

AN ORDINANCE REGARDING THE REGULATION AND OPERATION OF SNOWMOBILES AND PROVIDING A PENALTY FOR VIOLATION.

THE CITY COUNCIL OF THE CITY OF OAK PARK HEIGHTS, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

801.01 State Law Adopted.
Minnesota Statutes 1969, Chapter 84.81 through 84.89 inclusive, as amended by Chapters 491 and 577 of the 1971 Regular Session Laws and the Session Laws of 1973, 1974, and 1975, are hereby adopted, subject to the provisions herein contained, as the Snowmobile Ordinance of the City of Oak Park Heights. Every provision contained in the said statutes is hereby adopted and made a part of this Ordinance by reference as if fully set forth herein.

801.02 Definitions.
For the purpose of this Ordinance the terms defined herein shall have the meaning ascribed to them:

- A. "Person" includes an individual, partnership, corporation, the State and its agencies and subdivisions, and any body of persons, whether incorporated or not.
- B. "Snowmobile" means a self-propelled vehicle designed for travel on snow or ice or natural terrain steered by wheels, skis, or runners.
- C. "Owner" means a person, other than a lien holder having the property in or title to snowmobile entitled to the use or possession thereof.
- D. "Operate" means to ride in or on and control the operation of a snowmobile.
- E. "Operator" means every person who operates or is in actual physical control of a snowmobile.

801.03 Operation.
Except as herein specifically permitted and authorized, it is unlawful for any person to operate a snowmobile within the limits of the City of Oak Park Heights:

- A. On the portion of any right of way of any City highway, street, road, trail, or alley used for motor vehicle travel, except the most right hand lane which is used for vehicle traffic in the same direction (except in passing a parked vehicle). No person shall operate a snowmobile within the right- of-way of any Trunk, County, State, 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 lane 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 the City.

- B. On a public sidewalk provided for pedestrian travel.
- C. On boulevards within any public right of way.
- D. On private property of another without specific written, dated permission of the owner or person in control of said property.
- E. On any other public place except as may be specifically permitted by other provisions of the City of Oak Park Heights ordinances.

801.04 Traffic Ordinances.

City of Oak Park Heights traffic ordinances 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.

801.05 Regulation.

It is unlawful for any person to operate a snowmobile within the limits of the City of Oak Park Heights:

- A. During the hours from 11:00 P.M. to 7:00 A.M. of any day.
- B. 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.
- C. In any public park unless such park is posted with City signs specifically allowing the operation of snowmobiles therein, and setting forth the hours of the day that such operation shall be allowed, provided, however, that in the event such park is so posted, it shall be unlawful for any person to operate a snowmobile within one hundred (100) feet of any fisherman, pedestrian, skating rink, or sliding area where the operation would conflict with the use or endanger other persons or property. The City Council shall by resolution establish those parks or areas of parks where snowmobiles shall be allowed to operate, and the hours of operation.

801.06 Equipment.

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

- A. 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.
- B. It shall be unlawful to attach a fence cutting device of any kind to a snowmobile.

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

801.08 Penalty.
Every person convicted of a violation of any of the provisions of this Ordinance shall be punished by a fine of not more than Seven Hundred Dollars (\$700.00) or by imprisonment for more than ninety (90) days, or both, unless otherwise provided by State law.