

**CITY OF DENISON  
ORDINANCE NO. 74  
AN ORDINANCE PROVIDING FOR THE REGULATION OF RECREATIONAL  
VEHICLES IN THE CITY OF DENNISON.**

SECTION 1. DEFINITIONS.

Subdivision 1. For the purposes of this section, the terms defined in this subsection have the meanings given them.

Subd 2. "Motorcycle" – A motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, whether or not designed for the use on streets or highways, including motor scooters, bicycles with motor attached other than those herein defined as motorized bicycles, and mini-bikes.

Subd 3. "Motorized bicycle" – A bicycle with fully operable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two break horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Subd 4. "All-terrain vehicle" or "ATV" – 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 Minnesota Statutes, section 168.011, subdivision 22, which is hereby incorporated herein by reference.

Subd 5. "Snowmobile" – A self-propelled vehicle designed for travel on snow or ice or natural terrain steered by wheels, skis or runners.

Subd 6. "Recreational motor vehicle" – A self-propelled vehicle or a vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes, including but not limited to a motorcycle, motorized bicycle, all-terrain vehicle, snowmobile, hovercraft, or motor vehicle licensed for highway operation which is being used for off-road recreational purposes.

Subd 7. "Owner" – A person, other than a lien holder, having a property interest in, or title to, a recreational motor vehicle, who is entitled to the use or possession thereof.

Subd 8. "Operate" – To ride in or on and have control of a recreational motor vehicle.

Subd 9. "Operator" – The person who operates or is in actual physical control of a recreational motor vehicle.

SECTION 2. OPERATING RESTRICTIONS. It is unlawful to operate a recreational motor vehicle as follows:

- a) On a public sidewalk or walkway provided or used for pedestrian travel.
- b) On private property of another without lawful authority or permission of the owner or occupant.
- c) On any lands owned or occupied by a public body or on frozen waters, including school grounds, park property, playgrounds, recreational areas, private roads, platted but unimproved roads, utility easements, public trails and golf courses. The council may, by resolution, specifically permit use on

city property, in which event the shortest route to and from areas so permitted may be used.

- d) While the operator is under the influence of liquor or narcotics or habit-forming drugs.
- e) At a rate of speed greater than reasonable or proper under all of the surrounding circumstances.
- f) In a careless, reckless or negligent manner so as to endanger the person or property of another or cause injury or damage thereto.
- g) While towing a person or thing on a public street or highway except through the use of a rigid tow bar attached to the rear of an automobile.
- h) At a speed greater than ten miles per hour when within 100 feet of any lakeshore, except in channels, or of a fisherman, ice house, skating rink, or sliding area, nor where the operation would conflict with the lawful use of property or would endanger other persons or property.
- 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) While chasing, running over, or killing any animal, wild or domestic.
- k) During the hours between 11:00 o'clock P.M. of one day and 7:00 o'clock A.M. of the next day following, except that during such hours a motorcycle or motorized bicycle, if otherwise lawfully operated, may be operated on a public street.

SECTION 3. OWNER RESPONSIBILITY. It is unlawful for the owner of a recreational motor vehicle to permit its operation (i) on private property without permission of the owner or occupant, (ii) on city property without permission of the council, or (iii) on other public property without permission of the authority in charge thereof. The owner is conclusively presumed to have given such permission unless the recreational motor vehicle so operated has been reported stolen to a law enforcement agency. A person leaving a recreational motor vehicle in a public place must lock the ignition and remove the key.

SECTION 4. ADDITIONAL SNOWMOBILE OPERATING REGULATIONS.

Subdivision 1. Intent. Notwithstanding provisions of this section, this section regulates the operation of snowmobiles in the city. The provisions of this ordinance apply to snowmobiles. The intent of this section is to provide corridors for snowmobiles to exit and enter the city. Except as provided herein, recreational snowmobiling is not allowed within city limits.

Subd 2. Permitted areas of operation. The following are permitted uses of snowmobiles within city limits:

- a) Snowmobiles may be operated for transit purposes only on the city streets designated by resolution of the city council in the city and which are provided as collector corridors for snowmobiles to exit and enter the city.
- b) Snowmobiles may be operated for transit purposes only on residential streets when traveling to or from the operator's residence and a designated street.
- c) When leaving the city, a person operating a snowmobile may not cross a designated street designated by resolution. When a snowmobile comes to a designated street, the snowmobile must travel on a designated street to the city limits. When returning to the city, the snowmobile must be operated on a

designated street to a street, which will provide the most direct route back to the operator's residence.

Subd 3. Manner of operation. In addition to all other requirements contained herein, any operation of a snowmobile permitted under this section may only be on the right-handed side of such street or highway and in the same direction as the highway traffic on the nearest lane of the roadway adjacent thereto.

Subd 4. Snowmobile equipment. It is unlawful to operate a snowmobile unless it is equipped with the following:

- a) A standard muffler that is properly attached and in constant operation, and that reduces the noise of operation of the motor to the minimum necessary for operation. Mufflers must comply with regulation CONS. 55 which is hereby adopted by reference. It is unlawful to use a muffler cut-out, by-pass, straight pipe or similar device on a snowmobile motor, and the exhaust system may not emit or produce a sharp popping or crackling sound.
- b) Brakes adequate to control the movement of and to stop and hold the snowmobile under any conditions of the operation.
- c) A safety or so-called "deadman" throttle in operating condition, so that when pressure is removed from the accelerator or throttle, the motor is disengaged from the driving track.
- d) 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 headlamp must be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle operator. It must 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 the hours of darkness under normal atmospheric conditions. The equipment must be in operating condition when the vehicle is operated between the hours of one-half hour after sunset to one-half hour before sunrise or at times of reduced visibility.
- e) Reflective material at least 16 inches on each side, forward of the handlebars, so as to reflect or beam light at a 90 degree angle.

SECTION 5. PROVISIONS OF SEVERABILITY. The provisions, sections, and subdivisions of this ordinance are severable; and, in the event that any Court shall find any section or any part thereof to be invalid for any reason, such finding shall not affect any other section or part thereof.

SECTION 6. PENALTY. Any violation of any part of this Ordinance shall be deemed a misdemeanor.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective from and after its passage and publication according to law.

Adopted by the Council of the City of Dennison, Minnesota, this 6<sup>th</sup> day of March, 2003.

Attest:  
Dave Nash, Mayor  
Dawn Olson, City Clerk-Treasurer

*Dawn Olson*

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