

ORDINANCE NO. 15-101

**CITY OF COURTLAND  
NICOLLET COUNTY, MINNESOTA**

AN ORDINANCE ADOPTING AN ALL-TERRAIN VEHICLE, UTILITY TASK VEHICLE AND GOLF CART POLICY WITHIN CITY LIMITS.

PURPOSE AND INTENT: The purpose of this ordinance is to provide reasonable regulations for the use of all-terrain vehicles, utility task vehicles and golf carts on public and private property in the city. This ordinance is not intended to allow what the Minnesota Statutes prohibit nor to prohibit what the Minnesota Statutes expressly allow. If there be any conflict or omission within this ordinance and statute, the statutes (84.92 & 169 in general at this adoption) shall prevail. The ordinance is intended to ensure the public safety and prevent a public nuisance.

DEFINITIONS:

- *ALL-TERRAIN VEHICLE*; Has the meaning as currently described in MN Statutes 84.92  
A motorized floatation-tired vehicle of not less than 3 low pressure tires, but not more than 6 tires, that is limited in engine displacement less than 1000 cubic centimeters, in two classifications being;
  - Class 1=having a total dry weight less than 1,200 pounds. Or,
  - Class 2= of a total dry weight more than 1,200 pounds but less than 1,800 pounds.
- *UTILITY TASK VEHICLE*; Means a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds.
- *MOTORIZED GOLF CART*; Any driven passenger conveyance having 3 or 4 wheels with low pressure tires that is limited in engine displacement of less than 800 cubic centimeters and a total dry weight less than 800 pounds.

PERMIT REQUIRED. No person shall operate a motorized golf cart, all-terrain or utility task vehicle on city streets, alleys, sidewalks, or other public property without obtaining a permit as provided here-in. Every application for a permit shall be made on a form supplied by the city and shall contain the following information.

Applicant Name & Address, Model name, make and year of each golf cart, all-terrain or utility task vehicle, current driver's license or acceptable government issued identification, proof of requisite insurance coverages, and any other information as the city and or statutes may require. Permits shall be granted for a term not to exceed one year, and may be renewed annually from Jan 1<sup>st</sup> to Dec 31<sup>st</sup>. The application shall be accompanied by payment of the prescribed fee, which shall be set by resolution of the City Council as set forth in the Ordinance establishing Fees and charges. Any Off-road vehicles as described in this ordinance, owned and operated by the city for municipal purposes shall not be required to purchase a city permit. The city shall maintain required insurance coverages on any such vehicles they may own and operate.

REVOCATION: Permits may be revoked at any time if there is evidence that the permittee cannot safely operate the motorized golf cart or all-terrain or utility vehicle on designated

roadways. Permits may be revoked if owner or operators of such permitted vehicles are found to be causing a nuisance or excessive noise in violation of state noise emission levels.

INSURANCE: The operator of a motorized golf cart, all-terrain or utility task vehicle shall maintain required evidence of insurance complying with the provisions of Minnesota Statutes section 65B.48, subdivision 5 or 169.045, sub. 8.

HOURS OF OPERATION: Vehicles may only be operated on designated roadways from sunrise to sunset. Except during an emergency, 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 visibility to clearly see persons and vehicles on the roadway at a distance of 500 feet.

DESIGNATED ROADWAYS: Operators of motorized golf carts and four-wheel all-terrain vehicles shall be limited to designated city streets and alleys. Designation of permitted or prohibited routes shall be determined and reviewed by the city council and amended at their discretion. Motorized golf carts and all-terrain vehicles are not permitted on county or state roads and highways except where intersecting street or highway may be crossed.

MINIMUM AGE OF ALL-TERRAIN VEHICLE OPERATOR: A person under 12 years of age shall not make a direct crossing of a street, operate an all-terrain vehicle on a public street or right-of-way, or operate an all-terrain vehicle on lands or waters owned by or under the control of the City. A person 12 years of age or older, but less than 16 years of age, may make a direct crossing of a street only if they possess a valid all-terrain vehicle safety certificate and is accompanied on another all-terrain vehicle by a person 18 years of age or older who holds a valid driver's license. No person under the age of 16 shall otherwise operate an all-terrain vehicle on a roadway. All ATV operators less than 18 years of age shall wear a helmet per MN Statutes.

APPLICABILITY OF TRAFFIC LAWS: Every operator of a motorized golf cart, all-terrain vehicle or utility task vehicle on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statutes, chapter 169.045 sub.6, except when those provisions cannot reasonably be applied to motorized golf carts or all-terrain vehicles. The number of occupants may not exceed the designed load capacity of any permitted vehicle.

REAR-VIEW MIRROR: Every motorized golf cart, all-terrain, or utility task vehicle, which is so constructed, loaded or connected with another vehicle as to obstruct the driver's view to the rear there of from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of 200 feet to the rear of such vehicle.

SLOW-MOVING VEHICLE EMBLEM, Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minnesota Statutes, section 169.522 when operated on designated roadways.

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.

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. Adoption of this ordinance replaces and amends any references to motorized golf carts or all-terrain or off-road vehicles within existing City of Courtland Ordinance Part 5-Snowmobiles.

EFFECTIVE DATE, This ordinance shall be in full force and effect as of August 1<sup>st</sup>, 2015. Passed by the City Council of the City of Courtland on June 4<sup>th</sup>, 2015.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk