

Ordinance No. 45

[Snowmobile Ordinance]

AN ORDINANCE REGULATING THE OPERATION OF SNOWMOBILES

The Village Council of the Village of Medicine Lake ordains as follows:

Section .01: Definitions

For the purpose of this Ordinance the terms defined herein shall have the following meanings ascribed to them.

Subd. .01: "Person" includes an individual, partnership, corporation, the state and its agencies and subdivisions, and any body of persons, whether incorporated or not.

Subd. .02: "Snowmobiles" means a self-propelled vehicle designed for travel on snow or ice or natural terrain steered by wheels, skis, or runners.

Subd. .03: "Owner" means a person, other than a lien holder having the property in or title to snowmobile entitled to the use or possession thereof.

Subd. .04: "Operate" means to ride in or on and control the operation of a snowmobile.

Subd. .05: "Operator" means every person who operates or is in actual physical control of a snowmobile.

Subd. .06: "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, including the shoulder.

Subd. .07: "Street or highway" means the entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic.

Subd. .08: "Right of Way" means the entire strip of land traversed by a highway or street in which the public owns the fee or an easement for roadway purposes.

Subd. .09: "Safety or deadman" throttle is defined as a device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving track.

Section .02: Operation on Streets and Highways

A snowmobile may make a direct crossing of a street or highway except an interstate highway or freeway, provided:

- (a) 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.

- (b) The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way of the highway.
- (c) The driver yields the right of way to all oncoming traffic which constitutes an immediate hazard.
- (d) 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.

Subd. .01: No snowmobile shall be operated on streets or highway or within the right of way at any time except as in Sect. .02.

Subd. .02: Notwithstanding any prohibition in this Ordinance, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time when and at locations where snow upon the roadway renders travel by automobile impractical.

Section .03: Operation Generally

Except as otherwise specifically permitted and authorized, it is unlawful for any person to operate a snowmobile within the limits of the Village of Medicine Lake.

Subd. .01: On a public sidewalk or walkways provided or used for pedestrian travel.

Subd. .02: On private property of another without lawful authority or consent of the owner or occupant.

Subd. .03: On any publically owned lands and frozen waters, including but not limited to park property, playgrounds, recreation areas, except areas previously listed or authorized for such use by the proper public authority, in which case such use should be lawful and snowmobiles may be driven in and out of such areas by the shortest route. Authorized areas in the Village of Medicine Lake owned by the Village shall be designated by council resolution.

Subd. .04: At any place, while under the influence of intoxicating liquor or narcotics or habit forming drugs.

Subd. .05: At a rate of speed greater than reasonable or proper under all the surrounding circumstances.

Subd. .06: At any place in a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.

Subd. .07: At a speed greater than ten miles an hour when within 100 feet of any lakeshore, except in channels, or of fishermen, ice house or skating rinks, nor shall operation be permitted within 100 feet of any sliding area, nor where the operation would conflict with the lawful use of property or would endanger other persons or property.

Subd. .08: 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.

Subd. .09: During the hours from 11:00 p.m. to 7:00 a.m. of any day.

Section .04: Equipment

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

Subd. .01: Standard mufflers which are properly attached and in constant operation, and which reduce the noise of operation of the motor to the minimum necessary for operation. Mufflers shall comply with Regulation CONS. 55 which is hereby adopted by reference as it existed on September 1, 1970. No person shall use a muffler cutout, by-pass, straight pipe or similar device on a snowmobile motor, and the exhaust system shall not emit or produce a sharp popping or crackling sound.

Subd. .02: Brakes adequate to control the movement of and to stop and hold the snowmobile under any conditions of operation.

Subd. .03: A safety or so-called "deadman" throttle in operating condition, so that when pressure is removed from the accelerator or throttle, the motor is disengaged from the driving track.

Subd. .04: 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. Such head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least one red tail lamp having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness under normal atmospheric conditions. The equipment to be in operation condition when the vehicle is operated between the hours of one-half hour after sunset to one-half hour before sunrise or at times of reduced visibility.

Subd. .05: Reflective material at least 16 square inches on each side, forward of the handlebars, so as to reflect or beam light at a ninety degree angle.

Section .05: Application of Other Laws

Village traffic ordinances shall apply to the operation of snowmobiles upon streets and highways, and Minnesota Statutes 1969, Section 84.81 to 84.88, and Minnesota Statutes 1969, Chapter 169 except for those provisions relating to required equipment, are hereby adopted by reference, except those provisions which by their nature have no application.

Section .06: Persons Under 18

Subd. .01: No person under 14 years of age shall operate on street or highway or make a direct crossing of a street or 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 on street or highways as

permitted under this Ordinance and make a direct crossing thereof only if he has in his immediate possession a valid snowmobile safety certificate issued by the commissioner of conservation as provided by Minnesota Statutes 1969, Section 84.86.

Subd. .02: It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this section.

Section .07: Leaving Snowmobile Unattended

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

Section .08: Chasing Animals Forbidden

It is unlawful to intentionally drive, chase, run over or kill any animal, wild or domestic, with a snowmobile.

Section .09: Violations

Every person convicted of a violation of any of the provisions of this ordinance shall be punished by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for a period of not more than ninety (90) days, or both, but in either case the costs of prosecution may be added.

Section .10: Severability

Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the ordinance as a whole, or of any part thereof, other than the part held to be invalid.

Section .11: Effect

This Ordinance shall be published in the Minnetonka Sun and shall be effective upon publication.

Adopted by the Village Council of the Village of Medicine Lake this 14th day of January, 1971.

Neal E. Sorensen, Mayor

Attest: Robert P. Rascop, Clerk