

SEC. 6.01 CERTAIN STATUTES ADOPTED BY REFERENCE

- A. Except as otherwise provided in this Chapter or in Chapter 5 of this Code, the regulatory and procedural provisions of Minnesota Statutes, Chapter 169, commonly referred to as the Highway Traffic Regulation Act, as amended, is hereby incorporated herein and adopted by reference, including the penalty provisions thereof.
- B. Except as otherwise provided in this Chapter, or in Chapter 5 of this Code, Minnesota Statutes, Section 171.02, 171.03, 171.08 and 171.24, as amended through Laws of 1985, are hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

SEC. 6.02 U-TURNS

It is unlawful for any person to operate a motor vehicle by turning so as to proceed in the opposite direction upon any street except at a street intersection, and then only if the street intersection is not sign-posted prohibiting a U-turn or otherwise controlled by a traffic signal; provided, that any person making a permitted U-turn shall yield the right-of-way to all other vehicles.

SEC. 6.03 LEFT TURNS PROHIBITED

The County Sheriff may, in his discretion, and with the consent of the City Council, prohibit left turns entirely, or during specified hours, at certain intersections. It is unlawful for any person to make a left turn at any intersection sign-posted prohibiting the same, or make a left turn during the hours of such sign-posted prohibition.

SEC. 6.04 EXHIBITION DRIVING

- A. Prima Facie Evidence. It is prima facie evidence of exhibition driving when a motor vehicle stops, starts, accelerates, decelerates, or turns at an unnecessary rate of speed so as to cause tires to squeal, gears to grind, soil to be thrown, engine backfire, fishtailing or skidding, or, as to two-wheeled or three-wheeled motor vehicles, the front wheel to lose contact with the ground or roadway surface.
- B. Unlawful Act. It is a misdemeanor for any person to do any exhibition driving on any street, parking lot, or other public or private property, except when an emergency creates necessity for such operation to prevent injury to persons or damage to property.

SEC. 6.05 ONE-WAY STREETS

- A. The City Council may, by resolution, designate streets as one-way streets.
- B. It is a misdemeanor for any person to travel upon any one-way street in a direction opposite that designated when the same has been duly sign-posted.

SEC. 6.06 EXCESSIVE VEHICLE NOISE, INCLUDING NOISE FROM TRUCKS USING ENGINE RETARDING BRAKES PROHIBITED.

- A. Definitions. For the purposes of this ordinance, the following phrases are defined as follows:
  - 1. "Engine retarding brake" shall mean 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.
  - 2. "Abnormal or excessive noise" shall mean (a) 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, (b) noise in excess of that permitted by Minnesota Statutes Section 169.69, as it may be amended from time to time, which requires every motor vehicle to be equipped with a muffler in good working order, or (c) noise in excess of that permitted by Minnesota Statutes Section 169.693 and Minnesota Rules parts 7030.1000 through 7030.1050, as this statute and these rules may be amended from time to time, which establish motor vehicle noise standards.
- 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 because of an illegally modified or defective exhaust system, except in an emergency.
- D. Minnesota Statutes Sections 169.69 and 169.693 (motor vehicle noise limits) and Minnesota Rules parts 7030.1000 through 7030.1050 , as these statutes and rules may be amended from time to time, are hereby adopted by reference.
- 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 ordinance, except that no sign stating "VEHICLE NOISE LAWS ENFORCED" shall be installed on a state highway without a permit from the Minnesota Department of Transportation. The provisions of this ordinance are in full force and effect even if no signs are installed.

- F. It is the intention of the City Council that all future amendments to any statutes and rules referenced or adopted by reference in this ordinance are also referenced or adopted by reference as if they had been in existence at the time this ordinance was adopted.
- G. Any person, firm or corporation who violates any provision of this ordinance shall, upon conviction, be guilty of a petty misdemeanor and punished by a fine of not more than \$300.

#### SEC. 6.07 SNOWMOBILE RULES AND REGULATIONS

##### A. Definitions.

1. "Snowmobiles" means a self-propelled vehicle designed for travel on snow or ice or a natural terrain steered by wheels, skis or runners.
2. "Commissioner" means the Commissioner of Department of Natural Resources, state of Minnesota.
3. "Person" means an individual, partnership, corporation, the state and its agencies and subdivisions, and any body of persons, whether incorporated or not.
4. "Owner" means a person other than a lien holder having the property in or title to snowmobile, entitled to use, or possession thereof.
5. "Operate" means to ride in or on and physically or constructively control the operation of a snowmobile.
6. "Operator" means every person who operates or is in actual physical or constructive control of a snowmobile.
7. "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, including the shoulder.
8. "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.
9. "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.

10. "Safety or Deadman Throttle" means a device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the track.
11. "Lake" means bodies of water which are under the jurisdiction of the Commissioner of the Department of Natural Resources, State of Minnesota.

B. Restrictions.

It is a misdemeanor for any person to operate a snowmobile:

1. On public streets and alleys between the hours of 12:00 a.m. and 7:00 a.m., except for emergency purposes .
2. At any place while under the influence of alcohol or drugs as defined in Minn. Stat. § 169.121.
3. At a rate of speed greater than reasonable, prudent, or proper under all the surrounding circumstances, not to exceed 10 miles per hour.
4. At any place in a careless, reckless, or negligent manner so as to endanger or be likely to endanger any person or property or to cause injury or damage thereto.
5. To intentionally drive, chase, run over, or kill any animal, wild or domestic, with a snowmobile.
6. On any sidewalks, walkways paths or other areas in the City of Hanover provided for pedestrian travel.
7. On public property, including City parks, unless specifically otherwise designated by the City Council. Any area so designated shall be published in the official newspaper of the City in the legal notice section after such approval.
8. In violation of any City or State traffic laws.

C. Prohibited Areas.

It shall be unlawful to operate snowmobiles in the following areas:

No person shall operate a snowmobile upon the roadway, shoulder, or inside bank or slope of any City trunk, county state-aid, or county highway in this City and, in the case of a divided trunk or county highway, on the right-of-way between the opposing lanes of traffic, except as provided in this ordinance.

No person shall operate a snowmobile on other City streets or roadways within the City

limits for the purpose general recreational use, except as a direct route for access to and from the operator's residence for the purpose of entering or leaving the City.

When permitted by this Section, all snowmobiles shall be operated only on the roadway surface of streets with curb and gutter, or streets without defined ditches and within the ditch bottom or outside slopes of street with defined ditches. Operation of snowmobiles on or across private property is prohibited without express permission of the owner.

No person shall operate a snowmobile within the right-of-way of any trunk City, county state-aid, or county highway between the hours of one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise, except on the right-hand side of such right-of-way and in the same direction as the highway traffic on the nearest land of the roadway adjacent thereto. No snowmobile shall be operated at any time within the right-of-way of any interstate highway or freeway within this City. The provisions of this section shall not apply in the case of emergency when any street is impassible by other motor vehicles.

- D. Age Restriction. Notwithstanding anything in this Section or Code to the contrary, no person under fourteen (14) years of age shall operate a snowmobile on City streets or make a direct crossing of a City street, trunk county state-aid, or county highway as the operator of a snowmobile. A person fourteen (14) years of age or older but less than eighteen (18) years of age may operate a snowmobile on streets as provided by this Section and may make a direct crossing of a City street, trunk county state-aid, or county highway only if he/she has in his/her immediate possession a valid snowmobile safety certificate issued by the Commissioner. If a state law is more restrictive than this Section, then the state law shall control.
- E. Uncontrolled Intersections. No snowmobile shall enter any uncontrolled intersection without making a complete stop. The operator shall yield the right-of-way to any vehicle or pedestrian at the intersection or so close to the intersection so as to constitute an immediate hazard.
- F. Equipment. It is a misdemeanor for any person to operate a snowmobile within the City unless it is equipped with the following:
1. 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 regulations established by the state. No person shall use a muffler cutout, bypass, straight pipe, or similar device on a snowmobile motor, and the exhaust system shall not emit or produce a sharp popping or crackling sound.
  2. Brakes adequate to control the movement of and to stop and hold the snowmobile under any condition of operation.
  3. A safety or so-called "deadman" throttle in operating condition.

4. At least one clear lamp attached to the front with sufficient intensity to reveal persons and vehicles at a distance of at least one hundred feet (100') ahead during the hours of darkness under normal atmospheric conditions. Such headlamp 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 candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of five hundred feet (500') to the rear during the hours of darkness under normal atmospheric conditions. The equipment to be in operating condition when the vehicle is operated between the hours of one-half (1/2) hour after sunset to one-half (1/2) before sunrise or at time of reduced visibility.

5. Reflective material at least sixteen (16) square inches on each side, forward of the handlebars, so as to reflect a beam of light at a ninety (90) degree angle.
- G. Compliance. It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this Section.
- H. Violation. Any person violating the terms of this Section shall, upon conviction, be guilty of a misdemeanor.

#### SEC. 6.08 ALL-TERRAIN VEHICLE (ATV) REGULATIONS

A. Definitions.

For the purposes of this Section, the following definitions apply:

1. "All-terrain vehicles (ATVs)" mean motorized floatation -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 include Class 1 and Class 2 ATVs.
2. "Class 1 ATV" means an ATV that has a total dry weight of less than 900 pounds.
3. "Class 2 ATV" means an ATV that has a total dry weight of 900 to 1,500 pounds.
4. "Owner" means a person, other than a lien holder, having a property interest in or title to an ATV entitled to the use and possession thereof.
5. "Operate" means to ride in or on and control the operation of an ATV
6. "Operator" means every person who operates or is in actual physical control of an ATV

7. “Right -of -way” means the entire right -of -way of a public roadway, including the traveled portions, banks, ditches, shoulders, and medians of a roadway that is not privately owned.

B. Operation of ATVs.

1. Except as herein specifically permitted, Class 1 ATVs may not be operated on any right -of -way of any street, roadway, trail or alley used for motor vehicle travel that is under the jurisdiction of the City. It is a misdemeanor for any person to operate Class 1 ATVs contrary to this section.
2. Consistent with the limitations found in the remainder of this section, Class 2 ATVs may be operated on the extreme right hand side of the right -of -way of streets, roadways, or alleys that are used for other public motor vehicular travel and that are under the jurisdiction of the City.

C. ATV Crossing of Public Road Right -of Way.

1. An ATV 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 ATV is brought to a complete stop before crossing the shoulder or main traveled way of the street or highway;
  - c. the operator yields the right -of -way to all oncoming traffic that constitutes an immediate hazard;
  - d. in crossing a divided street or highway, the crossing is made only at an intersection of such street or highway with another public street or highway; and
  - e. when crossing between the hours of one -half hour after sunset to one -half hour before sunrise or in conditions of reduced visibility, both front and rear lights must be illuminated.
2. Age Restrictions.
  - a. No person under 12 years of age shall make a direct crossing of a street or highway as the operator of an ATV.
  - b. A person 12 years of age or older, but less than 16 years of age, may make a direct crossing of streets and highways as provided herein only

after having been issued a valid ATV safety certificate from the State Commissioner of Natural Resources as provided by Minnesota Statute Section 84.9256 and when accompanied on another ATV by a person 18 years of age or older who holds a valid driver's license.

- c. It is a misdemeanor for the owner of an ATV to permit the ATV to be operated contrary to these provisions.

D. Operation of Class 2 ATVs.

The following requirements are in addition to those already stated in this section:

1. Operation Permitted. Class 2 ATVs:
  - a. Must be primarily designed for off -road, rugged terrain and constitute what is customarily referred to by manufacturers as a Class 2 ATV.
  - b. Must be operated at a rate of speed reasonable or proper under all surrounding circumstances and in no event, at a speed greater than 20 miles per hour.
  - c. Must follow the traffic provisions of the City Code, except for those provisions relating to required equipment and those which by their nature have no application.
  - d. May not enter any intersection without yielding the right -of -way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard.
2. Permit Required. No person shall operate a Class 2 ATV pursuant to this section without a valid permit from the City. Permit applications shall be available at the police department.
  - a. The City Council shall set fees for such permits by resolution.
  - b. Requirements for permit. Applicants must present proof of registration of the Class 2 ATV if such registration is required by Minnesota Statute Section 84.922. Applicants must present proof of insurance from their insurance provider verifying that the applicant maintains liability insurance for the payment of tort liabilities rising out of the maintenance or use of the Class 2 ATV in this state in accordance with the limits contained in Minnesota Statute Section 65B.49, subd. 3(1), as the same may be amended from time to time.
  - c. An operator must have possession of a valid permit while operating a Class 2 ATV pursuant to this section.

- d. All permits granted pursuant to this section shall be issued for a period not to exceed one year and may be renewed annually by complying with the requirements of this section.
  - e. Nothing in this section 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 Class 2 ATV by a permit holder; the grant of such permit; or the failure by the City to revoke said permit.
3. Age Requirement. In order to operate a Class 2 ATV on the right -of -way as permitted by this section, operators must' be at least 18 years of age and have a driver's license that would allow operation of a motor vehicle in the State of Minnesota.
  4. Passenger Limits. A person may operate a Class 2 ATV while carrying up to the number of passengers for which the Class 2 ATV was designed.
  5. Equipment Required. It is a misdemeanor for any person to operate a Class 2 ATV on the right -of -way as permitted by this section unless it is equipped with the following:
    - a. A rear view mirror or left and right side view mirrors, located so as to reflect to the operator a view of the roadway for a distance of at least 200 feet to the rear of the vehicle.
    - b. Standard mufflers as required by Minnesota Rule 6102.0040, subpart 4, which are properly attached and in constant operation, and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, bypass, straight pipe or similar device on an motor.
    - c. Brakes adequate to control the movement of and to stop and hold the ATV under normal operating conditions.
    - d. A safety or so- called "deadman" throttle in operating condition. A 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.
    - e. At least two clear headlamps and two red taillights. Such headlamps and taillights are to be lit at all times while operating Class 2 ATVs.

The headlamps must have 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 headlamps shall be

aimed so that glaring rays are not projected into the eyes of an oncoming ATV or other motor vehicle operator.

The taillights must have a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions.

- f. Reflective material at least 16 inches square on each side, forward of the steering wheel, so as to reflect light at a 90 degree angle.

6. Operation Prohibited. Class 2 ATVs must not be operated:

- a. In the downtown district. For purposes of this Subdivision, "downtown district" shall mean that portion of the City lying between County Road 19 and River Road and between the Crow River and Church Street.
- b. On trunk highways, such as Wright County State Aid Highway 19, Wright County State Aid Highway 20, Wright County State Aid Highway 34, Hennepin County State Aid Highway 19, Hennepin County State Aid Highway 123, Hennepin County State Aid Highway 117 as provided in Minnesota Statute Section 84.928, subd. 1(a).
- c. On River Road NE, west of Wright County State Aid Highway 19
- d. To tow any passengers, except that a disabled vehicle being towed by any means may contain one human passenger if necessary to steer the vehicle.

E. Every person leaving an ATV in a public place shall lock the ignition and remove the key.

F. Operation of ATVs Prohibited. Except as herein specifically permitted and authorized, it is a misdemeanor for any person to operate ATVs:

1. On a public sidewalk provided for pedestrian travel except to remove snow from the sidewalk adjacent to the owner or operator's own premises or the premises of another person with the specific permission of that person.
2. On boulevards within any public right-of-way.
3. On private property of another without specific permission of the owner or person in control of the property.
4. On any other public place, except as may be specifically permitted by other provisions of the City Code.

5. Within 100 feet of any skating rink or sliding area.
6. While under the influence of alcohol or drugs as defined in Minnesota Statute Section 169A.20, as it may be amended from time to time.
7. At a rate of speed greater than reasonable or proper under all surrounding circumstances, but in no event at a speed greater than 20 miles per hour;
8. In a careless, reckless, or negligent manner or heedlessly in disregard of the rights or safety of others, or in a manner so as to endanger or be likely to endanger or cause injury or damage to any person or property.
9. So as to intentionally chase, run over, or kill any animal.