

CHAPTER 8

TRAFFIC REGULATIONS

(SEE CHAPTER 7 FOR DEFINITIONS, SCOPE AND APPLICATION RELATING TO THIS CHAPTER)

SECTION 8.01. HIGHWAY TRAFFIC REGULATION ACT ADOPTED BY REFERENCE. Except as otherwise provided in this Chapter, or in Chapters 7 and 9 of this Code, Minnesota Statutes, Chapter 169, (commonly referred to as the Highway Traffic Regulation Act), as amended, is hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

SEC. 8.02. BICYCLES AND UNICYCLES.

Subd. 1. Traffic Laws Apply. Every person riding a bicycle or unicycle upon a roadway or upon any path set aside for the exclusive use of bicycles or unicycles shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Chapter, except as to special regulations in this Chapter and except as to those provisions of this Chapter which by their nature can have no application.

Subd. 2. Right of Way - Sidewalks. Whenever a person is riding a bicycle or unicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. Provided, that it is unlawful for any person to ride a bicycle or unicycle on a sidewalk contrary to sign-posted prohibitions.

Subd. 3. Carrying Articles. It is unlawful for any person operating a bicycle to carry any package, bundle or article which prevents the driver from keeping at least one (1) hand upon the handlebars.

Subd. 4. Riders. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except on a baby seat attached to the bicycle, provided that such seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel or in a seat attached to the bicycle operator.

SEC. 8.03. SKATEBOARDS AND ROLLER SKATES.

Subd. 1. Definitions.

1. "Skateboards" a wheeled, self-propelled device designed to transport a rider in a standing position, which device is not otherwise secured to a rider's foot or shoes.

2. "Roller Skates" a shoe with wheels attached or a device with wheels which is designed to be attached to a shoe. For purposes of this Section, the term "roller skates" shall include "roller blades".

3. "Downtown Area" the following named streets: Washburne Avenue between Hoffman and Railroad Streets; Augusta Avenue between Hoffman and Railroad Streets; James Street between Lake Avenue and River Street; Lake Avenue between Railroad and Hoffman Streets; Stearns Avenue between Hoffman and James Streets; and River Street and Railroad Street between Lake and Central Avenues.

Subd. 2. Skateboard and Roller Skate Regulations.

A. It is unlawful for any person to operate, propel or ride a skateboard or roller skates upon any public sidewalk, street or parking lot in the "Downtown Area" of the City.

B. It is unlawful for any person to operate, propel or ride a skateboard or roller skates on or within that portion of any State trunk highway, County State-aid highway or County highway designed for vehicular traffic.

Subd. 3. Traffic Laws Apply to Skateboards and Roller Skates. Every person riding a skateboard or upon roller skates upon a roadway shall ride nearest to the right-hand shoulder. If riding upon a sidewalk, such person shall yield the right-of-way to pedestrians, and shall give audible signal before overtaking and passing pedestrians.

Source: City Code
Effective Date: 03-15-1992

SEC. 8.04. CROSSING A DOUBLE YELLOW LINE. It is unlawful for any person to cross a double yellow line to park.

Source: Ordinance No. 27, 2nd Series
Effective Date: 01-10-2002

SEC. 8.05. REGULATION OF USE OF TRAILS.

Subd.1. Definitions.

a) Bicycle. Bicycle means any land based vehicle powered by human muscle.

b) Horseback Riding. Horseback riding includes all modes of human travel produced in part by non-human muscle.

c) Motor Vehicle. Motor vehicle means any self propelled vehicle and any vehicle propelled or drawn by a self propelled vehicle including, but not limited to automobiles, trucks, dune buggies, mini bikes, motorcycles, golf carts, trail bikes, and atv's.

d) Person. Person means any individual, partnership, corporation, or association.

e) Snowmobile. Snowmobile means any self propelled vehicle designed for travel on snow or ice and steered by skis or runners.

d) Trail. Trail means all of the land contained within the area, designated by the City of Paynesville as part of its recreational trail system.

Subd. 2. Trail Uses.

a) In General. Subject to limitations imposed herein, unless otherwise specifically provided, the trails of the City of Paynesville are intended to be used for hiking, bicycling, snowshoeing, cross country skiing, horseback riding and generally all forms of non-motorized recreation.

b) Motor Vehicles. No motor vehicles shall be operated upon a trail.

c) Snowmobiles. No snowmobiles shall be operated upon a trail.

d) Traffic Control.

i) Trail signs shall be obeyed

ii) Trail users must stay on the right half of the trail when meeting another trail user.

iii) When passing or overtaking another trail user passing shall occur on the left and only when such left half is clearly visible and free from on-coming traffic for sufficient distance ahead to permit such overtaking and passing to be completed without interfering with the safety of any trail user approaching from the opposite direction or any trail user being overtaken.

iv) Any trail user who is about to enter or cross a trail shall yield to the right-of-way of any trail user already on the trail to be entered or crossed.

e) Regulation of Operation of Bicycles on Trails.

i) Manner and number riding. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except (1) on a baby seat attached to the bicycle, provided that the baby seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel or (2) in a seat attached to the bicycle operator.

ii) Carrying articles. No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handle bars or from properly operating the brakes of the bicycle.

iii) Bicycle equipment. (1) No person shall operate a bicycle at nighttime unless the bicycle or its operator is equipped with a lamp which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector of a type approved by the Department of

Public Safety which is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. No person may operate a bicycle at any time when there is not sufficient light to render persons and vehicles on the trail clearly discernible at a distance of 500 feet ahead unless the bicycle or its operator is equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective materials on each side of each pedal to indicate their presence from the front or the rear and with a minimum of 20 square inches of reflective material on each side of the bicycle or its operator. Any bicycle equipped with side reflectors as required by regulations for new bicycles prescribed by the United States Consumer Product Safety Commission shall be considered to meet the requirements for side reflectorization contained in this subdivision. A bicycle may be equipped with a rear lamp that emits a red flashing signal. (2) No person shall operate a bicycle unless it is equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement. (3) No person shall operate upon a trail any bicycle equipped with handlebars so raised that the operator must elevate the hands above the level of the shoulders in order to grasp the normal steering grip area. (4) No person shall operate upon a trail any bicycle which is of such a size as to prevent the operator from stopping the bicycle, supporting it with at least one foot on the trail surface and restarting in a safe manner.

iv) Turning, lane change. An arm signal to turn right or left shall be given continuously during the last 100 feet traveled by the bicycle before turning, unless the arm is needed to control the bicycle, and shall be given while the bicycle is stopped waiting to turn.

v) Bicycle parking. A bicycle parked on a trail shall not impede the normal and reasonable movement of pedestrian or other traffic.

vi) Peace officer operating bicycle. The provisions of this section governing operation of bicycles do not apply to bicycles operated by peace officers while performing their duties.

Subd. 3. Exceptions to Motor Vehicle Exclusion. The following motor vehicles are exempt from the general prohibition contained in Subdivision 2(b):

- a) Military, fire, emergency or law enforcement vehicles used for official or emergency purposes;
- b) Vehicles authorized by permit, lease or contract;
- c) Vehicles owned by private persons engaged in the upkeep and maintenance of the trail systems under the direction of the local unit of government that manages the trail;

- d) Vehicles registered to or operated with the permission of a land owner on whose lands the trail system has been constructed, but only with respect to operation on the land of that owner; and
- e) Motorized wheelchairs or other motorized devices operated by an individual who is physically disabled.

Subd. 4. Use of Rest Areas.

- a) Camping. There shall be no overnight camping in rest areas along the trail.
- b) Hunting. No uncased firearm or bow and arrow shall be possessed within the trail right-of-way at any time. No firearm or bow and arrow shall be discharged within the trail right-of-way at any time.

Subd. 5. Protection of Trails.

- a) General. No person shall disturb, destroy, injure, damage, or remove any property within the trail system including, but not limited to vegetation, wildlife, signs or facilities.
- b) Bill Posting. No person shall post, paste, fasten, paint or fix any placard, bill, notice or sign upon any structure, tree, stone, fence or enclosure within the trail system.
- c) Obstructions. No person shall place or cause to remain within the trail system any obstruction to the free use and enjoyment of the trail. Any obstruction left on the trail may be removed at the owner's expense. If an obstruction of material is removed, and is not claimed and the payment of expenses offered within a reasonable time, which in no case shall be more than 30 days, it shall be disposed of in accordance with the provisions of Minn. Statute, 16B.25, concerning the disposal of lost or abandoned property.
- d) Refuse. No person shall burn or dispose of garbage, refuse, litter or trash within the trail right-of-way except in receptacles provided for that purpose.

Subd. 6. Streets & Highways.

The provisions of City Code Chapter 8, Section 8.04, does not apply to any portion of a trail located on any street or highway as defined in Minnesota Statute Section 169.01.

Source: Ordinance No. 96, 2nd Series
Effective Date: 04-05-07

(Sections 8.06 through 8.09, inclusive, reserved for future expansion.)

(Pages 231 through 235 reserved)

SEC. 8.10. U-TURNS. It is unlawful for any person to operate a motor vehicle by turning so as to proceed in the opposite direction upon any street except at a street intersection, and then only if the street intersection is not sign-posted prohibiting a U-turn or otherwise controlled by a traffic signal; provided, that any person making a permitted U-turn shall yield the right-of-way to all other vehicles.

SEC. 8.11. EXHIBITION DRIVING.

Subd. 1. Prima Facie Evidence. It is prima facie evidence of exhibition driving when a motor vehicle stops, starts, accelerates, decelerates, or turns at an unnecessary rate of speed so as to cause tires to squeal, gears to grind, soil to be thrown, engine backfire, fishtailing or skidding, or, as to two-wheeled or three-wheeled motor vehicles, the front wheel to lose contact with the ground or roadway surface.

Subd. 2. Unlawful Act. It is a misdemeanor for any person to do any exhibition driving on any street, parking lot, or other public or private property, except when an emergency creates necessity for such operation to prevent injury to persons or damage to property; provided, that this Section shall not apply to driving on a racetrack. For purposes of this Section, a "racetrack" means any track or premises whereon motorized vehicles, horses, dogs, or other animals or fowl legally compete in a race or timed contest for an audience, the members of which have directly or indirectly paid a consideration for admission.

SEC. 8.12. DRIVING THROUGH PRIVATE PROPERTY TO AVOID TRAFFIC SIGNAL. It is unlawful for any person to avoid obedience to any traffic control device by driving upon or through any private property.

SEC. 8.13. EMERGENCY VEHICLES. The provisions of this Chapter shall not apply to vehicles when operated with due regard for safety, under the direction of police officers in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation, nor to Fire Department or fire patrol vehicles when traveling in response to a fire alarm, nor to public ambulances when traveling in emergencies. This exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

SECTION 8.14. GOLF CARTS, NEIGHBORHOOD FRIENDLY VEHICLES, ATVS, SNOWMOBILES, AND OTHER LOW POWERED VEHICLES WITHIN THE CITY OF PAYNESVILLE, MINNESOTA.

Subd. 1. Purpose and Intent.

- (A) The purpose of this chapter is to provide reasonable regulations for the use of special and recreational motor vehicles on public and, in conformance with private property, in the City.
- (B) This chapter is not intended to allow what the Minnesota Statutes prohibit or to prohibit what the Minnesota Statutes expressly allow.
- (C) It is intended to ensure the public safety and prevent a public nuisance.

- (D) This Chapter adopts the regulatory provisions of Minnesota Statutes, Section 84.81 to 84.929, 169.974, 169.223, 171.01, and 171.02 as amended from time to time and adopts permitting requirements per 169.045.

Subd. 2. Definitions. For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (A) Designated Streets: All streets, avenues, and roadways under the jurisdiction of the City of Paynesville not identified as a prohibited street.
- (B) Prohibited Streets: All streets, avenues, and roadways under the jurisdiction of the City of Paynesville which operation of vehicles under this ordinance are prohibited. This includes Lake Ave S (Co Rd 66) and Lake Ave N, All of Business 23 (Co Rd 85), Railroad St from River St to Garfield Ave, Co Rd 34, Minnie St from Industrial Loop West to Co Rd 85, River St from Business 23 W to Railroad St
- (C) Street: "Street" means the entire width between boundary lines including road-right of ways and boulevards.
- (D) Operator: The person driving and having physical control over the motorized golf cart, all-terrain vehicle, or mini-truck and being the licensee.
- (E) Owner: Owner means a person, other than a person with a security interest, having a property interest in or title to a vehicle cover in this ordinance and is entitled to the use and possession of the vehicle.
- (F) Motorized Golf Cart: Any passenger conveyance being driven with three or four wheels with three or four low-pressure tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 800 pounds.
- (G) Mini Truck: As defined in Minn. Stat. § 169.01, subd. 40(a), a motor vehicle that has four wheels; is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less; has a total dry weight of 900 to 2,200 pounds; contains an enclosed cabin and a seat for the vehicle operator; commonly resembles a pickup truck or van, including a cargo area or bed located at the rear of the vehicle; and was not originally manufactured to meet federal motor vehicle safety standards required of motor vehicles in the Code of Federal Regulations, title 49, sections 571.101 to 571.404, and successor requirements. A mini-truck does not include: a neighborhood electric vehicle or a medium-speed electric vehicle as defined by § 73.11; or a motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, title 49, section 571.500, as it may be amended from time to time.

Subd. 3. Operator Permits.

- (A) No person shall operate a motorized golf cart or mini-truck on streets, alleys or other public property without obtaining an operator's permit as provided herein.
- (B) Every application for an operator's permit shall be made on a form supplied by the City of Paynesville and shall contain all of the following information:
- (1) The name and address of the applicant.

- (2) The nature of the applicant's physical handicap, if any.
 - (3) Current driver's license or reason for not having a current license.
 - (4) Other information as the city may require.
- (C) The annual operator's permit fee shall be as set forth in the Paynesville fee schedule which may be amended from time to time by resolution of the city council.
- (D) Operator's Permits shall be granted for a period of one year and may be renewed annually Jan. 1 to Dec. 31.
- (E) No operator's permit shall be granted or renewed unless the following conditions are met:
- (1) The applicant must demonstrate that he or she currently holds or has held a valid Minnesota driver's license to operate a mini-truck.
 - (2) The applicant shall be required to submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart on the roadways as designated or, in the alternative, shall submit a current Department of Transportation health card.
 - (3) The applicant has not had his or her driver's license revoked, suspended, or cancelled as the result of criminal proceedings within the last 5 years.
 - (4) The applicant is over the age of 16.
 - (5) No prior violations of this ordinance or traffic violations related to the use of a motorized golf cart or mini truck.

Source: Ordinance No. 165, 2nd Series
Effective Date: 12-08-2016

Subd. 4. Vehicle Permits.

- (A) No person shall operate a motorized golf cart or mini-truck on streets, alleys or other public property without obtaining a vehicle permit as provided herein. The vehicle must have a current, valid permit prominently displayed on the front windshield or above the driver's side wheel well.
- (B) Every application for a vehicle permit shall be made on a form supplied by the City of Paynesville and shall contain all of the following information:
- (1) The name and address of the owner.
 - (2) Model name, make and year and number of the motorized golf cart or mini truck
 - (3) Current insurance information on the vehicle

- (4) Other information as the city may require.
- (C) The vehicle permit fee shall be issued for three (3) years commencing January 1 of the year of issuance and expiring December 31 of the third year, and the fee shall be set forth in the Paynesville fee schedule which may be amended from time to time by resolution of the city council.
- (D) Vehicle permits shall be granted for a three (3) year period of one year and may be renewed for three (3) year periods thereafter, each three (3) year period commencing January 1 of the year of issuance and ending December 31st of the third year of the permit.
- (E) No vehicle permit shall be granted or renewed unless the following conditions are met:
 - (1) The applicant must demonstrate continued/ongoing insurance for the vehicle in compliance with Minnesota State Statute.
 - (2) The applicant must demonstrate the motorized golf cart or mini truck complies with safety requirements and equipment set forth in this ordinance.
 - (3) No prior violations of this ordinance or traffic violations related to the use of the permitted motorized golf cart or mini truck

Subd. 5. General Provisions.

- (A) Motorized golf carts and mini-trucks are permitted to operate on designated roadways, not state or federal highways or prohibited roadways as defined above, except to cross at intersections. Vehicles may not be driven down a prohibited road to get to an intersection. Vehicles must operate as close to the right curb as possible, unless overtaking a parked vehicle or pedestrian, or making a left hand turn.
- (B) Motorized golf carts and mini trucks may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather, except during emergency conditions as provided in the ordinance, or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light visibility to clearly see persons and vehicles on the roadway at a distance of 500 feet.
- (C) Motorized 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.
- (D) Motorized golf carts and mini-trucks shall be equipped with a rear-view mirror to provide the driver with adequate vision from behind as required by Minn. Stat. § 169.70.
- (E) The operator of a motorized golf cart or mini-truck may cross any street or highway intersecting a designated roadway.
- (F) Every person operating a motorized golf cart a mini-truck 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 motorized golf carts or mini-trucks and except as otherwise specifically provided in Minn. Stat. § 169.045(7), as it may be amended from time to time.

- (G) The number of occupants on the golf cart, all-terrain vehicle, or mini-truck may not exceed the design occupant load.
- (H) Every person operating golf cart must possess the operator's permit at all time when operating the vehicle and every person operating a mini truck must possess a valid driver's license when operating a mini truck
- (I) It is unlawful to operate a motorized golf cart or mini truck anywhere in the City of Paynesville, including private property, in any of the following manners:
 - (1) At a speed in excess of the posted speed limit
 - (2) Other than single file on a designated roadway
 - (3) Carelessly or Recklessly
 - (4) Towing or pulling any person or object behind the vehicle, unless specifically designed for that purpose
 - (5) On a public sidewalk or bike trail provided for pedestrian or non-motorized travel
 - (6) On boulevards within any public right of way
 - (7) Public property- on any other public property including parks and recreational areas, except as the City Code may specifically permit.
 - (8) While the operator of a motorized golf cart or mini truck is under the influence of alcohol or drugs as defined in MN State Statute 169A.
 - (9) On private property without the property owners permission
 - (10) While the operator's permit is in suspended or revoked status
- (J) The operator of a motorized golf cart or mini truck shall not possess any open container of alcohol while the vehicle is operating within the City of Paynesville. The operator shall not allow any passenger to possess an open container of alcohol while the vehicle is operating within the City of Paynesville.
- (K) The owner of a permitted motorized golf cart or mini truck shall not allow anyone to operate or drive the vehicle when the operator does not have a valid operator's permit or is under the age of 16. The owner is responsible for all actions of the operator and may be subject to lose of vehicle permit for violations of this ordinance.
- (L) The City Council may suspend or revoke an operator's permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this section, does not comply with permitting requirements 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 motorized golf cart or mini-truck on the designated roadways.
- (M) The City Council may suspend or revoke a vehicle permit granted hereunder upon a finding that the owner thereof has violated any of the provisions of this section or Minn. Stat., ch. 169, as it may be amended from time to time.

- (N) Authorized city staff may operate city owned motorized golf carts and mini-trucks without obtaining a permit within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.
- (O) Mini-truck equipment requirements:
 - (1) A mini-truck may be operated under permit on designated roadways if it is equipped with all of the following:
 - (a) At least two headlamps.
 - (b) At least two tail lamps.
 - (c) Front and rear turn-signal lamps.
 - (d) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror.
 - (e) A windshield.
 - (f) A seat belt for the driver and front passenger.
 - (g) A parking brake.

Subd. 6. Operation of Electric Personal Assistive Mobility Devices.

- (A) ***ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE*** means a self-balancing device with two non-tandem wheels, designed to transport not more than one person, and operated by an electric propulsion system that limits the maximum speed of the device to 15 miles per hour.
- (B) Except as otherwise provided by law, a person operating an electric personal assistive mobility device has the rights and responsibilities of a pedestrian.
- (C) *Operation.*
 - (1) An electric personal assistive mobility device may be operated on a bicycle path.
 - (2) No person may operate an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path at a rate of speed that is not reasonable and prudent under the conditions. Every person operating an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path is responsible for becoming and remaining aware of the actual and potential hazards then existing on the roadway or sidewalk and must use due care in operating the device.
 - (3) An electric personal assistive mobility device may be operated on a roadway only under the following circumstances:

- (a) While making a direct crossing of a roadway in a marked or unmarked crosswalk.
 - (b) Where no sidewalk is available.
 - (c) Where a sidewalk is so obstructed as to prevent safe use.
 - (d) When so directed by a traffic control device or by a peace officer.
 - (e) Temporarily in order to gain access to a motor vehicle.
 - (f) As provided in division (7) below by Council resolution.
- (4) An electric personal assistive mobility device may not be operated at any time on a roadway with a speed limit of more than 35 miles per hour except to make a direct crossing of the roadway in a marked crosswalk.
- (5) An electric personal assistive mobility device may not be operated at any time while carrying more than one person.
- (6) *Designated exclusive city streets.* The City Council may, by resolution, designate exclusive city streets within its jurisdiction where the operation of electric personal assistive mobility devices is not permitted, provided that any street so designated has a speed limit of more than 35 miles per hour.
- (7) A person operating an electric personal assistive mobility device on a sidewalk must yield the right-of-way to pedestrians at all times. A person operating an electric personal assistive mobility device on a bicycle path must yield the right-of-way to bicycles at all times.
- (8) An electric personal assistive mobility device may not be operated unless the device bears reflectorized material on the front, back, and wheels, visible at night from 600 feet when illuminated by the lower beams of headlamps of a motor vehicle.

Subd. 7. Motorized Foot Scooters.

- (A) **MOTORIZED FOOT SCOOTER** means a device with handlebars designed to be stood or sat upon by the operator, and powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion, and that has no more than two 12-inch or smaller diameter wheels and has an engine or motor that is capable of a maximum speed of 15 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged. An electric personal assistive mobility device, a motorized bicycle, an electric-assisted bicycle, or a motorcycle is not a motorized foot scooter.
- (B) Operation of a motorized foot scooter on city bicycle paths, bicycle lanes, bicycle trails, or bikeways is prohibited except as provided in division (C) below.
- (C) The City Council may, by resolution, designate specific bicycle paths, bicycle lanes, bicycle trails, or bikeways as available for use by motorized foot scooters.

- (D) Every person operating a motorized foot scooter shall have all rights and duties applicable to the operator of a bicycle, except in respect to those provisions relating expressly to motorized foot scooters and in respect to those provisions of law that by their nature cannot reasonably be applied to motorized foot scooters.
- (E) No person may operate a motorized foot scooter upon a sidewalk, except when necessary to enter or leave adjacent property. No person may operate a motorized foot scooter that is carrying any person other than the operator.
- (F) No person under the age of 12 years may operate a motorized foot scooter.
- (G) No person under the age of 18 years may operate a motorized foot scooter without wearing properly fitted and fastened protective headgear that complies with standards established by the commissioner of Public Safety.
- (H) A motorized foot scooter must be equipped with a headlight and a taillight that comply with standards established by the commissioner of Public Safety if the vehicle is operated under conditions when vehicle lights are required by law.
- (I) A person operating a motorized foot scooter on a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway, except in the following situations:
 - (1) When overtaking and passing another vehicle proceeding in the same direction.
 - (2) When preparing for a left turn, in which case the operator shall stop and dismount at the right-hand curb or right edge of the roadway, and shall complete the turn by crossing the roadway on foot, subject to restrictions placed by law on pedestrians.
 - (3) When reasonably necessary to avoid impediments or conditions that make it unsafe to continue along the right-hand curb or edge, including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes.

Subd. 8: Medium Speed Electric Vehicles and Neighborhood Electric Vehicles.

(A) *Definitions.*

- (1) ***MEDIUM SPEED ELECTRIC VEHICLE*** means an electrically powered four-wheeled motor vehicle, equipped with a roll cage or crushproof body design, that can attain a maximum speed of 35 miles per hour on a paved level surface, is fully enclosed and has at least one door for entry, has a wheelbase of 40 inches or greater and a wheel diameter of 10 inches or greater, and except with respect to maximum speed, otherwise meets or exceeds regulations in the Code of Federal Regulations, title 49, section 571.500, and successor requirements.

(2) ***NEIGHBORHOOD ELECTRIC VEHICLE*** means an electrically powered motor vehicle that has four wheels, and has a speed attainable in one mile of at least 20 miles per hour, but not more than 25 miles per hour on a paved level surface.

(A) Operation of neighborhood electric vehicles on city streets is prohibited.

(B) Authorized city staff may operate city owned neighborhood electric vehicles and medium-speed electric vehicles within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

Subd. 9. ATVS, UTVS, Snowmobiles and Other Vehicles Not Already Controlled or Regulated by this Ordinance.

(A) Operation by minors:

(1) It is a violation for any person under the age of fourteen (14) years to operate a snowmobile, ATV, UTV, or other vehicle or means of transportation not licensed for Minnesota streets or highways on streets or other public property in the City of Paynesville.

(2) A person fourteen (14) years of age or older, but less than eighteen (18) years of age, may operate a snowmobile, ATV, UTV, or other vehicle or means of transportation not licensed for Minnesota Streets and highways on the streets of the City of Paynesville if he/she has in his immediate possession a valid driver license, permit, or certificate for the operation of said snowmobile, ATV, UTV, or other vehicle or means of transportation.

(B) General Operation:

(1) Notwithstanding any provision in the Minnesota Statutes to the contrary, it is unlawful for any person to operate a snowmobile, ATV, UTV, or other vehicle in excess of fifteen (15) miles per hour.

(2) Operation of such vehicles shall be limited to passing through the City of Paynesville and for residents of the City, shall be limited to going in a direct line to an out-of-town destination, or returning to the place of residence or place of housing within the city.

(3) Operation of such a vehicle shall be restricted to the city streets only, except and provided in subdivision 6.

(4) It is unlawful for any person to operate a snowmobile, ATV, UTV, or other vehicle or means of transportation on private property of another without the permission of the owner or occupants thereof.

(5) Snowmobile, ATV, UTV, or other vehicle or means of transportation shall yield to all other vehicles and traffic including pedestrians at all intersections and shall abide by all signs governing the operation of motor vehicles within the City of Paynesville.

(6) ATVS and UTVS may be used within the city for the purpose of agricultural use or snow removal. Under all circumstances, the operator must abide by the other provisions of this ordinance and state statute.

(7) It is unlawful to tow or pull any person or object behind a snowmobile, ATV, UTV, or other vehicle that is not designed for that purpose.

Subd. 10. Penalty.

Any person convicted of violating any provision of this ordinance is guilty of a misdemeanor.

Subd. 11. Severability.

If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

Subd. 12. Effective Date.

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat., § 412.191, Subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, Subd. 10, as it may be amended from time to time.

Section 2. City Code, Chapter 1, entitled “General Provisions and Definitions Applicable to the Entire City Code, Including Penalty for Violation” and Section 8.99 entitled “Violation a Misdemeanor or Petty Misdemeanor” are hereby adopted in their entirety by reference as though repeated verbatim herein.

Source: City Code
Effective Date: 07-21-2016

SEC. 8.15. UNLAWFUL ACTS. It is a misdemeanor for any person: (1) to display, or cause or permit to be displayed, or have in his possession, any canceled, revoked, suspended, fictitious, or fraudulently altered driver's license; or, (2) to lend his driver's license to any other person or knowingly permit the use thereof by another; or, (3) to display or represent as one's own any driver's license not issued to him; or, (4) to fail or refuse to surrender to the Department of Highways of the State of Minnesota, upon its lawful demand, any driver's license which has been suspended, revoked, or canceled; or, (5) to use a false or fictitious name or date of birth to any police officer or in any application for a driver's license, or to knowingly make a false statement, or to knowingly conceal a material fact, or otherwise commit a fraud in any such application.

Source: City Code
Effective Date: 03-15-1992

(Sections 8.16 through 8.98, inclusive, reserved for future expansion.)

(Pages 238 through 248 reserved)

SEC. 8.99. VIOLATION A MISDEMEANOR OR PETTY MISDEMEANOR.

Every person violates a section, subdivision, paragraph or provision of this Chapter when he/she performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as follows:

Subd. 1. Where the specific section, subdivision, paragraph or provision specifically makes violation a misdemeanor, he shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he/she shall be punished as for a misdemeanor; where he/she stands convicted of violation of any provision of this Chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding twelve (12) month period for the third or subsequent time, he/she shall be punished as for a misdemeanor.

Subd. 2. As to any violations not constituting a misdemeanor under the provisions of Subdivision 1 hereof, he/she shall be punished as for a petty misdemeanor.

Subd. 3. As to any violation of a provision adopted by reference, he/she shall be punished as specified in such provision, so adopted.

Source: City Code
Effective Date: 03-15-1992