

## **CHAPTER 4**

# **REGULATIONS OF STREETS, HIGHWAYS, AND OTHER RIGHT OF WAYS**

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## **SECTION 4.010 INCORPORATION OF MINNESOTA TRAFFIC REGULATIONS**

The provisions of Minnesota Statutes, Chapter 169, as amended, are hereby incorporated in and made a part of this Ordinance as if set out in full.

## **SECTION 4.020 THROUGH STREETS AND ONE-WAY STREETS**

The City Council may by resolution designate any street or portion of a street as a through highway or a one-way roadway where necessary to preserve the free flow of traffic or to prevent accidents. The City Administrator shall cause the appropriate signage to be posted at the entrance of such street.

## **SECTION 4.030 CONTROLLED INTERSECTIONS**

**Subd. 1. Stop Signs.** The City Council may by resolution establish any intersection to be a stop intersection. The City Administrator shall cause to be erected appropriate signage at any intersection so designated.

**Subd. 2. Yield Signs.** The City Council may by resolution establish any intersection to be a yield intersection. The City Administrator shall cause to be erected appropriate signage at any intersection so designated.

**Subd. 3. Temporary Stop Signs.** The City Administrator may, from time to time, establish temporary stop signs, when such signs are required to preserve the free flow of traffic or to prevent accidents.

## **SECTION 4.040 SAFETY ZONES**

To assist in the direction and control of traffic, to improve safe driving conditions at any intersection or dangerous location, and to warn pedestrians or drivers of motor vehicles of dangerous conditions or hazards, the City Administrator may establish safety zones.

## **SECTION 4.050 SPEED LIMITS**

**Subd. 1. Residential Areas.** The City Council may by resolution declare any segment of roadway to be a residential roadway if the predominant use of the property adjacent to the roadway is residential in nature. The speed limit in any residential area shall be 25 miles per hour.

**Subd. 2. School Zones.** The City Council may by resolution establish school speed limit zones to preserve safety and prevent accidents. The City Administrator shall cause signs to be erected at the beginning of such speed limit zones. No person shall drive a vehicle within the zones designated by this section in excess of 20 miles per hour when children are present, going to or leaving school, during opening and closing hours or during school recess periods.

**Subd. 3. Alleyways.** The City Council by resolution may set the speed limit within any alleyway. Unless otherwise set by the City Council, the speed limit in all alleyways shall be 10 miles per hour.

#### **SECTION 4.060 TURNING**

**Subd. 1. Restrictions on Turns.** The City Council by resolution may, whenever necessary to preserve a free flow of traffic or to prevent accidents, designate any intersection as one where the turning of vehicles to the left or to the right, or both, is to be restricted at all times or during specified hours. The City Administrator shall cause appropriate signs to be erected at such designated intersections. No person shall turn a vehicle at any such intersection contrary to the direction of such signs.

**Subd. 2. U-Turns.** No person shall turn a vehicle so as to reverse its direction at any intersection where traffic is regulated by a traffic control signal.

#### **SECTION 4.070 EXHIBITION DRIVING PROHIBITED**

No person shall turn, accelerate, decelerate, or otherwise operate a motor vehicle within the City in a manner which causes unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing of sand or gravel, or in a manner simulating a race. Unreasonable squealing or screeching sounds emitted by tires, or the unreasonable throwing of sand or gravel by the tires is prima facie evidence of a violation of this section.

#### **SECTION 4.080 WEIGHT RESTRICTIONS**

The City Administrator may prohibit the operation of vehicles upon any street, or may impose weight restrictions on vehicles to be operated on such streets whenever such street, by reason of deterioration, rain, snow or other climate conditions, may be seriously damaged or destroyed unless the use of vehicles on the street is prohibited or the permissible weights thereof reduced. Upon such prohibition, the City Administrator shall cause to be erected and maintained signs plainly indicating the prohibition or restriction at each end of the portion of such street affected. It is unlawful for any person to operate a vehicle on any such posted street in violation of such prohibition or restriction.

#### **SECTION 4.090 GENERAL PARKING REGULATIONS**

It is unlawful for any person, as driver or operator of a vehicle, or as the registered owner of a vehicle to park, stop or leave standing, whether knowingly or unknowingly, any such vehicle in a given place upon any public street for a period in excess of seventy-two (72) continuous hours. (04-07-2014)

A. Upon a public sidewalk;

- B. Upon any public street within four (4) feet of the radius point, taper point or the point on a curb or curb line at which such curb or curb line becomes part of a public or private curb cut of a driveway, or between two (2) such points with respect to a given curb cut or driveway;
- C. Upon any public street within any intersection;
- D. Upon any public street within ten (10) feet of any fire hydrant;
- E. Upon any public street on any crosswalk;
- F. Upon any public street within twenty (20) feet of a crosswalk at any intersection or within thirty (30) feet of any intersection at which there is no crosswalk;
- G. Upon any public street within thirty (30) feet upon the approach to any flashing beacon, stop light or traffic-control signal located at the side of the roadway;
- H. Upon any public street within fifty (50) feet of the nearest rail of the railroad crossing;
- I. Upon any public street within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance when such restriction is properly signed;
- J. Upon any public street alongside or opposite any street excavation or obstruction when such stopping, standing or parking may obstruct traffic;
- K. Upon any public street on the roadway side of any such vehicle stopped or parked upon such street;
- L. Upon any public street upon any bridge or other elevated structure;
- M. Upon any public street at any place where official signs prohibit parking, standing or stopping;
- N. In any public alley right-of-way other than temporary for the purpose of and while actually engaged in receiving or discharging any passenger or item; provided that any such parking, standing or stopping shall not be unlawful if such parking, standing or stopping is necessary to comply with any direction of a Police Officer or traffic control device;
- O. On any part of "front yard", except on a hard surfaced "parking space". This prohibition against parking in the front yard except a hard surfaced parking space shall not apply during the period that a snow emergency is in effect in the City of Eagle Lake;

- P. Parking in City parks and recreation areas will be limited to designated areas; said areas will be clearly marked. Parking is prohibited in any other area of the parks and recreational areas. No person will be allowed to park in any area designated for handicapped purposes other than those who have been issued a handicapped parking permit or license as issued by the State of Minnesota. No vehicle will be allowed to park in any area designated as Authorized Vehicles Only besides City vehicles;
  
- Q. Any other areas so designated by resolution of the City Council.

### **SECTION 4.091 PARALLEL PARKING REGULATIONS**

Except in such places where angle parking is specifically designated by curb marking or sign posting it is unlawful for any person upon a public street, as driver or operator of a vehicle, or as the registered owner of a vehicle, to park, stop or leave standing, or cause, allow or permit to be parked, stopped or left standing whether knowingly or unknowingly, any such vehicle, except as follows:

- A. Upon a two-way roadway having an adjacent curb, the vehicle shall be parked or stopped in such a manner that the wheels thereof on the right or passenger side are parallel with, and within twelve (12) inches of, the right-hand curb, and in the event painted parking stall markings exist on the curb or the street, such vehicle shall be parked or stopped within such markings;
  
- B. Upon a one-way roadway, having an adjacent curb, the vehicle shall be parked or stopped in such a manner that the wheels thereof on the right or passenger side are parallel with, and within twelve (12) inches of, the left-hand curb.

### **SECTION 4.092 ANGLE PARKING REGULATIONS**

In any place upon a public street or in a public parking facility where angle parking is designated by curb marking or signposting, it is unlawful for any person, as driver or operator of a vehicle, or as the registered owner of a vehicle, to park, stop or leave standing, or cause, allow or permit to be parked, stopped or left standing, whether knowingly or unknowingly, any such vehicle, except with the front wheel thereof touching the curb within any parking stall lines painted on the curb or street.

### **SECTION 4.093 STREET WITHOUT CURB; PARKING REGULATIONS**

It is unlawful for any person, as driver or operator of a vehicle, or as the registered owner of a vehicle, to park, stop or leave standing, or cause, allow or permit to be parked, stopped or left standing, whether knowingly or unknowingly, any such vehicle upon any street not having a curb unless such vehicle is stopped or parked parallel with the wheels thereof on the right or passenger side on the extreme right portion of the pavement or the improved or main-traveled portion of the street.

## SECTION 4.094 STREET PARKING REGULATIONS

Parking in any parking stall upon any street shall be limited as follows:

**Subd. 1. Limited Parking Zones.** The City Council may by resolution designate any street, or any portion thereof as a limited parking zone for any length of time designated in that resolution, and shall cause any such zone to be designated by sign posting. It is unlawful for any person, as driver or operator of a vehicle, or as the registered owner of a vehicle, to park, stop or leave standing, or cause, allow or permit to be parked, stopped or left standing, whether knowingly or unknowingly, any such vehicle in any limited parking zone for a continuous period of time in excess of the period of time specified in the signposting of such zone between the hours of 8:00 a.m. and 6:00 p.m. on any weekday.

## SECTION 4.100 EMERGENCY PARKING REGULATIONS

- A. Definitions. For the purpose of this section, the term “Emergency” shall mean any condition upon any public street, including the presence of snow, freezing rain, sleet, ice or other phenomenon, which condition creates or is likely to create any hazardous road condition or impedes or is likely to impede the free movement of traffic, when such conditions have been declared by the Public Works Director or in his absence, the on duty Maintenance Worker.
- B. Declaration. Upon the existence of an emergency as defined herein, the Public Works Director or in his absence, the on duty Maintenance Worker, declares that an emergency exists, whereupon such person shall notify the media and request that the media cooperate with the City in giving notice to such emergency to the community. The emergency regulations set forth below shall become effective one (1) hour after such notice has been given by the City to such news media.
- C. Unlawful Acts. During an emergency, it is unlawful for any person, as driver or operator of a vehicle, or as the registered owner of such vehicle, to park, stop or leave standing, or cause, allow, or permit to be parked, stopped or left standing, whether knowingly or unknowingly, any such vehicle upon any City street until the street is plowed curb to curb.
- D. Towing. Upon the existence of an emergency as defined above, the City may tow vehicles in violation of this ordinance as authorized in Minnesota State Statute 169.041.

## SECTION 4.105 TEMPORARY NO PARKING

**Subd. 1. When Parking is Prohibited.** During the period December 1st through March 13th of each year, the City Administrator is authorized to make written designation prohibiting the parking of vehicles on streets or sides of streets upon a determination that

the buildup or accumulation of snow and/or ice on the street has impeded the free movement of traffic on the designated street when parked vehicles are present. The written designation prohibiting parking on a street or a side of a street shall be filed with the City Administrator and shall become effective twenty-four (24) hours after signs have been placed on the street or a side of the street indicating that no parking is allowed on a street or a side of the street.

**Subd. 2. Unlawful Acts.** It shall be unlawful for any person, as driver or operator of a vehicle, or as the registered owner of a vehicle, to park, stop or leave standing, or cause, allow or permit to be parked, stopped or left standing, whether knowingly or unknowingly, any vehicle upon any public street where No Parking signs have been erected pursuant to subdivision 1 of this section.

#### **SECTION 4.110 TRUCK PARKING**

**Subd. 1. Detached Trailer.** It is unlawful for any person, as driver or operator of a semi-trailer, or as the registered owner of a semi-trailer, to park, stop or leave standing, or cause, allow or permit to be parked, stopped or left standing, whether knowingly or unknowingly, a semi-trailer, not attached to a truck or truck tractor upon any public street, municipally owned parking lot or parking facility, or other public property.

**Subd. 2. Residential District.** It is unlawful for any person, as driver or operator of a semi-trailer or as the registered owner of a semi-trailer, to park, stop or leave standing, or cause, allow or permit to be parked, stopped or left standing, whether knowingly or unknowingly, any such semi-trailer, whether or not attached to a truck tractor, within any area zoned as a residential district, except for the purpose of and while engaged in the loading or unloading of such semi-trailer.

#### **SECTION 4.115 RECREATIONAL VEHICLE AND TRAILER PARKING**

It is unlawful to park any recreational vehicle or trailer on any city street or lot owned by the City of Eagle Lake for any period of time extending past seventy-two (72) hours. For the purposes of this ordinance, recreational vehicles and trailers is defined as follows: travel trailers, including those that telescope or fold down, chassis mounted campers, house cars, motor homes, tent trailers, slip in campers, non-motorized trailers intended and generally used for transporting boats, utility trailers, snow mobiles, all terrain vehicles, boats, watercraft, mobile home, storage trailer, construction trailer, or similar trailer.

Any person parking or so locating any such trailer on a continuous basis for longer than seventy-two (72) hours shall be entitled to one warning about such parking from the City Council or Police Department. If after an additional) seventy-two (72) hours, such trailer has not been moved, then the person parking such trailer that has received such previous warning shall be guilty of an infraction and punished in accordance with Eagle Lake City Code.



## SECTION 4.120 LOADING ZONE

**Subd. 1. Creation.** The City Council may designate any portion of any public street as a loading zone for the purpose of loading or unloading merchandise from a vehicle utilized in the transport or delivery of any ware, goods or commodity.

**Subd. 2. Public Loading Zone.** Upon the creation by the City Council of any public loading zone, the City Administrator shall cause such loading zone to be designated and sign posted as such by means of a sign, consisting of red lettering and a red border upon a white background, and containing the words “No Parking Commercial Loading Zone”. It is unlawful for any person, as driver or operator of a vehicle, or as the registered owner of such vehicle, to park, stop or leave standing, or cause, allow or permit to be parked, stopped or left standing, whether knowingly or unknowingly, such vehicle in any such designated public loading zone unless such vehicle is employed for the purpose of and engaged in the loading or unloading of merchandise or items described in Subdivision 1 herein.

## SECTION 4.130 MOVING AND IMPOUNDING VEHICLES

**Subd. 1. Moving Unattended Vehicle.** In the event any police or enforcement officer finds any unattended vehicle standing upon any street, alley or municipally owned parking lot, ramp or facility in violation of any provision of Chapter 4 of the City Code, such officer is hereby authorized to provide for the removal of such vehicle to a position in compliance with the law, and in the event any charge shall be placed against such vehicle for the cost of such removal or subsequent storage, such charge shall be paid by the party claiming such vehicle prior to the removal of the vehicle from such position.

**Subd. 2. Notice.** The person taking custody of the impounded vehicle from the City shall give notice of the taking within ten (10) days. The notice shall (a) set forth the date and place of the taking, the year, make, model and serial number of the abandoned motor vehicle if such information can be reasonably obtained and the place where the vehicle is being held; (b) inform the owner and any lien holders of their right to reclaim the vehicle under subdivision 4; (c) state that failure of the owner or lien holders to exercise their right to reclaim the vehicle and contents shall be deemed a waiver by them of all right, title, and interest in the vehicle and contents and a consent to the sale of the vehicle and contents at a public auction pursuant to Subd. 5.

The notice shall be sent by mail to the registered owner, if any, of the abandoned motor vehicle and to all readily identifiable lien holders of record. If it is impossible to determine with reasonable certainty the identity and address of the registered owner and all lien holders, the notice shall be published once in a newspaper of general circulation in the area where the motor vehicle was abandoned. Published notices may be grouped together for convenience and economy.

**Subd. 3. Right to Reclaim.** The owner or any lien holder of an abandoned motor vehicle shall have a right to reclaim such vehicle from the unit of government taking it into custody upon payment of all towing and storage charges resulting from taking the vehicle into custody within fifteen (15) days after the date of the notice required by subdivision 3. Nothing herein shall be construed to impair any lien of a garage keeper under the laws of the State, or the right of a lien holder to foreclose. For the purpose of this section “garage keeper” is 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.

**Subd. 4. Auction or Sale.**

- A. If an abandoned motor vehicle and contents taken into custody and not reclaimed under Subdivision 4 is sold at a public auction or sale, it shall be sold to the highest bidder following reasonable published notice of such auction or sale. The purchaser shall be given a receipt in a form prescribed by the registrar of motor vehicles 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. Before such a vehicle is issued a new certificate of title it must be acquired and it must receive a motor vehicle safety check.
- B. Abandoned motor vehicles not sold pursuant to Paragraph A shall be disposed of.
- C. From the proceeds of a sale of an abandoned motor vehicle under this subdivision, the City shall reimburse itself as well as pay any person performing services for the City in connection there with for the cost of towing, preserving and storing the vehicle, and all administrative, to include notice and publication costs incurred in handling the vehicle pursuant to this section. Any remainder from the proceeds of the sale shall be held for the owner of the vehicle or entitled lien holder for ninety (90) days and then shall become the property of the City. The City shall not be liable for interest on any such sums of money claimed during such ninety (90) day period.

**SECTION 4.140 PARKING PRIVILEGES FOR PHYSICALLY DISABLED**

Any physically disabled person, as defined by Minnesota Statutes, Section 169.345, who displays prominently upon the automobile parked by such person or under the direction and for the use of such person, the distinguishing certificate or insignia for which Minnesota Statutes, Section 169.345 provides, shall be entitled to courtesy in the parking of such automobile and shall be relieved of any liability with respect to the parking regulations set forth in this Chapter, except such regulations as set forth in Section 4.090.

**SECTION 4.150 SNOWMOBILING REGULATIONS**

**Subd. 1. Scope of Application.** The provisions of this section shall apply to and regulate the operation and use of any self-propelling vehicle designed for travel on snow and ice steered by skis or runners, such vehicle hereinafter called a snowmobile.

**Subd. 2. Private Property.** It is unlawful for any person to operate a snowmobile on private property without having first obtained the consent or permission to so operate from the owner or occupant thereof.

**Subd. 3. Sidewalks and Boulevards.** It is unlawful for any person to operate a snowmobile on a sidewalk or boulevard, except in crossing such sidewalk or boulevard.

**Subd. 4. Public Property.** It is unlawful for any person to operate a snowmobile upon any publicly owned property, including public school grounds, park property, public playgrounds and public recreational areas except upon trails so designated for such use, without having first obtained the consent or permission to so operate from the public agency or agent having control of such property.

**Subd. 5. Public Street.** It is unlawful for any person to operate a snowmobile upon a public street in any portion where such operation is prohibited by State law or in any portion other than the right half of the roadway, as close as practical to the right street edge.

**Subd. 6. City Council Prohibition.** The City Council may by resolution, passed after a public hearing of which notice has been published in the official newspaper at least ten (10) days prior to the hearing date, prohibit the operation of snowmobiles on any City property or within the right-of-way of any public street, in such a manner as the City Council finds is required in the interest of public safety and welfare. Upon the posting in the appropriate area of notice of such prohibition, it shall be unlawful for any person to operate a snowmobile in any area so posted.

**Subd. 7. Direct Crossings.** It is unlawful to operate a snowmobile in such a manner as to make a crossing of any street except as follows:

- A. The crossing shall be made at an angle of approximately ninety (90) degrees with the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing.
- B. The snowmobile shall be brought to a complete stop before crossing the shoulder or main-travel way.
- C. The driver shall yield the right-of-way to all oncoming traffic which constitutes an immediate hazard.
- D. In crossing a divided street, the crossing shall be made only at an intersection of such street or highway with another public street or highway.
- E. If the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or during conditions of reduced visibility, it shall be made only if both front and rear lights are on and in operating condition.

**Subd. 8. Intersections.** It is unlawful for the operator of a snowmobile to enter any intersection without yielding the right-of-way to any other vehicles or pedestrians at the intersection or so close to the intersection as to constitute an immediate hazard.

**Subd. 9. Prohibitions.** It is unlawful for any person to operate a snowmobile in such a manner as:

- A. To tow any person or thing on a public street except with the use of a rigid tow bar attached to the rear of the snowmobile;
- B. To be within one hundred (100) feet of any pedestrian, skating rink or sliding area where the operation would conflict with such use or endanger persons or property;
- C. To intentionally drive, chase, run over or kill any animal;
- D. To operate a snowmobile during the hours of 11:00 p.m. to 7:00 a.m. of any day, closer than one hundred (100) feet to any dwelling which is usually occupied by one (1) or more persons, except when traveling along a public right-of-way directly to the residence of the operator; and
- E. To travel at a rate of speed greater than reasonable or proper under all existing circumstances and in any event to exceed fifteen (15) miles per hour while traveling on a city street or alley.

**Subd. 10. Equipment.** It is unlawful to operate a snowmobile unless it is equipped as follows:

- A. Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation. It is unlawful for any person to use a muffler cutout, bypass, straight pipe or similar device on a snowmobile motor.
- B. Adequate brakes to control the movement of, to stop and to hold the snowmobile under any condition of operation.
- C. A safety throttle which when pressure is removed from the engine accelerator throttle causes the motor to be disengaged from the driving track. Said device shall be in operating condition.
- D. When operated between the hours of one-half hour after sunset and one-half hour before sunrise or at times of reduced visibility, at least one (1) clear lamp attached to the front with sufficient intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead during the hours of darkness under normal atmospheric conditions, so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile operator. A snowmobile operated during such times shall

also be equipped with at least one (1) red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of five hundred (500) feet to the rear during the hours of darkness under normal atmospheric conditions.

- E. A pennant flag of red or blaze material of a size not less than twelve (12) inches by nine (9) inches at a height of not less than four (4) feet from the ground level, at any time when the snowmobile is operated on public streets.
- F. Running lights reflective material at sixteen (16) square inches on each side, forward of the handlebars so as to reflect or beam light at a ninety (90) degree angle.

### **SECTION 4.160 ALL-TERRAIN VEHICLES**

**Subd. 1. Definition.** All-terrain vehicle -a motorized flotation-tired vehicle of not less than three (3) low pressure tires, but not more than six (6) tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight of less than 900 pounds.

**Subd. 2. State Laws Incorporate.** All provisions of MSS 169 and S.S. 84.92 through 84.929, being the Chapter regulating the use of motor vehicles and all provisions of the City Code regulating vehicular traffic, shall apply to the operation of All-Terrain Vehicles, hereinafter referred to as ATV's, upon public property of the City of Eagle Lake, except for those relating to required equipment, those which by their nature have no application, and except those which may be amended or altered by rules and regulations by the Council.

**Subd. 3. General Operation.**

- A. Operation on roadways. All-Terrain Vehicles may be operated on roadways only as herein specified. It is unlawful to operate an ATV upon roadways as follows:
  - 1. At a speed in excess of (10) miles per hour;
  - 2. Other than in single file on a roadway;
  - 3. Carelessly or recklessly;
  - 4. In a manner that damages any public right of ways;
  - 5. In a manner that violates Chapter three (3), Section 3.010 Subdivision three (3) Public Nuisances Affecting Peace and Safety of the Eagle Lake City Ordinances.
- B. Private Property. It is unlawful to operate an ATV on private property without the permission or consent of the owner or occupant.

- C. Minimum age of operator. It is unlawful for any person under sixteen (16) years of age to operate an ATV on any public street in the City of Eagle Lake unless he/she has in his/her immediate possession a valid driver's license or possess a valid ATV Safety Certificate and is accompanied by a person 18 years old or older on another ATV.
- D. Sidewalks and boulevards. It is unlawful to operate an ATV on a sidewalk or boulevard, except that an operator may cross a sidewalk, boulevard or other right-of-way to obtain access to a street or alley if such crossing is made at an angle of approximately 90 degrees to the direction of the sidewalk, boulevard or right-of-way to all pedestrian or vehicular traffic which constitutes an immediate hazard.
- E. Hours of operation. It is unlawful to operate an ATV within the city limits of the City of Eagle Lake between the hours of 10:00 p.m. and 7:00 a.m. except when entering or leaving the City.
- F. Equipment. It is unlawful to operate an ATV unless it is equipped with the following:
  - 1. At least one headlight and one tail light, each of minimum candle powers prescribed by rules of the Commissioner of Conservation.
  - 2. Headlights and taillights lighted at all times.
- G. Helmet required. A person less than 18 years of age shall not operate an ATV unless wearing a safety helmet approved by the Department of Transportation.
- H. Prohibitions on owner. It is unlawful for the owner of an ATV to permit it to be operated contrary to this ordinance.

**Subd. 4. Penalty.** The City of Eagle Lake has the right to revoke riding privileges of any individual on an ATV within the city limits, as needed, by discretion of the Chief of Police, based on the number of complaints received, and/or violations. Any violation of the aforementioned Minnesota State Statutes and relevant City ordinances is a violation of this ordinance when it occurs within the City of Eagle Lake. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a maximum fine of \$1,000 or imprisonment for ninety (90) days or both.

#### **SECTION 4.170 GOLF CART OPERATION AND REGULATIONS**

**Subd.1. General-Permit Required.** Motorized golf carts are hereby authorized to be used on the streets of the City of Eagle Lake, the golf carts may be used so long as the owner and operator have obtained a permit, as provided in this ordinance, and the motorized golf cart is operated in compliance with all applicable state and local regulations.

**Subd. 2. Application.** Anyone desiring a permit to operate a motorized golf cart pursuant to this section shall submit an application on the form authorized by the City Council of the City of Eagle Lake. Said application must include the following:

- A. Date.
- B. Applicant name and address.
- C. Insurance company and policy number.
- D. Signature of applicant.

The application may also require additional information as determined by the City Council.

**Subd. 3. Duties of City Administrator.** The City Administrator or his designee of the City of Eagle Lake shall be the issuing officer for permits under this section.

**Subd. 4. Other Requirements.**

- A. In order to operate a motorized golf cart on a city street, the golf cart shall display a slow moving vehicle emblem as provided for in Minnesota Statute Section 169.522. The motorized golf cart must be equipped with a rearview mirror.
- B. The operator of a golf cart is required to have insurance for the use of the cart and provide proof of that insurance if requested by law enforcement.
- C. Golf carts can only be operated on designated roadways from the hours of sunrise to sunset, and may not be operated during the hours of sunset to sunrise, in inclement weather, in smoke fog or any other condition where visibility is impaired.
- D. Golf carts cannot be operated in excess speeds of ten (10) miles per hour.
- E. Permits shall be issued for a period not to exceed one year and must be renewed annually. The operator of a motorized golf cart shall have in their possession the permit any time the motorized golf cart is being operated on a city street. The Council shall set the fee for the permit annually by resolution.
- F. A permit may be revoked at any time if there is evidence that the permittee cannot safely operate a motorized golf cart, the permittee has lost their driving privileges in the State of Minnesota, or the permittee has been convicted of two (2) or more violations of this ordinance in a period of one (1) year.
- G. A person aggrieved by the revocation of their license may appeal such action to the City Council. The applicant must file a written notice of the appeal to the City

Administrator. This notice of appeal must be made within five (5) days of the notice of revocation. The City Council will then determine, at its next scheduled hearing, if such an action was warranted. All parties will be notified by mail of the time of the hearing.

- H. Golf carts are only allowed on streets within City limits. Golf carts are only allowed to operate on County or State roadways for the purpose of crossing to a City roadway.
- I. All operators of motorized golf carts must have a valid driver's license.
- J. Any person violating any provision of this Ordinance shall be guilty of a misdemeanor.

#### **SECTION 4.180 RESTRICTIONS ON TRUNK HIGHWAYS**

No restriction on the use of a trunk highway shall be valid until the consent of the Commissioner of Transportation is obtained.

#### **SECTION 4.190 DELEGATION OF POWER AND DUTIES**

Any power or duty granted to the City Administrator in this Chapter may be delegated to any person or persons as deemed necessary and/or convenient for the enforcement of the provisions of this Chapter.

#### **SECTION 4.200 POLICE DUTIES**

The Police Department shall enforce the provisions of this ordinance and the state traffic laws. Police officers are authorized to direct all traffic within the city, either in person or by means of a visible or audible signal, in conformity with this ordinance and the state traffic laws. During a fire or other emergency or to expedite traffic or safeguard pedestrians, police officers may direct traffic as conditions require notwithstanding the provisions of this ordinance and the state traffic laws. Members of the fire department may direct or assist police officers in directing traffic at the scene of a fire or in the immediate vicinity.

#### **SECTION 4.210 PENALTY**

Except as may be otherwise specifically provided in this Chapter, any person who violates any provision of this Chapter shall be guilty of a petty misdemeanor.