

ORDINANCE NO. 524

AN ORDINANCE AMENDING CHAPTER 180, VEHICLES AND TRAFFIC, OF THE BRECKENRIDGE CITY CODE BE AMENDED REGARDING THE REGULATION OF UTILITY TASK VEHICLES.

THE CITY COUNCIL OF THE CITY OF BRECKENRIDGE DOES ORDAIN:

Amend Chapter 180-17 to read as follows:

**CHAPTER 180
VEHICLES AND TRAFFIC**

That §180-17.7 be amended as follows and §180-17.8 be added as follows:

§180-17. SPECIAL VEHICLES: GOLF CARTS, UTILITY TASK VEHICLES, AND CLASS 1 ALL-TERRAIN VEHICLES.

(A) (1) No person shall operate a golf cart, utility task vehicle, or all-terrain vehicle on streets, alleys, sidewalks or other public property without obtaining a permit as provided herein.

(2) Every application for a permit shall be made on a form supplied by the city and shall contain all of the following information:

- (a) The name and address of the applicant.
- (b) Model name, make, color, vehicle ID number, and year of the golf cart, utility task vehicle or all-terrain vehicle.
- (c) Department of Natural Resources registration number for utility task vehicles and all-terrain vehicles.
- (d) Current driver's license or reason for not having a current license.
- (e) Other information as the city may require.

(3) The permit fee shall be as set forth in Chapter 86 Fees of this code, as that ordinance may be amended from time to time.

(4) Permits are valid for a period of up to three years and may be renewed.

(5) No permit shall be granted or renewed unless the following conditions are met:

(a) Youth applicants will be required to submit a certificate showing successful completion of an appropriate safety education and training program to operate an all-terrain vehicle and shall abide by all other requirements pursuant to Minn. Stat. § 84.9256.

(b) The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the golf cart, utility task vehicle, or all-terrain vehicle.

(6) Golf carts, utility task vehicles and all-terrain vehicles may only be operated on designated roadways from sunrise to sunset, unless equipped with original equipment headlights, taillights, and rear-facing brake lights. They shall not be operated 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.

(7) Golf carts and all-terrain vehicles are allowed to operate on city streets. They shall operate on the furthest right-hand side of the roadway and shall not be driven on US Highway 75, MN Highway 210, Minnesota Avenue, 11th Street North, and between the 200 block and 500 block of 8th Street South except to cross at intersections.

(8) Utility task vehicles are allowed to operate on City streets. They shall operate on the furthest right-hand side of the roadway and shall not be driven on US Highway 75 and MN Highway 210, except to cross at intersections.

(9) Golf carts shall display the slow-moving vehicle emblem provided for in Minn. Stat. § 169.045, as it may be amended from time to time, when operated on designated roadways.

(10) Golf carts, utility task vehicles, and all-terrain vehicles shall be equipped with a rear-view mirror to provide the driver with adequate vision from behind as required by Minn. Stat. § 169.70.

(11) Every person operating a golf cart, a utility task vehicle, or an all-terrain vehicle under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minn. Stat. ch. 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to golf carts and except as otherwise specifically provided in Minn. Stat. § 169.045, subd.7, as it may be amended from time to time.

(12) The operator of a golf cart or utility task vehicle must have a valid driver's license.

(13) The Chief of Police or his/her designee may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this section or Minn. Stat. ch. 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the golf cart, utility task vehicle, or all-terrain vehicle on the designated roadways.

(14) The number of occupants on the golf cart, utility task vehicle, or all-terrain vehicle may not exceed the designed occupant load.

(15) Utility task vehicles and all-terrain vehicles must be registered with the Department of Natural Resources per Minn. Stat. § 84.922 and must openly display the registration on the vehicle

(16) The city-issued permit sticker must be prominently displayed on the driver's side or rear of the vehicle.

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

DRIVER. The person driving and having physical control over the golf cart, utility task vehicle, or all-terrain vehicle.

GOLF CART. A gas or electric three or four-wheeled vehicle commonly used to transport golfers and their golfing equipment while playing the sport of golf.

UTILITY TASK VEHICLE. As defined by Minn. Stat. § 169.045, subd. 1 (3), 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.

ALL-TERRAIN VEHICLE OR VEHICLE. As defined by Minn. Stat. § 84.92, subd. 8, a 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. As defined by Minn. Stat. § 84.92, subd. 9, 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.

(C) Authorized city staff may operate city owned utility task vehicles or all-terrain vehicles without obtaining a permit within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

Russell Wilson
RUSSELL WILSON, Mayor

ATTEST:

Lori A. Conway
LORI A. CONWAY, City Administrator

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