

ORDINANCE #12-XX
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

AN ORDINANCE TO AMEND CHAPTER 54 OF THE RAMSEY CITY CODE, WHICH CHAPTER IS KNOWN AS THE TRAFFIC AND VEHICLE CHAPTER OF THE RAMSEY, MINNESOTA, CITY CODE.

AN ORDINANCE AMENDING ARTICLE IV, SECTIONS 96-102 RECREATIONAL VEHICLES.

The City of Ramsey ordains:

SECTION 1. AUTHORITY

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

SECTION 2. AMENDMENTS

ARTICLE IV. ALL TERRAIN VEHICLES

Sec. 54-96 Purpose

The purpose of this article is to provide reasonable regulations for the use of All Terrain Vehicles (ATVs) on public and private property in the city. This article is not intended to allow what the Minnesota Statutes expressly prohibit nor to prohibit what the state statutes allow. It is intended to prevent public nuisance.

Sec. 54-97 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

All-terrain vehicle (ATV) means a motorized flotation-tired vehicle of not less than three but not more than six low-pressure tires. It includes Class 1 and Class 2 ATVs as per MN State Statute.

Boulevard means that portion of the street or highway between the roadway and private property.

Operate means to ride in or on, and control the operation of an ATV.

Operator means every person who operates, or is in actual physical control of an ATV.

Public property means property that may be used by the public, subject to reasonable regulation by a governmental body. Such property includes city parks, city parking lots and public school parking lots and grounds.

Public road right-of-way means the entire right of way of a roadway that is not privately owned, including the traveled portions, banks, ditches, shoulders and medians.

Roadway means that portion of a street or highway improved, designed or ordinarily used for vehicular travel but not including the boulevard. For the purposes of this article, roadways not dedicated for public use and not maintained by the city are not included within this definition.

Semi-public property means private property generally for use by the public but not owned or maintained by a governmental body. Such property includes without limitation: church property, shopping center property and other property generally used by patrons of a commercial or private business establishment.

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 purpose of vehicular traffic (includes the right-of-way or boulevard). For the purposes of this article, streets or highways not dedicated for public use and not maintained by the city are not included within this definition.

Sec 54-98 Operation limitations

- (a) ATVs may not be operated in the following areas:
 - (1) Any area posted that ATV's are not allowed.
 - (2) On or long the Burlington Northern Rail Road tracks.
 - (3) On lots less than two and one-half acre in size unless it is for maintenance or plowing
 - (4) On any city sidewalks, bike or pedestrian trails.
 - (5) On Semi-public, public or private property unless posted otherwise.
 - (6) Within a City parking ramp.
 - (7) Within the right-of-way or ditch area, of a trunk, county state-aid, county highway, state highway or City street.
- (b) ATVs may be operated only as follows:
 - (1) On the operator's property subject to the provisions of this article.
 - (2) On privately owned property if the operator has in possession written permission from the property owner; or, on privately owned property if the property owner has posted a clearly visible notice indicating "ATV" or words substantially

similar.

- (3) On all City streets as allowed by MN State Statute.
- (4) On public or semi-public property only if clearly posted with signs designating the area or specific areas as open to ATVs.
- (5) On your own property or the property of another with written permission only if the property is greater than two and one-half acres in size.

(c) *Specific limitations for operation of ATV's.*

- (1) A direct crossing of a street, roadway, county or state highway is permitted if:
 - a. The crossing is made at an angle of approximately 90 degrees to the roadway at a place where no obstruction prevents a quick and safe crossing or blocks the view of oncoming traffic for 300 feet;
 - b. The vehicle is brought to a complete stop before crossing the shoulder or entering upon the traveled portion of the street, road or highway;
 - c. The driver yields the right-of-way to all oncoming traffic that constitutes an immediate hazard;
 - d. In the case of a divided highway, the crossing shall be made only at an intersection of the highway with another street or road;
 - e. If the crossing is made during period of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, the front and rear lights of the vehicle must be on.
 - (2) An ATV may only be operated with the number of passengers that it was designed to carry.
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- (d) Every person operating an ATV on the roadway has the rights and duties applicable to the driver of any other vehicle under the provisions of chapters 169 and 84 of the Minnesota statutes, except those provisions that cannot be reasonably applied.
 - (e) Every operator/owner of an ATV must be able to provide proof of insurance complying with section 65B.48, subd 5.
 - (f) For an ATV to be used off of the owner's property, the owner first must request and obtain a City permit from the police department.
 - (g) Permits that are granted will be valid for a period not to exceed three years.

SECTION 3. SUMMARY

The following is the official summary of Ordinance #12-XX, which has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

It is the intent and effect of Ordinance #12-XX to amend Ramsey, Minnesota City Code Sections Article IV, Sections 96-102 Recreational Vehicles to expand the Designated Recreational Use Areas within the City of Ramsey to include a Restricted Use Area of the City.

SECTION 4. EFFECTIVE DATE

The effective date of this Ordinance is thirty (30) days after its passage and publication, subject to City Charter.

Adopted by the Ramsey City Council the ____ day of _____, 2012.

Mayor

ATTEST:

City Clerk

Introduction Date: **May 8, 2012**
Posting Dates:
Adoption Date:
Publication Date:
Effective Date: