

## CHAPTER 71: SNOWMOBILES; UNLICENSED MOTOR VEHICLES

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## SNOWMOBILES

### § 71.01 APPLICABILITY OF PROVISIONS TO CITY EVENTS.

Notwithstanding the prohibitions of this subchapter, the City Council or such person as is designated by the City Council from time to time shall have authority to supervise and regulate events or programs in connection with events conducted by the city or any department thereof in which snowmobiles are used, and may designate such parks and regulations where such activities are to be authorized.

(Ord. 25, passed 3-3-71)

### § 71.02 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**HIGHWAY or STREET.** The entire width between the boundary lines of every way, publicly maintained, when any part thereof is open to the use of the public for purposes of vehicular travel.

**OPERATE.** To ride in or control the operation of a snowmobile.

**OPERATOR.** Any person who operates or is in actual physical control of a snowmobile.

**OWNER.** Any person, other than a lien holder having the property in or title to a snowmobile, entitled to the use or possession thereof.

**PERSON.** Means an individual, partnership, corporation, the state or any of its agencies or subdivisions and any body of persons, whether incorporated or not.

**ROADWAY.** That portion of a highway improved, designated or ordinarily used for vehicular travel.

**SNOWMOBILE.** Any motorized vehicle, designed for travel primarily on snow or ice, steered by wheels, skis or runners.

**SNOWMOBILE DEALER.** Any person engaged in the sale of snowmobiles.

(Ord. 25, passed 3-3-71)

#### § 71.03 DUTY TO OBEY TRAFFIC REGULATIONS AND POLICE OFFICERS.

Every person operating a snowmobile shall strictly observe all traffic signs and signals and all other traffic rules and regulations applicable thereto and shall obey the order and directions of any police officer of the city authorized to direct or regulate traffic.

(Ord. 25, passed 3-3-71) Penalty, see 71.99

Cross-reference:

Streets and sidewalks; regulated activities; driving snowmobiles, see § 50.32

Bike paths; regulated activities; driving snowmobiles, see § 50.49

Parks and recreation; vehicles; snowmobiles, see § 50.05

#### § 71.04 SPEED.

Snowmobiles shall not be driven at a rate of speed in excess of 15 miles per hour while being operated adjacent to or parallel to a highway, roadway, or street, and in all other locations at a rate of speed no greater than is reasonable and proper, having due regard for conditions then existing.

(Ord. 25, passed 3-3-71) Penalty, see 71.99

#### § 71.05 NEGLIGENT OPERATION.

No person or persons shall drive or operate a snowmobile within the city carelessly, negligently or heedlessly, in disregard for the rights or safety of others, or at a speed or in a manner so as to endanger or be likely to endanger any person or property.

(Ord. 25, passed 3-3-71) Penalty, see 71.99

#### § 71.06 HOURS OF OPERATION.

Snowmobiles shall not be driven between the hours of 11:00 p.m. and 8:00 a.m. within 300 feet of an occupied residence, except for the purpose of loading or unloading a snowmobile from another vehicle or trailer. Prosecutions for violations under this section shall be upon complaint only of the party or parties against whom the offense is committed.

(Ord. 25, passed 3-3-71) Penalty, see 71.99

#### § 71.07 NOISE.

No snowmobiles shall be operated within the city limits so as to create excessive noise. Excessive noise shall specifically include the unnecessary acceleration of the engine or the operation of a snowmobile or the engine thereof without being equipped with a muffler in good working condition to prevent excessive and unusual noise and excessive smoke.

(Ord. 25, passed 3-3-71) Penalty, see 71.99

Cross-reference:

Noise, see §§ 91.15 et seq.

#### § 71.08 AGE OF OPERATOR.

No person under the age of 16 years shall operate a snowmobile within the city limits on the traveled portion of a public street or highway or within ten feet thereof unless the operator is accompanied by a person 16 years of age or older, or unless he or she is under the direct supervision of his or her parent or guardian, and then only for the purpose of crossing bridges and culverts or crossing street or highway rights-of-way to gain access to private property.

(Ord. 25, passed 3-3-71) Penalty, see 71.99

#### § 71.09 OPERATION ON PRIVATE PROPERTY.

No person shall drive or operate a snowmobile on any private property within the city without the consent or permission of the property owners in writing.

(Ord. 25, passed 3-3-71) Penalty, see 71.99

#### § 71.10 UNATTENDED SNOWMOBILES.

It shall be unlawful for the owner or operator of a snowmobile to allow a snowmobile to be or remain unattended on public property, streets or highways while the motor is running, or with the keys to start the same in the ignition switch.

(Ord. 25, passed 3-3-71) Penalty, see 71.99

#### § 71.11 PASSENGER LIMITS.

No person shall operate a snowmobile and no person shall ride as a passenger at any time when more than three persons are upon such snowmobile (provided, however, that snowmobiles shall be allowed to tow persons on toboggans, sleighs, or other devices for carrying of passengers), except where the snowmobile is designed for passengers in excess of the limitations herein set forth.

(Ord. 25, passed 3-3-71) Penalty, see 71.99

### UNLICENSED MOTOR VEHICLES

#### § 71.25 TITLE.

This subchapter shall be known as the "Unlicensed Motor Vehicle Ordinance."

(Ord. 28, passed 10-13-71)

§ 71.26 GENERAL RESTRICTION.

The operation of unlicensed motor vehicles, including but not limited to go-carts, minibikes, and scooters, upon the sidewalks, alleyways, paved and unpaved parking lots and other public and private property that is accessible to the general public is hereby restricted within the city as provided hereafter.

(Ord. 28, passed 10-13-71)

§ 71.27 APPLICABILITY OF PROVISIONS TO CITY EVENTS.

Notwithstanding the prohibitions of this subchapter, the City Council or such person as is designated by the City Council from time to time shall have authority to supervise and regulate the events or programs in connection with events conducted by the city or any department thereof in which vehicles regulated by this subchapter are used, and may designate such parks and regulations where such activities are to be authorized.

(Ord. 28, passed 10-13-71)

§ 71.28 DUTY TO OBEY TRAFFIC REGULATIONS AND POLICE OFFICERS.

Every person operating a vehicle coming within the terms of this subchapter shall strictly observe all traffic signs, signals and all other traffic rules and regulations applicable thereto and shall obey the orders and directions of any police officer of the city authorized to direct or regulate traffic.

(Ord. 28, passed 10-13-71) Penalty, see 71.99

§ 71.29 SPEED.

Unlicensed motor vehicles shall not be driven at a rate of speed in excess of 15 miles per hour while being operated adjacent to or parallel to a highway, roadway, or street, and in all other locations at a rate of speed no greater than is reasonable and proper, having due regard for the conditions then existing.

(Ord. 28, passed 10-13-71) Penalty, see 71.99

§ 71.30 NEGLIGENT OPERATION.

No person or persons shall drive or operate an unlicensed motor vehicle within the city carelessly, negligently or heedlessly, in disregard of the rights or safety of others, or at a speed or in a manner so as to endanger or be likely to endanger any person or property.

(Ord. 28, passed 10-13-71) Penalty, see 71.99

§ 71.31 HOURS OF OPERATION.

Vehicles regulated by this subchapter shall not be driven between the hours of 11:00 p.m. and 8:00 a.m. within 300 feet of an occupied residence, except for the purpose of loading or unloading a vehicle from another vehicle or trailer. Prosecutions for violations under this section shall be upon complaint only of the party or parties against whom the offense is committed.

(Ord. 28, passed 10-13-71) Penalty, see 71.99

#### § 71.32 NOISE.

No vehicle defined by this subchapter shall be operated within the city limits so as to create excessive noise. Excessive noise shall specifically include the unnecessary acceleration of the engine or the operation of a vehicle or the engine thereof without being equipped with a muffler in good working condition to prevent excessive and unusual noise and excessive smoke.

(Ord. 28, passed 10-13-71) Penalty, see 71.99

Cross-reference:

Noise, see §§ 91.15 et seq.

#### § 71.33 AGE OF OPERATOR.

No person under the age of 16 years shall operate a vehicle coming within the terms of this subchapter within the city limits on the travelled portion of the public street or highway or within ten feet thereof unless the operator is accompanied by a person 16 years of age or older, or unless he or she is under the direct supervision of his or her parent or guardian, and then only for the purpose of crossing bridges and culverts or crossing street or highway rights-of-way to gain access to private property.

(Ord. 28, passed 10-13-71) Penalty, see 71.99

#### § 71.34 OPERATION ON PRIVATE PROPERTY.

No person shall drive or operate a vehicle coming within the terms of this subchapter on any private property within the city without the consent or permission of the property owners in writing.

(Ord. 28, passed 10-13-71) Penalty, see 71.99

#### § 71.35 UNATTENDED VEHICLES.

It shall be unlawful for the owner or operator of a vehicle under the provisions of this subchapter to allow such a vehicle to be or remain unattended on public property, streets or highways while the motor is running, or with keys to start the same in the ignition switch.

(Ord. 28, passed 10-13-71) Penalty, see 71.99

#### § 71.36 PASSENGER LIMITS.

No person shall operate a vehicle, under the terms of this subchapter, and no person shall ride as a passenger at any time, when more persons are carried by the vehicle than said vehicle is designed to accommodate.

(Ord. 28, passed 10-13-71) Penalty, see 71.99

§ 71.99 PENALTY.

Any person, firm or corporation violating or failing to comply with any provision of this chapter shall be subject to a fine of not more than \$100, or imprisonment for not more than 90 days, or both such fine and imprisonment.

(Ord. 25, passed 3-3-71; Am. Ord. 28, passed 10-13-71)