

# Ordinance No. 2004-21

## AN ORDINANCE REGULATING THE USE OF SNOWMOBILES IN THE CITY OF ROCKVILLE

**WHEREAS, the Rockville City Council hereby ordains:**

**Section 1. Scope.** Notwithstanding provisions to the contrary, this Ordinance shall apply to control of traffic and regulation of that certain class of vehicles falling within Minn. Stat. § 84.81 and its 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. All provisions of Minnesota Statutes Chapters 169 and 169A, except those relating to required equipment, having no application, or except as otherwise expressly provided by Minnesota Law, shall apply to the operation of snowmobiles.

**Section 2. Definitions.** For the purpose of this ordinance, the terms defined herein shall have the meaning set forth in the following subdivisions:

- Subd. 1. Snowmobile: means a self-propelled vehicle designed for travel on snow or ice steered by wheels, skis, runners or propelled by tracks (or registered as a snowmobile by the state of MN).
- Subd. 2. Person: includes an individual, partnership, corporation, the state and its agencies and subdivisions, and any body of persons, whether incorporated or not.
- Subd. 3. Owner: means a person, other than a lien holder having the property in or title to snowmobile entitled to the use or possession thereof.
- Subd. 4. Operate: means to ride in or on and control the operation of a snowmobile.
- Subd. 5. Operator: means every person who operates or is in actual physical control of a snowmobile.
- Subd. 6. Roadway: Means all that portion of a public right-of-way of any road, street, alley, or highway, including, but not limited to that part improved, designed or ordinarily used for vehicular travel.

**Section 3. Equipment Required.** 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:

- Subd. 1. 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.
- Subd. 2. Brakes adequate to control the movement of and to stop and hold the snowmobile under any condition of operation.
- Subd. 3. A safety or so-called "dead-man" throttle in operating condition. A safety or "dead-man" 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.
- Subd. 4. When operated between the hours of one-half hour after sunset and one-half hour before sunrise, or at times if reduced visibility, at least one clear head lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead during the hours of darkness under normal atmospheric conditions. Such head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile operator. It shall also be equipped with at least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of five hundred (500) feet to the rear during hours of darkness under normal atmospheric conditions. The head and taillight must be functioning anytime the snowmobile is being operated.
- Subd. 5. Running lights or reflective material, at least sixteen (16) inches square on side, forward of the handlebars, so as to reflect or beam light at a ninety degree angle. The same requirements should be applied to the highest practical point on any towed object.

**Section 4. Ignition Lock.** Every person leaving a snowmobile on a public place shall lock the ignition and remove the key.

**Section 5. Restrictions on Places of 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 Rockville in the places described in the following subdivisions.

- Subd. 1. One the portion of any right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel, except the most right hand lane (except in passing) which is used for vehicle traffic in the same direction other than on freeways, interstate, trunk, county state-aid county highways. Snowmobiles may also be operated upon the ditch bottom or outside of trunk, county state-aid and county highways where such highways are so configured within the corporate limits. If making a left-hand turn, snowmobiles may operate on other lanes which are used for vehicle traffic in the same direction, for purposes of going to or returning from a non-highway area of permissible operation, by the most direct route.
- Subd. 2. On a public sidewalk provided for pedestrian travel.
- Subd. 3. On boulevards within any public right-of-way.
- Subd. 4. On private property of another without specific permission of the owner or person in control of said property.
- Subd. 5. On any other public place including parks except as may be specifically permitted by other provisions of the City's ordinances.
- Subd. 6. Anywhere in the City of Rockville between April 1 and November 1.

**Section 6. Crossing Streets or Highways.** A person operating a snowmobile may make a direct crossing of a street, roadway or highway EXCEPT an interstate highway or freeway provided:

- Subd. 1. The crossing is made at an angle of approximately ninety (90) degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing.
- Subd. 2. The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way.
- Subd. 3. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.
- Subd. 4. In crossing a divided street or highway, the crossing is made only at an intersection of such street or highway with another public street or highway.

Subd. 5. No crossing of interstate highways or freeways shall be made at any time.

Subd. 6. Front and rear lights shall be on at all times a snowmobile is in operation regardless of the time of day.

**Section 7. City Ordinances Applicable.** City 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 can have no application or are inconsistent with the provisions herein.

**Section 8. Yielding of Right-of-Way.** No snowmobile shall enter an uncontrolled intersection without making a complete stop. The operator shall yield the right-of-way to any motor vehicles, bicyclists or pedestrians at the intersection or so close to the intersection as to constitute an immediate hazard.

**Section 9. Operation by Persons Under 18.** No persons under 14 years of age shall operate on streets or the roadway surface of highways, or make a direct crossing of a trunk, county state-aid, county highway, or 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 streets and highways as permitted under this ordinance and make a direct crossing of such streets and highways only if the person has in his or her immediate possession a valid snowmobile safety certificate issued pursuant to Minnesota Statute 84.872. It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this section.

**Section 10. Unlawful Acts.** It is unlawful for any person to operate a snowmobile within the City of Rockville under any of the following circumstances:

Subd. 1. If snowmobile is not licensed.

Subd. 2. At any place under the influence of alcohol or drugs as defined in MN Statute 169.121 which is hereby incorporated herein by reference.

Subd. 3. At a rate of speed greater than reasonable or proper under all surrounding circumstances.

Subd. 4. On public roadways at speeds greater than twenty (20) miles per hour.

Subd. 5. At any place in a careless, reckless or negligent manner or heedlessly in disregard of the rights or safety of others or in a

manner so as to endanger or cause injury or damage to any person or property.

- Subd. 6. To intentionally drive, harass, chase, run over or kill an animal (wild or domestic).
- Subd. 7. During the hours from 11:00 p.m. to 6:00 a.m. of any day on a street or closer than one hundred (100) feet to any dwelling which is usually occupied by one or more persons, unless on a state-aid trail and except when traveling to or from a designated trail using the most direct route.
- Subd. 8. 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.
- Subd. 9. Within hundred (100) feet of any fisherman, pedestrian, skating rink or sliding area where the operation would conflict with use or endanger other persons or property.
- Subd. 10. On routes posted NO SNOWMOBILING or to travel outside the corridor identified as a designated snowmobile trail. Snowmobiles should stay on designated routes except when traveling to or from a designated trail. A copy of the designated route is on file at the Rockville City Hall.

**Section 11. Single File.** Snowmobiles shall operate in single file when traveling in groups of two (2) or more.

**Section 12. Emergency Operation.** Notwithstanding any prohibitions in this ordinance, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time when, and at locations where, snow upon the roadway renders travel by automobile impractical.

**Section 13. Penalties.** Any person who shall violate any provisions of the Minnesota Statutes contained in this ordinance shall be guilty of a misdemeanor. Any person who shall violate any provisions of this ordinance not covered by the Minnesota Statutes is guilty of a petty misdemeanor and subject to a penalty and/or fines.

**ADOPTED THIS 17<sup>TH</sup> DAY OF NOVEMBER, 2004**

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**VERENA M. WEBER-CMC  
ADMINISTRATOR/CLERK**

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**BRIAN HERBERG  
MAYOR**

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