

**CHAPTER SEVEN. TRAFFIC,
MOTOR VEHICLES, STREETS AND MAILBOXES**

PART 1. TRAFFIC, MOTOR VEHICLES AND STREETS

701.01 DEFINITIONS

Any term used in this ordinance and defined in the Minnesota Statutes has the meaning given it by said Minnesota Statutes, and in addition, if not otherwise defined in said Minnesota Statutes, any references in this City Code made to a street, alley or avenue shall be interpreted to include any public parking lot located within the City of Pelican Rapids.

CAMPING TRAILER. A folding structure mounted on wheels and designed for travel, recreational and/or vacation uses.

MOTOR HOME. A portable, temporary building to be used for travel, recreational and vacation uses, constructed as an integral part of a self-propelled vehicle.

PICK-UP COACH. A structure designed to be mounted on a truck chassis for use as temporary dwelling for travel, recreational, and/or vacation use.

RESIDENTIAL DISTRICT. All that territory defined as either single family or residential or multiple district in the zoning ordinance and comprehensive plan for and by the City of Pelican Rapids

SEMI-TRAILER. A vehicle of the trailer type so designed and used in conjunction with a truck-tractor that a considerable part of its own weight or that of its load rests upon and is carried by the truck tractor and includes a trailer drawn by a truck tractor semi-trailer combination.

STREET/HIGHWAY. The entire width between the boundary lines of any way or place when any part thereof is open to the use of the public as a matter of right or purpose of vehicular traffic.

TRAILER. A trailer is any vehicle designed for carrying property of passengers on its own structure and for being drawn by a motor vehicle but does not include a trailer drawn by a truck-tractor semi-trailer combination or an auxiliary axle on a motor vehicle which carries a portion of the weight of the motor vehicle to which it is attached.

TRAVEL TRAILERS. A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and/or vacation use.

TRUCK-TRACTOR. A motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load drawn; or a motor vehicle designed and used primarily for drawing other vehicles used exclusively for

transporting motor vehicles or boats and capable of carrying motor vehicles or boats on its own structure.

701.02 TURNING RESTRICTIONS

The 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, or U-turns is to be restricted at all times or during specified hours. The City Clerk shall cause to be marked by appropriate signs any intersection so designated. No intersection on a trunk highway shall be so designated until the consent of the Commissioner of Transportation to such designation is first obtained. No person shall turn a vehicle at any such intersection contrary to the directions on such signs.

701.03 THROUGH STREETS; ONE-WAY STREETS

The Council by resolution may 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 Clerk shall cause to be posted appropriate signs at the entrance to each street. No trunk highways shall be so designated unless the consent of the Commissioner of Transportation to such designation is first secured.

701.04 SPEED LIMIT IN SCHOOL ZONES

The City Council may, by resolution, designate school speed limit zones on certain streets or portions of streets bordering on or near school property. Upon the erection of appropriate signs designating the beginning and ending of such speed limit zones, no person shall drive a vehicle within the zones designated by this section in excess of the posted speed limit when children are present, going to or leaving school during opening or closing hours or during school recess periods.

701.05 TRUCK RESTRICTIONS

The City Council by resolution may designate streets on which travel by commercial vehicles in excess of a certain gross weight limit is prohibited. The City Clerk shall cause to be erected appropriate signs on such streets. No person shall operate a commercial vehicle on such posted streets in violation of the restrictions stated.

701.06 SEASONAL WEIGHT RESTRICTIONS

The City Clerk may prohibit the operation of vehicles upon any street under his jurisdiction or impose weight restrictions on vehicles to be operated on such street whenever the street, by reason of deterioration, rain, snow or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles on the street is prohibited or the permissible weights thereof reduced. He shall erect and maintain signs plainly indicating the prohibition or restriction at each end of that portion of the street affected. No person shall operate a vehicle on a posted street in violation of the prohibition or restriction.

701.07 PARKING REGULATIONS

Subdivision 1. Angle and Parallel Parking. The City Council may, by resolution, provide that angle parking shall be required on certain streets or portions of streets as designated by the Council. On any such street every vehicle parked shall be parked with the front of the vehicle facing the curb or the edge of the traveled portion of the street at an angle between the painted or other markings on the curb or street indicating the parking space. On all other streets, cars shall be parked parallel to the curb or edge of the roadway in accordance with law.

Subdivision 2. No Parking, Stopping or Standing Zones. The City Council may, by resolution, designate certain streets or portions of streets as no parking or no stopping or standing zones and may limit the hours in which the restrictions apply. The City Clerk shall mark by appropriate signs each zone so designated. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no-parking zone during hours when parking is prohibited except that a vehicle may be parked temporarily in such zone for the purpose of forming a funeral procession and a truck may be parked temporarily for the purpose of loading or unloading where access to the premises is not otherwise available.

Subdivision 3. Time Limit Parking Zones. The City Council may, by resolution, designate certain areas where the right to park is limited during hours specified. The City Clerk shall mark by appropriate signs each zone so designated. During the hours specified on the sign, no person shall park a vehicle in any limited parking zone for a longer period than is so specified.

Subdivision 4. General Time Limit. No vehicle or other personal property shall in any case be parked upon, or located on, any street in any one place, or upon any public parking lot or city owned property, for a longer continuous period than 48 hours, with the exception of construction related items to be used on the premises with an approved building permit.

Subdivision 5. Boulevard Parking. No vehicles shall be parked on the boulevard portion of the street located between the curb and the edge of the street right-of-way. On streets where no curb has been installed, no parking shall be allowed on the boulevard portion of the street between the travelled portion of the street and the edge of the street right-of-way.

Subdivision 6. Snow Emergency Parking Regulations. A *SNOW EMERGENCY* means every occurrence of snowfall where snow has accumulated to a depth of two inches or more. Each snow emergency shall commence upon the accumulation of snow to a depth of two inches or more and shall remain in effect until snow has been cleared from the streets to the full width. It shall be unlawful for any person to park or leave standing a vehicle on any street during a snow emergency. This parking restriction shall be in effect until snow has been cleared from the street to the full width. Exempt from this regulation are times of special events at area schools, funeral homes and churches. In addition to the foregoing snow removal parking requirements, the Chief of Police or Street Superintendent may direct that notices be placed on vehicles parked on any particular street or avenue, or that entire streets or avenues may be posted with a notice requiring all parked vehicles to be removed from all or portions of such streets or avenues as needed from

time to time for street cleaning, street maintenance, snow removal or other purposes, as needed on a temporary basis

Subdivision 7. Reserved

Subdivision 8. Alley Parking. No person shall park a vehicle or permit it to stand, whether attended or unattended, upon any alley within this municipality; provided that this shall not prohibit the parking of vehicles for less than a period of one hour along any alley for the purpose of having access to any property abutting thereon for the purpose of loading or unloading merchandise or other material when access cannot conveniently be secured upon the property itself. Every vehicle while loading or unloading in any alley shall be parked in such manner as will cause the least obstruction possible to traffic in such alley.

Subdivision 9. Truck/Semi-Trailer/Trailer Parking. Limitations on Truck/Trailer Parking

1. It shall be unlawful to park a detached semi-trailer upon any street, alley, city-owned parking lot, or other public property except as such are specifically designated by the City of Pelican Rapids, by resolution and sign posting.
2. It shall be unlawful to park a truck (other than a truck of 10,000 gross vehicle weight or less), truck trailer, tractor-trailer, or truck-tractor within an area zoned as residential (family or multi-family residential districts) except for the purpose of loading or unloading the same, and then only during such times as reasonably necessary for such activity.
3. *City Parking Lots.* In city-owned parking lots, the Council may limit the size and types of motor vehicles to be parked thereon, hours of parking, and prescribed method of parking by resolution from time to time or by amendment of this section.
4. *Recreational Parking Time.* It shall be unlawful for any person to leave or park a travel trailer, pick-up coach, motor home, camping trailer, recreational vehicle on or within the limits of any street, right of way, or city-owned parking lot within the City of Pelican Rapids for a continuous period in excess of eight (8) hours and not overnight, except where designated as a camp site.

Subdivision 10. Additional Rules for Trailers. The following additional regulations shall govern the parking of trailers on public streets, including utility trailers, camper trailers, and boat trailers:

1. No unhitched trailer shall be parked upon the public streets.
2. The provisions listed above shall not apply to:
 - a. A mobile food unit which has a current license from the appropriate state regulatory authority when the mobile food unit is parked on a public street while actively operating.
 - b. A trailer that is being lawfully used for short-term storage in accordance with permission granted by the City.
 - c. A trailer that is engaged in the loading or unloading of materials or is transacting business at an adjacent property, only for such period of time as is necessary to load or unload or to transact such business.
 - d. A trailer that is in compliance with official traffic-control devices or the direction of a police officer.

Subdivision 11. Impoundment. Any police officer may remove, or coordinate actions for the removal therefrom, a vehicle from a street, alley, avenue or public parking lot to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic and/or loading zones (regardless of whether said loading zones are for the benefit of the City and/or for the benefit of legitimate and necessary business operations located in the City) and/or hinders snow removal or street improvement or maintenance operations. Such vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for violation of this ordinance.

Subdivision 12. Prima Facie Violation. The presence of any motor vehicle on any street, alley, avenue or public parking lot and/or the presence of any motor vehicle on any street, alley, avenue or public parking lot, when standing or parking or parking outside of striped areas designated by the City, in violation of this ordinance is prima facie evidence that the registered owner of the said motor vehicle has committed or authorized the commission of this said violation.

Subdivision 13. Parking Restrictions. Based on 701.07, Subdivision 2 above, the City Council hereby establishes that there is no parking at any time on the south side of Southeast Fourth Avenue lying between Trunk Highway 59 and Southeast First Street, on the north side of Northwest Third Avenue lying between Trunk Highway 59 and Northwest First Street, on the south side of Southeast First Avenue lying between Southeast First Street and Southeast Eighth Street, on either side of Northwest Third Street lying between Trunk Highway 108 West and Northwest Second Avenue, on the northwest side of Southeast Tenth Avenue lying between Ridgecrest Drive and Maplewood Drive, on the east side of Southeast First Street lying between Southeast First Avenue and Southeast Fifth Avenue, on the east side of Southeast Two and a Half Street lying between Trunk Highway 108 East and Southeast First Avenue, on the east side of Southwest Third Street, on the north side of River Road, on the east side of Northeast Third Street from Northeast Third Avenue to Northeast Fifth Avenue, and on the south side of Trunk Highway 108 East lying between Southeast First Street and Southeast Two and a Half Street. No Parking from 2 A.M. to 6 A.M. on either side of Broadway lying between South Fifth Avenue to Northwest Eighth Avenue.

701.08 TRUCK ZONES, LOADING ZONES, ETC.

Subdivision 1. Establishment. The City Council may by resolution establish spaces in streets as loading zones or truck zones. The City Council may specify in the resolution the hours which shall be the loading or truck zone hours. The City Clerk shall mark each such zone by appropriate signs.

Subdivision 2. Truck Zone Prohibitions. During truck zone hours, no person shall stop, stand or park any vehicle except a truck in a truck zone. No person shall stop, stand or park a truck in a truck zone during truck zone hours except to receive or discharge passengers or freight and then only for a period no longer than is necessary for the purpose.

Subdivision 3. Loading Zone Prohibitions. During loading zone hours, no person shall stop, stand or park any vehicle in a loading zone except to receive or discharge passengers or freight

and then only for a period no longer than is necessary for the purpose. No person shall occupy a loading zone with a vehicle other than a truck for more than five minutes during such hours.

Subdivision 4. Property Owner Initiative. Any person desiring the establishment of a loading zone or truck zone abutting premises occupied by him shall make written application therefor to the City Council. If the Council grants the request, the proper City officer shall bill the applicant for the estimated cost of placing signs and of painting the curb. When the amount is paid to the City treasurer, the Chief of Police shall install the necessary signs and paint the curb.

Subdivision 5. Semi-trailer Parking. No person shall allow a semi-trailer to stand or be parked unattached from a tractor unit on any street in the City except in an emergency in order to change tractors.

Subdivision 6. No Truck Parking Zones. The Council may by resolution establish “No Truck Parking” zones in the business district and the City Clerk shall mark by appropriate signs any zones so established. Such zones shall be established in the business district where heavy traffic by trucks or other traffic congestion makes parking by trucks a hazard to the safety of vehicles or pedestrians. No person shall park a truck of more than one-ton capacity upon any street in any such zone, but parking of such vehicle for a period of not more than 30 minutes shall be permitted in such zone for the purpose of having access to abutting property when such access cannot conveniently be secured otherwise.

701.09 YEAR-ROUND PARKING RESTRICTIONS

The City Council may, by resolution, designate hours or days of the week during which no parking is permitted on streets or avenues within the City. Said restrictions need not be marked by signs.

701.10 ESTABLISHMENT OF SAFETY ZONES, LANES OF TRAFFIC, ETC.

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 Chief of Police subject to approval of the Council may establish safety zones, lanes of traffic, no “u-turn” intersections, and stop intersections, and he may order installation by the City Clerk of stop signs, yield signs, no “u-turn” signs, warning signs, signals, pavement markings or other devices. No regulation may be established on a trunk highway unless the consent of the Commissioner of Transportation is first secured.

701.11 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 throwing of sand or gravel by the tires is prima facie evidence of a violation of this section.

701.12 SNOWMOBILES AND ALL-TERRAIN VEHICLES (ATVs)

Subdivision 1. Snowmobile Traffic Control and Regulations.

(A) Definitions. For the purpose of this subdivision, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DEADMAN THROTTLE or SAFETY THROTTLE. A device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.

NATURAL TERRAIN. Areas other than roadways or driveways (private or public), parking lots and other areas the surface of which has been intentionally modified for motor vehicle operation thereon.

OPERATE. To ride in or on and control the operation of a snowmobile.

OPERATOR. Every person who operates or is in actual physical control of a snowmobile.

OWNER. A person, other than a lien holder having the property in or title to a snowmobile entitled to the use or possession thereof.

SNOWMOBILE. A self-propelled vehicle designed for travel on snow or ice steered by skis or runners.

(B) Scope of application. Notwithstanding provisions of this section 701.12 to the contrary, this subdivision shall apply to control of traffic and regulation of snowmobiles.

(C) Operation. Except as permitted in this subdivision, it is unlawful for any person to operate a snowmobile as follows:

(1) On the portion of any right-of-way of any public highway, street, road, trail, or alley used for motor vehicle travel, except upon the most right-hand lane of a street or alley and may in passing or making a left-hand turn, operate on other lanes which are used for vehicle traffic in the same direction. A snowmobile may also be operated upon the ditch bottom or the outside bank of trunk, county state-aid, and county highways where such highways are so configured within the corporate limits;

(2) On a public sidewalk provided for pedestrian travel;

(3) On boulevards within any public right-of-way;

(4) On private property of another without specific permission of the owner or person in control of said property;

(5) At a rate of speed greater than reasonable or proper under all surrounding circumstances, but in no event to exceed 15 miles per hour;

(6) At any place in a careless, reckless, or negligent manner or heedlessly in disregard of the rights or safety of others, or in a manner so as to endanger or be likely to endanger or cause injury or damage to any person or property;

(7) Closer than 100 feet to any dwelling which is usually occupied by one or more persons, except when operated on a continuous line of travel to or from the place where the snowmobile is normally kept or stored, to areas where snowmobiling is authorized;

(8) So as to tow any person or thing, except through use of a rigid towbar attached to the rear of the snowmobile;

(9) At any place while under the influence of alcohol or drugs as defined in Minnesota Statutes, Section 84.91, as it may be amended from time to time, is hereby adopted and incorporated as part of this code of ordinances as fully as if set out at length herein; or

(10) Within 100 feet of any pedestrian, fisherman, skating rink, or sliding area where the operation would conflict with the use or endanger other persons or property.

(D) Special orders. In addition to the regulations provided in division (C) above, it is unlawful to operate a snowmobile on any public place where prohibited by order of the Chief of Police. The Chief of Police shall have the power, by written order, to prohibit such operation whenever in his or her discretion, the same would be likely to produce damage to property or endanger the safety or repose of other persons. Such areas shall be appropriately sign-posted before such order shall become effective.

(E) Direct crossings. A snowmobile may make a direct crossing of a street or highway, except an interstate highway or freeway, provided:

(1) The crossing is made at an angle of approximately 90 degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

(2) The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way;

(3) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard;

(4) In crossing a divided street or highway, the crossing is made only at an intersection of such street or highway with another public street or highway; or

(5) If the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

(F) Yielding the right-of-way. It is unlawful for any person operating a snowmobile to enter any intersection without yielding the right-of-way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard.

(G) Persons under 18.

(1) It is unlawful for any persons under the age of 14 years to operate a snowmobile on streets, in city parks or other public land, or the roadway surface of highways, or make a direct crossing of a trunk, county state-aid, or county highway as the operator of a snowmobile. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile as permitted under this subdivision, only if he or she has in his or her immediate possession a safety certificate issued by the Commissioner, as provided by Minnesota Statutes, Section 84.872, as it may be amended from time to time.

(2) It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this division (G).

(H) Equipment. It is unlawful for any person to operate a snowmobile any place within the city unless it is equipped with the following:

(1) 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 cut-out, bypass, straight pipe, or similar device on a snowmobile;

(2) Brakes adequate to control the movement of and to stop and hold the snowmobile under any condition of operation;

(3) A safety or so-called “deadman” throttle in operating condition;

(4) When operated between the hours of one-half hour after sunset to one-half hour before sunrise or at a time 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 and under normal atmospheric conditions. Such head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile 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 the hours of darkness under normal atmospheric conditions; or

(5) Reflective material at least 16 square inches on each side, forward of the handlebars, or steering device of a snowmobile and at the highest practical point on any towed object, as to reflect light at a 90-degree angle.

(I) Locking vehicles. It is unlawful for any person to leave a snowmobile on a public place unless he or she shall lock the ignition, remove the key, and take the same with him or her.

(J) Emergencies. Notwithstanding the prohibition of operating a snowmobile upon a roadway to the contrary, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time when, at locations where, snow upon the roadway renders travel by automobile impractical.

(K) Animals. It is unlawful to intentionally drive, chase, run over, or kill any animal with a snowmobile or ATV.

(L) Signal from officer to stop. It is unlawful for a snowmobile operator or ATV operator, after having received a visual or audible signal from any law enforcement officer, to come to a stop, to:

- (1) Operate a snowmobile in willful or wanton disregard of such signal;
- (2) Interfere with or endanger the law enforcement officer or any other person or vehicle; or
- (3) Increase his or her speed or attempt to flee or elude the officer.

(M) Headgear required. When operating a snowmobile, it is unlawful for any operator and any passenger to fail to wear protective headgear which complies with standards established by the Commissioner of Public Safety.

Subdivision 2. Special Vehicles: Motorized Golf Carts, Utility Task Vehicles, Class 1 All-Terrain Vehicles, and Mini-Trucks.

(A) Purpose and intent. The purpose of this subdivision is to provide reasonable regulations for the use of special and recreational motor vehicles on public and, in conformance with private property, in the city. This subdivision is not intended to allow what the Minnesota Statutes prohibit or to prohibit what the Minnesota Statutes expressly allow. It is intended to ensure public safety and prevent a public nuisance.

(B) For the purpose of this subdivision, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALL-TERRAIN VEHICLE OR ATV. As defined in Minnesota Statutes, Section 84.92, subdivision 8, a motorized vehicle with: (1) not less than three, but not more than six low pressure or non-pneumatic tires; (2) a total dry weight of 2,000 pounds or less; and (3) a total width from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle does not include an electric-assisted bicycle as defined in Minnesota Statutes, section 169.011, subdivision 27, golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and used specifically for lawn maintenance, agriculture, logging, or mining purposes. All-terrain vehicle does include a class 1 all-terrain vehicle and class 2 all-terrain vehicle as defined by Minnesota Statutes, Section 84.92, subdivisions 9 and 10.

DRIVER. The person driving and having physical control over the motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck and being the licensee.

MOTORIZED GOLF CART. Any passenger conveyance being driven with four wheels with four low-pressure tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 800 pounds.

UTILITY TASK VEHICLE. As defined by Minnesota Statutes, Section 169.045, subdivision 1 (3), a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds.

MINI-TRUCK. As defined in Minnesota Statutes, Section 169.011, subdivision 40(a), 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 660 cubic centimeters or less; has a total dry weight of 900 to 2,200 pounds; contains an enclosed cabin and 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 motor vehicle safety standards required of motor vehicles in the Code of Federal Regulations, title 49, sections 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, as it may be amended from time to time.

SPECIAL VEHICLES. Motorized golf carts, utility task vehicles, all-terrain vehicles, and mini-trucks.

(C) No person shall operate any special vehicles on streets, alleys, sidewalks or other public property without obtaining a permit as provided herein.

(1) Every application for a permit shall be made on a form supplied by the city and shall contain all of the following information:

- (a) The name and address of the applicant.
- (b) The nature of the applicant's physical handicap, if any.
- (c) Model name, make, and year and vehicle serial number of the motorized golf cart, all-terrain vehicle, or mini-truck.
- (d) Current driver's license.
- (e) Current insurance information.
- (f) Other information as the city may require.

(2) The permit fee shall be as set forth in the annual fee schedule.

(3) Permits shall be granted for a period of three (3) years and will expire December 31st of the third year.

(4) No permit shall be granted or renewed unless the following conditions are met:

- (a) The applicant must demonstrate that they currently hold a valid driver's license.

(b) The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the golf cart, utility task vehicle, all-terrain vehicle, or mini-truck.

(c) The applicant has not had their driver's license revoked as the result of criminal proceedings.

(5) Motorized golf carts, utility task vehicles, all-terrain vehicles, and mini-trucks are permitted to operate only on city streets, not state or federal highways, except to cross at intersections.

(6) Motorized golf carts, utility task vehicles, and all-terrain vehicles and mini-trucks operated between the hours of one-half hour after sunset to one-half hour before sunrise or at a time of reduced visibility, must have at least two clear lamps attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 200 feet ahead during the hours of darkness and under normal atmospheric conditions. Such head lamps shall be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle. It shall also be equipped with at least two red tail lamps 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.

(7) Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minnesota Statutes, Section 169.045, as it may be amended from time to time, when operated on designated roadways.

(8) Motorized golf carts, utility task vehicles, all-terrain vehicles, and mini-trucks shall be equipped with a rear-view mirror to provide the driver with adequate vision from behind as required by Minnesota Statutes, Section 169.70.

(9) The operator of a motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck may cross any street or highway intersecting a designated roadway.

(10) Every person operating a motorized golf cart, a utility task vehicle, an all-terrain vehicle, or a mini-truck under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statutes, chapter 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to motorized golf carts or mini-trucks and except as otherwise specifically provided in Minnesota Statutes, Section 169.045, subdivision 7, as it may be amended from time to time.

(11) City Administration may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this subdivision or Minnesota Statutes, chapter 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck on the designated roadways.

(12) The number of occupants on the golf cart, utility task vehicle, all-terrain vehicle, or mini-truck may not exceed the design occupant load.

(13) No special vehicle may be operated at a speed in excess of 20 miles per hour.

(14) All permits shall be issued for a specific special use vehicle. The current special use vehicle registration numbers and decal must be displayed on a plate not less than four inches high and 7-1/2 inches wide, which is clearly visible on the back of the vehicle, at least 12 inches from the ground. The current city-issued permit tag/sticker must be displayed in the upper-left section of the plate. The plate, registration numbers, and registration tag/sticker must be maintained in a clear and legible condition. The permit sticker must remain affixed at all times while the vehicle is operated on public streets.

(C) Authorized city staff may operate city owned motorized golf carts and mini-trucks without obtaining a permit within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

(D) Mini-truck equipment requirements. A mini-truck may be operated under permit on designated roadways if it is equipped with all of the following:

- (a) At least two headlamps.
- (b) At least two tail lamps.
- (c) Front and rear turn-signal lamps.
- (d) 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.
- (e) A windshield.
- (f) A seat belt for the driver and front passenger.
- (g) A parking brake.

Subdivision 3. Operation of Electric Personal Assistive Mobility Devices.

(A) ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE means a self-balancing device with two non-tandem wheels, designed to transport not more than one person, and operated by an electric propulsion system that limits the maximum speed of the device to 15 miles per hour.

(B) Except as otherwise provided by law, a person operating an electric personal assistive mobility device has the rights and responsibilities of a pedestrian.

(C) Operation.

(1) An electric personal assistive mobility device may be operated on a bicycle path.

(2) No person may operate an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path at a rate of speed that is not reasonable and prudent under the conditions. Every person operating an electric personal assistive mobility device on a roadway, sidewalk, or

bicycle path is responsible for becoming and remaining aware of the actual and potential hazards then existing on the roadway or sidewalk and must use due care in operating the device.

(3) An electric personal assistive mobility device may be operated on a roadway only under the following circumstances:

- (a) While making a direct crossing of a roadway in a marked or unmarked crosswalk.
- (b) Where no sidewalk is available.
- (c) Where a sidewalk is so obstructed as to prevent safe use.
- (d) When so directed by a traffic control device or by a peace officer.
- (e) Temporarily in order to gain access to a motor vehicle.

(4) An electric personal assistive mobility device may not be operated at any time on a roadway with a speed limit of more than 30 miles per hour except to make a direct crossing of the roadway in a marked crosswalk.

(5) An electric personal assistive mobility device may not be operated at any time while carrying more than one person.

(6) Designated exclusive city streets. The City Council may, by resolution, designate exclusive city streets within its jurisdiction where the operation of electric personal assistive mobility devices is not permitted, provided that any street so designated has a speed limit of more than 30 miles per hour.

(7) A person operating an electric personal assistive mobility device on a sidewalk must yield the right-of-way to pedestrians at all times. A person operating an electric personal assistive mobility device on a bicycle path must yield the right-of-way to bicycles at all times.

(8) An electric personal assistive mobility device may not be operated unless the device bears reflectorized material on the front, back, and wheels, visible at night from 600 feet when illuminated by the lower beams of headlamps of a motor vehicle.

Subdivision 4. Motorized Foot Scooters.

(A) **MOTORIZED FOOT SCOOTER** means a device with handlebars designed to be stood or sat upon by the operator, and powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion, and that has no more than two 12-inch or smaller diameter wheels and has an engine or motor that is capable of a maximum speed of 15 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged. An electric personal assistive mobility device, a motorized bicycle, an electric-assisted bicycle, or a motorcycle is not a motorized foot scooter.

(B) Every person operating a motorized foot scooter shall have all rights and duties applicable to the operator of a bicycle, except in respect to those provisions relating expressly to motorized

foot scooters and in respect to those provisions of law that by their nature cannot reasonably be applied to motorized foot scooters.

(C) No person may operate a motorized foot scooter that is carrying any person other than the operator.

(D) No person under the age of 12 years may operate a motorized foot scooter.

(E) No person under the age of 18 years may operate a motorized foot scooter without wearing properly fitted and fastened protective headgear that complies with standards established by the commissioner of Public Safety.

(F) A motorized foot scooter must be equipped with a headlight and a taillight that comply with standards established by the commissioner of Public Safety if the vehicle is operated under conditions when vehicle lights are required by law.

(G) A person operating a motorized foot scooter on a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway, except in the following situations:

(1) When overtaking and passing another vehicle proceeding in the same direction.

(2) When preparing for a left turn, in which case the operator shall stop and dismount at the right-hand curb or right edge of the roadway, and shall complete the turn by crossing the roadway on foot, subject to restrictions placed by law on pedestrians.

(3) When reasonably necessary to avoid impediments or conditions that make it unsafe to continue along the right-hand curb or edge, including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes.

Subdivision 5. Municipal Streets, Other Operators. A valid Minnesota driver's license and an ATV safety certificate valid only after successfully completing BOTH the Safety Training CD and the Safety Training Class or a valid driver's license of another State, is required in order to operate an ATV Class 1 or Class 2 side by side on a City Street. Refer to Minnesota Statutes Section 84.9256, Subdivision 1.

Subdivision 6. Prohibited Areas. Prohibited areas of travel within the City of Pelican Rapids shall be the same prohibited areas established for snowmobiles by Council resolution regulating the use of snowmobiles, and any other prohibited areas established by Council resolution for the regulation of ATVs within the City of Pelican Rapids.

Subdivision 7. Speed Limit. The speed limit shall be no more than 15 miles per hour while operating on a City street, and the operator must stay in the farthest right hand portion of the traffic lane, yielding to motor vehicle traffic at all times.

Subdivision 8. Equipment. A person shall not operate on a City street with an ATV unless the ATV is equipped with at least one headlight and one tail light, each of a minimum candlepower

as prescribed by the Commissioner of Public Safety. Brakes must conform to the standards as set forth by the Commissioner of Public Safety. Muffler noise emission may not exceed 99 decibels at a distance of 20 inches. Throttle must return the engine to idle when pressure to advance the throttle is removed.

Headlights and tail lights must be on at all times while operating the ATV.

Subdivision 9. State Statute 84.9254, Signal from Officer to Stop. After receiving a visual or audible signal from a Law Enforcement Officer to come to a stop, it is unlawful for an All Terrain Vehicle operator to:

1. Operate an All Terrain Vehicle in a willful or wanton disregard of the signal to stop;
2. Interfere with or endanger the Law Enforcement Officer or any other person or vehicle; or
3. Increase speed or attempt to flee or elude the Officer.

Subdivision 10. Other Statutory Provisions. Except as modified in this Section, the provisions of Minnesota Statutes Sections 84.92 through 84.929 shall apply to the operation of All Terrain Vehicles within the City limits of Pelican Rapids.

701.13 JAKE BRAKING

Section 1. Definitions. For the purposes of this ordinance, the following phrases are defined as follows:

Subdivision 1. Engine Retarding Brake. A Dynamic Brake, Jake Brake, Jacobs Brake, C-Brake, Paccar Brake, transmission brake or other similar engine retarding brake system which alters the normal compression of the engine and subsequently releases that compression.

Subdivision 2. Abnormal or Excessive Noise. (a) Distinct and loudly audible noise that unreasonably annoys, injures, or endangers the comfort and repose of any person or precludes their enjoyment of property or affects their property's value, (b) Noise in excess of that permitted by Minnesota Statutes Section 169.69, as it may be amended from time to time, which requires every motor vehicle to be equipped with a muffler in good working order, OR (c) Noise in excess of that permitted by Minnesota Statutes Section 169.693 and Minnesota Rules parts 7030.1000 through 7030.1050, as this statute and these rules may be amended from time to time, which establish motor vehicle noise standards.

Section 2. It shall be unlawful for any person to discharge the exhaust or permit the discharge of the exhaust from any motor vehicle except through a muffler that effectively prevents abnormal or excessive noise and complies with all applicable state laws and regulations.

Section 3. It shall be unlawful for the operator of any truck to intentionally use an engine retarding brake on any public highway, street parking lot, or alley within the City which causes abnormal or excessive noise from the engine except in an emergency.

Section 4. Minnesota Statutes Sections 169.69 and 169.693 (motor vehicle noise limits) and Minnesota Rules parts 7030.1000 through 7030.1050, as these statutes and rules may be amended from time to time, are hereby adopted by reference.

Section 5. Signs stating “VEHICLE NOISE LAWS ENFORCED” may be installed at locations deemed appropriate by the City Council to advise motorists of the prohibitions contained in this ordinance, except that no sign stating “VEHICLE NOISE LAWS ENFORCED” shall be installed on a state highway without a permit from the Minnesota Department of Transportation. The provisions of this ordinance are in full force and effect even if no signs are installed.

Section 6. It is the intention of the City Council that all future amendments to any statutes and rules referenced or adopted by reference in this ordinance are also referenced or adopted by reference as if they had been in existence at the time this ordinance was adopted.

Section 7. Any person, firm, or corporation who violates any provision of this ordinance shall upon conviction be guilty of a petty misdemeanor and punished by a fine of not more than \$300.00.

701.14 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 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, officers of the police department may direct traffic as conditions require notwithstanding the provisions of this ordinance and the state traffic laws. Officers of the fire department may direct or assist the police in directing traffic at the scene of a fire or in the immediate vicinity.

701.15 PENALTY

Any person convicted of violating any provision of this Part is guilty of a petty misdemeanor. The City Council may by resolution establish a penalty schedule for various parking and traffic violations.

PART 2. MAILBOXES

702.01 DEFINITIONS

Subdivision 1. General. Unless the context clearly indicates otherwise, the following words and phrases have the meaning given in this section.

Subdivision 2. Improved Street. “Improved Street” shall mean any street, avenue or roadway having an improved curb at the side thereof.

Subdivision 3. Unimproved Street. “Unimproved Street” shall include all streets, avenues or roadways which are not improved streets.

Subdivision 4. Boulevard. “Boulevard” shall mean that part of the dedicated or established portion of a street, avenue or roadway which lies outside of the street side edge of a curb on an improved street or outside of the traveled portion of an unimproved street, as the case may be.

Subdivision 5. Mailbox. “Mailbox” shall mean the receptacle for deposit of the U.S. mail.

Subdivision 6. Posts. “Posts” shall mean the supporting pipe for a mailbox.

702.02 AUTHORIZATION FOR INSTALLATION OF MAILBOXES.

The installation and maintenance of mailboxes on the boulevards of this City is hereby authorized for the delivery of mail by authorized representative of the United States Post Office but only so long as the installation complies with the provisions of this chapter and complies with the regulations promulgated by the United States of America and its postal authority.

702.03 REGULATION

Subdivision 1. Mailboxes and Installation of Mailboxes. All mailboxes shall be constructed, installed and maintained at a height of 40-42 inches from the top of the curb to the bottom of the mailbox with the opening end of the box directly above the street side edge of the curb, on an improved street, or about the edge of the traveled portion of an unimproved street at a height of 48 inches and shall be affixed to the boulevard a minimum of 18 inches behind the back edge of a curb or a minimum of 18 inches behind the edge of a traveled portion of an unimproved street by means of two inch galvanized pipe or 4x4 treated post set in a concrete filled hole eight inches in diameter and 18 inches below the ground surface.

Subdivision 2. Maintenance of Mailboxes. All mailboxes shall be maintained and kept in a clean and neat condition and shall be repaired and repainted by the owner as the appearance shall require and, in any event, shall be repaired and painted as ordered by the City, or its delegate, within 60 days after a written notice to repair or paint is served upon the owner, either in person or by mail, by the City or its delegate.

Subdivision 3. Location of Mailboxes. No mailboxes or posts shall be installed on any street, avenue or roadway (a) within 25 feet of an intersection street; or (b) within 15 feet of the edge of an alley; or (c) within five feet of the edge of a driveway; or (d) on private property of another without written permission of the owner.

Subdivision 4. Authorization. No mailboxes or posts shall be installed except where authorized by the Superintendent of Public Works of the City.

702.04 APPLICATION FOR VARIANCE

Any person who proposes to construct or install a mailbox or post which does not conform with the provisions of this chapter may apply for a variance to the Planning Commission in accordance with its procedures.

702.05 ENFORCEMENT

Any mailbox or post which exists in violation of this chapter shall be considered to be a nuisance, and shall be subject to the provisions of Chapter 8.

PART 3. STREET NAMES/ADDRESS NUMBERING

703.01 STREET NAMES

The City Council may, by resolution, designate names for streets and roadways in the City limits, and arrange for the installation of street signs.

703.02 ADDRESS NUMBERING

The City Council may, by resolution, assign numbers to houses, buildings, and parcels of real estate in the City limits, said numbers to be used as addresses for such properties.

PART 4. SKATEBOARDS (REPEALED 5-10-16)

PART 5. EXISTING RESTRICTIONS, REGULATIONS AND PROHIBITIONS.

Whether previously established by Ordinance or by City Council resolution, all existing restrictions, regulations and prohibitions relating to traffic, motor vehicles, streets and mailboxes are hereby continued until such time as they may be amended by Council resolution.

PART 6. FISHING FROM BRIDGE.

706.01 PROHIBITED ACTS

No person shall fish (whether bow fishing, spear fishing, rod and reel fishing, or fishing in any other manner) in the Pelican River from any part of the bridge where U.S. Highway No. 59 crosses the Pelican River. The act of throwing a spear, shooting a bow or using a fishing rod, fishing pole or fishing line on said bridge shall be considered to be fishing, whether or not any fish are actually taken.