

ARTICLE IV. –



Operation of off-road vehicles, motorcycles and all-terrain vehicles

We recommend you keep a copy of this ordinance with you while you are off-roading.

DIVISION 1. - GENERALLY

Sec. 70-85. - Incorporation.

Any person operating an all-terrain vehicle, off-road motorcycle or off-road vehicle upon the public rights-of-way and waters within the city, or as otherwise provided in this chapter, shall be subject to the provisions of the rules of the commissioner of natural resources and the commissioner of public safety, which are incorporated herein and made part of this chapter as if set out in full herein, as well as these regulations.

(Ord. No. 143A, § 1, 3-2-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

Sec. 70-86. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the following meanings, except where the context clearly indicates a different meaning:

All-terrain vehicle (Class 1) means a motorized floatation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 1,000 cubic centimeters and total dry weight of less than 1,000 pounds.

All-terrain vehicle (Class 2) means a motorized floatation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 1,000 cubic centimeters and total dry weight of 1,000 to 1,800 pounds.

City right-of-way means the shoulder or ditch abutting the traveled portion of a city street or road.

Off-road motorcycle means a motorized, off-highway vehicle traveling on two wheels and having a seat or saddle designed to be straddled by the operator and handlebars for steering control, including a vehicle that is registered under Minnesota Rules ch. 168 for highway use if it is also used for off-highway operation on trails or unimproved terrain.

Off-road vehicle means a motor-driven recreational vehicle capable of cross-country travel on natural terrain without benefit of a paved road or trail. The term "off-road vehicle" does not include a snowmobile; an all-terrain vehicle; a off-road motorcycle; a watercraft; a farm vehicle being used for farming; a vehicle used for military, fire, emergency, or law enforcement purposes; a construction or logging vehicle used in the performance of its common function; a motor vehicle owned by or operated under contract with a utility, whether publicly or privately owned, when used for work on utilities; a commercial vehicle being used for its intended purpose; snow-grooming equipment when used for its intended purpose; or an aircraft.

(Ord. No. 143A, § 2, 3-2-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

Sec. 70-87. - Operation on private property.

No person shall operate an all-terrain vehicle, off-road vehicle or off-road motorcycle upon private property or upon lands not belonging to the operator of the vehicle without the expressed permission of the landowner or other person entitled to the use and possession of the property, provided that in the case of oral permission, the land owner, or other person entitled to the use and possession of the property is present on the property at all times during the operation of the vehicle.

(Ord. No. 143A, § 3, 3-2-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

Sec. 70-88. - Operating on city rights-of-way and waters.

No person, except a resident of the City of East Bethel or a person accompanied by a resident of the city, shall operate an all-terrain vehicle, off-road motorcycle, or off-road vehicle upon the streets, roads, highways or waters within its city limits except as provided in the following subsections:

- (1) A direct crossing of a street, road 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; and
 - 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 all-terrain vehicle, off-road motorcycle, or off-road vehicle may be operated upon city roads and bridges, when required for the purpose of avoiding obstructions to safe travel in the city right-of-way and when no other route of avoidance is available within that right-of-way; provided that the all-terrain vehicle, off-road motorcycle or off-road vehicle is operated in the extreme right-hand lane of the roadway, the entrance upon the roadway is made within 100 feet of the obstruction, the travel within the roadway is made without undue delay and it does not impede the normal flow of traffic.
- (3) An all-terrain vehicle, off-road motorcycle or off-road vehicle may be operated upon a city street, road or highway other than as provided by this section:
 - a. In an emergency when the roadways are impassable by passenger vehicles.
 - b. Where the public right-of-way is non-existent, flooded, beneath a snowdrift or at dangerously steep angle to the street, road or highway.
- (4) Registration card. No person all operate an all-terrain vehicle, off-road motorcycle or off-road vehicle in the City of East Bethel without having on their person the registration card provided by the Commissioner of Natural Resources of the State of Minnesota which shall include the registration number, the date of registration, the make and serial number of the vehicle, the owner(s) name and address, and such other information as is required by the commissioner.
- (5) To be "accompanied by a resident of the City of East Bethel" the vehicle operator must establish the identity, residency, present whereabouts, and verbal acknowledgment of the accompanying resident within one hour of being requested to do so by a law enforcement officer.

(Ord. No. 143A, § 4, 3-2-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

Sec. 70-89. - Operation on public property not under the jurisdiction of the city.

Operation of an off-road vehicle, off-road motorcycle, or all-terrain vehicle on public property not under the jurisdiction of the city is subject to the regulation of the public entity having jurisdiction upon said property.

- (1) Operation of an off-road vehicle, off-road motorcycle, or all-terrain vehicle upon the right-of-way of any state highway within the city is subject to the regulations of the Minnesota Department of Transportation (MnDOT).
- (2) Operation of an off-road vehicle, off-road motorcycle, or all-terrain vehicle upon the right-of-way of any county road within the city is subject to the regulations of the county highway department.

(Ord. No. 143A, § 5, 3-2-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

Sec. 70-90. - Penalty.

Any person who violates any provision of this article shall be guilty of a misdemeanor, and upon conviction thereof, may be punished as provided in section 1-14, and be required to complete eight hours of community service for each violation. Violators will be responsible for all costs of prosecution.

(Ord. No. 143A, § 6, 3-2-2005)

Secs. 70-91—70-108. - Reserved.

DIVISION 2. - USE

Sec. 70-109. - Purpose.

It is the purpose of this division to regulate the use of all-terrain vehicles and motorized dirt bikes in the city.

(Ord. No. 197, § 1, 9-7-2005)

Sec. 70-110. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

All-terrain vehicle (Class 1) means a motorized floatation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 1,000 cubic centimeters and total dry weight of less than 1,000 pounds.

All-terrain vehicle (Class 2) means a motorized floatation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 1,000 cubic centimeters and total dry weight of 1,000 to 1,800 pounds.

Established riding area means a course, track, or other area on a residential property for use of an all-terrain vehicle and/or a motorized dirt bike.

Motorized dirt bike means a vehicle traveling on two wheels and capable of cross-country travel on natural terrain without benefit of a road or trail.

Residential property means real property used for residential purposes, including all parcels of real property located within the RR residential district under the city's zoning ordinance, set forth in Appendix A to this Code.

(Ord. No. 197, § 2, 9-7-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

Sec. 70-111. - Use of all-terrain vehicles and off-road motorcycles.

An off-highway vehicle may be used on residential property within the city, but only on the condition that the operator adheres to the following:

- (1) An off-highway vehicle may be used on an established riding area only if it is no closer than 50 feet from any lot boundary line and no closer than 100 feet from any dwelling unit.
- (2) Article III of chapter 26 establishes the noise standards that apply to the operation of off-highway vehicles in the city.
- (3) No more than two persons who are not residents of any particular residential property may simultaneously use off-highway vehicles on the residential property. It is the responsibility of the owner of that residential property to enforce this restriction.
- (4) An all-terrain vehicles and off-road motorcycles may be operated on residential property only during the following hours: Monday through Fridays, 9:00 a.m. though 8:00 p.m., and Saturdays and Sundays, 10:00 a.m. through 5:00 p.m.
- (5) After two consecutive hours of operation of one or more all-terrain vehicles and off-road motorcycles on any residential property (or operation thereof for any part of two consecutive hours) there must be at least one hours during which there is no operation of an all-terrain vehicles and off-road motorcycles on the residential property.
- (6) Operation of an all-terrain vehicles and off-road motorcycles is not allowed on either a primary or secondary individual sewage treatment system site.

(Ord. No. 197, § 3, 9-7-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

Sec. 70-112. - Exemptions.

The use of any all-terrain vehicle and/or off-road motorcycle by any officer, employee, or agent of the city or of any other governmental unit in the course of official governmental business is exempt from this division.

(Ord. No. 197, § 4, 9-7-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

Sec. 70-113. - Penalty.

Any person who violates any provision of this division shall be guilty of a misdemeanor, and upon conviction thereof may be punished as provided in section 1-14, and may be required to complete eight hours of community service for each violation. Violators will be responsible for all costs of prosecution.

(Ord. No. 197, § 5, 9-7-2005)

Secs. 70-114—70-139. - Reserved.



East Bethel City Hall

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Please contact **East Bethel City Hall** with any questions in regards to this ordinance.

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