

ORDINANCE NO. 87

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF JASPER, BY ADDING SECTION 7.055 ON RECREATIONAL VEHICLES--ATV, ORVS, & GOLF CARTS.

Subd. 1. Definitions. For the purposes of this Section, the terms defined shall have the meanings given them.

1. All-Terrain Vehicle or ATVs - a four-wheel all-terrain vehicle is a motorized flotation-tired vehicle with four low-pressure tires that is limited in engine displacement to less than 800 cubic centimeters and total dry weight less than 900 pounds.

2. Off-Highway Vehicle or ORVs - mules, 6 wheelers that are more than 1,200-1,500 pounds.

3. Motorized Golf Carts (or similar vehicles).

4. Operate - to control the operation of an ATV, ORV, or Golf Cart.

5. Operator - a person who operates or is in actual physical control of an ATV, ORV, or Golf Cart.

6. Roadway - portion of a road, street, alley, or highway that is improved, designed, or ordinarily used for vehicular traffic.

7. A physically handicapped person means any person who has sustained an amputation or material disability of either or both arms or legs.

Subd. 2. Restrictions.

1. Must have a valid Minnesota driver's license.

2. Children, ages 16-18, must wear an approved safety helmet.

3. Parents or guardians shall be held responsible for all damages or wrongful acts conducted by a minor operating a vehicle within the City of Jasper.

4. Must not operate vehicle with more persons on the vehicle than it was designed for.

5. Operation prohibited on county and state highways within the city limits or under the jurisdiction of the City of Jasper.

6. Vehicles need to have proper headlights and taillights when required for safety. Vehicles shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

7. Must not operate on private property of another without the express permission to do so by the owner or occupant of said property.

8. Must not operate on public school grounds, park property, playgrounds, cemeteries, or any other public places except where the operator has the express permission by the property public authority.

9. No vehicle shall be operated on public sidewalks.

10. Must not operate vehicle at any place while under the influence of alcohol or drugs as defined in MN Statutes Section 169.121, which is hereby incorporated herein by reference.

11. Must not operate or park a vehicle in a careless, reckless, or negligent manner, or heedlessly in disregard of the rights or safety of others, or in a manner so as to

endanger, or be likely to endanger, or to cause or be likely to cause injury or damages to any persons or property.

12. Must not operate vehicle in a manner or location so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.

13. Must not tow any objects unless through use of a rigid tow-bar attached to the rear of the vehicle.

14. No vehicle shall enter any intersection without yielding the right-of-way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard.

Subd. 3. Permits Required. No person shall operate a motorized ATV, ORV, or Golf Cart on streets or alleys within the city limits or under the jurisdiction of the City of Jasper without first obtaining a written permit from the City, except no permits will be required for parades. Said permits shall prohibit operation of vehicles on county and state highways within the city limits or under the jurisdiction of the City of Jasper.

Subd. 4. Insurance. Any person operating an ATV, ORV, or Golf Cart under this ordinance shall have in their possession evidence of liability insurance complying with the provisions of Minnesota Statute 65B.48, subd5.

Subd. 5. Application Forms. Applications for a permit to operate an ATV, ORV, or Golf Cart shall be made at the City Office on forms furnished by the City.

Subd. 6. Permit Period. Permits shall be issued for periods of one (1) calendar year commencing on January 1st and ending on December 31st of each year, and may be annually renewed.

Subd. 7. Permit Fee. A permit fee of \$10.00 shall be charged and will be required to be paid when an application for a permit is submitted to the City of Jasper. The permit fee will not be prorated if issued after January 1st during any calendar year. The permit stays with the vehicle, not transferable to another vehicle. Permit must be prominently displayed at all times along with their DNR permit on the back of the vehicle.

Subd. 8. Permit Revocation. Any person violating any provision of this ordinance shall be guilty of misdemeanor. In addition to the criminal sanctions, the permit may be revoked at any time if there is evidence that the permittee cannot safely operate the motorized ATV, ORV, or Golf Cart for which the permit has been issued on streets or alleys within the city limits or under the jurisdiction of the City of Jasper. Pipestone County Law Enforcement deputies will issue the following penalties if all rules and regulations are not followed:

- 1st Violation - 60 Day Suspension;
- 2nd Violation - 6 Month Suspension;
- 3rd Violation - No Permit/Permit Revocation;
- No License - Right to Impound.
- The Right to Appeal permit revocation can be made by filing a written request at the City Office for a hearing before the City Council. The

hearing before the City Council will be held in the City Council Chambers at the next special or regular meeting that has been scheduled.

Subd. 9. Permit-Specific Regulations. Every person operating a motorized ATV, ORV, or Golf Cart with a permit shall operate on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statute, except when those provisions cannot reasonably be applied to ATVs, ORVs, or Golf Carts and except as otherwise specifically provided in Minnesota Statutes.

Subd. 10. Speed Limit. The speed limit shall be no more than 15 miles per hour while operating on a municipal street, and the operator must stay in the farthest right hand portion of the traffic lane, operator must yield to motor vehicle traffic at all times.

Subd. 11. Effective Date. This ordinance shall take effect and be in force from and after its passage on May 9, 2006, following publication in the *Jasper Journal* on May 1st and 8th of May, 2006. For the first six months of operation, permits need to be purchased and in place on the vehicle by July 1, 2006. The next permits issued will be for the year 2007.

The foregoing ordinance was duly passed and adopted by the Council of the City of Jasper, Minnesota, at its regular meeting on the 9th day of May, 2006, following a public hearing..

David G. Smith, Mayor

Attest:

Kris Rodman, Clerk-Treasurer