

CITY OF ST. CLAIR

ORDINANCE CODE

CHAPTER 77: ALL-TERRAIN VEHICLES (ATV's), MINI-TRUCKS, AND
MOTORIZED GOLF CARTS

SECTION

- 77.01 PURPOSE AND INTENT
- 77.02 DEFINITIONS
- 77.03 OPERATING
- 77.04 PERMIT REQUIRED
- 77.05 PERMIT ISSUANCE
- 77.06 PERMIT REVOCATION
- 77.07 PERMIT EXPIRATION
- 77.08 PERMIT NON-TRANSFERABLE
- 77.09 PERMIT FEE
- 77.10 CONDITIONS AND OPERATION REQUIREMENTS
- 77.11 LIMITATION OF LIABILITY
- 77.12 ENFORCEMENT
- 77.13 VIOLATION AND PENALTIES
- 77.14 EFFECTIVE DATE

THE CITY OF ST. CLAIR DOES HEREBY ORDAIN:

SECTION 77.01 PURPOSE and INTENT

The purpose of this Chapter is enacted to regulate the use of all-terrain vehicles (ATV's), mini-trucks, and motorized golf carts on designated roadways within the City of St. Clair.

It is the intent of this Chapter to provide for the health, safety, and welfare of the citizens of St. Clair, and to deter incidents of public nuisance.

SECTION 77.02 DEFINITIONS

ALL-TERRAIN VEHICLE or ATV – As per MN Statute § 84.92 motorized flotation-tired vehicle of not less than three low-pressure tires, but not more than six tires, that is limited to engine displacement of less than 1,000 cubic centimeters and includes class 1 all-terrain vehicles and class 2 all-terrain vehicles.

COUNTY – Blue Earth County, Minnesota.

MINI-TRUCK – As per MN Statute § 169.011, Subd. 40a, a mini truck is defined as a motor vehicle that has four wheels; is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 1,000 cubic centimeters or less; has a total dry weight of 900 to 2,300 pounds; contains an enclosed cabin with a seat for the vehicle operator; commonly resembles a pickup truck or van, including a cargo area or bed located at the rear of the vehicle; and was not originally manufactured to meet federal vehicle safety standards required of motor

vehicles in the Code of Federal Regulations, Title 49, Section 571.101 to 571.404, and successor requirements. A mini truck does not include a neighborhood electric vehicle or a medium-speed electric vehicle; or a motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, Title 49, Section 571.500 and successor requirements.

MOTORIZED GOLF CART – A vehicle commonly known as a golf cart, having at least four wheels, and either an electric or a gas motor.

OPERATOR – The person driving, operating, or in physical control of the all-terrain vehicle (ATV), mini-truck, or motorized golf cart.

DESIGNATED ROADWAYS – All-terrain vehicles (ATV's), mini-trucks, and motorized golf carts may be operated on all streets within the limits of the City of St. Clair except State Highways designated as Highway 83 and County Highways designated as County Road 43 (Main Street West), County Road 15 East (Main Street East), County Road 28 North (Park Street North), or County Road 28 South.

PERMITTEE – The person to which an all-terrain vehicle (ATV), mini-truck, or motorized golf cart permit has been issued.

VEHICLE – The term vehicle shall include all-terrain vehicles (ATV's), mini trucks, and motorized golf carts. Vehicles other than those listed shall be referred to as *other motor vehicles*.

SECTION 77.03 PERMITTED OPERATION OF ATV'S, MINI-TRUCKS, and MOTORIZED GOLF CARTS ON ROADWAYS WITHIN THE CITY OF ST. CLAIR

All-terrain vehicles (ATV's), mini-trucks, and motorized golf carts may be operated on designated roadways in the City of St. Clair in strict compliance with this Ordinance.

SECTION 77.04 PERMIT ESTABLISHMENT

Permit requirements per MN Statute § 169.045.

A. Vehicle Permit

No all-terrain vehicle (ATV), mini-truck, or motorized golf cart shall be operated on the roadways under the jurisdiction of the City of St. Clair unless an ATV, Mini-Truck, Golf Cart Vehicle Permit issued by the City of St. Clair is displayed on the rear of the vehicle. Vehicle Permit must be visible and unobstructed.

B. Operator Permit

No person shall operate an all-terrain vehicle (ATV), mini-truck, or motorized golf cart on the roadways under the jurisdiction of the City of St. Clair unless the operator has in his or her actual physical possession a valid, current, and unrevoked ATV, Mini-Truck, Golf Cart Operator Permit issued by the City of St. Clair.

SECTION 77.05 PERMIT ISSUANCE

- A. Permits shall be issued by the City Clerk, or authorized designee, upon compliance with this section.

B. The ATV, mini-truck, motorized golf cart Vehicle Permit and Operator Permit Application shall include the following information :

1. Applicant Information:

- a. Name
- b. Address

2. Vehicle Operators Information:

- a. Name
- b. Phone Number
- c. Driver's License Number
- d. Date of Birth
- e. Medical Conditions

Vehicle Operators will be asked if they have any medical condition that would restrict them from driving a motor vehicle on a public roadway and, if so, to explain such condition. As a condition to obtaining an Operator Permit, the City Clerk may require an applicant to submit a certificate signed by a physician to the effect that the applicant is able to safely operate an ATV, mini-truck, or motorized golf cart. (MN Statute 169.045 Subd. 2)

3. Vehicle Information:

- a. Make
- b. Model Number
- c. Registration Number
- d. Year

4. Insurance Information:

- a. Name of Insurance Company
- b. Insurance Policy Number
- c. Date of Expiration

5. Signature of Applicant and Date

C. When making application, the applicant shall be required to supply the following:

1. Proof of Insurance, such as a copy of an insurance certificate or a written statement from an insurance agent confirming that the vehicle has general liability insurance.

SECTION 77.06 PERMIT REVOCATION

A. A permit may be revoked by the City Clerk, Law Enforcement Officers, or other representative of the City of St. Clair for any of the following reasons:

1. If there is any material misrepresentation made in the permit application.
2. If the permittee no longer has a valid Minnesota driver's license.
3. If the insurance is no longer in effect.
4. If there is evidence that the permittee cannot safely operate the ATV, mini-truck, or motorized golf cart.

5. If there is a violation of or non-compliance with any other federal, state, or local rule or regulation as required by this Ordinance.

B. The City Clerk shall issue a notice of revocation of a permit in writing and either hand deliver the notice to the permit holder or send the notice by certified mail to the address on the application. The revocation shall be in effect immediately after personal service or 3 days after the mailing.

SECTION 77.07 PERMIT EXPIRATION

Permits shall be valid until the vehicle changes ownership.

SECTION 77.08 PERMIT NON-TRANSFERABLE

Permits shall be non-transferable. If the vehicle changes ownership the permit shall become invalid.

SECTION 77.09 PERMIT FEE

The permit fee shall be a one-time fee. The permit fee shall include a vehicle permit and operator permit(s). When applying for a permit, the applicant shall be allowed to list eligible vehicle operators on the application. A per vehicle permit fee, a fee for the replacement of a lost permit, and a fee to add an operator to the permit shall be established by the City Council and set forth annually in the Resolution Setting Compensations, Fees, and Rates. The fee to add an operator to the permit, shall apply to operators who are added to the permit after issuance (i.e.: children who have obtained their driver's license, etc.). The permit fee shall be non-refundable.

SECTION 77.10 CONDITIONS, RESTRICTIONS, AND REQUIREMENTS

A. It shall be considered unlawful to operate an ATV, mini-truck, or motorized golf cart on designated roadways in the City of St. Clair except as provided in MN Statute § 84.928, Subd. 1(e) and as follows:

1. VALID DRIVER'S LICENSE – The operator must have a valid Minnesota driver's license.
2. INSURANCE COVERAGE – Insurance coverage shall comply with state requirements.
3. HOURS OF OPERATION – Hours of operation shall be sunrise to sunset.
4. VISIBILITY (500') – When visibility is reduced or impaired due to weather conditions, smoke, fog, haze, or other conditions, there must be sufficient light for the operator to clearly see persons or vehicles on the roadway at distance of five hundred feet (500').
5. PASSENGERS
 - a. Passengers must be seated on a seat specifically designed for the transport of passengers, and in a manner so as not to interfere with the driver while operating the ATV, mini-truck, or motorized golf cart.
 - b. No more than two (2) persons shall occupy the front seat of a motorized golf cart. If the motorized golf cart is equipped with a factory built rear facing seat than two (2)

persons shall occupy the back seat. If the motorized golf cart is not equipped with a factory build rear facing seat no persons shall be allowed to ride on or in the golf cart.

- c. Persons shall be prohibited from standing and riding on the rear bumper of any ATV, mini-truck, or motorized golf cart.

6. EQUIPMENT REQUIREMENTS

a. MOTORIZED GOLF CARTS REQUIRED EQUIPMENT

- slow-moving vehicle emblem
- rear view mirror

b. ATV REQUIRED EQUIPMENT

- a functioning headlight and taillight in use at all times
- rear view mirror

c. MINI TRUCK REQUIRED EQUIPMENT

- at least two (2) headlamps
- at least two (2) tail-lamps
- front and rear turn-signal lamps
- an exterior mirror mounted on the driver's side of the vehicle and either:
 - an exterior mirror mounted on the passenger's side of the vehicle, or
 - an interior mirror
- a windshield
- a seat belt for the driver and front passenger
- a parking brake

7. ROADWAY TRAVEL – Persons operating an ATV, mini-truck, or motorized golf cart on designated roadways must operate the vehicle on the extreme right-hand side of the roadway or shoulder of the roadway, making left turns across the road only if it is safe to do so under prevailing conditions.

8. PROHIBITIONS

- a. PROHIBITED AREAS – Persons operating an ATV, mini-truck, and motorized golf cart shall not have access to any areas where vehicle traffic is prohibited, blockaded, or presents hazardous travel.
- b. APRIL 1st TO AUGUST 1st – Persons operating ATV's or mini-trucks on designated roadways shall not operate their vehicle on the inside slope, ditch bottom, or outside slope of the right-of-way, between April 1st and August 1st.

9. COMPLIANCE WITH MN STATUTES

- a. COMPLIANCE WITH MN STATUTE 169 – Every person operating an ATV, mini-truck, or motorized golf cart on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of MN Statute 169, except when

those provisions cannot reasonably be applied to an ATV, mini-truck, or motorized golf carts or as defined or limited herein.

- b. COMPLIANCE WITH MN STATUTES §84.92 THROUGH §84.928 – Except as otherwise provided in this Ordinance, all operation of ATV's shall be in compliance with MN Statutes §84.92 through §84.928, as well as any other federal, state, or local rule or regulation. The same applies to mini-truck operation. No provision of this Ordinance shall be construed to negate any State law concerning the operation of ATV's or mini-trucks. The regulation of roads and highways in this Ordinance shall not serve to limit the use of ATV's licensed for agricultural use.

SECTION 77.11 LIMITATION OF LIABILITY

Nothing in this Chapter shall be construed as an assumption of liability by the City of St. Clair for any injuries to persons or property which may result from the operation of an ATV, mini-truck, or motorized golf cart by a permit holder, the grant of such permit, or the failure by the City of St. Clair to revoke said permit.

SECTION 77.12 ENFORCEMENT

The enforcement of this Ordinance shall be primarily the responsibility of the Law Enforcement Officers serving the City of St. Clair, however, other peace officers and conservation officers are also authorized to enforce this Ordinance.

SECTION 77.13 VIOLATION AND PENALTIES

Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided by law.

SECTION 77.14 EFFECTIVE DATE

This Ordinance shall become effective upon passage and publication according to law.

ADOPTED by the City Council of the City of St. Clair, Minnesota this 3rd day of December 2013.

ST. CLAIR CITY COUNCIL

Jerry Phillips, Acting Mayor

ATTEST:

Catherine Seys, City Clerk-Treasurer