mufflers.

7) All ATV drivers and passengers must comply with helmet and seat belt requirements set forth by State Statute, 84.92 and 84793.

8) Drivers and passengers must follow the vehicle manufactures recommendations for weight and occupant restrictions.

9) Each golf cart and ATV will be issued its own permit. Permits issued to dealers may be transferred for the purpose of test-driving a vehicle. However, vehicles used for the operation of a business will have their own permit.

10) All vehicles will be inspected by the police department at time of application.

c. If an applicant satisfies the above-described conditions, the city shall issue a permit. Permits will be valid for the calendar year in which they were issued. Permits will be issued throughout the year however permits will not be prorated for being purchased for less than twelve months.

Section 4. Operation.

- a. A person who has been granted a permit shall have the permit displayed on the Golf Cart or ATV. The permit will be placed on the rear right hand fender of the Vehicle in such a fashion as to be visible to following vehicles.
- b. Motorized golf carts and ATVs shall only be operated on city owned streets, alleys, and county roads or county state-aid highways located within the boundaries of the city. Golf carts and ATV's are permitted to cross State Highway 68.
- c. Golf carts may not be operated during inclement weather or when visibility is impaired by weather, smoke, fog or other conditions or when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
- d. ATVs may not be operated during inclement weather when the conditions causing them to lose traction or slide or when visibility is impaired by weather, smoke, fog or other conditions or when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
- e. Motorized golf cart and ATV operators must obey all traffic laws which can be applied to motorized vehicles. Golf Carts and ATV's may not travel at a speed on excess of 15 MPH.
- f. Motorized golf carts and ATV's may only be operated between sunrise and sunset.
- g. Physically disabled persons wishing to park in marked handicap parking spaces are required to display their state issued handicap-parking permit.
- h. A permit may be revoked at any time if there is evidence that the permittee cannot safely operate the motorized golf cart or all-terrain vehicle on the designated roadways. The city may require, as a condition to obtaining a permit, that the applicant submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart or all-terrain vehicle on the roadways designated.
- i. Golf Carts and ATV's not equipped with brake lights or turn signals must use appropriate hand signals as defined by Minnesota State Statute 169.19 Subd. 8.
- j. This ordinance is not all-inclusive. Operators of ATV's need to comply with all Off Road Vehicle laws, which are available for review in the MN Department of Natural Resource Off-Highway Vehicle Regulations Manual.

Section 5. Limitation of Liability

- a. Nothing in this chapter shall be construed as an assumption of liability by the city for any injuries to persons or property which may result from the operation of a motorized golf cart or ATV by a permit holder or the failure by the city to revoke the permit.

Section 6. Violations.

- a. Violation of any of the requirements of this chapter is a misdemeanor punishable by up to 90 days in jail, a fine of up to \$1,000.00 or both.
- b. In addition to any criminal sanctions, the permit may be revoked by the city for any violations of this ordinance.
- c. The city is notified by any court that a permit holder was convicted of violating a state or local traffic law other than a parking law while operating the motorized Golf cart or ATV.
- d. An applicant is found to have made fraudulent representations in a permit application.

Section 7. Effective Date.

This ordinance shall take effect from and after its passage and publication according to law.

Passed by the City Council this 13th day of August, 2012.

Mayor of the City of Minneota, MN

ATTEST:

City Administrator

Introduced: August 13, 2012

Final Passage On: August 13, 2012

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