

**ORDINANCE NO. 2016-02**

**AN ORDINANCE REGULATING ALL TERRAIN VEHICLES  
WITHIN THE CITY OF ORR, MINNESOTA**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORR:**

**Section 1: Purpose and Intent.** The purpose of this Ordinance is to provide reasonable regulations for the use of all terrain vehicles on public and private property in the City of Orr. This ordinance is not intended to allow what the Minnesota Statutes prohibit or to prohibit what the Minnesota Statutes expressly allow. This ordinance is intended to ensure the public safety and to prevent a public nuisance.

**Section 2: Definitions.** For the purposes of this Ordinance, the terms defined herein shall have the following meanings ascribed to them:

Person. "Person" includes an individual, partnership, corporation, the State of Minnesota and its agencies and subdivisions, and any body of persons, whether incorporated or not.

All Terrain Vehicle. "All Terrain Vehicle" (ATV) means a motorized flotation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement and total dry weight as is set forth in Minn. Stat. Chapter 84.

Owner. "Owner" means a person, other than a lien holder having the property in or title to, any all terrain vehicle entitled to the use or possession thereof.

Operate. "Operate" means to ride in or on and control the operation of any all terrain vehicle.

Natural Terrain. "Natural Terrain" means areas other than roadways or driveways (public and/or private), parking lots and other areas the surface of which has been intentionally modified for motor vehicle operation thereon.

**Section 3. Operation Generally When Allowed.** All provisions of the Highway Traffic Regulations Act, M.S.A. Ch. 169, as it may be amended from time to time, and all ordinances of the city regulating traffic shall apply to the operation of ATVs upon streets and highways, except those which may by their nature have no application.

Persons riding ATVs may travel only the most direct route to and from recreational trails outside the city; or to business locations within the city such as restaurants, motels and gas stations. ATVs may not be operated on city streets for excursion driving.

ATV operation allowed within the City limits by this ordinance is subject to and governed by the following:

**Subdivision 1.** When operating an ATV upon a city street, all such operation shall be at the extreme right of the street as near to the curb or shoulder thereof as practical under the circumstances. When two or more ATVs shall be operated together or as a group, they shall stay in single file while operating upon any street.

**Subdivision 2.** ATVs shall be operated in a manner so as not to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of other persons.

**Subdivision 3.** No ATV shall be operated prior to 8:00 AM or after 10:00 PM.

**Subdivision 4.** No ATV shall be operated upon a sidewalk or boulevard, except that a direct crossing may be made in the same manner as provided for the direct crossing of a city street.

**Subdivision 5.** No ATV shall be operated within the City limits of the City of Orr at a speed in excess of twenty (20) miles per hour, or in excess of the posted ATV speed, whichever applies.

**Subdivision 6.** No ATV shall be operated within the City limits of the City of Orr in any place and at any time, in a careless, reckless or negligent manner so as to endanger or be likely to endanger any person or property, or to cause injury or damage thereto.

**Subdivision 7.** No ATV shall be operated within the City limits of the City of Orr to tow any person or thing except as allowed and in the manner provided by state law and state rules.

**Subdivision 8.** It is unlawful to intentionally drive, chase, run over or kill any animal with an ATV.

**Subdivision 9.** The ATV operator shall yield to all vehicle traffic and pedestrians when operating the ATV upon the city streets, alleys and public rights of way as allowed under this Ordinance.

**Subdivision 10.** ATVs may be operated on private property lying within the city limits with specific written permission or consent of the owner or person in control of said property, but only between the hours of 8:00 AM and 10:00 PM, and in the manner provided by this Ordinance.

**Section 4. Street and Alley Crossings.** When ATV operation is allowed under this ordinance, an ATV operator may make a direct crossing of a street or alley or public road in the manner allowed and provided for by Minn. Stat. Chapter 84.

**Section 5. Required Equipment.** An ATV operated on city streets or alleys when allowed by this ordinance shall be equipped according to and as required by Minnesota Statutes, Chapter. 84.

**Section 6. Security Requirements.** Every person leaving an ATV at a public place shall lock the ignition, remove the key and take same with them.

**Section 7. Emergency.** An ATV may be operated upon a city street or alley in an emergency during a period of time when and at locations where the condition of city streets or alleys renders travel by automobile impractical.

**Section 8. Penalty.** Any person who shall fail to comply with any order made under the provisions of this Ordinance, upon conviction thereof shall be guilty of a misdemeanor and shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment in the County Jail for a period of not more than ninety (90) days, or both, but in either case the costs of prosecution may be added.

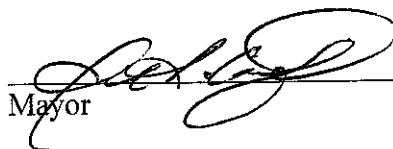
**Section 9. Severability.** That the terms of this ordinance are severable. If any provisions of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance.

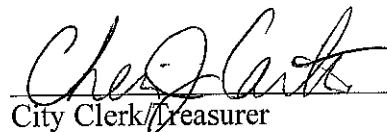
**Section 10. Effective Date.** This ordinance shall take effect immediately from and after its passage and publication according to law.

**Section 11: Public Grounds Ban.** No ATV shall be allowed or operated on or in any city playground, park, airport, city facility or school ground within the City limits.

**Section 12: Effective Date.** This Ordinance shall take effect immediately from and after its passage and publication according to law.

Passed by the City Council of the City of Orr, Minnesota, on this 17<sup>th</sup> day of October, 2016.

  
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Mayor

  
\_\_\_\_\_  
City Clerk/Treasurer

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