

**ORDINANCE #11-16
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

AN AMENDMENT TO 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 96-105 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. REPEAL

Article IV Recreational Vehicles of the City Code is hereby repealed and replaced with the following new Article IV Recreational Vehicles.

SECTION 3. AMENDMENTS

ARTICLE IV. RECREATIONAL VEHICLES

Sec. 54-96. - Purpose.

The purpose of this article is to provide reasonable regulations for the use of recreational vehicles on public and private property in the city. This article is not intended to allow what the Minnesota state 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:

Agricultural zone means the areas in the state lying south and west of a line along the following highway rights-of-way: starting at the North Dakota border, the line goes east along State Highway 10 to State Highway 23, then follows Highway 23 east to State Highway 95, which it follows to the Wisconsin border.

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 (engine displacement of less than 960 cubic centimeters and total dry weight of less than 1,000 pounds) and

Class 2 (engine displacement of less than 960 cubic centimeters and total dry weight of 1,000 to 1,800 pounds) ATV's as per Minnesota State Statute.

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

Designated non-use area means that area south of a straight line running from east to west at the 16700 block, starting at the Rum River on the east and running to the City of Elk River border on the west. Within the non-use area, access to Elmcrest Park and Central Park will be made and restricted to loading and unloading of snowmobiles and ATVs in the parking lots only. A designated route from the parking lot will be clearly posted to allow access to 167th Avenue from Elmcrest Park. A designated route from the parking lot of Central Park will be clearly posted to allow access to Armstrong Blvd. for direct northbound travel to the designated use area.

Designated trail shall mean a clearly marked route for recreational vehicles to follow.

Designated use area means the area north of a straight line running from east to west at the 16700 block, starting at the Rum River on the east and running to the City of Elk River border on the west.

Go-cart means a low, four-wheeled motorized device with an open or closed frame designed and used for off-street operation only.

Golf-cart means a passenger conveyance, electric or gasoline motor powered vehicle, with four low pressure tires and a engine displacement not exceeding 800 cubic centimeters and a total dry weight not exceeding 800 pounds.

Mini-bike means a small, two-wheeled motorized device designed for off-street operation. Mini-bikes may include miniature motorcycles and do not qualify as a moped, motorcycle or an ATV.

Off-highway motorcycle (OHM) means vehicles traveling on two wheels with a seat to be straddled by the operator with handlebars for steering control. OHMs may include some mini-bikes. They are for off-street operation only.

Operate means to ride in or on, and control the operation of a recreational vehicle.

Operator means every person who operates, or is in actual physical control of a recreational vehicle.

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.

Recreational vehicle means all-terrain vehicles, utility task vehicles, golf carts, snowmobiles, off-highway motorcycles, mini-bikes, go-carts, and other motorized vehicles, that by their use fit this definition.

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.

Snowmobile means a self-propelled vehicle designed for travel on snow or ice steered by skis or runners.

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.

Utility Task Vehicle means a side-by-side, four-wheel drive 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.

Sec. 54-98. - Operation regulations for ATV's and Utility Task Vehicles

- (a) *ATV's and Utility Task Vehicles MAY NOT be operated in the following areas of the city:*
- (1) Any area posted that ATV's or Utility Task Vehicles are not allowed.
 - (2) On or along the Burlington Northern railroad right-of-way.
 - (3) On lots less than two and one-half (2 ½) acres in size unless it is for maintenance or plowing.
 - (4) On city sidewalks, bike or pedestrian trails.
 - (5) On semi-public, public or private property unless permission is posted.
 - (6) Within a city parking ramp.
 - (7) Within a county or state highway right-of-way other than as listed in Specific Limitations defined below.
 - (8) Within the boulevard of a city roadway.
 - (9) Within a county or state highway right-of-way in the Designated Non-Use Area.
 - (10) Within a county or state highway right-of-way from April 1 to August 1 as part of Minnesota's Agricultural Zone.
- (b) *ATVs and Utility Task Vehicles MAY be operated in the following areas of the city:*

- (1) On your own property or the property of another with written permission, only if the property is two and one-half (2 ½) acres or greater in size, 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's Allowed" or "Utility Task Vehicles Allowed" or words substantially similar.
 - (3) On all city roadways as allowed by Minnesota State Statute, however, NOT including county or state highways.
 - (4) On public or semi-public property only if posted with a clearly visible notice indicating "ATV's Allowed" or "Utility Task Vehicles Allowed" or words substantially similar.
- (c) *Specific Limitations for operation of ATV's and Utility Task Vehicles.*
- (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.
- (d) Every person operating an ATV or Utility Task Vehicle 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 Minnesota Statutes, except those provisions that cannot be reasonably applied.
- (e) Every operator/owner of an ATV or Utility Task Vehicle must provide proof of insurance complying with Minnesota State Statute Section 65B.48, subd 5.
- (f) For an ATV or Utility Task Vehicle 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*
- (1) A permit application containing the following information must be completed and approved by the city's police department, prior to receiving a permit.
 - a. Registered owner name, address and telephone number.
 - b. Make, model, vehicle identification number and DNR registration number of the ATV or Utility Task Vehicle.
 - c. Proof of insurance for the vehicle.
 - d. Class description (ATV's only).
 - (2) Permits must be affixed to the front center handlebar, lower center windshield area, or other location visible from the front center of the recreational vehicle.

- (3) A granted permit will be valid for a maximum term of three (3) years.
- (4) A permit may be revoked for a violation of any provision of this article, after due investigation by the city's police department and final determination by the police chief. Any revocation may be appealed to the city council by providing a request for appeal in writing within 14 days of the final revocation. The revocation will remain in force until the appeal process has been completed.

Sec. 54-99. – Operation regulations for Golf Carts.

- (a) *Golf Carts MAY NOT be operated in the following areas:*
 - (1) Any area posted that Golf Carts are not allowed.
 - (2) On or long the Burlington Northern railroad right-of-way.
 - (3) On city sidewalks, bike or pedestrian trails.
 - (4) On semi-public, public or private property unless permission is posted.
 - (5) Within a county or state highway right-of-way other than as listed in Specific Limitations defined below.
 - (6) Within the boulevard of a city roadway.
 - (7) Within a county or state highway right-of-way in the Designated Non-Use Area.
 - (8) Within a county or state highway right-of-way from April 1 to August 1 as part of Minnesota's Agricultural Zone.
- (b) *Golf Carts may be operated only as follows:*
 - (1) On your own property or the property of another with written permission, 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 "Golf Carts Allowed" or words substantially similar.
 - (3) On all city roadways as allowed by Minnesota State Statute, however, NOT including county or state highways.
 - (4) On public or semi-public property only if posted with a clearly visible notice indicating "Golf Carts Allowed" or words substantially similar.
- (c) *Specific limitations for operation of Golf Carts.*
 - (1) A direct crossing of any 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) A Golf Cart may only be operated with the number of passengers that it was designed to carry.
- (3) If ridden on a roadway, a valid driver's license is required by the operator.
- (d) *Golf Cart Equipment Requirements.*
 - (1) Slow moving vehicle emblem.
 - (2) Operable horn.
 - (3) Seat belts for driver and passengers.
- (e) *Every person operating a Golf Cart on the roadway has the rights and duties applicable to the driver of any other vehicle* under the provisions of Chapter 169 of the Minnesota State Statutes, except those provisions that cannot be reasonably applied.
- (f) *Every operator/owner of a Golf Cart must be able to provide proof of insurance when required, by an authorized enforcement officer, complying with Minnesota State Statute Section 65B.48, subd 5.*
- (g) *For a Golf Cart to be used off of the owner's property, the owner first must request and obtain a City of Ramsey permit* from the police department.
- (h) *Permits*
 - (1) A permit application containing the following information must be completed and approved by the city's police department, prior to receiving a permit.
 - a. Registered owner's name, address and telephone number.
 - b. Make, model, and vehicle identification number of the Golf Cart.
 - c. Proof of liability insurance for the Golf Cart.
 - (2) Permits must be affixed to the lower center windshield area or other location visible from the front center of the recreational vehicle.
 - (3) A permit will be valid for a maximum term of three (3) years.
 - (4) A permit may be revoked for a violation of any provision of this article, after due investigation by the city's police department and final determination by the police chief. Any revocation may be appealed to the city council by providing a request for appeal in writing within 14 days of the final revocation. The revocation will remain in force until the appeal process has been completed.

Sec 54-100 Operation regulations for Snowmobiles

- (a) *Designated non-use areas.* Snowmobiles may not be operated in the designated non-use areas except in those limited areas where permitted as follows:
 - (1) Within the non-use area, access to Elmcrest Park and Central Park will be made and restricted to loading and unloading of snowmobiles in the parking lots only.
 - (2) A designated route from the parking lot will be clearly posted to allow access to 167th Avenue from Elmcrest Park. A designated route from the parking lot of Central Park will be clearly posted to allow access to Armstrong Boulevard for direct travel to the designated trail.
 - (3) On any clearly marked designated trail.
 - (4) On your own property or the property of another with written permission only if the property is greater than two and one-half (2 ½) acres in size.
- (b) *Designated use areas.* Snowmobiles may be operated only in the areas defined in section 54-97 as the designated use areas and then 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 "Snowmobiles Allowed" or words substantially similar.
 - (3) On county or state highways within the designated use area as regulated by state statute.
 - (4) On city streets within the designated use area only as allowed by state statute.
 - (5) On public or semi-public property within the designated use area only if said property is clearly posted with signs designating the area or specific areas as open to recreational vehicles.
- (c) *Agricultural Zone.* No snowmobiles may be operated within the right-of-way, including the ditch of a trunk, county state-aid, or county highway from April 1 to August 1 as part of Minnesota's Agricultural Zone.
 - (d) *Hours of operation.* Snowmobiles may not be operated any place in the city between the hours of 10:00 p.m. and 8:00 a.m. Sunday through Friday, and between the hours of 1:00 a.m. and 8:00 a.m. Saturday and Sunday.
 - (e) *Snow cover.* From November 1 to March 31, Snowmobiles may not be operated off the operator's property or the property of another that the operator has written permission to be on, unless there is a minimum six inches of snow cover on the ground.
 - (f) *Reflective Material.* Snowmobiles must have reflective material of at least 16 square inches on each side forward of the handlebars, so as to reflect lights at a 90-degree angle.

Sec. 54-101 – Operation limitations for mini-bikes and go-carts.

- (a) Mini-bikes greater than 110cc may not be operated within the Designated Non-Use Area, regardless of lot size.
 - (b) Go-carts may not be operated within the Designated Non-Use Area.
 - (c) Mini-bikes and go-carts may not be operated off of their own property without the written permission of the owner of the property being ridden on.
- (Code 1978, § 6.04.04; Ord. No. 88-1, 2-25-1988; Ord. No. 88-19, 12-18-1988; Ord. No. 93-18, 12-13-1993; Ord. No. 09-14, § 1, 9-22-2009)

Sec. 54-102 - Towing restriction.

It is unlawful for any person to operate a recreational vehicle so as to tow any person or thing on a street or highway except through the use of a rigid tow bar, as defined by state statute, attached to the rear of the recreational vehicle.
(Code 1978, § 6.04.05; Ord. No. 88-1, 2-25-1988; Ord. No. 88-19, 12-18-1988; Ord. No. 93-18, 12-13-1993)

Sec. 54-103. - Map.

A map showing the boundaries of the designated use and non-use areas shall be on display at the city hall and the police department for public viewing, during normal business hours.

Sec. 54-104. – Permit Fee.

The permit fee for a Recreational Vehicle required by this section shall be

set by council resolution and listed in the rates and fees ordinance.

Sec. 54-105. - Penalty.

Violation of any provision of this section shall constitute a petty misdemeanor.

SECTION 3. SUMMARY

The following is the official summary of Ordinance XXXX 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 XXXX to amend Ramsey, Minnesota City Code Sections Article IV, Sections 96-102 Recreational Vehicles. 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 XX day of May 2012.

Mayor

ATTEST:

City Clerk

Introduction Date:	May 8, 2012
Posting Dates:	?????????????
Adoption Date:	May 22, 2012
Publication Date:	?????????????
Effective Date:	June 21, 2012