

Claremont City Code - Chapter Nine
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Chapter 9: Traffic Regulations
(see chapter 8 for definitions, scope and application relating to this chapter)

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CHAPTER 9

TRAFFIC REGULATIONS

(SEE CHAPTER 8 FOR DEFINITIONS, SCOPE AND APPLICATION RELATING TO THIS CHAPTER)

SEC. 9.01. HIGHWAY TRAFFIC REGULATION ACT ADOPTED BY REFERENCE.

Except as otherwise provided in this Chapter, or in Chapters 8 and 10 of this Code, Minnesota statutes, Chapter 169, (commonly referred to as the Highway Traffic Regulation Act), as amended through Laws 1992, is hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

SEC. 9.02. TRUCK ROUTE.

It is unlawful for any person to drive a tractor, agricultural implement, truck over 9,000 pounds gross vehicle weight, truck-trailer, tractor-trailer or truck tractor in through traffic, upon any street except those which have been designated and sign-posted as truck routes. Vehicles over the weight limit of 9000 pounds will be permitted passage on city streets only as leading directly to and from each residence of the operator to a designated truck route and the vehicles may only be parked on the operator's private property. For the purpose of this Chapter, "through traffic" means originating without the City and with a destination without the City, as distinguished from "local traffic" which means traffic either originating or having a destination within the City.

SEC. 9.02 WAS AMENDED AND ADOPTED BY THE CITY COUNCIL ON JANUARY 12, 1999.

SEC. 9.03. BICYCLES, ROLLER BLADES, ROLLER SKATES, SKATE BOARDS.

Subd. 1. Regulation of Use of Bicycles.

- A. "Traffic Laws Apply" - Every person riding a bicycle upon a roadway or upon any path set aside for the exclusive use of bicycles shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Chapter, except as to special regulations in this Chapter and except as to those provisions of this Chapter which by their nature can have no application.
- B. "Right of way - Sidewalks" - Whenever a person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. Provided, that it is unlawful for any person to ride a bicycle on a sidewalk contrary to sign-posted prohibitions.

- C. "Carrying Articles" - It is unlawful for any person operating a bicycle to carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.

Subd. 2. Regulation of Use of Roller Skates, Roller Blades, and Skate Boards.

- A. It shall be unlawful for any person to operate a skateboard or roller skate/blade under circumstances set forth in the subdivisions which follow:
 - 1. On private property of another without .the expressed permission to do so by the owner or occupant of said property.
 - 2. In any careless, reckless, or negligent manner so as to endanger, or be likely to endanger the safety of any person or the property of any other person.
 - 3. The operator of a skateboard or roller skate/blade emerging from an alley, driveway, or building upon approaching a sidewalk or the sidewalk area extending across any alleyway shall yield the right-of-way to all pedestrians approaching the sidewalk or sidewalk area and upon entering the roadway shall yield the right-of-way to all pedestrians approaching the sidewalk or sidewalk area and upon entering the roadway shall yield right-of-way to all vehicles approaching the roadway.
 - 4. No person operating a skateboard or roller skate/blade shall attach the same or the person or the operator to any vehicle upon the roadway.
 - 5. Every person operating a skateboard or roller skate/blade upon a roadway shall ride as close as possible to the right hand curb or edge of the roadway.
- B. Whenever a person is skateboarding roller skating/blading upon a sidewalk, such person shall yield of-way to any pedestrian and shall give a signal before overtaking and passing such and passing such pedestrian.

Subd. 3. Any person who violates any provision of this ordinance shall be guilty of a petty misdemeanor.

SEC. 9.04. 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. 9.05. EXHIBITION DRIVING.

Subd. 1. 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.

Subd. 2. 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; provided, that this section shall not apply to driving on a racetrack. For purposes of this section, a "racetrack" means any track or premises whereon motorized vehicles, horses, dogs, or other animals or fowl legally compete in a race or timed contest for an audience, the members of which have directly or indirectly paid a consideration for admission.

SEC. 9.06. EMERGENCY VEHICLES.

The provisions of this Chapter shall not apply to vehicles when operated with due regard for safety, under the direction of peace officers in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation, nor to Fire Department or fire patrol vehicles when traveling in response to a fire alarm, nor to public ambulances when traveling in emergencies. This exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

SEC. 9.07. SNOWMOBILE TRAFFIC CONTROL AND REGULATIONS.

Subd. 1. Definitions. The following terms, as used in this Section, shall have the meanings stated:

- A. "Snowmobile" - A self-propelled vehicle designed for travel on snow or ice steered by skis or runners.
- B. "Owner" - A person, other than a lien holder having the property in or title to a snowmobile entitled to the use or possession thereof.
- C. "Operate" - To ride in or on and control the operation of a snowmobile.
- D. "Operator" - Every person who operates or is in actual physical control of a snowmobile.
- E. "Deadman Throttle" or "Safety Throttle" - A device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.

Subd.2. Scope of Application. Notwithstanding provisions of this Chapter to the contrary, this Section shall apply to control of traffic and regulation of that certain class of vehicles falling within the definition of snowmobiles as to matters set forth herein. All provisions of this Chapter, not relating to matters herein stated, apply as equally to snowmobiles as other vehicles.

Subd. 3. Operation. Except as otherwise herein permitted, it is a misdemeanor for any person to operate a snowmobile not licensed as a motor vehicle as follows:

- A. The maximum speed limit for the operation of snowmobiles on any City street in the City of Claremont is 15 miles per hour. Snowmobiles may not be operated closer than 100 feet to any dwelling except on route leading directly to and from each residence of the operator to designated snowmobile trails.
- B. No snowmobiler shall operate on any streets of the City of Claremont between the hours of 10:00 p.m. and 7:00 a.m. the following morning except on route leading directly to and from each residence of the operator to designated snowmobile trails. No snowmobiler shall operate on any streets of the City of Claremont on Sunday mornings until 12:00 noon, nor on any such streets adjoining any City church during the time when any funeral services are being conducted.
- C. No operator shall be allowed on any lands owned or occupied by a public body, including but not limited to school grounds, park property, playgrounds, recreational areas, or private roads, with the exception of the designated area in the City park for the purpose of snowmobile parking.
- D. No operator shall be under 14 years of age, and operators 14 through 17 years of age require DNR Safety Certificate.

Subd. 4. Certain Statutes Adopted. Minnesota Statutes, Sections 84.81 through 84.911, inclusive, as amended in 1987, together with rules and regulations promulgated thereunder, are hereby adopted by reference, incorporated herein, and made a part hereof; except as otherwise provided herein.

SEC. 9.07 WAS AMENDED AND ADOPTED BY THE CITY COUNCIL ON FEBRUARY 10, 1998.

SEC. 9.08. ALL-TERRAIN VEHICLES.

Subd. 1. Definitions. The following terms, as used in this section, shall have the meanings stated:

- A. "Agricultural Zone" means the areas in Minnesota lying South and West of a line starting at the Minnesota-North Dakota border and formed by rights-of-way of Trunk Highway No. 10, thence Easterly along Trunk Highway No. 10 to Trunk Highway No. 23, thence Easterly along Trunk Highway No. 23 to Trunk Highway No. 95, thence Easterly along Trunk Highway No. 95 to its termination at the Minnesota-Wisconsin border.

- B. "Commissioner" means the Commissioner of Natural Resources.
- C. "Owner" means a person, other than a person with security interest, having a property interest in or title to an all-terrain vehicle and entitled to the use and possession of the vehicle.
- D. "All-Terrain Vehicles (ATVs)" - All-Terrain Vehicles (ATVs) as defined in Minnesota Statutes, Section 84.92, as it may be amended from time to time. As of November 2018, Section 84.92 defines an ATV as a motorized vehicle with: (1) not less than three, but not more than six low pressure or non-pneumatic tires; (2) a total dry weight of 2,000 pounds or less; and (3) a total width from outside of tire rim to outside of tire rim that is 65 inches or less. ATV includes a Class 1 ATV and Class 2 ATV. ATV does not include a golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and used specifically for lawn maintenance, agriculture, logging, or mining purposes. In the event the statutory definition of ATV is amended, the statutory definition will trump the definition of ATV provided in this paragraph.
- E. "Class 1 ATV" - a Class 1 all-terrain vehicle as defined in Minnesota Statutes, Section 84.92, as it may be amended from time to time. As of November 2016, Section 84.92 defines a Class 1 ATV as an ATV that has a total width from outside of tire rim to outside of tire rim that is 50 inches or less. In the event the statutory definition of Class 1 ATV is amended, the statutory definition will trump the definition of Class 1 ATV provided in this paragraph.
- F. "Class 2 ATV" - a Class 2 all-terrain vehicle as defined in Minnesota Statutes, Section 84.92, as it may be amended from time to time. As of November 2016, Section 84.92 defines a Class 2 ATV as an ATV that has a total width from outside of tire rim to outside of tire rim that is greater than 50 inches but not more than 65 inches. In the event the statutory definition of Class 2 ATV is amended, the statutory definition will trump the definition of Class 2 ATV provided in this paragraph.
- G. "Operator" means the person driving or in actual physical control of the all-terrain vehicle.
- H. "Safety Throttle" means a device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving track.

Subd. 2. It is a misdemeanor for any person to operate an all-terrain vehicle as follows:

- A. On private property of another without written permission to do so by the owner or occupant of said property.

- B. On public school grounds, park property, playgrounds, recreational areas, without written permission to do so by the proper public authority.
- C. In a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.
- D. In a careless, reckless, or negligent manner so as to be likely to endanger the safety of any person, including the operator, or the property of any other person.
- E. Without having the all-terrain vehicle registered and registration properly displayed in accordance with the provisions of Minnesota Statutes 84.92, except that this provision shall not apply to the operation of an all-terrain vehicle on the private property of the owner by the owner or a member of his immediate family.
- F. While the operator is under the influence of alcohol or narcotics, or habit-forming drugs.

Subd. 3. All all-terrain vehicles operated within the city shall have the following equipment:

- A. Mufflers which are properly attached, and which reduce the noise of operation of the vehicle to the minimum noise necessary for the operation of the vehicle, and no person shall use a muffler cut-out, by-pass, or similar device on said vehicles.
- B. A safety throttle in good operating condition.
- C. No trailers, toboggans, sleds or other devices shall be pulled by an all-terrain vehicle unless a solid type fixed hitch is used between the all-terrain vehicle and the towed device.
- D. The lighting requirements of Minnesota statutes 84.92 shall also apply to the operation of all-terrain vehicles.
- E. It is a misdemeanor for the owner or operator to leave or allow an all-terrain vehicle, to be, or remain unattended on public property while the motor is running or with the keys to start the ignition in the ignition switch.

Subd. 4. The following requirements shall be met by the operator of all-terrain vehicles:

- A. The absolute maximum speed limit is 20 miles per hour.
- B. All all-terrain vehicles shall come to a complete stop at all stop signs and shall yield the right-of-way to motor vehicles and/or pedestrians in all intersections.
- C. There shall be no operation of all-terrain vehicles within the street right-of-way, except those portions of the streets normally intended for vehicular travel.

- D. No all-terrain vehicle shall be operated between the hours of 10:00 P.M. and 7:00 A.M. the following morning.
- E. No all-terrain vehicle shall be operated any nearer than 500 feet of any church on Sunday mornings or at any other time that it should appear to a reasonable person that such church is holding services.

Subd. 5. A person shall not operate an all-terrain vehicle on or within the following designated areas within the City of Claremont:

- A. Within the right-of-way of a Trunk, County State-aid or County Highway from April 1 to August 1 in the Agricultural Zone unless the vehicle is being used exclusively as transportation to and from work on agricultural lands.

Subd. 6. Age Requirement. In order to operate an ATV on the right-of-way as permitted by this section, operators must be at least 18 years of age.

Subd. 7. Certain Statutes Adopted. Minnesota statutes, sections 84.92 through 84.928, inclusive, as amended in 1987, together with rules and regulations promulgated thereunder, are hereby adopted by reference, incorporated herein, and made a part hereof, except as otherwise provided herein.

SEC. 9.08 WAS AMENDED AND ADOPTED BY THE CITY COUNCIL ON FEBRUARY 12, 2019.

SEC. 9.09. SPECIAL VEHICLE USE BY HANDICAPPED.

Subd. 1. Operation Authorized. Operation of motorized golf carts or four-wheel all-terrain vehicles are hereby authorized on the roadways of all streets, except such as are prohibited by resolution of the council, and only in strict compliance with this section.

Subd. 2. Permits. Permits shall be issued only to handicapped persons as defined by statute. Application for a permit to operate a motorized golf cart or a four-wheel all-terrain vehicle on the roadways of streets shall include the name and address of the applicant and such other information as may from time-to-time be required by the Council. Applications for initial or renewal permits shall be accompanied by a certificate signed by a physician stating that the applicant is capable of safely operating a motorized golf cart or a four-wheel all-terrain vehicle on the roadway of streets. All permits shall expire on December 31, unless renewed. The fee for a permit shall be fixed by resolution of the Council.

Subd. 3. Unlawful Acts. It is unlawful for any person to operate a motorized golf cart or a four-wheel all-terrain vehicle on the roadway of a street unless:

- A. The operator has in possession a valid, current and unrevoked permit from the City.
- B. The operation is on a roadway which has not been designated as prohibited for such operation, except crossing at an intersection.

- C. The operation is during daylight hours between sunrise and sunset.
- D. The operation is not during inclement weather, or when visibility is impaired by weather, smoke, fog, or other conditions, or when there is insufficient light to clearly see persons or vehicles thereon at a distance of 500 feet.
- E. The motorized golf cart or four-wheel all- terrain vehicle displays a slow moving vehicle emblem, as described by statute, on the rear thereof.
- F. The motorized golf cart or four-wheel all- terrain vehicle is equipped with rear view mirrors as required by statute for other vehicles.
- G. The operator has insurance coverage as provided by statute (presently section 65B.48, Subdivision 5) for motorcycles.
- H. The operator observes all traffic laws, except such as cannot reasonably be applied to motorized golf carts or four-wheel all-terrain vehicles.

(Sections 9.10 through 9.98, inclusive, reserved for future expansion.)

SEC. 9.99. VIOLATION A MISDEMEANOR OR PETTY MISDEMEANOR.

Every person who violates a section, subdivision, paragraph or provision of this Chapter when he performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as follows:

Subd. 1. Where the specific section, subdivision, paragraph or provision specifically makes violation a misdemeanor, he shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he shall be punished as for a misdemeanor; where he stands convicted of violation of any provision of this Chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he shall be punished as for a misdemeanor.

Subd. 2. As to any violations not constituting a misdemeanor under the provisions of Subd. 1 hereof, he shall be punished as for a petty misdemeanor.

Subd. 3. As to any violation of a provision adopted by reference, he shall be punished as specified in such provision, so adopted.