

**CHAPTER 7. TRAFFIC AND VEHICLES****Section 700 – General Provisions**

**700.01 State Traffic Regulations Adopted.** The provisions of Minnesota Statutes Chapter 169 relating to traffic regulations, together with the provisions contained in this Chapter shall be hereby adopted as the traffic code for the City of Norwood Young America. It shall be unlawful for any person to operate any vehicle in the City, or to use the streets of the City in any manner contrary to that described in the provisions adopted by reference and contained in this Chapter.

**700.02 Safe Driving.** No person shall operate or halt any vehicle upon a highway within the City of Norwood Young America carelessly or heedlessly in disregard of the rights or safety of others or in a manner so as to endanger or to be likely to endanger any person or property.

**700.03 Speed.** Any person driving a vehicle on any highway within the City shall drive the vehicle at a speed not greater than is reasonable and proper, having due regard to the traffic, the surface and width of the highway, and of any other conditions then existing. Operating a vehicle at speeds exceeding those specified in this Section shall be prima facie evidence that the operator of the vehicle is driving the vehicle at a speed greater than shall be reasonable and proper:

- A. Not more than 30 miles per hour on any street or highway in the City except where a higher speed is posted.
- B. Fifteen miles per hour when passing a school during school recess or while children are going to or leaving from school during opening or closing hours.
- C. Not more than 25 miles per hour on Lake Street between the intersection with Oak Street (CSAH 33) and the intersection with Reform Street. *(Amended by Ord. 120, 9-14-1998)*
- D. Not more than 25 miles per hour on Reform Street between the intersection with Lake Street and the intersection with Elm Street (CSAH 31). *(Amended by Ord. 120, 9-14-1998)*

**700.04 Stop Before Entering Through Street.**

- A. It shall be unlawful for the driver of any vehicle to fail to bring the vehicle to a full stop before entering any through street properly designated as such by the action of the City or its duly authorized representative.
- B. No driver shall use their Jake Brakes within the City Limits. *(Amended by Ord. 121, 9-28-1998)*

**700.05 Regulation of Large Vehicles.** It shall be unlawful to operate any motor vehicle with a gross weight of 5 tons or larger on any street, avenue, alley or other thoroughfare within the City limits. A tractor-trailer combination with a combined gross weight of 5 tons or more shall for purposes of this Chapter be deemed to be one motor vehicle; however, the prohibition as stated in this sub-Section shall apply to all or a part (tractor only) of any such tractor or trailer combination.

**700.06 Exceptions.** Subsection 700.05 and the prohibitions provided by it shall not apply to the following streets, where the limit shall be nine (9) tons, except that the prohibitions shall apply during road weight restrictions as posted by the Minnesota Department of Transportation, inclusive, of each year. In addition, the prohibition shall not apply to emergency vehicles, city vehicles or city authorized vehicles in the performance of their duties, or to delivery trucks upon the roads only for the minimal distance and time required to make a delivery to a place within the city limits.

- A. Central Avenue
- B. Railroad Street
- C. County Road 33
- D. Morse Street
- E. Reform Street from Railroad Street to Elm Street
- F. Faxon Road from Central Avenue to Elm Street East
- G. Industrial Boulevard
- H. County Road 34
- I. County Road 31
- J. Elm Street from Oak Street to Faxon Road
- K. Tacoma Avenue from Highway 212 south to city limits
- L. Tacoma Boulevard
- M. Tacoma Circle
- N. 7<sup>th</sup> Street Southwest
- O. Merger Street from Highway 212 to Hill Street
- P. Hill Street from Merger Street to Faxon Road

*(Amended by Ord. 252, 7-14-14)*

**700.07 Special Temporary Use Permit.** Upon application made and a showing of good cause the City Administrator may issue a special temporary use permit allowing a motor vehicle with a gross weight of 5 tons or larger to be temporarily operated on a street where it would otherwise be prohibited. Good cause shall include a showing that the street surfaces and other public property shall be protected from damage resulting from any such temporary use.

**700.08 Turns.** The Council may prohibit turns at any intersection where it is determined that such restrictions are necessary to regulate traffic or to protect safety. Such restrictions shall not be enforced until they are posted at the intersection to which the restriction is to apply.

**700.09 Penalty.** Except as otherwise provided, any person who shall violate any provision of this Chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$700.00, or by imprisonment for not more than ninety (90) days, or both, for the offense. Each day that a violation occurs shall be a separate offense.

### **Section 710 – Exhibition Driving**

**710.01 Exhibition Driving.** No person shall start, stop, accelerate, or otherwise operate any motor vehicle in an unnecessary exhibition of speed or driving manner in any public or private way within the City limits. Prima facie evidence of such unnecessary exhibition of speed shall be unreasonable squealing or screeching sounds emitted by the tires, the throwing of sand or gravel by the tires of the vehicle, skids or sliding by the vehicle upon acceleration or stopping, unnecessary engine noise or backfiring, simulation of a race, or abrupt turns or swaying.

### **Section 720 – Parking**

**720.01 Definitions.**

**Subd. 1 Snowfall.** “Snowfall” shall mean any accumulation of two or more inches of snow on a street when snow is falling or has fallen within the previous twenty-four hours.

*(Amended by Ord. 150, 11/25/02)*

**Subd. 2 Blowing Snow.** “Blowing Snow” shall mean any accumulation on a street of two or more inches of snow which is blowing or has been blowing for the previous twenty-four hours.

*(Amended by Ord. 150, 11/25/02)*

**Subd. 3 Street.** “Street” shall mean the entire width of the dedicated or acquired right-of-way of any street within the City. *(Amended by Ord. 150, 11/25/02)*

**Subd. 4 Truck.** “Truck” shall mean any motor vehicle designated and used for carrying things other than passengers except pickup trucks and vans, which are included as passenger vehicle.

*(Amended by Ord. 150, 11/25/02)*

**720.02 Restricted Parking During Snowfall & Blowing Snow.** No person shall park or leave a motorized vehicle on any street within the City during or after a snowfall or a period of blowing snow until the snow has been removed from the street. Parking may be prohibited or restricted following the snow removal as provided by City Code or State law.

**720.03 General Parking Time Limit.** No person shall park any vehicle for a longer period of time than forty-eight (48) consecutive hours on any street in this City.

**720.04 Parking on Private Property.** No person shall park any motor vehicle on any private property without the consent of the property owner.

**720.045 Off-street Residential Parking.**

**Subd. 1 Purpose.** The purpose of this section is to reduce the visual clutter and surface soil runoff, promote the general safety and welfare, and protect the property values of adjoining properties by controlling the number of vehicles that may be parked on a residentially zoned lot.

*(Amended by Ord. 158, 3-22-2004)*

**Subd. 2 Restrictions.** Parking in all residential districts shall be subject to the following requirements:

- A. Off-street parking in the residential districts shall be on the same lot as the principal building unless otherwise approved by the City Council;
- B. No more than four (4) vehicles per lawful dwelling unit may be parked or stored anywhere outside on property zoned residential. This maximum does not include guests who do not reside on the property. For purposes of this Chapter, the words “motor vehicle” and “vehicle” shall be defined to mean every vehicle which is self-propelled. The terms “motor vehicle” and “vehicle” do not include an electric personal assistance mobility device or a vehicle moved solely by human power. *(Amended by Ord. 158, 3-22-2004, Amended by Ord. 247, 12-9-13)*

**Subd. 3 Exemptions.** The City Council may approve an annual “on site parking permit” for exterior parking of more than four vehicles, but not to exceed six vehicles, on residential lots provided the applicant meets the following standards:

- A. The applicant provides the City with an affidavit stating that all abutting property owners have been notified and given an opportunity to respond, in writing, if they have specific concerns regarding the request; and
- B. The applicant annually pays an administrative permit fee as set in the fee schedule adopted from time to time by the Council. *(Amended by Ord. 158, 3/22/2004, Amended by Ord. 247, 12/9/13)*

**Subd. 4. Vehicle Repair on Street.** It is unlawful for any person to service, repair, assemble or dismantle any vehicle parked upon a street, alley, or City-owned parking lot, or attempt to do so, except to service the vehicle with gasoline or oil or to provide emergency repairs, but in no event for more than twenty-four (24) continuous hours.

**Subd. 5 Parking for the Purpose of Advertising or Selling Merchandise.** It is unlawful for any person to park a vehicle on any street for the purpose of advertising the vehicle for sale, for the purpose of advertising for sale or selling merchandise from or in the vehicle, or for the purpose of advertising any merchandise for sale or a forthcoming event.

**Subd. 6 Violations and Penalties.** Upon discovery of a suspected violation, the violator shall be issued a citation by the City’s designated law enforcement agent and given notice of his or her right to be heard on the accusation. Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense. Any person found to be in violation of this Section shall be guilty of a misdemeanor and subject to the maximum penalty authorized by State law for a misdemeanor. *(Amended by Ord. 158, 3-22-2004, Amended by Ord. 247, 12-9-13)*

#### **720.05 Other Restricted Parking.**

- A. There shall be no parking at any time of the day or night on that portion of Faxon Road between:
  1. Its intersection with U.S. Highway 212 on the south and its point of termination on the north.
  2. Its intersection with US Highway 212 on the north and its intersection with Railroad Street on the south. *(Amended by Ord. 150, 11/25/02)*
- B. No person shall park or leave a motorized vehicle for longer than three (3) hours upon the below described streets between the hours of 7:00 a.m. to 6:00 p.m. on any day of the week except Sunday:
  1. Elm Street between Reform Street and Oak Street
  2. Union Street between Elm Street and the Twin Cities and Western Railroad right-of-way
  3. Morse Street between Elm Street and the Milwaukee Railroad right-of-way  
*(Amended by Ord. 150, 11/25/02)*
- C. Effective November 1 to April 1, no parking shall be permitted from 2:00 a.m. until 7:00 a.m. on the following streets:

1. Elm Street between Reform Street and Oak Street
2. Union Street between Elm Street and the Twin Cities and Western Railroad right-of-way
3. Morse Street between Elm Street and the Milwaukee Railroad right-of-way
4. Brush Street, on the east side, from the public alley to its intersection with Elm Street
5. Central Avenue North
6. Central Avenue South *(Amended by Ord. 174, 1/9/06)*

D. There shall be no parking at any time in the following designated areas:

1. On the southern side of 7<sup>th</sup> Street SW between the five-way stop until 650 feet west of its intersection with Fourth Avenue SW, unless for the purpose of loading and unloading of school buses during school hours
2. Poplar Ridge Drive from Industrial Boulevard to Faxon Road
3. Industrial Boulevard from Highway 212 to Faxon Road
4. On the eastern side of Reform Street from its intersection with Elm Street until its termination on the south with Lake Street
5. On the western side of 5<sup>th</sup> Avenue NE, beginning at its intersection with 4<sup>th</sup> Avenue NE until its intersection with 118<sup>th</sup> Street
6. CSAH 34/County Road 134 between Highway 212 to 300 feet south of Second Street S.E.  
*(Amended by Ord. 175, 2/27/06)*

E. There shall be two hour parking during school hours on:

1. Fourth Avenue SW from 7<sup>th</sup> Street SW until its intersection with Webster Street
2. The northern side of 7<sup>th</sup> Street SW from the five-way stop until its intersection with Fourth Avenue SW *(Amended by Ord. 150, 11/25/02)*

F. There shall be one hour parking between signs from 7:00 a.m. and 4:00 p.m. during school hours on Morse Street in front of Central High School *(Amended by Ord 270, 3/14/16)*

G. There shall be no parking between signs on the eastern side of Brush Street unless for the purpose of loading or unloading of vehicles

H. There shall be no parking on Main Street from 2:00 am until 7:00 am beginning at its intersection with Central Avenue until its intersection with Third Avenue NE

I. There shall be no parking 8:00 am to 4:00 pm, Monday through Friday on the north side of Main Street from its intersection with Third Avenue NE, until the posted sign

J. No person shall park a vehicle or permit it to stand attended or unattended at any parking lot at Friendship Park, including the Park and Ride Lot off of Fourth Avenue SW at State Highway 5, while displaying a "For Sale" sign or similar sign, unless the driver is using the park facilities or Park and Ride service during the time in which the vehicle is so parked

K. During the annual Stiftungsfest event, normally scheduled on or about the last full weekend in August, no parking shall be permitted from 2:00 am Friday until Noon Monday on the following streets:

1. Main Street from Second Avenue SE to the far western end
2. First Avenue SE and NE from First Street SE to First Street NE

L. During the annual Stiftungsfest event, normally scheduled on or about the last full weekend in August, no parking shall be permitted from 3:00 am to 6:00 pm on Saturday on the following streets:

1. First Street SE from First Avenue SE to Second Avenue SE
2. Second Avenue SE from First Street SE to Main Street E
3. Main Street E from Second Avenue SE to Third Avenue SE

M. During the City's annual Stiftungsfest event, normally scheduled on or about the last full weekend in August, no person shall park in the City parking lot located at 10 First Avenue NE, except by permit issued by the City Office, from 6:00 am on Friday until 11:00 pm on Sunday. *(Amended by Ord. 150, 11-25-2002)*

#### **720.06 Recreational Vehicles.**

**Subd. 1 Definitions.** Recreational Vehicle shall mean all boats; canoes; all terrain vehicle; snowmobiles; utility trailers used to transport boats, canoes, snowmobiles, and all terrain vehicles; travel campers; house trailers; slip in camper tops whether or not attached to a truck; and motor vehicles designated, constructed, or used to provide temporary movable living quarters.

**Subd. 2 Parking Prohibition.** To prevent traffic flow problems created by blockage or partial blockage of streets by the size of recreational vehicles, and to discourage the use of recreational vehicles as a primary dwelling, except in emergency situations, no recreational vehicle shall be parked on any city street in a residential district except to allow for the packing or unpacking of equipment, and for the boarding or exiting of passengers. No recreational vehicle shall be allowed to remain on any public street for more than forty-eight (48) consecutive hours, and in no case shall any person be allowed to park a recreational vehicle on a public street in a residential neighborhood more than four times per any calendar month, except that a resident may apply for a temporary parking permit to allow him or her to park such a vehicle for an additional forty-eight (48) hour period. No more than two permits shall be issued to any single household per calendar year.

#### **720.07 Commercial Vehicle Parking.**

**Subd. 1 Restricted Vehicles.** No person shall at any time park or leave standing any truck, semi trailer, truck tractor, tractor, or bus with a gross vehicle weight equal to or greater than 11,000 pounds upon any residential street unless for the purpose of loading or unloading such a vehicle or for the pick-up and delivery of goods and/or services to home or businesses in the area. *(Amended by Ord. 150, 11/25/02)*

**Subd. 2 Additional Restrictions.** Nor shall any person at any time park or leave standing any trailer upon any residential street unless for the purpose of loading or unloading such a vehicle. *(Amended by Ord. 150, 11/25/02)*

**720.08 Violations of Parking Restrictions.** The penalty for parking in the restricted areas listed in this Section, shall be no more than the maximum penalty allowed for a petty misdemeanor. Each offense shall be subject to a separate penalty, and each day the offense exists shall count as a separate offense. *(Amended by Ord. 154, 8/11/03)*

**Section 730 – Junk, Abandoned, and Unauthorized Vehicles****730.01 Definitions.**

**Subd. 1 Abandoned Vehicle.** “Abandoned Vehicle” shall mean a motor vehicle that has:

- A. remained illegally:
  - 1. for a period of 48 hours on any property owned or controlled by a unit of government, or more than four (4) hours on such property when it is properly posted; or
  - 2. on private property for a period of time as determined by Minnesota Statutes, § 168B.04, subd. 2, without the consent of the person in control of the property; and
- B. lacks vital component parts or is in an inoperable condition such that it has no substantial potential for further use consistent with its usual functions, unless it is kept in an enclosed garage or storage building;

Classic cars or pioneer cars as defined by Minnesota Statute § 168.10 shall not be considered abandoned vehicles; nor shall any vehicle located on the premises of a junk yard or automobile graveyard properly licensed and maintained pursuant to Minnesota Statute § 161.242 or pursuant to any provision of this Code or other City ordinance. No vehicle being held for storage by agreement or being held under police authority or pursuant to court order shall not be considered an abandoned vehicle. *(Amended by Ord. 247, 12-9-13)*

**Subd. 2 Junk Vehicle.** “Junk Vehicle” shall mean any vehicle that:

- A. is three years old or older;
- B. is extensively damaged, with the damage including such things as broken or missing wheels, motor, drive train, or transmission;
- C. is apparently inoperable;
- D. does not have a valid, current registration plate; and
- E. has an approximate fair market value equal to the approximate value of the scrap in it.

**Subd. 3 Unauthorized Vehicle.** “Unauthorized Vehicle” shall mean a vehicle that is subject to removal and impoundment pursuant to Minnesota Statutes, § 168B.04, subd. 2, or § 169.041, but is not a junk vehicle or an abandoned vehicle.

**730.02 Declaration of Public Nuisance.** Abandoned, junk, and unauthorized vehicles within the City shall be hereby found to create a public nuisance or blight condition tending to reduce the value of private property, to invite theft or vandalism, to create fire and other safety hazards, to attract vermin, and to constitute an unattractive nuisance creating a hazard to the health and safety of the public. The accumulation and outside storage of abandoned and junk vehicles shall be determined to be in the nature of rubbish, litter and unsightly debris, and a detriment to the environment, and shall be hereby declared to constitute a public nuisance which may be abated as provided in this Section or as provided under any other ordinance, specifically Section 600.06, of the City or by the laws of the State. *(Amended by Ord. 168, 7/25/05)*

**730.03 Parking and Storage of Abandoned, Junk, and Unauthorized Vehicles Prohibited.** No person shall park, store, or leave, or permit the parking, storing, or leaving of any abandoned or junk vehicle for a period in excess of 48 hours unless:

- A. the vehicle is completely within a building or is otherwise screened from view by fencing or other barrier approved by the City;
- B. the vehicle is stored or parked on private property in connection with a duly licensed or authorized commercial enterprise operated and conducted pursuant to law when such parking or storing of vehicles shall be necessary to the operation of the commercial enterprise.

In no case shall any vehicle be parked so as to constitute being an unauthorized vehicle.

**730.04 Towing of Motor Vehicles.** The Carver County Sheriff and the City Administrator shall be hereby authorized to remove, towed away by commercial towing service, and impounded at the City designated storage facility, any abandoned, junk, or unauthorized motor vehicle in violation of this Code. The owner of the vehicle shall be responsible for all cost associated with removal of the vehicle.

**730.05 Notice of Impounded Motor Vehicles.** Notice shall be given to the owner of any vehicle impounded under this Section in accordance with the terms of Minnesota Statutes 168B and this Section. The notice shall include the time limit within which the vehicle may be reclaimed before it is subject to disposal by the City in accordance with applicable State law and this Section.

**730.06 Public Sale.**

**Subd. 1 Auction.** After the time period provided for in Subsection 730.05, any vehicle impounded and not reclaimed under this Section shall be sold to the highest bidder at public auction or sale held in compliance with Minnesota Statutes § 168B.08, following ten (10) days published notice of the auction in the legal newspaper for the City. The purchasers shall be given a receipt in a form which shall be sufficient title to dispose of the vehicle. The receipt shall also entitle the purchaser to register the vehicle and receive a certificate of title, free and clear of all liens and claims of ownership.

**Subd. 2 Proceeds.** From the proceeds of the sale of an impounded vehicle, the City shall reimburse itself for the cost of towing, preserving and storing of the vehicle, and all notice, publication and administrative costs incurred pursuant to this Section. Any remainder from the proceeds of a sale shall be held for the owner of the vehicle at the time of impoundment or any entitled lienholder for ninety (90) days and if not claimed, shall thereafter be deposited in the City treasury.

**730.07 Right to Reclaim.** The owner or any lienholder of any impounded vehicle or any person in lawful possession or control of the property upon which the vehicle was abandoned or otherwise illegally parked shall have a right to reclaim the vehicle from the City upon payment of all towing and storage charges, and administrative fees as set in the fee schedule adopted from time to time by the Council, resulting from the taking of the vehicle into custody within the time period specified in the notice required by Subsection 730.05.

**730.08 Unsold Vehicles.** Any impounded vehicle that is neither reclaimed or sold at auction pursuant to this Section may be disposed of by the City in accordance with Minnesota Statutes § 168B.09.

**730.09 Entry Upon Private Property for Removal or Abatement.** Any person, at the direction of the City Administrator, police chief or any other police officer of the City shall be hereby expressly authorized to enter upon private property for the purpose of enforcing this Section.

**730.10 Liens.** Nothing in this Section shall be construed to impair any lien of a garage keeper under the laws of this State or the right of a lienholder to foreclose. For the purposes of this Section “Garage keeper” shall mean an operator of a parking place or establishment, an operator of a motor vehicle storage facility, or an operator of an establishment for the servicing, repair, or maintenance of motor vehicles.

### **Section 740 – Snowmobiles and All-Terrain Vehicles**

**740.01 Intent.** It shall be the intent of this section to regulate the use and operation of certain vehicles, commonly called Snowmobiles, and All-Terrain Vehicles or ATV’s to include Class 1 ATV’s and Class 2 ATV’s as defined in section 740.04.

**740.02 State Snowmobile and All-Terrain Vehicle Laws and Statutes Adopted.** Laws of the State of Minnesota, Chapter 84.81 through 84.88 and Chapters 168 through 171, Minnesota Statutes as amended, insofar as applicable to the operation of snowmobiles shall be hereby adopted by reference and shall be as effective as if recited here in full.

**740.03 Compatibility with other Regulations.** Where the conditions of this section are comparable with conditions imposed by any other law, ordinance, statute, resolution, or regulation, the regulations, which are more restrictive, shall apply.

**740.04 Definitions.** For purposes of this Section terms defined in this Section shall have the meaning ascribed to them.

**All-Terrain Vehicle(s).** All-Terrain Vehicle(s) shall include all “Class 1 ATV’s” and “Class 2 ATV’s.” Class 1 ATV’s shall mean at least three (3) low-pressure flotation tires, under 800 cc’s and under 900 pounds dry weight [MS 84.92(8) and (9)]. Class 2 ATV’s shall mean at least three (3) low pressure flotation tires and under 800cc’s, dry weight is 900 pounds through 1,500 pounds [MS 84.92 (8) and (10)]. Class 2 ATV’s were formerly defined as “Off-Road Vehicles” (ORV’s) by the Minnesota Department of Natural Resources.

**Body of Water.** Body of Water shall mean all water wholly within the city limits of Norwood Young America and all portions of boundary waters within the city limits of Norwood Young America contained within any wilderness areas designated hereunder and which the public have a right to use for navigation, fishing, hunting or any other beneficial public use.

**Commissioner.** Commissioner shall mean the commissioner of natural resources.

**Deadman Throttle or Safety Throttle.** Deadman Throttle or Safety Throttle shall mean a device which when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.

**Operate.** Operate shall mean to ride in or on and control the operation of a snowmobile or all-terrain vehicle.

**Operator.** Operator shall mean every person who operates or shall be in actual physical control of a snowmobile or all-terrain vehicle.

**Owner.** Owner shall mean a person, other than a lien holder having the property in title to a snowmobile or All-Terrain Vehicle, or entitled to the use or possession thereof.

**Person.** Person shall mean and include an individual, partnership, corporation, the State and its agencies and subdivision, and any body of persons, whether incorporated or not.

**Right-of-Way.** Right-of-Way shall mean the entire strip of land traversed by a highway or street in which the public owns the fee or an easement for roadway purposes.

**Roadway.** Roadway shall mean that portion of a highway or street improved, designed or ordinarily used for vehicular travel.

**Snowmobile(s).** Snowmobile(s) shall mean a self-propelled vehicle designed for travel on ice or snow, steered by skis or runners.

**Street.** Street shall mean a public thoroughfare, roadway, or alley used for motor vehicular traffic which is not an interstate, trunk, county state aid or county highway.

**Treads.** Treads shall mean any metal device, or array of metal devices attached to a snowmobile track to enhance traction. This includes metal components that extend more than one-fourth of an inch from the bottom of the track.

**740.05 Intersections.** No snowmobile or ATV shall enter any uncontrolled intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians which constitute an immediate hazard.

**740.06 Traffic Ordinances.** City traffic ordinances shall apply to the operation of snowmobiles and ATV's upon streets and roadways, except for those relating to required equipment, and except those which by their nature have no application.

**740.07 Operation Generally.**

**Subd. 1** Except as otherwise specifically permitted and authorized, it shall be unlawful and punishable for any person to operate a snowmobile or ATV within the city limits of Norwood Young America in violation of the following restrictions:

- A. On any private property within the City unless the private property shall be a designated snowmobile trail or operator shall have express consent of property owner;
- B. In any planting or tree nursery in a manner which damages or destroys growing stock;
- C. Through any wildlife sanctuary, either public or private;
- D. In any cemetery;
- E. At any place while under the influence of intoxicating liquor or narcotics or habit forming drugs;

- F. On any public street or roadway while in possession of an open container containing any amount of an alcoholic beverage, intoxicating liquor, narcotics, or habit forming drugs;
- G. At a rate of speed greater than reasonable or proper (not to exceed 10 mph at any given time) under all the surrounding circumstances;
- H. At any place in a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto;
- I. 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;
- J. So as to tow any person or thing except through use of a rigid tow bar attached to the rear of the snowmobile or ATV;
- K. While the snowmobile or ATV is equipped with treads;
- L. On a public sidewalk or walkway provided or used for pedestrian travel or on boulevards within any public right-of-way;
- M. On any public or private school grounds except as permission shall be expressly obtained from responsible school authorities;
- N. On any other publicly owned lands which shall include but shall not be limited to park property, playgrounds, recreation areas and golf courses, or any frozen bodies of water within the City of Norwood Young America, except authorized areas previously listed for such use by the proper authority. Authorized areas in the City owned by the City shall be designated by Council resolution.

### **Subd. 2 Exceptions.**

- A. Snowmobiles may be operated on public streets used to provide the most direct access to any snowmobile trail adopted by resolution of the Council.
- B. ATV's may only be operated on public streets or roads used to provide the most direct access to any state owned ATV trail adjacent to the City of Norwood Young America, except for the purposes of snow removal on the owners property, or City owned and operated ATV's for official City business.

**Subd. 3** It is unlawful for the owner of a snowmobile or an ATV to permit the snowmobile or ATV to be operated contrary to the provisions of this section.

**740.08 Required Equipment.** It shall be unlawful to operate any snowmobile or ATV within the City unless the snowmobile or ATV is equipped with:

- A. Brakes adequate to control the movement of and to stop and hold the snowmobile or ATV under any condition or operation;
- B. A safety or so-called "deadman" throttle in operating condition;
- C. When operated between the hours of one-half hour after sunset to one-half 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 100 feet ahead during the hours of darkness under normal atmospheric conditions. The head lamp shall be so aimed that glaring rays shall not be projected into the eyes of an oncoming snowmobile or ATV 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 hours of darkness under normal atmospheric conditions;

- D. Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, bypass, straight pipe, or similar device on a snowmobile or ATV motor.

**740.09 Hours of Operation.** It shall be unlawful to operate a snowmobile or ATV within the City of Norwood Young America from 10:00 p.m. to 7:00 a.m. for any purpose other than going to or returning from an evening ride by way of the most direct route, to the owner's residence or location where the snowmobile or ATV is generally stored and while complying with applicable laws.

**740.10 Minimum Age of Operator.**

- A. No person under the age of fourteen (14) years of age shall operate a snowmobile or ATV on any public land in the city. A person fourteen (14) years of age or older, but less than eighteen (18) years of age, may operate a snowmobile or ATV on the streets and highways as permitted under this chapter and make a direct crossing of streets and highways only if he or she has in his or her possession a valid snowmobile or ATV safety certificate issued by the Commissioner, and then only for the purposes of travel between his or her home, or the home location of the snowmobile or ATV, and a point outside the city. This travel must be accomplished by the shortest distance, taking the most direct route while complying with applicable laws.
- B. It shall be unlawful for the owner of a snowmobile or ATV to permit the snowmobile or ATV to be operated contrary to the age provisions of this Subsection.

**740.11 Penalties.** Any persons violating any provision of this Section shall be guilty of a misdemeanor and shall be punished by a fine not to exceed seven hundred (\$700.00) dollars, or by imprisonment in the county jail for a period not to exceed 90 days or both; but if a minimum fine or imprisonment is prescribed by the State Highway Traffic Act for an offense, the penalty shall apply to a person convicted of the same offense under this Section. *(Amended by Ord. 192, 6/11/07)*

## Section 750 – Golf Carts

**750.01 Intent.** It shall be the intent of this section to regulate the use and operation of golf carts within the city.

**750.02 Adoption by Reference of MN Statute.** Except as herein specifically addressed or modified, the provision of MN Statute Section 169.045, as amended, are herewith incorporated by reference.

**750.03 Compatibility with other Regulations.** Where the conditions of this section are comparable with conditions imposed by any other law, ordinance, statute, resolution, or regulation, the most restrictive shall apply.

**750.04 Definitions.** For purposed of this Section, terms defined in this Section shall have the meaning ascribed to them below:

**Golf Cart.** A small motorized vehicle, with electric or gas power, designed to carry two golfers and their golf clubs around a golf course between shots.

**750.05 Authorization to Use Golf Carts on Designated Roadways.** All City streets, alleys, and County roads within the City, as permitted by Carver County, shall be designated golf cart routes. No

United States or State of MN road shall be a designated roadway for golf carts; however the operator, under permit, may cross any street or highway intersecting a designated roadway.

**750.06 Permit Required.** Every person who operated a golf cart shall first obtain a permit from the City.

**Subd. 1 Information Required.** The permit application shall include the following information:

- A. Name of Owner/Operator;
- B. Address of Owner/Operator;
- C. Date of Birth of Operator;
- D. Copy of current driver's license or written explanation for not having a current license, including a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart on designated roadways if the applicant does not have a current driver's license;
- E. Telephone Number;
- F. Golf Cart Make, Model, Year and Serial Number;
- G. Proof of Insurance

**Subd. 2 Fee.** A fee shall be established by Ordinance of the City Council.

**Subd. 3 Renewals.** Permits shall be renewed triennially. All permits shall expire on the 1<sup>st</sup> day of April not more than three years following their issuance.

**Subd. 4 City Officials.** 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.

**750.07 Insurance.** Owners and operators of golf carts shall carry liability insurance coverage pursuant to MN Statute 65B.48, Subdivision 5.

**750.08 Conditions of Operation.** Operation of golf carts on permitted streets within the City shall be subject to the following conditions:

- A. From sunrise to sunset between April 1 to November 1, unless during periods of 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 or vehicles on the roadway at a distance of 500 feet.
- B. With a slow-moving emblem and a rear-view mirror installed on the golf cart
- C. With proper insurance that complies with insurance for a motorcycle pursuant to Section 750.07 above and M.S. § 169.045, as amended
- D. The operator shall have a valid permit, pursuant to Section 750.06 above, be at least 18 years of age and not had their drivers license revoked as a result of criminal proceedings
- E. The operator shall be subject to all traffic ordinances, laws and statutes
- F. The number of occupants shall not exceed the design occupant load
- G. No operation shall be permitted on private property, without the consent of the owner, or on any city sidewalk, trail or park.

H. No operation shall be permitted at any time with an alcohol level of 0.08 percent or higher, or under the influence of a controlled substance.

**750.09 Revocation or Denial of Permit.** A permit may be revoked at any time or denied if it is shown that the permittee cannot safely operate the golf cart, cannot provide all of the information required for a permit pursuant to Section 750.06 above, had their drivers license revoked as a result of criminal proceedings, or for violation of any of the Conditions of Operation, as stated in Section 750.08 above.

**750.10 Penalty for Operation without a Permit.** Any person operating a golf cart on a public roadway without a permit may be issued a citation by a law enforcement official and is subject to any and all associated penalties.

**750.11 Penalty.** Any person who violates any provision of this Section is guilty of a misdemeanor.