

Chapter 7 Traffic Code

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Section 700 Traffic Regulations

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General Provisions**700.01 State Highway Traffic Regulation Adopted by Reference**

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 here.

The penalty for violations of the provision of state statutes adopted by reference in this section shall be identical with the penalty provided for in the statutes for the same offense.

700.02 Truck Prohibited on Certain Streets**Subd. 1. Designated Streets**

The City Council by Resolution may designate streets on which travel by commercial vehicles in excess of 10,000 pounds axle weight is prohibited. The Chief of Police shall cause appropriate signs to be erected on those streets. No person shall operate a commercial vehicle on posted streets in violation of the restrictions posted.

Subd. 2. Exemptions

The weight restrictions established in subdivision one (1) shall not apply to city or emergency vehicles, public school buses or to garbage and refuse trucks making regular collections and are under contract with the city, nor shall the weight restrictions in subdivision (1) apply if a commercial vehicle must use the particular street in question for the purpose of local pick-up or delivery.

Penalty, see § 100.99.

700.03 Stop Intersections

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 § 100.99.

700.04 Through Streets and One-Way Streets

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 the designated streets. It shall be unlawful for any person to fail to obey the markings or signs posted under this section

Penalty, see § 100.99.

700.05 Turning Restrictions**Subd. 1. Designated intersections**

The City Council by resolution may, whenever necessary to preserve 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 time 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.

Subd. 2. Signs

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

Subd. 3.

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

Penalty, see § 100.99

700.06 U-Turns Restricted**Subd. 1. Definition**

As used in this section, U-TURN means any turn in which the driver of a motor vehicle causes his/her vehicle to cross the solid yellow center line of the street either to proceed in the opposite direction from the direction in which the vehicle was originally heading, or to cross the solid yellow center line of the street to park on the opposite side of the street from the side on which the vehicle was originally traveling

Subd. 2. Designation

Any street within the city, which is designated with a solid yellow line down the middle of said street shall be a zone in which U-Turns are prohibited.

Penalty, see § 100.99.

700.07 Excessive Noise – Light Motor Vehicle**Subd. 1. Definition**

As used in this section, LIGHT MOTOR VEHICLES means any automobile, van, motorcycle, motor-driven cycle, motorscooter, go cart, minibike, trail bike, or truck with a gross vehicular weight of less than 10,000 pounds.

Subd. 2. Excessive Noise Prohibited

It shall be unlawful for any person to operate, or cause to operate, or use a light –motor vehicle, snowmobile, or all terrain vehicle in a manner as to cause, or allow to be caused, excessive noise

levels as a result of unreasonable rapid accelerations, decelerations, 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.

Subd. 3. State Statute

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

Subd. 4.

No person shall operate, or cause to operate, or use a light-motor vehicle that discharges 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.

Subd. 5. Exemptions

The following are exempted from the provisions of this section:

- A. Sound emitted from sirens of authorized emergency vehicles;
- B. 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
- C. Celebrations on Halloween and other legal holidays and celebrations in connection with duly authorized parades.

Penalty, see § 100.99

700.08 Exhibition Driving Prohibited

Subd. 1. Exhibition

As used in this section EXHIBITION DRIVING means any unreasonable acceleration of a motor vehicle which causes the tire or tires to spin and causes squealing or screeching of tires or the throwing of sand or gravel by the tires of the said vehicle or both. Prima facie evidence of exhibition driving shall be squealing or screeching sounds emitted by the tires or the throwing of sand or gravel by the tires or both.

Subd. 2. Unreasonable Braking

UNREASONABLE BRAKING means any braking or stopping of a motor vehicle in a short distance which causes the squealing or screeching sounds of the tires or the throwing of sand or gravel by the tires, or to cause the rear end of the said vehicle to fishtail or swerve, or any or all of the above. Prima facie evidence emitted by the tires, throwing of sand or gravel by the tires, or causing the rear end of the motor vehicle to swerve or fishtail, or any or all of the above.

Subd. 3. Unreasonable Fast Turning

UNREASONABLE FAST TURNING means any turning of a motor vehicle at such a speed or at such an angle which exults in the loss of control of the said vehicle, the swerving or fishtailing

of the said vehicle, the screeching or squealing sounds emitted by the tires, throwing of sand or gravel by the tires of the said vehicle, or any or all of the above. Prima facie evidence of such driving shall be swerving or fishtailing of the said vehicle, squealing or screeching sounds emitted by the tires, the throwing of sand or gravel by the tires or any or all of the above.

Subd. 4. Motorcycles and Three and Four Wheeled Vehicles

All motorcycles and three and four wheeled vehicles shall keep their front wheels in contact with the road bed at all times, and failure to do so shall be prima facie evidence of exhibition driving.

Subd. 5. Exception:

Any action taken to avoid an accident or in the course of any emergency situation which necessitates rapid acceleration, braking or turning of a motor vehicle, shall not be construed as a violation of this section.

Penalty, see § 100.99

700.09 Cruising Prohibited

Subd. 1. Definition

As used in this section, CRUISING means the operation of a motor vehicle as defined in M.S. §169.01, Subd. 3, 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.

Subd. 2. Repetitive Driving

The passing of a traffic control point under the conditions previously stated shall constitute unnecessary repetitive driving and is a violation of his section.

Subd. 3. Exceptions

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

Subd. 4. Signs the Cruising Zone

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.

Penalty, see § 100.99.

700.10 Motor Vehicle Noise

Subd. 1 Definitions.

For the purposes of this section, the following phrases are defined as follows:

"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.

"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 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 (c) noise in excess of that permitted by M. S. § 169.693 and Minn. 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.

Subd. 2 Mufflers Required

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.

Subd. 3 Engine Retard Brake

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.

Subd. 4 Adoption of State Statute and Rules

M. S. § 169.69 and 169.693 (motor vehicle noise limits) and Minn. Rules parts 7030.1000 through 7030.1050, as these statutes and rules may be amended from time to time, are hereby adopted by reference.

Subd. 5 Signs

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.

Penalty, see § 100.99.

Section 710 Parking Regulations

710.01	Authority.
710.02	General Parking Regulations.
710.03	Downtown Business Area Parking Regulations.
710.04	Truck, Truck-Tractor, Recreational Parking.
710.05	Time Limitation on Parking.
710.06	Snow Removal Parking Restrictions.
710.07	Impeding Snow Removal Operations.
710.08	Snow Emergency and Maintenance Parking Restrictions.
710.09	Authority to Remove Vehicles.

710.01 Authority.

Minnesota Statutes, Section 169.34 thru Section 169.35, are adopted by reference.

710.02 General Parking Regulations.

Subd. 1. General

No person shall park a vehicle upon a street or alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic.

Subd. 2. White Lines

White lines or markings may be painted upon the curb or streets designating the parking spaces. No person shall park a vehicle across any such line or markings, or park a vehicle in such a position that it shall not be entirely within the space designated by such lines or markings.

Subd. 3. Yellow Markings

Yellow markings may be painted upon the curb or street designating a no parking zone. No person shall park a vehicle within the painted area, except for designated loading and unloading zones.

Subd. 4. Reserved or Designated Spaces

No vehicle shall park or obstruct access to a parking space designated and reserved for the physically disabled. Such area will be marked with paint, handicap symbol and posted sign reserved for physically disabled persons. Vehicles parked in a space designated and reserved for the physically disabled will have to display the required certificate, license plate, or temporary permit.

Penalty, see § 100.99

710.03 Downtown Business Area Parking Regulations.

Subd. 1. The following area is designated as the Downtown Business Area:

- Main Street from Railroad Avenue to Margaret Avenue
- Summit Avenue from First Street East to First Street West

Subd. 2. Vehicles Exceeding Two Axles

No commercial vehicle exceeding two axles shall be parked in the Downtown Business Area except during the time necessary to continuously load or unload goods, articles, or produce to or from the premises abutting on the Area and at such places where such loading or unloading is otherwise permitted by this Ordinance.

Subd. 3. Commercial Vehicles

No commercial vehicle and no vehicle designed and used for the delivery of goods, articles or produce, shall be loaded or unloaded in whole or in part in the Downtown Business Area where access to the premises is available from or by any other street or alley than those so designated as the Area. At places where such access by other streets or alleys is not available, such vehicles may stop or park, during the time necessary to continuously load or unload goods, articles or produce to or from the premises abutting on the Area.

Subd. 4. Downtown Parking Time Limitations

Except as otherwise provided in these Parking Regulations or by Council Resolution, no vehicle shall be parked or stopped in the Downtown Business Area on any day for a continuous period of more than three hours between the hours of 8:00 a.m. and 6:00 p.m.

Subd. 5. Prohibited Parking

Parking is prohibited in the Downtown Business Area from 1:00 a.m. to 6:00 a.m. daily.
Penalty, see § 100.99

710.04 Truck, Truck-Tractor, Recreational Parking.**Subd 1. General**

It is unlawful to park a semi, trailer, truck tractor, or combination thereof or any other vehicle with more than 9000 pounds gross vehicle weight, or any other vehicle designated, used or maintained for towing other motor vehicles or equipment upon any street, alley, driveway, or upon any public property which is within an area zoned as a residential district, except for the purpose of loading or unloading and then only for a period no longer than two hours.

Subd. 2. Parking

A Truck-tractor may be parked on private property in the area in the city zoned residential use or other area designated by the City Council by resolution under the following conditions:

- A. If the private property owner has granted permission.
- B. The truck-tractor is not in violation of any other part of this ordinance or any other City of Blackduck Ordinance.
- C. The truck-tractor is not parked for more than twenty-four (24) hours or the truck-tractor is parked in a completely enclosed garage.

Subd. 3. Engines and Auxiliary Motors

No truck-trailer engines or auxiliary motors on any vehicle or trailer shall be allowed to operate except when actively loading, unloading, or performing a service.

Subd. 4. Recreational Vehicles

It shall be unlawful for any person to leave or park a travel trailer, pick-up coach, motor home, camping trailer, recreational vehicle or other trailer on any street, right-of-way, or in a City-owned parking lot in the City for a continuous period in excess of twenty-four (24) hours, except where signs are erected designating the place as a camp site or in a mobile home park.

Penalty, see § 100.99

710.05 Time Limitation on Parking.

The Council may designate certain blocks or alleys or portions thereof that are in the City as limited parking zones, and shall mark by appropriate signs any zones so established.

Subd. 1. General

No vehicle shall be parked or allowed to stand for more than twenty-four (24) hours on any of the public streets or alleys in the City.

Subd. 2. Stationary Vehicles and Unlawful Acts

A vehicle moved a distance of not more than one (1) block during the limited parking, shall be deemed to have remained stationary. It shall be unlawful, for any reason, to obliterate, erase or remove any mark or sign placed on a vehicle by a Police Officer for the purpose of measuring the length of time such vehicle has parked.

Subd. 3. City Owned Parking Lots

In City-owned parking lots, the Council may limit the size and types of vehicles to be parked, hours of parking and prescribed method of parking, provided that such limitations and restrictions are marked or sign-posted. It shall be unlawful to park a vehicle in any City-owned parking lot contrary to the restrictions or limitations marked or sign-posted.

Subd. 4. Unlawful to Repair on City Property

It shall be unlawful for any person to service, repair, assemble or disassemble a vehicle parked upon a street, alley or City-owned parking lot, or attempt to do so, except to service such vehicle with gas or oil, or to provide emergency repairs, but in no event for more than twenty-four (24) hours.

Penalty, see § 100.99

710.06 Snow Removal Parking Restrictions.

All City streets, City parking lots, county, and State Highways within the City are deemed no parking areas on nights during or following snowfall accumulation of two (2) inches or greater until the snow has been removed.

Penalty, see § 100.99

710.07 Impeding Snow Removal Operations

No motor vehicle shall be parked on any street or alley in a manner that would impede the removal of snow from such street or alley. A motor vehicle owner or operator whose motor vehicle is parked on a street or alley shall ensure that such vehicle is removed from said street or alley before snow removal operations commence or said vehicle may be removed as provided in Section 710.09

Penalty, see § 100.99

710.08 Snow Emergency and Maintenance Parking Restrictions

Subd. 1. Emergency Declared:

Whenever, in the opinion of the Public Works Supervisor, an emergency exists because of snow, freezing rain, sleet, ice, drifts or other natural phenomena, or whenever it becomes necessary for snow removal or maintenance work on any streets in the City, the Public Works Supervisor may declare an emergency to exist and restrict parking for a period of twenty-four (24) hours. The Public Works Supervisor may lift such restrictions sooner if conditions permit. If the Supervisor is absent from the City or is unable to act, the emergency may be declared by the Supervisor's designee.

Penalty, see § 100.99

Subd. 2. Notice

Notice of the declaration of emergency and parking restrictions shall be given by local radio, television, or press, which news media shall be requested to cooperate with the City. When given such notice shall constitute due and proper notice. The notice shall specify the hour that the emergency commences.

710.09 Authority to Remove Vehicles.

Any vehicle, wherever found on any street, alley, or City-owned parking lot, or privately owned property with the permission of the owner of the property or a tenant or other person lawfully in control of the property, in violation of City Ordinances or the laws of the State of Minnesota, is declared to be a nuisance. A Police Officer may summarily abate a nuisance vehicle by: (1) removing said vehicle and storing the same in an appropriate place, or (2) directing or requesting another person to remove said vehicle and store it in an appropriate place. Before the registered owner of a vehicle shall be permitted to recover said vehicle, they shall furnish a registration ownership title, proof of insurance, current registration on said vehicle and a valid driver's license. The registered owner shall pay all the administrative, towing and storage fees of said vehicle to the person storing the vehicle. It shall be unlawful for any person to reclaim such vehicle without first paying all of such administrative, towing and storage fees.

The impounding of a vehicle shall not prevent or preclude the institution and prosecution of proceedings for violation of the law against the owner or operator of such impounded vehicle.

The presence of a vehicle on any street, alley, or City-owned parking lot, when standing or parked in violation of this Ordinance is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

Penalty, see § 100.99

Section 720 Snowmobiles

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720.01 Intent

It is the intent of this section to supplement M.S. §§ 84.81 through 84.91 and M.S. § Chapter 169, as these statues may be amended from time to time and Minnesota rules parts 6100.5000 through 6100.6000, as these rules may be amended from time to time, with respect to the operation of snowmobiles. These statues and rules are incorporated herein by reference. This section is not intended to allow what the state statues and rules prohibit, and not to prohibit what the state statues and rules allow.

720.02 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 pressured 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 of possession thereof.

PERSON. Includes an individual, partnership, corporation, the state and its agencies and subdivision, and any body of person, whether incorporated or into.

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.

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, truck, county-state aid, or county highway.

720.03 Application of Traffic Ordinances.

The provisions of Section 700 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 not application.

Penalty, see §100.99

720.04 Single File

When two or more snowmobiles are proceeding in the same direction on any street or alley, they shall precede in a single file and not side by side.

Penalty, see §100.99

720.05 Restrictions

Subd 1. It is unlawful for any person to enter, operate, or stop a snowmobile within the limits of the city:

- A. In areas not designated as snowmobile trails or trailheads or areas previously listed or authorized for use by resolution of the City Council.
- B. On Summit Avenue for East West Travel. Snowmobiles may use all other Avenues for East West travel. Alleyways will be used for North South travel.
- C. On the roadway of any street, except the most right hand lane then available for traffic or as close as practicable to the 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.
- D. On boulevards within any public right-of-way.
- E. On a public sidewalk provided for pedestrian travel.
- F. On any private property without express permission of the owner or person in control of the property.
- G. On any part of the school grounds, except as permission is expressly obtained from responsible school authorities.

- H. On public property, playgrounds, and recreation areas, except areas previously listed or authorized for 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.
- I. On streets as permitted by this section at a speed exceeding 15 miles per hour.
- J. During the hours of 11:00 p.m. and 6:00 a.m. Sunday through Thursday, and after 12:01 a.m. to 6:00 a.m. on other days closer than 100 feet from any residence and at no time within one block of any church during church activities.

- Subd. 2. It is unlawful for any person to operate a snowmobile within the limits of the city:
- A. 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.
 - B. Within 100 feet of any pedestrian, skating rink, or sliding area where the operation would conflict with use or endanger other persons or operation.
 - C. To intentionally drive, chase, run over or kill any animal.

Penalty, see § 100.99

720.06 Persons under 18

Subd. 1. 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 the streets as permitted under this section and make a direct crossing of those street only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued pursuant to M.S. § 84.872m as it may be amended from time to time.

Subd. 2. 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 § 100.99.

720.07 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 § 100.99

720.08 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. Engine Cover or Hood.
- C. Brakes adequate to control the movement of and to stop and hold the snowmobile under any condition of operation.
- D. A safety or so called deadman throttle in operating condition.
- E. 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 person 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 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.
- 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 § 100.99

720.09 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 § 100.99

720.10 Emergency Operation Permitted

Notwithstanding any prohibitions in the section, 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.

Section 730 All Terrain Vehicles and Motorized Golf Carts

730.01	Intent.
730.02	Application of Traffic Ordinances.
730.03	Restrictions.
730.04	Unlicensed All Terrain Vehicles.

720.01 Intent

It is the intent of this section to supplement M.S. §§ 84.92 through 84.929 and M.S. Chapter 169, as these statutes may be amended from time to time with respect to the operation of All Terrain Vehicles. These statutes and rules are incorporated herein by reference. This section is not intended to allow what the state statutes and rules prohibit, not to prohibit what the state statutes and rules allow.

730.02 Application of Traffic Ordinances.

The provisions of Section 700 of this code shall apply to the operation of all terrain vehicles and motorized golf carts upon streets and highways, except for those relating to required equipment, and except those which by their nature have not application.

Penalty, see §100.99

730.03 Restrictions

Subd 1. It is unlawful for any person to enter, operate, or stop an all terrain vehicle or motorized golf cart within the limits of the city:

- A. On Summit Avenue for East West Travel. All terrain vehicles and motorized golf carts may use all other Avenues for East West travel. Alleyways will be used for North South travel.
- B. On boulevards within any public right-of-way.
- C. On a public sidewalk provided for pedestrian travel.
- D. On any private property without express permission of the owner or person in control of the property.
- E. On any part of the school grounds, except as permission is expressly obtained from responsible school authorities.
- F. On public property, playgrounds, and recreation areas, except areas previously listed or authorized for use by resolution of the City Council, in which case the use shall be lawful, and all terrain vehicles and motorized golf carts may be driven in and out of those areas by the shortest route.
- G. On streets as permitted by this section at a speed exceeding 15 miles per hour.

- H. During the hours of 11:00 p.m. and 6:00 a.m. Sunday though Thursday, and after 12:01 a.m. to 6:00 a.m. on other days closer than 100 feet from any residence and at not time within one block of any church during church activities.

Subd. 2. It is unlawful for any person to operate an all terrain vehicle or motorized golf cart within the limits of the city:

- A. So as to tow any person or thing on a public street or highway except through use of a rigid tow bar attached to the rear of the all terrain vehicle provided that a disabled all terrain vehicle may be towed to a private residence or a place of business where all terrain vehicles are repaired without the use of a rigid tow bar.
- B. Within 100 feet of any pedestrian or area where the operation would conflict with use or endanger other persons or operation.
- C. To intentionally drive, chase, run over or kill any animal.

Penalty, see §100.99

730.04 Unlicensed All Terrain Vehicles.

No person shall operate or permit any one to operate his or her unlicensed two, three, or four wheel type vehicles upon the streets, avenues, alleys, or parking lots within the city.

Penalty, see §100.99

Section 740 Trail System Regulations

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740.02	Definitions
740.03	Regulation of Use of Trail Systems
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740.05	Use of Rest Areas
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740.07	Streets & Highways
740.08	Penalty

740.01 Adopted by Reference

Highway Traffic Regulation Act Adopted by Reference. Except as otherwise provided in this Chapter, 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.

740.02 Definitions

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

BICYCLE. Any land based vehicle powered by human muscle.

MOTOR VEHICLE. Any self propelled vehicle and any vehicle propelled or drawn by a self propelled vehicle including, but not limited to automobiles, trucks, dune buggies, motorcycles, golf carts, and ATV's.

PERSON. An individual, partnership, corporation, or association.

SNOWMOBILE. Any self propelled vehicle designed for travel on snow or ice and steered by skis or runners.

SKATEBOARDS. A wheeled, self-propelled device designed to transport a rider in a standing position, which device it not otherwise secured to a rider's foot or shoes.

ROLLER SKATES. A shoe with wheels attached or a device with wheels which is designed to be attached to a shoe. For purposes of this Section, the term "roller skates" shall include "roller blades."

TRAIL. Land contained within the area, designated by the City of Blackduck as part of its recreational trail system.

REFUSE. That which is refused or rejected as useless; waste left unworthy of acceptance; no value; worthless matter. Including but not limited to: food wrappers or containers, unwanted bicycle parts, unwanted items on person, canine or feline feces.

740.03 Regulation of Use of Trail Systems

In general, subject to limitations imposed herein, unless otherwise specifically provided, the trails of the City of Blackduck are intended to be used for hiking, bicycling, snowshoeing, cross country skiing, skateboarding, roller skating, and generally all forms of non-motorized recreation.

Subd 1. Motor Vehicles. No motor vehicles shall be operated upon a trail.

Subd 2. Snowmobiles. No snowmobiles shall be operated upon a trail.

Subd 3. Traffic Control.

- A. Trail signs shall be obeyed.
- B. Trail users must stay on the right half of the trail when meeting another trail user.
- C. When passing or overtaking another trail user passing shall occur on the left and only when such left half is clearly visible and free from oncoming traffic for sufficient distance ahead to permit such overtaking and passing to be completed without interfering with the safety of any trail user approaching from the opposite direction or any trail user being overtaken.
- D. Any trail user who is about to enter or cross a trail shall yield to the right-of-way of any trail user already on the trail to be entered or crossed.

Subd 4. Regulation of Operation of Bicycles on Trails.

- A. *Manner and number riding.* No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except (1) on a baby seat attached to the bicycle, provided that the baby 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 (2) in a seat attached to the bicycle operator.
- B. *Carrying articles.* No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handle bars or from properly operating the brakes of the bicycle.
- C. *Bicycle equipment.* (1) No person shall operate a bicycle at nighttime unless the bicycle or its operator is equipped with a lamp which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector 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. No person may operate a bicycle at any time when there is not sufficient light to render persons and vehicles on the trail clearly discernible at a distance of 500 feet ahead 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 of reflective material on each side of the bicycle or its

operator. Any bicycle equipped with side reflectors as required by regulations for new bicycles prescribed by the United States Consumer Product Safety Commission shall be considered to meet the requirements for side reflectorization contained in this subdivision. A bicycle may be equipped with a rear lamp that emits a red flashing signal. (2) No person shall operate a bicycle unless it is equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement. (3) No person shall operate upon a trail any bicycle equipped with handlebars so raised that the operator must elevate the hands above the level of the shoulders in order to grasp the normal steering grip area. (4) No person shall operate upon a trail any bicycle which is of such a size as to prevent the operator from stopping the bicycle, supporting it with at least one foot on the trail surface and restarting in a safe manner.

- D. *Turning, lane change.* An arm signal to turn right or left shall be given continuously during the last 100 feet traveled by the bicycle before turning, unless the arm is needed to control the bicycle, and shall be given while the bicycle is stopped waiting to turn.
- E. *Bicycle parking.* A bicycle parked on a trail shall not impede the normal and reasonable movement of pedestrian or other traffic.
- F. *Peace officer operating bicycle.* The provisions of this section governing operation of bicycles do not apply to bicycles operated by peace officers while performing their duties.

740.04 Exceptions to Motor Vehicle Exclusion

The following motor vehicles are exempt from the general prohibition contained in 740.03 Subd 1:

- A. Military, fire, emergency or law enforcement vehicles used for official or emergency purposes;
- B. Vehicles authorized by permit, lease or contract;
- C. Vehicles owned by the City of Blackduck or private persons engaged in the upkeep, snowplowing, and maintenance of the trail systems under the direction of the local unit of government that manages the trail;
- D. Vehicles registered to or operated with the permission of a land owner on whose lands the trail system has been constructed, but only with respect to operation on the land of that owner; and
- E. Motorized wheelchairs or other motorized devices operated by an individual who is physically disabled.

740.05 Use of Rest Areas

There shall be no overnight camping along the trail or in rest areas along the trail, if any.

740.06 Hunting.

No uncased firearm or bow and arrow shall be possessed within the trail right-of-way at any time. No firearm or bow and arrow shall be discharged within the trail right-of-way at any time.

740.07 Protection of Trails

No person shall disturb, destroy, injure, damage, or remove any property within the trail system including, but not limited to vegetation, wildlife, signs or facilities.

Subd 1. Bill Posting. No person shall post, paste, fasten, paint or fix any placard, bill, notice or sign upon any structure, tree, stone, fence or enclosure within the trail system.

Subd 2. Obstructions. No person shall place or cause to remain within the trail system any obstruction to the free use and enjoyment of the trail. Any obstruction left on the trail may be removed at the owner's expense. If an obstruction of material is removed, and is not claimed and the payment of expenses offered within a reasonable time, which in no case shall be more than 30 days, it shall be disposed of in accordance with the provisions of Minn. Statute, 16B.25, concerning the disposal of lost or abandoned property.

Subd 3. Refuse. No person shall burn or dispose of garbage, refuse, litter or trash within the trail right-of-way except in receptacles provided for that purpose.

740.08 Streets & Highways

The provisions of this Chapter shall not apply to any portion of a trail located on any street or highway as defined in Minnesota Statute Section 169.01.

740.09 Penalty

Penalty, see §100.99