



ORDINANCE NO. 177

City of Glyndon

Clay County, Minnesota

AN ORDINANCE REGULATING SPECIAL VEHICLES WITHIN THE CITY OF GLYNDON, MINNESOTA, PROVIDING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE AND REPEALING ORDINANCE #131.

THE CITY COUNCIL OF THE CITY OF GLYNDON, MINNESOTA DOES ORDAIN:

SECTION 1. PURPOSE AND INTENT.

- (A) (1) The purpose of this chapter 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.
- (2) This chapter is not intended to allow what the Minnesota Statutes prohibit or to prohibit what the Minnesota Statutes expressly allow.
- (B) It is intended to ensure the public safety and prevent a public nuisance.

SECTION 2. SPECIAL VEHICLES: MOTORIZED GOLF CARTS, CLASS 1 ALL-TERRAIN VEHICLES, AND MINI-TRUCKS.

- (A) (1) No person shall operate a motorized golf cart, all-terrain vehicle, or mini-truck on streets, alleys, sidewalks or other public property without obtaining a permit as provided herein.

- (2) 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 number of the motorized golf cart, all-terrain vehicle, or mini-truck.
 - (d) Current driver's license or reason for not having a current license.
 - (e) Other information as the city may require.
- (3) The annual permit fee shall be as set forth in the Ordinance Establishing Fees and Charges adopted pursuant to Section 2 (A) (4) of this code, as that ordinance may be amended from time to time.
- (4) Permits shall be granted for a period of one year and may be renewed annually Jan. 1 to Dec. 31. The current permit fee for the city of Glyndon is \$10.00.
- (5) No permit shall be granted or renewed unless the following conditions are met:
 - (a) The applicant must demonstrate that he or she currently holds or has held a valid Minnesota driver's license to operate a mini-truck.
 - (b) The applicant may be required to submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart or all-terrain vehicle on the roadways designated.
 - (c) The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the golf cart, all-terrain vehicle, or mini-truck.
 - (d) The applicant has not had his or her driver's license revoked as the result of criminal proceedings.
- (6) Snowmobiles, motorized golf carts, all-terrain vehicles, and mini-trucks are permitted to operate only on city streets designated in paragraph 15, not state or federal highways, except to cross at designated intersections.

- (7) Snowmobiles, motorized golf carts and four-wheel, all-terrain vehicles, and utility task vehicles may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather, except during emergency conditions as provided in the ordinance, or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light visibility to clearly see persons and vehicles on the roadway at a distance of 500 feet.
- (8) If authorized for use a motorized golf carts shall display the slow-moving vehicle emblem provided for in Minn. Stat. § 169.045, as it may be amended from time to time, when operated on designated roadways.
- (9) Motorized golf carts, 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 Minn. Stat. § 169.70.
- (10) The operator of a motorized golf cart, all-terrain vehicle, or mini-truck may cross any street or highway intersecting a designated roadway.
- (11) Every person operating a snowmobile, motorized golf cart, 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 Minn. Stat., ch. 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 Minn. Stat. § 169.045(7), as it may be amended from time to time.
- (12) The City Council may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this section or Minn. Stat., ch. 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, all-terrain vehicle, or mini-truck on the designated roadways.
- (13) The number of snowmobile, occupants on the golf cart, all-terrain vehicle, or mini-truck may not exceed the design occupant load.
- (14) Snowmobiles, motorized golf carts and all-terrain vehicles are not authorized to be used for recreational travel between residences within the city limits of Glyndon. They are only authorized to be driven to the designated route to enter and exit the city limits.
- (15) The primary routes for ATV's and Snowmobiles are from their place of residence to the designated route to exit or enter the city. When leaving or entering the city, the North/South designated route will be Parke Avenue and the East/West designated route will be 12th Avenue South.

(16) Motorized golf carts are not authorized for use on the city streets of the City of Glyndon, unless a special use permit is granted by the Glyndon Police Department. The applicant for the special use permit may be required to submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart on the roadways designated.

(17) There will be absolutely no use of any type of motorized vehicle in any tributary, stream, coulee or open drainage system owned and or maintained by the city of Glyndon.

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

(C) The City of Glyndon Police department may authorize limited use permits for motorized golf carts and all-terrain vehicles during special events held within the city limits.

DRIVER. (*As used herein the term shall mean*) The person driving and having physical control over the motorized golf cart, all-terrain vehicle, or mini-truck and being the licensee.

ALL TERRAIN VEHICLES (CLASS 1) (ONE SEAT, FOUR-WHEELERS)

- (1) All ATV Riders (passengers and operator) under age 18 on public land must wear a DOT approved helmet at all times.
- (2) UNDER 10 YEARS OLD-May operate only on private property with permission of the owner. They must have parents or legal guardian permission to operate.
- (3) AGES 10 TO 11-All riders may operate on private property with permission of the owner. They may operate ATV's up to 90 cc on public lands and frozen waters if accompanied by a parent or legal guardian. They must wear a helmet while operating on public lands, trails and frozen public waters. They must have a parents or legal guardian's permission to operate the ATV.
- (4) AGES 12 TO 15- Must have an ATV Safety Certificate which is valid only successfully completing **BOTH** the ATV Safety Training CD and Safety Training Class. They must be properly reach and control the handle bars and foot pegs while sitting upright on the seat. They may operate an ATV on public lands and frozen waterways and make direct crossing of roadways with a valid safety certificate if accompanied on another ATV by a person 18 years of over who has a valid driver's license. They must wear an approved DOT helmet while operating or riding on public lands, trails and frozen waters and when crossing road right-of-ways. They must also have their parent or legal guardian's permission to operate the vehicle.
- (5) AGES 16 TO 17- Must successfully complete the ATV Safety Training CD before operating on public lands, frozen waters, public road rights-of-ways or state or grant-in-

aids trails. Must have a valid driver's license to make direct crossing of a roadway or operate on road right of ways. They must wear approved DOT helmets while operating or riding on public lands. Trails and frozen public water and on road right-of-ways.

ALL TERRAIN VEHICLES (CLASS 2) (TWO SEAT, FOUR-WHEELERS)

- (1) AGES 15 TO 17- May operate a Class 2 ATV. Must wear DOT approved helmet while operating or riding public lands, trails and on right-of-ways. They must have a valid license to make a direct crossing of a roadway or operate on road right-of-ways. They must wear a seatbelt if provided by the manufacturer.
- (2) 15 YEAR OLDS- Must have an ATV safety certificate valid only after successfully completing **BOTH** the safety training CD and the Safety Training Class. They must be able to properly reach and the control the handle bars and foot pegs while sitting upright on the seat. They may operate a Class 2 ATV on public lands and frozen water says and make direct crossing of roadways with a valid safety certificate if accompanied on another ATV by a person 18 or over who has a valid driver's license. They must have a parent or legal guardian's permission to operate.
- (3) 16 AND 17 YEARS OLD- Must successfully complete the ATV Safety Training CD before operating on public lands, frozen waters, public road right-of-ways or grant-in-aid trails.

MOTORIZED GOLF CART. (As used herein the term shall mean) Any passenger conveyance being driven with three or four wheels with three or four low-pressure tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 800 pounds.

MINI-TRUCK. (As used herein the term shall mean) As defined in Minn. Stat. § 169.01, subd. 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 as defined by § 73.11; 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.

- (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:
 - (1) 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.

SECTION 3. OPERATION OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES.

(A) ***ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE*** (As used herein the term shall mean) 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.

(D) *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.
 - (f) As provided in division (7) below by Council resolution.
- (4) An electric personal assistive mobility device may not be operated at any time on a roadway with a speed limit of more than 35 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 35 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.

SECTION 4. MOTORIZED FOOT SCOOTERS

- (A) ***MOTORIZED FOOT SCOOTER*** (*As used herein the term shall mean*) 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) Operation of a motorized foot scooter on city bicycle paths, bicycle lanes, bicycle trails, or bikeways is prohibited except as provided in division (C) below.
- (C) The City Council may, by resolution, designate specific bicycle paths, bicycle lanes, bicycle trails, or bikeways as available for use by motorized foot scooters.
- (D) 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.
- (E) No person may operate a motorized foot scooter upon a sidewalk, except when necessary to enter or leave adjacent property. No person may operate a motorized foot scooter that is carrying any person other than the operator.
- (F) No person under the age of 12 years may operate a motorized foot scooter.
- (G) 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.
- (H) 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.
- (I) 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.

SECTION 5. MEDIUM-SPEED ELECTRIC VEHICLES AND NEIGHBORHOOD ELECTRIC VEHICLES

(A) *Definitions.*

- (1) ***MEDIUM SPEED ELECTRIC VEHICLE*** (*As used herein the term shall mean*) an electrically powered four-wheeled motor vehicle, equipped with a roll cage or crushproof body design, that can attain a maximum speed of 35 miles per hour on a paved level surface, is fully enclosed and has at least one door for entry, has a wheelbase of 40 inches or greater and a wheel diameter of 10 inches or greater, and except with respect to maximum speed, otherwise meets or exceeds regulations in the Code of Federal Regulations, title 49, section 571.500, and successor requirements.
- (2) ***NEIGHBORHOOD ELECTRIC VEHICLE*** (*As used herein the term shall mean*) an electrically powered motor vehicle that has four wheels, and has a speed attainable in one mile of at least 20 miles per hour, but not more than 25 miles per hour on a paved level surface.

(B) Operation of neighborhood electric vehicles on city streets is prohibited except as provided in (C) below.

(C) *Use on designated exclusive city streets.* The City Council may, by resolution, designate exclusive city streets within its jurisdiction where the operation of neighborhood electric vehicles or medium-speed electric vehicles is permissible, provided that no street so designated has a speed limit of more than 35 miles per hour.

(D) A neighborhood electric vehicle or a medium-speed electric vehicle may be operated on public streets and highways only if it meets all equipment and vehicle safety requirements in Code of Federal Regulations, title 49, section 571.500, as it may be amended from time to time.

(E) Authorized city staff may operate city owned neighborhood electric vehicles and medium-speed electric vehicles within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

SECTION 6. PENALTY.

Any person convicted of violating any provision of this ordinance is guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment for not more than ninety (90) days, or both, plus the costs of prosecution in either case.

SECTION 7. SEVERABILITY.

If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

SECTION 8. EFFECTIVE DATE.

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat., § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

Passed by the Council this 22nd day of July, 2015.

By:



Mayor

1st Reading – June 24th, 2015

2nd Reading – July 8th, 2015

3rd Reading – July 22, 2015

Attested:



City Clerk

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