

ORDINANCE 61

An Ordinance Repealing ORDINANCE NO. 38

ORDINANCE REGULATING THE OPERATION AND USE OF SNOWMOBILES, ALL-TERRAIN VEHICLES, GO-CARTS, MOTORIZED DIRT BIKES, GOLF CARTS AND NEIGHBORHOOD ELECTRIC VEHICLES FOR THE CITY OF NEVIS

The City of Nevis ordains the following:

SECTION 1. Self-Propelled Motor Vehicles

Definitions. The following words and phrases, when used in this chapter, have the meanings as set out herein:

- (A) **Self-propelled Motor Vehicles.** Self-propelled motorized (SPVs) vehicles include; motorcycles, motor scooters, mini-bikes, dune buggies, trail bikes, go-carts, golf carts, ATVs, OHM and ORV.
- (B) **Public property.** Property owned by a governmental body that may be used by the public, subject to reasonable regulations by the government body, including: public parks; city and school parking lots.
- (C) **"ATV"** means all-terrain vehicle, commonly known as a quad or four-wheeler. It is a motorized off-road vehicle with low-pressure tires.
- (D) **"OHM"** means Off-highway motorcycle is a 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 chapter 168 for highway use if it is also used for off-highway operation on trails or unimproved terrain.
- (E) **"ORV"** means Off-road vehicle a motor-driven recreational vehicle capable of cross-country travel on natural terrain without benefit of a road or trail.
- (F) **"Snowmobile"** means a motorized vehicle featuring front skis and a rear continuous track. It does not use wheels, requiring no roads to travel smoothly across snow and ice.
- (G) **"Golfcart"** means a small vehicle built to carry players and golf bags around a course. It can be a manual push cart or a small motor vehicle powered by gas or electricity.
- (H) **"Operate"** means to ride in or on and control the operation of an SPV.
- (I) **"Operator"** means every person who operates or is in actual physical control of an SPV.
- (J) **"Owner"** means a person, other than a person with a security interest, having a property interest in or title to an SPV and entitled to the use and possession of the vehicle.
- (K) **"Person"** includes an individual, partnership, corporation, the state and its agencies and subdivisions and any body of persons, whether incorporated or not.
- (L) **"Public road right-of-way"** means the entire right-of-way of a public road, including the traveled portions, banks, ditches, shoulders and medians of a roadway that is not privately owned.
- (M) **"Register"** means the act of assigning a registration number to an SPV.
- (N) **"Snowmobile Trails"** mean the property designated and posted for use.
- (O) **"Street"** means any public roadway, including streets, highways and alleys.

Operation on Street.

- (A) (1) All provisions of this code as to traffic regulation and parking shall apply to the operation of SPVs upon the streets and other public property of this municipality.
- (2) All provisions of the Highway Traffic Regulations Act, M.S. Ch. 169, as it may be amended from time to time, and all ordinances of the city regulating traffic shall apply to the operation of SPVs upon streets and highways.
- (B) When operating an SPV upon a street, all such operation shall be at the extreme right of the street as near to the curb or shoulder thereof as practical under the circumstances.
- (C) Making a direct crossing of an SPV on a street or highway; rules can be found in M.S. §169.045, §84.928, as well as through the Minnesota DNR Off-Highway Vehicle Regulations website.
- (D) No person shall operate an SPV within the corporate limits of this municipality between the hours of 12:00 a.m. and 7:00 a.m., except that occasional operation upon a public street or a city approved trail or path after said hour shall be permitted when the operator is proceeding directly to his or her home from outside the municipality.

Unlawful Operation. Unless otherwise noted, it is unlawful for any person to operate an SPV:

- (A) At any place while under the influence of alcohol or of a controlled substance, as defined in or referred to in M.S. §169A, as it may be amended from time to time.
- (B) At any rate of speed greater than 20 miles per hour on city streets;
- (C) In a careless, reckless or negligent manner or heedlessly in disregard of the rights or safety of others, or in a manner so as to endanger, or be likely to endanger, or cause injury or damage to any person or property;
- (D) So as to tow any person or thing on a public street or highway;
- (E) In a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons;
- (F) Unless the SPV has been registered or licensed as required by State Statutes;
- (G) Without fully complying with the provisions of M.S. §84.81 through 84.915, inclusive, and M.S. §84.92 through 84.929, inclusive, and as may be amended from time to time, and all rules and regulations promulgated thereunder, and all other state statutes regulating such activities, which statutes and rules and regulations are hereby adopted and made a part hereof.

Unlawful Operation on Streets and the Like. Except as hereir permitted, it shall be unlawful for any person to operate an SPV in the city under the following circumstances:

- (A) On private property without the express permission to do so by the owner and occupant of the property;
- (B) On public school grounds, park property, playgrounds, winter recreational areas, cemeteries or any other public places, except on posted "Snowmobile Trail" locations, unless the operator has the express permission by the proper public authority;
- (C) No SPV shall be operated on public sidewalks or boulevards;
- (D) No SPV shall enter any intersection without yielding the right-of-way to any vehicles or pedestrians at the intersection or so close to the intersection as to constitute an immediate hazard;
- (E) The operator of an SPV shall make every effort to be visible to oncoming traffic from any direction.

- (F) No SPV shall be operated with any additional passengers except, as provided by State Statutes, the Minnesota DNR and the Minnesota Commissioner of Public Safety.

Equipment. No SPV shall be operated within the city unless it shall have the following equipment:

- (A) Mufflers which are properly functioning factory-standard.
- (B) Lighted headlight and taillight when required for safety;
- (C) Brakes adequate to control the movement of and to stop and hold the SPV under any condition of operation;
- (D) A safety or so-called "dead-man" throttle in operating condition; a safety or "dead-man" throttle is defined as a device which, when pressure is removed from the accelerator or throttle, causes the SPV to come to a stop.

Age Restrictions. No person shall operate an SPV on any public road within the City in violation of the age requirements established by Minnesota State Statutes and the City of Nevis;

Snowmobile: 14-17, and hold a valid MN snowmobile safety certificate;

Golf Cart: Valid Driver's license;

ATV: A valid driver's license is required to operate an ATV along or on a public road right-of-way.

ORV: Under Age 16: May not operate an ORV on public roads or rights-of-way.

Ages 16 and Older: Must possess a valid driver's license to operate or cross a roadway.

OHM: A valid Driver's license and age rules apply if crossing or operating on standard roadways where permitted by local ordinances. Riders under 16 must complete an approved OHM safety course for public trail use.

Emergency Operation. Notwithstanding any prohibitions in this chapter, an SPV may be operated on a public thoroughfare in an emergency during the periods of time when, and at all locations where, snow upon the roadway renders travel by automobile impractical.

Signal From Officer to Stop. It is unlawful for a snowmobile or all-terrain vehicle operator, after having received a visible or audible signal from any peace officer, to come to a stop or to:

- (A) Operate a snowmobile or all-terrain vehicle in willful or wanton disregard of the signal;
- (B) Interfere with or endanger the peace officer or any other person or vehicle; or
- (C) Increase operator's speed or attempt to flee or elude the officer.

Organized SPV Events. In accordance with M.S. §84.87, Subd. 1a., as it may be amended from time to time, and M.S. §84.87, Subd. 3, nothing in this chapter shall prohibit the use of SPVs within the city in organized events or contests, provided the organized events or contests are conducted as hereinafter set forth.

- (A) Authorization from City.
- (B) Term.
- (C) Permit required.
- (D) Application.
- (E) Issuance of permit.

Penalties. Any person violating the terms of this chapter shall be guilty of a petty misdemeanor and, upon conviction thereof, be as provided in this Ordinance.

SECTION 2. The Code of Ordinances is declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by Minnesota Statutes by the Courts of the State of Minnesota.

SECTION 3. This ordinance adopting shall take effect upon its summary publication in the City's official newspaper.

Motion By Sue Gray, second by Teresa Leshovsky and carried unanimously to approve Ordinance No. 61.

ADOPTED by the Nevis City Council this 10th day of Aug., 2026.

Sue Gray
Sue Gray, Mayor

ATTEST:

Dawn M. Veit
Dawn M. Veit
City Administrator

Publication Date of Ordinance: Aug 22, 2024

city seal