

CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA

ORDINANCE NO. 2023-05

AN ORDINANCE AMENDING CHAPTERS 70 AND 95 OF THE CODE
OF ORDINANCES OF THE CITY OF MANTORVILLE REGARDING MOTORIZED
GOLF CARTS, ALL-TERRAIN VEHICLES, AND UTILITY TASK VEHICLES

THE CITY COUNCIL OF THE CITY OF MANTORVILLE, MINNESOTA, HEREBY
ORDAINS:

Section 1. Subsections 70.01 through 70.06 of the Mantorville City Code are hereby repealed in their entirety and replaced with the following double-underlined provisions:

**MOTORIZED GOLF CARTS, ALL-TERRAIN VEHICLES
AND UTILITY TASK VEHICLES**

§70.01 Definitions.

As used in this subchapter, the following terms will mean:

All-terrain vehicle or ATV: A motorized vehicle with:

- (1) not less than three, but not more than six low pressure or non-pneumatic tires;
- (2) a total dry weight of 2,000 pounds or less; and
- (3) a total width from outside of tire rim to outside of tire rim that is 65 inches or less.

All-terrain vehicle includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle. All-terrain vehicle does not include a golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

Class 1 all-terrain vehicle: An all-terrain vehicle that has a total width from outside of tire rim to outside of tire rim that is 50 inches or less.

Class 2 all-terrain vehicle: An all-terrain vehicle that has a total width from outside of tire rim to outside of tire rim that is greater than 50 inches but not more than 65 inches.

Designated Roadways: City streets, avenues, and alleys not specifically excluded in this chapter. It does not mean United States or Minnesota trunk highways or Dodge County highways or county state-aid highways unless permitted by county ordinance.

Dead-Man Throttle: A device which when pressure is removed from the accelerator or throttle causes the motor to be brought to an immediate stop.

Driver: The person driving and having physical control over utility task vehicle, all-terrain vehicle, or mini-truck and thus being the licensee.

Motorized Golf Cart: A gas or electric three or four wheel vehicle commonly used to transport golfers and their golfing equipment while playing the sport of golf.

Owner: A person, other than a person with security interest, having a property interest in or title to an all-terrain vehicle and entitled to the use and possession of the vehicle.

Operator: The person driving or in actual physical control of the all-terrain vehicle.

Utility Task Vehicle (UTV): As defined in Minnesota Statutes, section 169.045, subd. 1 (3), is a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less and has a total dry weight of 1,800 but less than 2,600 pounds.

§70.02 Permits for ATVs, Motorized Golf Carts, and UTVs.

(A) No person shall operate an ATV, motorized golf cart, or UTV on designated roadways without obtaining a permit as provided herein.

(B) Permit applications shall be available in the clerk-treasurer's office. At the time of application, the applicant shall provide:

1. Applicant's name
2. Applicant's address
3. Applicant's date of birth
4. Application date
5. A copy of applicant's driver's license (applicants who are unable to produce a driver's license may present a letter from their physician certifying that they are safely able to operate an ATV, motorized golf cart, or UTV on designated roadways)
6. Applicant's certification that they have read and will comply with all the terms of this chapter
7. Evidence of insurance complying with the provisions of Minnesota Statutes, section 65B.48, subdivision 5, as may be amended from time to time. In the event persons operating an ATV, motorized Golf Cart, or UTV under this section cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage, from the Minnesota Automobile Insurance Plan under Minnesota Statutes, section 65B.01 to 65B.12, at a rate determined by the commissioner of commerce.
8. Vehicle registration information and a description of the vehicle (applicants may provide a photograph of the vehicle in leu of a description)

(D) Persons under age twenty-one (21) shall be ineligible for a permit unless they possess a valid driver's license.

(E) All permits shall be valid for a period not to exceed one year but may be renewed.

(F) The permit fee shall be as set forth in the city's fee schedule, as it may be amended from time to time.

(G) No permit shall be granted or renewed if the applicant has had their driver's license revoked as the result of criminal proceedings.

(I) All permits shall expire on December 31 unless properly renewed prior thereto.

§70.03 Revocation or Denial of Permits.

(A) Any permit granted or authorized hereunder shall be revoked or denied under the following circumstances:

1. Upon a finding that the holder of the permit has violated any of the provisions of this chapter or Minnesota Statutes, chapter 169, as may be amended from time to time, while operating their respective ATV, motorized golf cart, or UTV;
2. If there is evidence that the ATV, motorized golf cart, or UTV is not safely or legally operated or has not been safely or legally operated within the city;
3. If the insurance required by law for a permit is no longer in effect;
4. If the application for permit contained false or misleading information of documentation;
5. If the driver's license of the permit holder is suspended, revoked, or cancelled;
or
6. Upon evidence that the permit holder is not able to operate the ATV, motorized golf cart, or UTV in a manner that is safe, responsible, or lawful.

(B) The applicant or permit holder may appeal any such revocation or denial in a hearing before the city council by filing with the city clerk-treasurer notice of appeal in writing not later than 10 days after the date of notice of the revocation or denial action.

(C) Individuals whose permits are revoked or denied are prohibited from re-applying for a permit for one year after the revocation or denial is issued. Three revocations of a permit within ten years shall result in permanent revocation.

§70.04 Operation of Certain Vehicles Within the City.

(A) All ATVs and UTVs operated in the city, regardless of whether they are operated on designated roadways pursuant to a city permit, must be equipped with:

1. Mufflers that are properly attached and which reduce the noise of operation of the vehicle to the minimum noise necessary for the operation of the vehicle. No person shall use a muffler cut-out, by-pass, or similar device on any ATV or UTV operated within the city;
2. A safety or "dead-man" throttle in good operating condition;

3. A rear view mirror to provide the driver with adequate vision from behind as required by Minnesota Statutes, section §169.70.

(B) Motorized golf carts operated pursuant to a city permit must display a slow-moving vehicle emblem as described by Minnesota Statutes, section 169.522.

(C) All ATVs, motorized golf carts, and UTVs must prominently display their city permit sticker on the driver's side of the vehicle windshield. If the vehicle does not have a windshield, the driver must have the permit in their possession while operating the vehicle on designated roadways.

(D) ATVs, motorized golf carts, and UTVs are not required to obtain a permit if they are being utilized solely to clear snow from sidewalks and/or driveways from the operator's property or from a neighbor's property located within 350 feet of the operator's property.

(D) ATVs, motorized golf carts, and UTVs are not required to obtain a permit if they are being utilized solely to drag a baseball or other athletic field.

(E) ATVs, motorized golf carts, and UTVs are permitted to operate only on designated roadways, not state or federal highways, except to cross at designated intersections.

(F) Notwithstanding anything herein to the contrary, ATVs, motorized golf carts, and UTVs are not permitted to operate on any of the following city streets; however, an ATV, Motorized Golf Cart, or UTV may make a direct 90 degree crossing of such streets: *[insert prohibited city streets here]*

(G) When operating on designated roadways, ATVs, motorized golf carts, and UTVs must be operated at the extreme right-hand side of the roadway, except when making a left turn, and cannot exceed a speed of 20 miles per hour.

(H) ATVs, motorized golf carts, and UTVs may only be operated on designated roadways from sunrise to sunset, unless equipped with original equipment headlights, taillights, and rear-facing brake lights.

(I) ATVs, motorized golf carts, and UTVs may not be operated as authorized through a permit in inclement weather conditions or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

(J) ATVs, motorized golf carts, or UTVs may not be operated with a passenger or passengers unless each such passenger is seated on a seat specifically designed for the transport of passengers. The number of occupants on an ATV, motorized golf carts, or UTV may not exceed the design occupant load.

(K) No trailer, toboggan, sled or other device shall be pulled by an ATV, motorized golf cart, or UTV while operating through a permit.

(L) ATVs, motorized golf carts, and UTVs may not be operated on city sidewalks, walking trails, or paths, unless they are being utilized to clear snow.

(M) ATVs, motorized golf carts, and UTVs must abide by all city parking regulations.

(N) Every person operating an ATV, motorized golf cart, or UTV on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statutes, chapter 169, as may be amended from time to time.

§70.05 Limitation of Liability.

Nothing in this chapter shall be construed as an assumption of liability by the city for any injuries to persons or property which may result from the operation of a permitted ATVs, motorized golf carts, or UTVs, the grant of such permit, or the failure by the city to revoke said permit.

§70.06 City Use Authorized.

Authorized city staff may operate city-owned ATVs, motorized golf carts, or UTVs without obtaining a permit on city streets, sidewalks, trails, rights-of-way, and other public property when conducting city business.

Section 2. Subsection 95.04 of the Mantorville City Code is hereby amended by adding the double-underlined material as follows:

(z) The use or operation of any recreational motor vehicle, on public or private property, in a manner that produces a distinct and loudly audible sound that unreasonably disturbs the peace, quiet, and comfort of any person nearby. This provision applies to any and all types of recreational motor vehicle, including, but not limited to, dirt bikes, dune buggies, snowmobiles, and the vehicles defined in section 70.01 (ATVs, motorized golf carts, and UTVs).

Section 3. This ordinance shall be in full force and effect upon its passage and publication.

Passed by the City Council of the City of Mantorville, Minnesota, this 13th day of February 2023.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer