

TITLE VII: TRAFFIC CODE

Chapter

- 70. GENERAL PROVISIONS**
- 71. RECREATIONAL VEHICLES**
- 72. PARKING SCHEDULES**

CHAPTER 70: GENERAL PROVISIONS

Section

70.01 Exhibition driving

§ 70.01 EXHIBITION DRIVING.

It is a petty misdemeanor for any person to:

(A) Operate a vehicle upon a public highway, street, parking lot, alley or other public property, upon the ice of any lake, stream, river or skating rink, or private property without the consent of the owner, in such a manner as to create or cause unnecessary engine noise, to cause the vehicle tires to squeal, to cause the vehicle to skid or slide while accelerating or stopping, to simulate race or temporary race, to turn abruptly, to impede traffic or to cause the motor to backfire; and/or

(B) Drive or operate a vehicle on a public highway, street, parking lot, alley or other public property, or private property without the consent of the owner, at erratic or irregular and changing speeds so as to create a hazard to himself, herself or other persons or property or to interfere with other traffic in the area.

(Ord. 100, passed 8-7-1984) Penalty, see § 10.99

CHAPTER 71: RECREATIONAL VEHICLES

Section

ATV Use on County Roads

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ATV USE ON COUNTY ROADS

§ 71.01 PURPOSE.

The purpose of this subchapter is to provide for the health, safety and welfare of the citizens of the county. To ensure the integrity of all county roads in its jurisdiction, the County Board of Commissioners (the “County Board”) enacts this subchapter in accordance with state statutes to regulate the use of ATVs on county roads.
(Ord. passed 10-21-2015)

§ 71.02 DEFINITIONS.

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

ATV. An “all-terrain vehicle”, as defined by M.S. § 84.92, as it may be amended from time to time.

COUNTY. The County of Redwood, State of Minnesota.

COUNTY ROAD(S). All roads under jurisdiction of the county.

RIGHT-OF-WAY. Defined by M.S. § 84.92, as it may be amended from time to time.

SHOULDER. The part of a highway which is contiguous to the regularly traveled portion of the highway and is on the same level as the highway. The **SHOULDER** may be pavement, gravel or earth. On county roads where the **SHOULDER** is not readily identifiable, the **SHOULDER** shall be the extreme right-hand side of the road.

TRAVELED WAY. The traffic lanes on any county road.
(Ord. passed 10-21-2015)

§ 71.03 RECITALS.

(A) M.S. §§ 84.92 to 84.928, as they may be amended from time to time, regulates ATV use in the right-of-way of county roads.

(B) The county is in the portion of the state which is designated as the “Agricultural Zone” and, therefore, use of ATVs in ditches and outside slopes of county roads is not allowed during much of the year.

(C) Allowing ATV use on county roads will remove ATVs from the ditches and outside slopes of

county roads and allow ATV use during periods of the year when it was previously prohibited.

(D) Most county roads are appropriate for mixed use and allow for safe operation of ATVs on the shoulder, with proper safety restrictions.
(Ord. passed 10-21-2015)

§ 71.04 AUTHORIZATION.

(A) This subchapter regulates the use of ATVs on all county roads in the county, except as specifically addressed in § 71.05(D) of this chapter.

(B) Use of the shoulder on county roads is permitted if, and only if:

(1) The driver complies with all laws and regulations controlling use of public roads by motorized vehicles;

(2) Speed is always reasonable or proper under the circumstances;

(3) The ATV: does not crowd non-motorized traffic when passing; is not careless, reckless or negligent in a way that endangers or causes injury or damage to the person or property of another; does not violate operation rules adopted by the Commissioner or violates M.S. §§ 84.92 to 84.928, as they may be amended from time to time; and does not impede the traveled way of any county road;

(4) The ATV is compliant with state statute and is used in compliance with state statute;

(5) The ATV does not have a snorkel device with raised air intake six inches above the original manufacturer's air intake;

(6) The ATV has a functioning stop or taillight (if so equipped), a functioning hand or foot brake and a rearview mirror on the driver's left side;

(7) The ATV's headlight and taillight are lighted at all times;

(8) There is only one person on the ATV, except as allowed by M.S. § 84.9257, as it may be amended from time to time;

(9) Any driver or passenger under the age of 18 is wearing a helmet;

(10) ATVs shall ride on the gravel shoulder or the extreme right-hand side of county roads and should avoid riding on pavement wherever and whenever possible; and

(11) ATVs shall not be allowed to operate within any county park.
(Ord. passed 10-21-2015) Penalty, see § 71.99

§ 71.05 ADMINISTRATION.

(A) The County Board may close or restrict any county road to ATV use, with notice posted by the Highway Department.

(B) The County Board shall request an annual report regarding ATV use from the Sheriff's office, the Highway Department and the DNR, to be given at the organizational Board meeting on the first Tuesday in January of each year.

(C) In accordance with M.S. Ch. 169, as it may be amended from time to time, the Highway Engineer, with input from the Sheriff, may place appropriate signage addressing ATV use on county roads.

(D) If any municipality or township within the county approves an ordinance pursuant to M.S. §§ 84.82 to 84.928 or 169.045, as they may be amended from time to time, this subchapter will not be deemed to supersede the provisions of that municipal or township ordinance. Any municipal or township ordinance shall, in all cases, govern use of ATVs on

county roads within that municipality's or township's jurisdiction.

(Ord. passed 10-21-2015)

§ 71.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Violation the terms of §§ 71.01 through 71.05 of this chapter constitutes a misdemeanor.

(Ord. passed 10-21-2015)

CHAPTER 72: PARKING SCHEDULES

Schedule

I. Prohibited parking

SCHEDULE I. PROHIBITED PARKING.

(A) *Purpose.* The county recognizes that vehicles, semi-trailers, truck-tractors, or combinations thereof, having a gross vehicle weight of 10,000 or more can cause damage to the structure of Normandale Road, from U.S. Highway 71 to C.R. 53. Additionally, the county recognizes that the presence of vehicles, semi-trailers, truck-tractors, or any combination thereof, of this size affects the ability of motorists to have a clear field of vision at the intersection of Normandale Road and U.S. Highway 71, thereby creating a safety issue for the public.

(B) *Definitions and interpretations.* The singular shall include the plural and the plural shall include the singular. The masculine shall include the feminine and neuter, and vice-versa. The term “shall” means mandatory and the term “may” means permissive. For the purpose of this schedule, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUTHORIZED EMERGENCY VEHICLE. Any of the following vehicles, when equipped and identified according to law:

- (a) A vehicle of a fire department;
 - (b) A publicly owned police vehicle or a privately owned vehicle used by a police officer for police work under agreement, express or implied, with the local authority to which the officer is responsible;
 - (c) A vehicle of a licensed land emergency ambulance service, whether publicly or privately owned;
 - (d) An emergency vehicle of a municipal department or a public service corporation, approved by the Commissioner of Public Safety or the Chief of Police of a municipality;
 - (e) Any volunteer rescue squad operating pursuant to Laws 1959, Ch. 53; and
 - (f) A vehicle designated as an authorized emergency vehicle upon a finding by the Commissioner of Public Safety that designation of that vehicle is necessary to the preservation of life or property or to the execution of emergency governmental functions.
- (M.S. § 169.011, subd. 3)

DRIVER. Every person who drives, or is in actual physical control of, a vehicle.
(M.S. § 169.011, subd. 24)

FARM TRACTOR. Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.
(M.S. § 169.011, subd. 29)

GROSS VEHICLE WEIGHT. The greater of:

(a) The unloaded weight of a vehicle or the unloaded weight of a truck-tractor and semi-trailer combination, plus the weight of the load; or

(b) The value specified by the manufacturer as the maximum gross weight or gross vehicle weight rating.

(M.S. § 169.011, subd. 32)

INTERSECTION.

(a) The area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate **INTERSECTION**. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate **INTERSECTION**.

(M.S. § 169.011, subd. 36)

LOCAL AUTHORITIES. Every county, municipal and other local board or body having authority to adopt local police regulations under the constitution and laws of the state.

MOTOR VEHICLE. Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires. **MOTOR VEHICLE** does not include a vehicle moved solely by human power.

(M.S. § 169.011, subd. 42)

PASSENGER VEHICLE. A passenger automobile, as defined in M.S. § 168.02, subd. 24, as it may be amended from time to time; a pickup truck, as defined in M.S. § 168.02, subd. 26 it may be amended from time to time; a van, as defined in M.S. § 168.02, subd. 40, as it may be amended from time to time; and a self-propelled, recreational vehicle licensed under M.S. Ch. 168, as it may be amended from time to time, to use the public streets or highways. **PASSENGER VEHICLE** does not include a motorcycle, motorized bicycle, bus, school bus, a vehicle designed to operate exclusively on railroad tracks, a farm truck, as defined in M.S. § 168.02, subd. 8, 17, as it may be amended from time to time, or special mobile equipment, as defined in M.S. § 168.02, subd. 31, as it may be amended from time to time.

(M.S. § 169.011, subd. 52)

PERSON. Every natural person, firm, copartnership, association or corporation.
(M.S. § 169.011, subd. 54)

POLICE OFFICER. Every officer authorized to direct or regulate traffic or to make arrests for violations of traffic rules.
(M.S. § 169.011, subd. 56)

ROAD TRACTOR. Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.
(M.S. § 169.011, subd. 67)

ROADWAY. The portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk or shoulder.
(M.S. § 169.011, subd. 681)

SCHOOL BUS. A motor vehicle used to transport pupils to or from a school defined in M.S. § 120A.22, as it may be amended from time to time, or to or from school-related activities, by the school or school district or by someone under an agreement with the school or a school district. A **SCHOOL BUS** does not include a motor vehicle transporting children to or from school for which parents or guardians receive direct compensation from a school district, a motor coach operating under charter carrier authority, a transit bus providing services, as defined in M.S. § 174.22, subd. 7, as it may be amended from time to time, or a vehicle otherwise qualifying as a Type III vehicle. A **SCHOOL BUS** may be Type A, Type B, Type C or Type D, or Type III, as provided in M.S. § 169.011, subd. 71, as it may be amended from time to time.
(M.S. § 169.011, subd. 71)

SEMI-TRAILER. A vehicle of the trailer type so designed and used in conjunction with a truck-tractor that a considerable part of its own weight or that of its load rests upon and is carried by the truck-tractor and includes a trailer drawn by a truck-tractor/semi-trailer combination.
(M.S. § 169.011, subd. 72)

SHOULDER. The part of a highway which is contiguous to the regularly traveled portion of the highway and is on the same level as the highway. The **SHOULDER** may be pavement, gravel or earth.
(M.S. § 169.011, subd. 74)

STAND or STANDING. The halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.
(M.S. § 169.011, subd. 78)

STOP. Complete cessation from movement.
(M.S. § 169.011, subd. 79)

STREET or HIGHWAY. The entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purpose of vehicular traffic.
(M.S. § 169.011, subd. 81)

TRAILER. Any vehicle designed for carrying property or passengers on its own structure and for being drawn by a motor vehicle, but does not include a trailer drawn by a truck-tractor/semi-trailer combination or an auxiliary axle on a motor vehicle which carries a portion of the weight of the motor vehicle to which it is attached. (M.S. § 169.011, subd. 86)

TRUCK-TRACTOR.

(a) A motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load drawn; and

(b) A motor vehicle designed and used primarily for drawing other vehicles used exclusively for transporting motor vehicles or boats and capable of carrying motor vehicles or boats on its own structure. (M.S. § 169.011, subd. 89)

VEHICLE. Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks. (M.S. § 169.011, subd. 92)

(C) *Violations.* It is unlawful for a person or driver to park, stop or stand any vehicle, semi-trailer, truck-tractor, or any combination thereof, having a gross vehicle weight of 10,000 pounds or greater upon any part of the south side shoulder of Normandale Road, between U.S. Highway 71 and C.R. 53. This schedule shall not apply to authorized emergency vehicles, vehicles operated by police officers, authorized county vehicles or school buses, as defined by state statutes. Each 24-hour period that the vehicle, semi-trailer, truck-tractor, or any combination thereof, having a gross vehicle weight of 10,000 pounds or greater is parked, stopped or standing, shall constitute a separate violation.

(D) *Penalty.*

(1) Violation of this schedule is a petty misdemeanor and shall be punishable by a fine in the amount of \$75, paid to the County Court Administrator.

(2) A second violation of this schedule is a petty misdemeanor and shall be punishable by a fine in the amount of \$100, paid to the County Court Administrator.

(3) A third violation of this schedule is a petty misdemeanor and shall be punishable by a fine in the amount of \$150, paid to the County Court Administrator.
(Ord. passed - -)