

TITLE VII: TRAFFIC CODE

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CHAPTER 70: TRAFFIC REGULATIONS

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GENERAL PROVISIONS

§ 70.01 STATE HIGHWAY TRAFFIC REGULATIONS ADOPTED BY REFERENCE.

(A) The Highway Traffic Regulations Act is hereby adopted by reference. The regulatory provisions of M.S. Chapter 169, as it may be amended from time to time, are hereby adopted as a traffic ordinance regulating the use of highways, streets and alleys within the city and are hereby incorporated in and made a part of this section as completely as if set out in full herein.

(B) The penalty for violation of the provisions of state statutes adopted by reference in this section shall be identical with the penalty provided for in the statutes for the same offense.

§ 70.02 TRUCK ROUTES.

(A) *Definitions.* For purposes of this Section the following terms shall have the meaning given:

(1) **TRUCK.** "Truck" shall mean any vehicle designed or operated for the transportation of property and whose total weight loaded or unloaded exceeds 10,000 pounds.

(2) **TRUCK ROUTE.** "Truck Route" shall mean any street, as designated in this Section, over and along which trucks shall operate.

(B) *Travel Restricted.* All trucks operating within the City shall be operated only over and along the truck routes established in this Section, except that this Section shall not prohibit:

(1) The operation of trucks upon any street where necessary to the conduct of business at a destination point; provided, that streets upon which the traffic is permitted shall be used until reaching the intersection nearest the destination point.

(2) Garbage Trucks collecting refuse upon a designated route.

(3) The operation of emergency vehicles upon any street.

(4) The operation of trucks owned or operated by the City, public utilities, any contractor or material person while engaged in the repair, maintenance or construction of streets, street improvements or street utilities within the City.

(5) The operation of trucks upon any officially established detour in any case where the truck could be lawfully operated on the street for which the detour is established.

(6) School Buses.

(C) *Truck Routes Established.*

(1) Minnesota Highway 68

(2) County Road 5 South

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(3) County Road 8

(4) East Barber Street from a point 200 Feet West of County Road 8 to Loomis Street.

See Attached Map.

(D) *Maps, Signs; Weighing of Vehicles; Liability of Vehicle Owner.*

(1) The City Administrator shall keep and maintain accurate maps setting out the truck routes or streets upon which truck traffic shall be permitted and the maps shall be available to the public.

(2) The street department of the City shall cause all truck routes and streets upon which traffic is permitted to be clearly sign-posted.

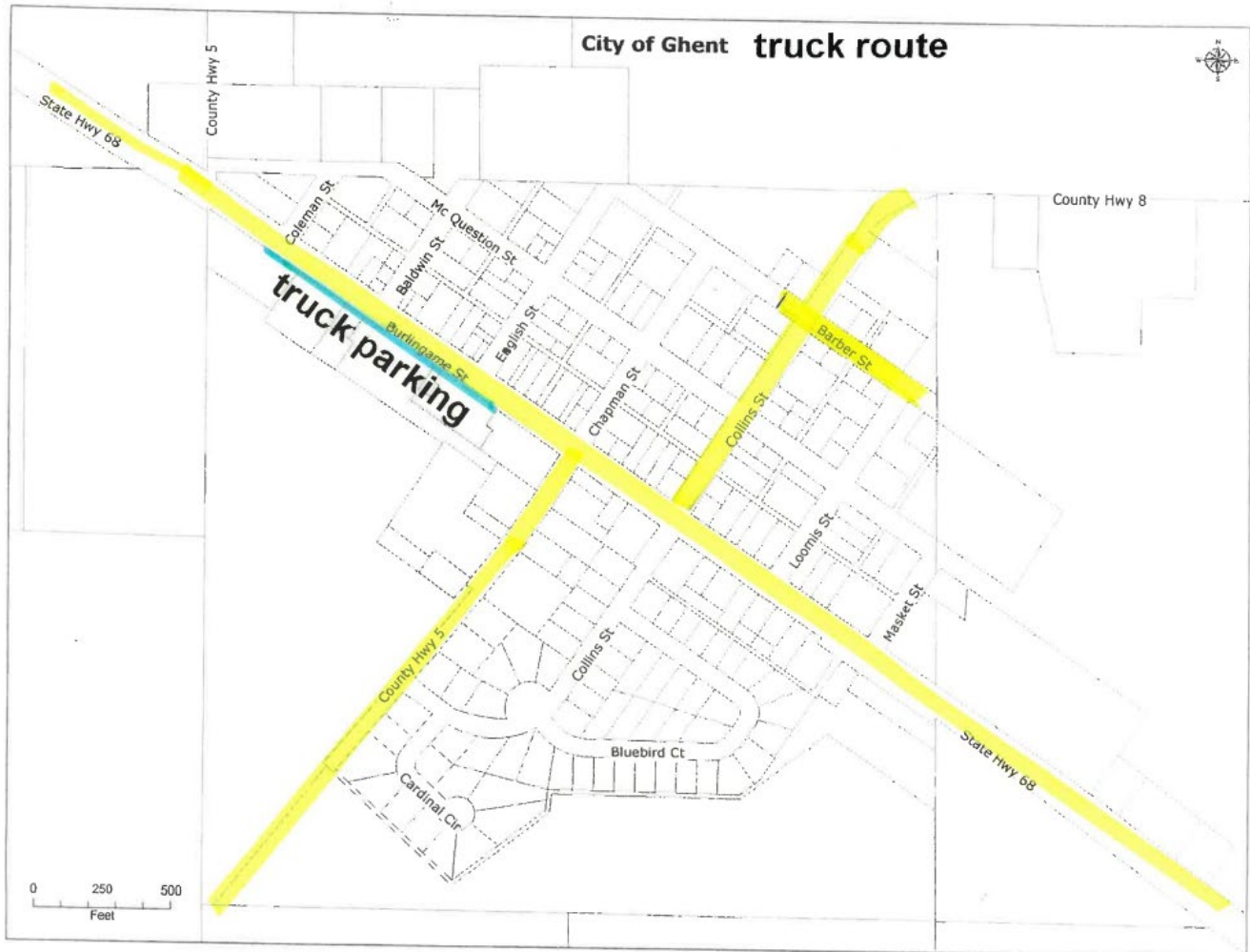
(3) Any officer of the City shall have the authority to require any person driving or in control of any truck not proceeding over a truck route or street upon which truck traffic is permitted to proceed to any public or private scale available for the purpose of weighing to determine whether this Section has been complied with.

(4) In addition to the driver or operator, the owner of any truck being operated with his or her permission and consent shall be liable for any violation of the provisions of this Section.

(E) *Penalties.*

Violation of this Ordinance shall be a misdemeanor.

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§ 70.03 STOP INTERSECTIONS.

Pursuant to M.S. § 169.04, as it may be amended from time to time, the city may designate intersections as a stop intersection and require all vehicles to stop at one or more entrances to those intersections. The city shall post signs at those designated intersections, giving notice of the designation as a stop intersection. It shall be unlawful for any person to fail to obey the markings or signs posted under this section.

Penalty, see § 10.99

§ 70.04 THROUGH STREETS AND ONE-WAY STREETS.

Pursuant to M.S. § 169.04, as it may be amended from time to time, the City Council by resolution may designate any street or portion of a street as a through street or one-way street where necessary to preserve the free flow of traffic or to prevent accidents. No trunk highway shall be so designated unless the consent of the Commissioner of Transportation to the designation is first secured. The city shall cause appropriate signs to be posted at the entrance to designated streets. It shall be unlawful for any person to fail to obey the markings or signs posted under this section.

Penalty, see § 10.99

§ 70.05 TURNING RESTRICTIONS.

(A) Pursuant to M.S. § 169.04, as it may be amended from time to time, 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 turning of vehicles to the left or to the right, or both, is to be restricted at all times or during specified hours. No intersection on a trunk highway shall be so designated until the consent of the Commissioner of Transportation to the designation is first obtained.

(1) The city shall mark by appropriate signs any intersection so designated.

(2) No person shall turn a vehicle at any intersection contrary to the direction on those signs.

(B) Except at intersections, and then only if not posted otherwise, it shall be unlawful for any person operating a motor vehicle on any street to cross the center of the street for the purpose of parking on the side of the street opposite the original direction of travel.

(C) It shall be unlawful for any person operating a motor vehicle on any street to back up or drive from a parked position and commence travel in the opposite direction from which the motor vehicle faced when parked.

Penalty, see § 10.99

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§ 70.06 U-TURNS RESTRICTED.

No person shall turn a vehicle so as to reverse its direction on any street in the business district or at any intersection where traffic is regulated by a traffic control signal.

Penalty, see § 10.99

§ 70.07 EXCESSIVE NOISE.

(A) As used in this section:

(1) **LIGHT-MOTOR VEHICLES.** Means any automobile, van, motorcycle, motor-driven cycle, motor scooter, go-cart, minibike, trail bike, neighborhood electric vehicle, golf cart, mini truck, all terrain vehicle, truck with a gross vehicular weight of less than 10,000 pounds or low power vehicle.

(2) **LOW POWER VEHICLE.** For the purposes of this section means a vehicle with a gas, electric or battery powered engine that may achieve a maximum vehicle speed of 35 miles per hour.

(B) It shall be unlawful for any person to operate, or cause to operate, or use a light-motor vehicle in a manner as to cause, or allow to be caused, excessive noise levels as a result of unreasonable rapid accelerations, deceleration, revving of engine, squealing of tires, honking of horns, or as a result of the operation of audio devices including but not limited to radios, phonograph, tape players, compact disc players or any other sound-amplifying device on or from the light-motor vehicle.

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(C) No person shall operate, or cause to operate, or use a light-motor vehicle in violation of the noise standards contained in Minn. Rules parts 7030.1050 and 7030.1060, as it may be amended from time to time.

(D) No person shall operate, or cause to operate, or use a light-motor vehicle that discharges its exhaust other than through a muffler or other device that effectively prevents loud or explosive noises. No person shall operate, or cause to operate, or use a light-motor vehicle whose exhaust system has been modified, altered, or repaired in any way, including the use of a muffler cut-out or by-pass, that amplifies or otherwise increases noise above that emitted by the light-motor vehicle as originally equipped.

(E) The following are exempted from the provisions of this section:

(1) Sound emitted from sirens of authorized emergency vehicles;

(2) Burglar alarms on light-motor vehicles of the electronic signaling type which also transmit an audible signal to a receiver which can be carried by the owner or operator of the vehicle;

and

(3) Celebrations on Halloween and other legal holidays and celebrations in connection with duly authorized parades.

Penalty, see § 10.99

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§ 70.08 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.

Penalty, see § 10.99

§ 70.09 CRUISING PROHIBITED.

(A) As used in this section, ***CRUISING*** means the operation of a motor vehicle as defined in M.S. § 169.011, Subd. 42, as it may be amended from time to time, past a traffic control point as determined by a peace officer on a street in an area designated “No Cruising Zone” by City Council resolution four or more times between the hours of 9:00 p.m. and 3:30 a.m.

(B) The passing of a traffic control point under the conditions previously stated, shall constitute unnecessary repetitive driving and is a violation of this section.

(C) The following use of vehicles shall constitute valid exceptions to this prohibition: taxicabs for hire, buses, authorized emergency vehicle, vehicles use used by or under contract with any governmental jurisdiction, any vehicle being used to conduct legitimate business activities.

(D) This section may be enforced only in an area that has been posted as a “No Cruising Zone.” Signs shall be posted at the beginning and the end of any public street, alley or highway, or portion thereof which is a no cruising zone.

§ 70.10 MOTOR VEHICLE NOISE.

(A) *Definitions.* For the purposes of this section, the following phrases are defined as follows:

ABNORMAL OR EXCESSIVE NOISE.

(1) Distinct and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort and repose of any person or precludes their enjoyment of property or affects their property's value;

(2) Noise in excess of that permitted by M.S. § 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

(3) Noise in excess of that permitted by M.S. § 169.693 and Minn. Rules parts 7030.1000 through 7030.1060, as this statute and these rules may be amended from time to time, which establish motor vehicle noise standards.

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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.

(B) 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.

(C) 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.

(D) Minnesota Statutes §§ 169.69 and 169.693 (motor vehicle noise limits) and Minn. Rules parts 7030.1000 through 7030.1060, as these statutes and rules may be amended from time to time, are hereby adopted by reference.

(E) 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 section, 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 section are in full force and effect even if no signs are installed.

§ 70.11 PEDESTRIAN CROSSINGS.

Pursuant to M.S. § 169.2151, as it may be amended from time to time, the city is authorized to designate pedestrian safety crossings on exclusive city streets where pedestrian safety considerations require extra time for pedestrian crossing in addition to the time recommended under the Minnesota Manual on Uniform Traffic Control Devices for pedestrian signals. The city may provide for timing of pedestrian signals for such crossings, consistent with the recommendations of the uniform manual for pedestrian signal timing at senior citizen and disabled pedestrian crossings. The location of such crossings may be designated by resolution.

§ 70.12 CROSSINGS FOR SENIORS OR DISABLED PERSONS.

Pursuant to M.S. § 169.215, as it may be amended from time to time, the city may designate a crossing for senior citizens or disabled persons on any exclusive city street in the vicinity of a senior citizen housing project, senior citizen nursing home, or residential care facility for disabled persons on the basis of an engineering and traffic investigation prescribed by the Commissioner and subject to the uniform specifications adopted by the Minnesota Commissioner of Transportation.

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PARADES

§ 70.20 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PARADE. Any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display in or on any street, sidewalk, park, or other public place in the city.

PARADE PERMIT. A permit required by this subchapter.

PARKING LOT. Any paved or unpaved area used by a place of business or shopping center for the parking of vehicles of their customers, but shall not include those operated for hire.

§ 70.21 PERMIT REQUIRED.

(A) No person or persons shall engage or participate in, aid, form or start any parade unless a parade permit has been obtained from the City Administrator or other authorized city official.

(B) This subchapter shall not apply to:

(1) Funeral processions;

(2) Students going to and from school classes or participating in educational activities; provided, that the conduct is under the immediate direction and supervision of the proper school authorities;

(3) A governmental agency acting within the scope of its functions.

(4) Catholic Sisters.

Penalty, see § 10.99

§ 70.22 APPLICATION FOR PERMIT.

(A) *Generally.* A person seeking issuance of a parade permit shall file an application with the City Administrator.

(B) *Filing period.* The application for a parade permit shall be filed not less than 72 hours but not more than 60 days before the date on which it is proposed to conduct the parade. Failure to file an application 72 hours in advance will not result in automatic denial of the permit; provided, that the applicant shows reasonable grounds why the application could not be filed 72 hours in advance.

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(C) *Required information.* The application for a parade permit shall set forth the following information:

- (1) The name, address, and telephone number of the person seeking to conduct the parade;
- (2) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of the organization;
- (3) The name, address, and telephone number of the person who will be the parade chairperson and who will be responsible for its conduct;
- (4) The date when the parade is to be conducted;
- (5) The route to be traveled, the starting point, and the termination point;
- (6) The approximate number of persons, animals, and vehicles which will constitute the parade, the type of animals, if any, and the description of the vehicles;
- (7) The hours when the parade will start and terminate;
- (8) A statement as to whether the parade will occupy all or only a portion of the width of the streets, sidewalk, park or other public place proposed to be traversed;
- (9) The location by street of any assembly area for the parade;
- (10) The time at which units of the parade will begin to assemble at any assembly area or areas;
- (11) The interval of space to be maintained between units of the parade;
- (12) If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the permit shall file a communication in writing from the person authorizing the applicant to apply for the permit on his or her behalf;
- (13) Any additional information reasonably necessary to a fair determination as to whether a permit should be issued.

(D) There shall be paid at the time of filing an application for a parade permit a fee in an amount as established in the Ordinance Establishing Fees and Charges pursuant to § 30.11 of this code, as it may be amended from time to time. In addition, the applicant must provide proof of a valid insurance policy in the amount of \$500,000 per individual claim and \$1,500,000 for all claims arising from the same event, that names and agrees to defend and indemnify the city from any and all claims arising from the parade.

Penalty, see § 10.99

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§ 70.23 STANDARDS FOR ISSUANCE OF PERMIT.

The City Administrator shall issue a permit when, from a consideration of the application and from other information obtained, he or she finds that:

(A) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;

(B) The conduct of the parade will not require the diversion of so great a number of police officers of the city to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city;

(C) The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly areas;

(D) The conduct of the parade will not interfere with the movement of firefighting equipment en route to a fire;

(E) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.

Penalty, see § 10.99

§ 70.24 NOTICE OF REJECTION OF PERMIT APPLICATION.

If the City Administrator disapproves the application, he or she shall mail to the applicant within the three regular business days after the date on which the application was filed a notice of his or her action stating the reasons for his or her denial of the permit.

§ 70.25 APPEAL PROCEDURE WHEN PERMIT DENIED.

Any person aggrieved shall have the right to appeal the denial of a parade permit to the City Council. The appeal shall be taken within 30 days after notice of denial. The City Council shall act on the appeal within 30 days after its receipt.

§ 70.26 ALTERNATIVE PERMIT.

The City Administrator or other authorized city official, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time, or over a route different than that named by the applicant. An applicant desiring to accept an alternate permit shall file a written notice of his or her acceptance. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this subchapter.

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§ 70.27 NOTICE TO CITY AND OTHER OFFICIALS WHEN PERMIT ISSUED.

Immediately on the issuance of a parade permit, a copy thereof shall be sent to the Police Chief and the Fire Chief.

§ 70.28 CONTENTS OF PERMIT.

Each parade permit shall state the following information:

- (A) Starting time;
- (B) Minimum speed;
- (C) Maximum speed;
- (D) Maximum interval of space to be maintained between the units of the parade;
- (E) The portions of the street, sidewalk, park or other public place to be traversed that may be occupied by the parade;
- (F) The maximum length of the parade in miles or fractions thereof;
- (G) Other information as is reasonably necessary to the enforcement of this subchapter.

Penalty, see § 10.99

§ 70.29 DUTIES OF PERMITTEE.

A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The parade chairperson or other person heading or leading the activity shall carry the parade permit on his or her person during the conduct of the parade.

Penalty, see § 10.99

§ 70.30 PUBLIC CONDUCT DURING PARADES.

(A) *Interference.* No person shall unreasonably hamper, obstruct, impede or interfere with any parade or parade assembly or with any person, vehicle or animal participating or used in a parade.

(B) *Driving through parades.* No driver of a vehicle except a police car or other emergency vehicle shall drive between the vehicles or persons comprising a parade when the vehicles or persons are in motion and are conspicuously designated as a parade.

(C) *Parking on parade route.* The Police Chief or other authorized city official shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or

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other public thoroughfare or part thereof constituting a part of the route of a parade. Signs shall be posted to the effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street or other public thoroughfare unless signs have been posted in accordance with this section.

Penalty, see § 10.99

§ 70.31 REVOCATION OF PERMIT.

The city shall have the authority to revoke a parade permit issued hereunder on application of the standards for issuance as herein set forth.

CHAPTER 71: PARKING REGULATIONS

Section

- 71.01 No parking where posted
- 71.02 Limited parking
- 71.03 Other parking restrictions
- 71.04 Declaration of snow emergency; parking prohibited
- 71.05 Parking certain semi-trailers or tractors on public streets prohibited
- 71.06 Overnight parking
- 71.07 Repairing of vehicles
- 71.08 Prohibiting parking areas in front yards in residential zones
- 71.09 Impoundment
- 71.10 Prima facie violation

Cross-reference:

Abandoned vehicles, see Chapter 90

§ 71.01 NO PARKING WHERE POSTED.

(A) No person shall stop, stand or park a vehicle upon the public streets of the city at any place where official signs or where appropriate devices, marks, or painting, either upon the surface of the street or the curb immediately adjacent thereto, prohibit these acts.

(B) Pursuant to M.S. § 169.041, Subd. 2, the City Police Chief, if any, or the City Council may appoint as many parking enforcement officers as are needed to enforce the provisions of this chapter. The parking enforcement officers shall be subordinate to the Chief of Police, if there is one, or the City Administrator. A ***PARKING ENFORCEMENT OFFICER*** is an individual whose services are utilized by a law enforcement agency to provide parking enforcement and administrative or clerical assistance and who is not a sworn and licensed police officer. A parking enforcement officer's duties shall not include enforcement of the general criminal laws of the state, and the parking enforcement officer does not have full powers of arrest or authorization to carry a firearm on duty.

Penalty, see § 10.99

§ 71.02 LIMITED PARKING.

No person shall stop, stand or park a vehicle upon the public streets of the city where official signs are erected limiting the parking time thereon, for a period of time in excess of the time as designated by the official signs.

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Penalty, see § 10.99

§ 71.03 OTHER PARKING RESTRICTIONS.

(A) The City Council may by resolution order the placing of signs, devices or marks, or the painting of streets or curbs prohibiting or restricting the stopping, standing or parking of vehicles on any street where, in its opinion, as evidenced by a finding in its official minutes, the stopping, standing or parking is dangerous to those using the highway, or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic. The signs, devices, marks or painting shall be official signs, devices, marks or painting, and no person shall stop, stand or park any vehicle in violation of the restrictions thereon or as indicated thereby.

(B) “No parking” signs may be placed by city employees on any street of the city to permit construction, repair, snow removal, street cleaning or similar temporary activities. While the signs are in place, it shall be unlawful to park any vehicle on the streets or portion thereof so posted.

(C) It shall be unlawful for a person to park in an area designated by Council resolution and posted as a fire lane.

(D) It shall be unlawful for a person to park a vehicle or permit it to stand, whether attended or unattended, on an alley within the city, provided that this does not prohibit the parking of vehicles for less than one hour on an alley for the purpose of access to abutting property for loading or unloading merchandise or other material when parking on the property itself is not available.

(E) It shall be unlawful for a person to park a motor vehicle in an area designated by posted signs pursuant to Council resolution for certain types of vehicles, unless the motor vehicle is one of the types of vehicles specifically permitted.

(F) Every vehicle parked upon any street with a curb shall be parked parallel to the curb, unless angle parking is designated by appropriate signs or markings. On streets with a curb, the right-hand wheels of any vehicle parked shall be within one foot of the curb. On streets without a curb, the vehicle shall be parked to the right of the main traveled portion of the street and parallel to it and in such a manner as not to interfere with the free flow of traffic, unless angle parking is designated by appropriate signs or markings.

(G) Unlicensed or inoperable vehicles cannot be parked on streets or in the front section of lot.

Penalty, see § 10.99

§ 71.04 DECLARATION OF SNOW EMERGENCY; PARKING PROHIBITED.

(A) The Mayor, Police Chief or other designated official may declare a snow emergency in the city. The emergency shall continue in effect for a period of 24 hours or until the snow has been removed from the city's streets or until the snow emergency has been rescinded by action of the Mayor, Police Chief or other designated officer.

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(B) Notice of the declaration of a snow emergency shall be given by notifying the local news media; however, the notification shall be a service aid only and not a duty on the part of the officials.

(C) During a declared snow emergency or after two inches or more of snow have accumulated, no motor vehicle shall be left parked on any street or public way in the city until the declared emergency is canceled or, if no emergency is declared, until the street is cleared on both sides of accumulated snow.

(D) During a declared snow emergency, any police officer or city appointed parking enforcement officer, appointed pursuant to M.S. § 168.035B, Subd. 2, who finds a motor vehicle in violation of this section shall attempt to contact the owner of the motor vehicle and require the owner to immediately move the motor vehicle so as not to be in violation of this section. If the owner does not immediately remove the motor vehicle or the owner cannot be located, the police officer or city appointed parking enforcement officer, appointed pursuant to M.S. § 168.035B, Subd. 2, is authorized to have the motor vehicle removed at the owner's expense.

Penalty, see § 10.99

§71.045 Parking During Snow Removal Operations.

The parking of any vehicle on any street or avenue in the City of Ghent is hereby prohibited after 10:00 A.M. on any day when it has [snowed](#) prior to said hour or on the previous day until the City Street Department has had an opportunity to plow all snow between the curb lines of the streets and avenues in the City. Violation of this provision is a petty misdemeanor.

§ 71.05 SEMI-TRAILERS, TRUCK-TRACTOR, AND STRAIGHT TRUCKS.

Except in the 2-block designated area along Highway 68 between English and Coleman Streets, the parking of semi-trailers, truck-tractor, semi-trailer combinations, and trucks exceeding a capacity of one ton, on the streets and highways in the City of Ghent, or in a residential area whether on public or private property except when the vehicle is parked in a completely enclosed garage, is hereby prohibited. This does not apply while loading and unloading. Violation of this provision shall be a misdemeanor.

§ 71.06 OVERNIGHT PARKING.

Except in the 2-block designated area along Highway 68 between English and Coleman Streets, the following vehicles shall not be allowed to park on city streets overnight: repair, delivery, rented vehicles with commercial plates and refuse and recycling haulers or any other vehicle not registered as a passenger vehicle.

Penalty, see § 10.99

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§ 71.065. Vehicle Parking.

(A) The term "recreational vehicle" shall mean a vehicle designed and used for recreational purposes and enjoyment including, but not limited to, self-propelled motor homes, truck campers, camping trailers, all-terrain vehicles, boats, race cars and race car trailers, construction trailers, all other

trailers, vehicles used to transport goods, refuse or merchandise, semi-tractors and trailers and vehicles converted into storage or camping vehicles.

(B) Residential Areas. With the exception of construction trailers, the vehicles described above shall not be allowed to park on any public street, for longer than 72 hours to load/unload and to perform maintenance on the vehicle. Construction trailers may be parked on City streets only when they are being used in conjunction with an adjacent construction project when the residence has an active building permit.

(C) *Parking in Alleys prohibited.* No person shall park any motor vehicle or trailer in an alley in the City of Ghent. Vehicles parked in violation of this ordinance may be immediately towed with the vehicle owner responsible for the cost of towing and storage of their vehicle.

(D) Violation of this section 71.065 is a petty misdemeanor.

§ 71.068 SEMI-TRAILERS, CONTAINER BOXES, AND SHIPPING CONTAINERS.

The permanent use of semi-trailers, container boxes, or shipping containers as storage in the City of Ghent, whether on public or private property, is hereby prohibited. This provision does not apply to seasonal or temporary storage. In no event shall the seasonal or temporary storage exceed 1 month in a 12-month period. If storage is needed for more than 1 month, approval is required from the City of Ghent. Violation of this provision shall be a misdemeanor.

§ 71.07 REPAIRING OF VEHICLES.

Minor repairs and tune-ups, such as replacement of spark plugs, spark plug wires, thermostat, radiator or heater hoses, oil changes and brake jobs shall be permitted on city streets; provided, that they can be accomplished within the same day and completed by 10:00 p.m. All other repairs shall be considered major repairs and shall not be permitted on any city street, unless the repairs are made within an enclosed structure allowed within the zoning district. Damage to city streets because of repairs or lack of repairs shall be charged to the person responsible for the damage to the city streets.

§ 71.08 PROHIBITING PARKING AREAS IN FRONT YARDS IN RESIDENTIAL ZONES.

(A) The construction, operation or maintaining a parking area, either paved or unpaved, in the front yard of any lot is prohibited in any area zoned for residential use. For the purpose of this section, front yard shall mean and include that area between the sidewalk, or street line in the event there is no sidewalk, and the front line of the principal building, extending in both directions to the side lot lines.

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(B) Use of that portion of a vacant lot within 30 feet of the sidewalk lines for parking in an area zoned for residential use is prohibited.

(C) The front part of any lot shall not be used for the parking of an automobile, truck, trailer, tractor, recreational vehicle, camper, travel trailer, camper top, tent, wagon, boat, boat trailer, storage area or motor home.

(D) No person, being the owner or having control of any building, shall violate or fail to conform to any provision of this section, or fail to obey any lawful order of an officer charged with its enforcement. Each and every day on which any person continues to violate the provisions of this section, after having been notified of the violation, shall constitute a separate offense. This conviction shall not relieve any person from thereafter complying with the provisions of this section, and shall be sufficient cause to refuse further building or land use permits to the offender until a time as the orders have been complied with.

Penalty, see § 10.99

§ 71.09 REMOVAL OF VIOLATING VEHICLES; AUTHORITY TO PROVIDE REMOVAL SERVICE.

Any vehicle parked in violation of this Ordinance may be removed by the Street Superintendent or other authorized City employee, including the Sheriff, and Police Officers and towed away and stored at the expense of the owner. The City Council may make reasonable agreements with persons, firms or corporations for towing and storage of vehicles. The firms may be authorized by City representatives to tow and store vehicles located on any streets or alley in violation of this Section. The towing and storage fees shall be the rate charged by the person or entity towing the vehicle, or the fee schedule adopted from time to time by the City Council, whichever is more.

§ 71.10 PRIMA FACIE VIOLATIONS.

Pursuant to M.S. § 169.34, Subd. 2, as it may be amended from time to time, the presence of any motor vehicle on any street when standing or parked in violation of this chapter is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

CHAPTER 72: SNOWMOBILES

Section

72.01	Intent
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§ 72.01 INTENT.

It is the intent of this chapter to supplement M.S. §§ 84.81 to 84.91, and M.S. Ch. 169, as these statutes may be amended from time to time and Minn. Rules parts 6100.5000 through 6100.5800, as these rules may be amended from time to time, with respect to the operation of snowmobiles. These statutes and rules are incorporated herein by reference. This section is not intended to allow what the state statutes and rules prohibit, nor to prohibit what the state statutes and rules allow.

§ 72.02 DEFINITIONS.

For the purpose of this chapter, 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.

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, or entitled to the use or possession thereof.

PERSON. Includes an individual, partnership, corporation, the state and its agencies and subdivision, and any body of persons, whether incorporated or not.

RIGHT-OF-WAY. The entire strip of land traversed by a highway or street in which the public owns the fee or an easement for roadway purposes.

ROADWAY. That portion of a highway or street improved, designed or ordinarily used for vehicular travel.

Ghent City Code - Traffic Code

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

STREET. A public thoroughfare, roadway, alley or trail used for motor vehicular traffic which is not an interstate, trunk, county-state aid, or county highway.

§ 72.03 APPLICATION OF TRAFFIC ORDINANCES.

The provisions of Ch. 70 of this code shall apply to the operation of snowmobiles upon streets and highways, except for those relating to required equipment, and except those which by their nature have no application.

Penalty, see § 10.99

§ 72.04 RESTRICTIONS.

(A) Except on the designated grant and aid trail, it is unlawful for any person to enter, operate or stop a snowmobile within the limits of the city:

(1) On the roadway of any street, except the most right hand lane then available for traffic or as close as practicable to right hand curb or edge of the roadway, except when overtaking and passing another vehicle stopped in the lane or proceeding in the same direction, or in making a left turn. Snowmobiles may also be operated upon the outside slope of trunk, county-state aid and county highways where the highways are so configured within the corporate limits. The City Council may, pursuant to M.S. § 84.87, Subd. 3, as it may be amended from time to time, adopt a resolution designating certain city streets as available for snowmobile operation and prescribe such time and speed limits as are necessary.

(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 the property.

(5) Upon any school grounds, except as permission is expressly obtained from responsible school authorities.

(6) On public property, playgrounds and recreation areas, except areas previously listed or authorized for the use by resolution of the City Council, in which case the use shall be lawful, and snowmobiles may be driven in and out of those areas by the shortest route.

(7) On streets as permitted by this chapter at a speed exceeding 10 miles per hour.

(8) During the hours of 10:00 p.m. to 7:00 a.m., Sunday through Thursday, and 12:01 a.m. to 8:00 a.m. on other days. This provision is not intended to prohibit snowmobiles from operating on city streets during the hours specified herein.

Snowmobiles

(B) It is unlawful for any person to operate a snowmobile within the limits of the city:

(1) So as to tow any person or thing in a public street or highway except through use of a rigid tow bar attached to the rear of the snowmobile; provided, that a disabled snowmobile may be towed to a private residence or a place of business where snowmobiles are repaired without the use of a rigid tow bar.

(2) To intentionally drive, chase, run over or kill any animal.

Penalty, see § 10.99

§ 72.05 STOPPING AND YIELDING.

No snowmobile shall enter any uncontrolled intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard.

Penalty, see § 10.99

§ 72.06 PERSONS UNDER 18.

(A) No person under 14 years of age shall operate on streets or make a direct crossing of a city street 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 on streets as permitted under this chapter and make a direct crossing of those streets only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued pursuant to M.S. § 84.872, as it may be amended from time to time.

(B) It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provision of this section.

Penalty, see § 10.99

§ 72.07 EQUIPMENT.

It is unlawful for any person to operate a snowmobile any place within the limits of the city unless it is equipped with the following:

(A) 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 cutout, by-pass straight pipe or similar device on a snowmobile motor.

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

(C) A safety or so called deadman throttle in operating condition.

Ghent City Code - Traffic Code

(D) When operated between the hours of one-half hour after sunset to one-half hour before sunrise, or at times 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 under normal atmospheric conditions. The 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 light plainly visible from a distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions.

(E) Snowmobiles shall fly a pennant flag or red or blaze material, of a size not less than 12 inches by 9 inches, at a height of not less than six feet from ground level at any time when the vehicle is operated on public streets.

(F) Reflective material at least 16 square inches on each side, forward of the handlebars and at the highest practical point on any towed object, so as to reflect lights at a 90 degree angle.

Penalty, see § 10.99

§ 72.08 UNATTENDED SNOWMOBILES.

Every person leaving a snowmobile on a public place shall lock the ignition, remove the key and take the same with him or her.

Penalty, see § 10.99

§ 72.09 EMERGENCY OPERATION PERMITTED.

Notwithstanding any prohibitions in this chapter, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time and at locations where snow upon the roadway renders travel by automobile impractical.

Snowmobiles



CHAPTER 73: RECREATIONAL AND OTHER VEHICLES

Section

- 73.01 Motorized Golf Cart
- 73.02 All Terrain, Pit Bikes, Mini Bikes, and Other Vehicles

§ 73.01 MOTORIZED GOLF CART

(A) *Adoption By Reference of MN Statute.* Except as herein specifically addressed or modified, the provisions of MN Statute Section 169.045 are herewith incorporated by reference.

(B) Definitions.

MOTORIZED GOLF CART. A small motorized vehicle, with electric or gas power, designed to carry two golfers and their golf clubs around a golf course between shots.

OTHER MOTORIZED CARTS. Motorized carts such as utility maintenance carts (such as John Deere Gators or similar such models from other manufacturers), and other such motorized carts which in the determination of the City Council are similar to the carts covered in this Ordinance.

(C) *Authorization To Use Motorized Golf Carts, and Other Motorized Carts.* The operation of motorized golf carts, and other motorized carts on designated roadways within the City by persons having a valid permit issued by the City is hereby authorized.

(D) *Designated Roadways.* All City streets, alleys, within City right-of-way, on County roads as shall be permitted by Lyon County, shall be designated motorized golf cart, and other motorized cart routes. No United States or State of Minnesota road shall be a designated roadway for carts.

(E) *Permit Required.* Every person who operates a motorized golf cart, or other motorized cart on any City street or designated roadway shall first obtain a permit from the Ghent City Office. Each application for a permit shall give the name and address of the applicant, evidence of insurance which meets the requirements of Minnesota Statutes Section 65B.48, Subdivision 5, and such other information as the City may require. All permits expire on December 31 of the year printed on the permit license tab. An annual fee shall be established through City Council resolution for all permits issued. When a person purchases a new cart, mid-year, the new cart must be registered at the City Clerk's Office, but there will be no fee for the transfer of the permit from the old cart to the new cart. The permit sticker shall be affixed to the rear of the golf cart, or other motorized cart in a visible location

(F) *Insurance.* Owners and operators of motorized golf carts, or other motorized carts shall carry liability insurance coverage evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the golf cart., and carry evidence of such coverage on the cart.

Ghent City Code - Traffic Code

(G) *Conditions.* Operation of motorized golf carts, and other motorized carts on permitted streets within the City is subject to the following conditions:

(1) Motorized golf carts, or other motorized carts may be operated on designated routes from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons in vehicles on the roadway at a distance of five hundred feet (500').

(2) Motorized golf carts or other motorized carts shall display a slow moving vehicle emblem provided for in Minnesota Statutes Section 169.522, when operated.

(3) Every person operating a motorized golf cart, or other motorized cart under permit on designated routes has all the rights and duties applicable to the driver of any other vehicle under the provisions of Chapter 169 of Minnesota Statutes, except when those provisions cannot be reasonably applied to motorized golf carts, or other motorized carts, and except as otherwise specifically provided in Minnesota Statutes Section 169.045, Subdivision 7.

(4) Every person operating a motorized golf cart, or other motorized cart must be at least sixteen (16) years of age, and have driving privileges in good standing.

(H) *Other Requirements for Operation.* In addition to the provision of said State Statutes, no person shall drive or operate any motorized golf cart, or other motorized cart in the City of Ghent:

(1) At a speed in excess of 15 miles per hour upon designated routes in the City.

(2) Upon the private property of another without the express written consent of such other person.

(3) In such a manner as to annoy or disturb the rest or repose of any member of the public.

(4) Abreast with one or more motorized golf carts, or other motorized carts upon designated routes in the City.

(5) So as to pass or attempt to pass another moving motorized golf cart, or other motorized cart upon designated routes in the City.

(6) In a careless, reckless or negligent manner to endanger the person or property of another or cause injury or damage thereon.

(7) With an alcohol level of 0.08 percent or greater, or under the influence of a controlled substance.

(8) With no more passengers than there are seats on the motorized golf cart, or other motorized cart to carry them. All passengers shall sit on the seats provided, with no infants or young children riding on laps.

(9) Without a rearview mirror as required under Minnesota Statutes Section 70.

Recreational and Other Vehicles

(10) No person shall operate a golf cart, or other motorized cart on a public Sidewalk, public park, or bike trail unless otherwise authorized.

(I) Revocation or Denial of Permit.

(1) A permit may be revoked at any time or denied if it is shown that the permittee cannot safely operate the motorized golf cart, or other motorized cart on the designated routes or if the permittee has had a valid driver's license revoked for traffic violations.

(2) Authorized Law Enforcement Officers or the City Council may temporarily revoke the permit for violations of this Ordinance until such time as the City Council makes final determination regarding revocation.

(J) Penalty for Operating Motorized Golf Carts, or Other Motorized Carts without a Permit. Any person who operates a motorized golf cart, or other motorized cart without having obtained a permit from the City is guilty of a misdemeanor.

(K) Penalty. Any person who violates any provision of this Ordinance is guilty of a misdemeanor.

(L) Limitation of Liability. Nothing in this Ordinance shall be construed as an assumption of liability by the City for any injuries to persons or property which may result from the operation of a motorized golf cart, or other motorized carts by a permit holder or the failure by the City to revoke said permit.

§ 73.02 ALL TERRAIN, PIT BIKES, MINI BIKES, AND OTHER VEHICLES

(A) Applicability. This Ordinance applies to the operation of all-terrain vehicles (ATVs), mini-trucks, pit bikes, mini bikes, and utility terrain vehicles (UTVs) on public lands, private property, public rights-of-way within the boundaries of the City of Ghent.

(B) Definitions.

ALL-TERRAIN VEHICLES (ATVs). Class 1 ATVs are motorized flotation-tired vehicles with at least three but no more than six low pressure tires that have an engine displacement of less than 960 cubic centimeters and total dry weight of less than 1000 pounds. Hereinafter referred to as ATVs.

Class 2 ATVs are motorized flotation-tired vehicles with at least three but no more than six low pressure tires that have an engine displacement of less than 960 cubic centimeters and total dry weight of 1000 to 1800 pounds. Hereinafter referred to as ATVs.

MINI-TRUCKS. Motorized recreational vehicles capable of cross-country travel on natural terrain, such as four-wheel drive trucks, sometimes referred to as off-road vehicles (ORVs). Such vehicles have four wheels, is propelled by an electric motor or an internal combustion engine with an enclosed cabin and a seat for the vehicle operator; commonly resembles a pickup truck or van, including having 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. Mini-truck does not include:

Ghent City Code - Traffic Code

- (1) A neighborhood electric vehicle or a medium speed electric vehicle; Or;
- (2) A motor vehicle that meets or exceeds the regulations of the Code of Federal Regulations, title 49, section 571.500, and successor requirements.

UTILITY TERRAIN VEHICLES (UTVs). Also referred to as side-by-sides, a purpose built 4x4 load-carrying working vehicle for off-road work in natural terrain environments. Hereafter referred to as UTVs. Examples of UTVs include Polaris Rangers, Honda Big Reds, Cub Cadet Volunteers, Bristers Trail Wagons, and other similar vehicles.

DESIGNATED ROADWAYS. All City streets, alleys, within City right-of-way, on County roads as approved by Lyon County, shall be designated All-Terrain Vehicle (ATV) routes for use by ATVs, mini-trucks, and UTVs. No United States or State of Minnesota road shall be a designated roadway for ATVs, mini-trucks or UTVs.

(C) *Adoption of State Law By Reference.* The provisions of Minnesota State Statutes Sections 84.82 through 84.929 are hereby adopted and made a part of this Ordinance as if set out in full. Said Sections define terms used in this Ordinance, require registration and licensing, restrict operation upon state and county highways, regulate necessary equipment and provide penalties for violations thereof.

(D) *Authorization To Use ATVs, Mini-Trucks, Pit Bikes, Mini Bikes, and UTVs.* The operation of ATVs, mini-trucks, pit bikes, mini bikes, and UTVs on designated roadways within the City by persons having a valid permit issued by the City is hereby authorized.

(E) *Permit Required.* Every person who operates an ATV (Class 1), mini-truck, pit bike, mini bike, or UTV on any designated roadway in the City shall first obtain a permit from the Ghent City Office. Each application for a permit shall give the name and address of the applicant, evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the, utility terrain vehicle, all-terrain vehicle, or minitruck., and such other information as the City may require. All permits expire on December 31 of the year printed on the permit license tab. An annual fee shall be established through City Council resolution for all permits issued. When a person purchases a new ATV, mini-truck, pit bike, mini bike, or UTV, (mid-year), the new ATV, mini-truck, pit bike, mini bike, or UTV must be registered at the City Clerk's Office, but there will not be a fee for the transfer of the permit from the old ATV, mini-truck, pit bike, mini-bike, or UTV to the new unit. The permit sticker shall be affixed to the rear of the ATV, mini-truck, pit bike, mini bike, and UTV in a visible location.

(F) *License and Safety Certificate Requirement.* No person shall permit the operation of an ATV, mini-truck, pit bike, mini bike, or UTV who is under sixteen (16) years of age, and persons born after July 1, 1987, must have successfully completed the ATV Safety Training Course available through the Minnesota Department of Natural Resources, before operating an ATV within the City of Ghent. Mini-truck operators must also possess a valid driver's license.

(G) *State Registration.* All ATVs, mini-trucks and UTVs operated in the City of Ghent must be registered with the Minnesota Department of Natural Resources (DNR). Each ATV, mini-truck and UTV registered with DNR is issued a registration number and a registration card and decal. The DNR issued registration number and validation decal must be placed on the ATV, mini-truck and UTV.

Recreational and Other Vehicles

(H) *State Mini-Truck Highway Use Registration Exception.* If a mini-truck is licensed for roadway use, a license plate must be displayed on the mini-truck, along with the mini-truck decal in the upper left corner of the rear motor vehicle license plate. Also, a City permit must be displayed on the rear of the vehicle.

(I) *Insurance.* Owners and operators of ATVs, mini-trucks, pit bikes, mini bikes, and UTVs shall carry liability insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the, utility task vehicle, all-terrain vehicle, or minitruck and carry evidence of such coverage on the permitted vehicle.

(J) *Conditions.* Operation of ATVs, mini-trucks and UTVs on designated roadways in the City is subject to the following conditions:

(1) ATVs and UTVs may be operated on designated routes from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons in vehicles on the roadway a distance of five hundred feet (500').

(2) ATVs, mini-trucks, pit bikes, mini bikes, and UTVs shall display a license plate and/or sticker issued by the City when issued a permit by the City.

(3) Every person operating an ATV, mini-truck and UTV under permit on designated routes has all the rights and duties applicable to the driver of any other vehicle under the provisions of Chapter 169 of Minnesota Statutes, except when these provisions cannot be reasonably applied to ATVs and except as otherwise specifically provided in Minnesota Statutes Section 169.045, Subdivision 7.

(4) Every person operating an ATV, mini-truck and UTV must be at least sixteen (16) years of age and hold a valid current Minnesota drivers license or have successfully completed the ATV Safety Training Course through the Minnesota Department of Natural Resources.

(5) Anyone born after July 1, 1987, and who is 16 years or older, must successfully complete the ATV safety training course before operating an ATV within the City.

(6) All ATV operators and passengers under the age of eighteen (18) must wear a helmet.

(7) Class 2 ATV, mini-truck and UTV operators and passengers under the age of eighteen (18) must wear a seatbelt if provided by the machine manufacturer.

(K) *Equipment Required.* No person shall operate an ATV or UTV on designated roadways for such vehicles, unless equipped with:

(1) Brakes—Brakes adequate to control the movement of and to stop and to hold such vehicle under any conditions of operation.

(2) Mufflers—Standard mufflers which are properly attached and which reduce the noise of operation of the vehicle to the minimum noise necessary for operating the vehicle, and no person shall use a muffler cut-out, bypass or similar device on said vehicles.

Ghent City Code - Traffic Code

(3) **Safety Throttle**—A safety or "dead man" throttle which is defined as a device which, when pressure is removed from the accelerator or throttle, causes the motor to be disengaged from the driving track.

(4) **Lights**—Must have working head and tail lights.

(5) **Rearview Mirror**.

(L) *Mini-Truck Equipment Required*. Notwithstanding any other law, a mini truck may be operated on designated roadways under permit if it is equipped with:

(1) at least two headlamps;

(2) at least two tail lamps;

(3) front and rear turn-signal lamps;

(4) an exterior mirror mounted on the driver's side of the vehicle and either:

(a) an exterior mirror mounted on the passenger's side of the vehicle; or

(b) an interior mirror.

(5) a windshield;

(6) a seat belt for the driver and front passenger; and

(7) a parking brake.

(M) *Unattended Vehicles on Public Property Prohibited*. It is unlawful for the owner or operator to leave or allow an ATV, mini-truck or UTV to be or remain unattended on public property, streets or highways, while the motor is running or with the keys to start same in the ignition switch.

(N) *Other Requirements for Operation*. In addition to the provision of said State Statutes, no person shall drive or operate an ATV, mini-truck, pit bike, mini bike, or UTV in the City of Ghent:

(1) At a speed in excess of 15 miles per hour upon designated routes in the City.

(2) Upon the private property of another without the express written consent of such other person.

(3) In a manner so as to create a loud, unnecessary, or unusual noise which disturbs, annoys, or interferes with the peace and quiet of other persons.

(4) Abreast with one or more ATVs, mini-trucks, pit bike, mini bike, or UTVs while upon any street, alley, or thoroughfare or other place in the City.

Recreational and Other Vehicles

(5) So as to pass or attempt to pass another moving ATV, mini-truck, pit bike, mini bike, or UTV upon designated routes in the City.

(6) In a careless, reckless or negligent manner to endanger the person or property of another or cause injury or damage thereon.

(7) With an alcohol level of 0.08 percent or greater, or under the influence of a controlled substance.

(8) With no more passengers than there are seats on the ATV, mini-truck or UTV to carry them. All passengers shall sit on the seats provided, with no infants or young children riding on laps.

(9) Without a rearview mirror as required under Minnesota Statutes Section 169.70.

(10) No person shall operate an ATV, mini-truck, pit bike, mini bike, or UTV on a public sidewalk or trail unless otherwise authorized.

(11) While towing a sled, toboggan, wagon, trailer, or other object unless such sled, toboggan, wagon, trailer or other object is attached to the ATV, mini-truck or UTV by a solid hitch.

(O) Revocation or Denial of Permit.

(1) A permit may be revoked at any time or denied if it is shown that the permittee cannot safely operate an ATV, mini-truck, pit bike, mini bike, or UTV on the designated routes or if the permittee has had a valid driver's license revoked for traffic violations.

(2) Authorized Law Enforcement Officers or the City Council may temporarily revoke the permit for violations of this Ordinance until such time as the City Council makes final determination regarding revocation.

(P) Penalty for Operating ATVs, Mini-trucks, Pit Bike, Mini Bike, or UTVs Without a Permit.

Any person who operates an A'TV, mini-truck or UTV, without having obtained a permit from the City is guilty of a misdemeanor.

(Q) *Penalty.* Any person who violates any provision of this Ordinance is guilty of a misdemeanor.

(R) *Limitation of Liability.* Nothing in this Ordinance shall be construed as an assumption of liability by the City for any injuries to persons or property which may result from the operation of an ATV, mini-truck, pit bike, mini bike, or UTV by a permit holder or the failure of the City to revoke said permit.

(S) *Effective Date.* This Ordinance becomes effective from and after its passage and publication.

CHAPTER 74: BICYCLES, ROLLER BLADES, ROLLER SKATES, ROLLER SKIS AND SKATEBOARDS

Section

Bicycles

- 74.01 Definition
- 74.02 Traffic laws apply
- 74.03 Manner and number riding
- 74.04 Hitching rides
- 74.05 Where to ride
- 74.06 Right-of-way; sidewalks
- 74.07 Carrying articles
- 74.08 Lighting and brake equipment
- 74.09 Sale with reflectors

Roller Blades, Roller Skates, Roller Skis and Skateboards

- 74.25 Definitions
- 74.26 Unlawful acts
- 74.27 Right-of-way
- 74.28 Hours of use

- 74.99 Violations

BICYCLES

§ 74.01 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

BICYCLE. Every device propelled solely by human power upon which any person may ride, having two tandem wheels, except scooters and similar devices, and including any device generally recognized as a **BICYCLE** though equipped with two front or rear wheels.

§ 74.02 TRAFFIC LAWS APPLY.

Every person riding a bicycle on a street or upon any path set aside for the exclusive use of bicycles shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this title, except as to special regulations in this chapter and except as to those provisions of this chapter which by their nature can have no application.

Ghent City Code - Traffic Code

§ 74.03 MANNER AND NUMBER RIDING.

(A) It is unlawful for any person propelling a bicycle to ride other than upon or astride a permanent and regular seat attached thereto.

(B) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except on a baby seat attached to the bicycle, provided that the seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel, or in a seat attached to the bicycle operator.

Penalty, see § 74.99

§ 74.04 HITCHING RIDES.

It is unlawful for any person riding upon any bicycle, coaster, roller skates, roller blades, skate board, sled, or toy vehicle to attach the same or themselves to any vehicle upon a street.

Penalty, see § 74.99

§ 74.05 WHERE TO RIDE.

(A) Every person operating a bicycle upon a street shall ride as near to the right side of the street as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(B) Persons riding bicycles upon a street shall not ride more than two abreast except on paths or parts of streets set aside for the exclusive use of bicycles.

Penalty, see § 74.99

§ 74.06 RIGHT-OF-WAY; SIDEWALKS.

Whenever a person is riding a bicycle upon a sidewalk, the person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian.

Penalty, see § 74.99

§ 74.07 CARRYING ARTICLES.

It is unlawful for any person operating a bicycle to carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handlebars.

Penalty, see § 74.99

Bicycles, Roller Blades, Roller Skates, Roller Skis and Skateboards

§ 74.08 LIGHTING AND BRAKE EQUIPMENT.

(A) Every bicycle, when in use at night time, shall be equipped with, or its operator shall carry a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front, and with a red reflector on the rear of a type approved by the Department of Public Safety which is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector. No person may, at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, operate a bicycle unless the bicycle or its operator is equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective materials on each side of each pedal to indicate their presence from the front or the rear and with a minimum of 20 square inches on each side of the bicycle or its operator of white reflective material. All reflective materials used in compliance with this section shall meet the requirements as prescribed by the Commissioner of Public Safety.

(B) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

Penalty, see § 74.99

§ 74.09 SALE WITH REFLECTORS.

It is unlawful for any person to sell or offer for sale any new bicycle unless it is equipped with such reflectors as are prescribed in § 74.08.

Penalty, see § 74.99

ROLLER BLADES, ROLLER SKATES, ROLLER SKIS AND SKATEBOARDS

§ 74.25 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

BUSINESS DISTRICT. That part of the City so designated by council resolution.

OPERATE. To ride on or upon or control the operation of roller blades, roller skates, or a skateboard.

OPERATOR. Every person who operates or is in actual physical control of roller blades, roller skates, or a skateboard.

ROLLER BLADES/ROLLER SKATES. A shoe with wheels attached or a device with wheels which is designed to be attached to a shoe.

Ghent City Code - Traffic Code

ROLLER SKIS. A pair of skis platformed with wheels attached which is intended to simulate skiing.

SKATEBOARD. A device for riding-upon, usually while standing, consisting of an oblong piece of wood, or of other composition, mounted on skate wheels.

§ 74.26 UNLAWFUL ACTS.

(A) It is unlawful for any person to operate roller blades, roller skates, roller skis or a skateboard under the circumstances set forth hereafter:

(1) On private property of another without the express permission to do so by the owner or occupant of the property; or

(2) In any careless, reckless, or negligent manner so as to endanger or be likely to endanger the safety of any person or property of any other person.

(B) It is unlawful for any person operating roller blades, roller skates, roller skis or a skateboard to attach the same, or the person of the operator, to any vehicle upon a street.

(C) Every person operating roller blades, roller skates, roller skis or a skateboard upon a street shall ride as close as possible to the right-hand curb or edge of the street.

(D) Every person operating roller blades, roller skates, roller skis or a skateboard upon a street shall observe the same rules of the road as required of bicycles, pursuant to M.S. § 169.222.

Penalty, see § 74.99

§ 74.27 RIGHT-OF-WAY.

The operator of roller blades, roller skates, roller skis or a skateboard emerging from any alley, driveway, or building, upon approaching a sidewalk or the sidewalk area extending across any alleyway, shall yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area and upon entering the street shall yield the right-of-way to all vehicles approaching on the street.

Penalty, see § 74.99

§ 74.28 HOURS OF USE.

It is unlawful for any person to use roller blades, roller skates, roller skis or a skateboard upon a public street, sidewalk, or other roadway from 10:00 p.m. to 6:00 a.m., except on private property with express permission of owner, and except if the roller blades, roller skates, roller skis, skateboard or operator are equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of head lamps on a motor vehicle. The reflective material shall be a minimum of 40 square inches. All reflective materials used in compliance with this section shall meet the requirements as prescribed by the Commissioner of Public Safety.

Bicycles, Roller Blades, Roller Skates, Roller Skis and Skateboards

Penalty, see § 74.99

§ 74.99 VIOLATIONS.

A person apprehended by a peace officer in violation of the provisions of this chapter does, by his or her use of the public sidewalks, streets, and public parking lots, consent to the impoundment by a police officer of the roller blades, roller skates, roller skis or skateboard for a period of three days upon a first offense, a week upon the second offense and 30 days upon a third or additional offense. Any

operator aggrieved by the impoundment of his or her roller blades, roller skates, roller skis or skateboard may petition the Council for a hearing thereon at the next regular Council meeting following the impoundment. This provision is in addition to the provisions for fines and penalties as set forth in § 10.99.