

CITY OF DANUBE

ORDINANCE #100

AN ORDINANCE REGULATING SNOWMOBILES AND ALL-TERRAIN VEHICLES WITHIN THE CITY OF DANUBE, MINNESOTA, PLACING RESTRICTIONS ON THE USE AND OPERATION OF SNOWMOBILES AND ALL-TERRAIN VEHICLES WITHIN THE CITY OF DANUBE AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

THE CITY COUNCIL OF THE CITY OF DANUBE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The laws of the State of Minnesota as set forth in Minnesota Statutes Section 84.81 through Section 84.928 and Chapter 169 are adopted in full. The definitions of "snowmobile" and "all-terrain vehicle" for purposes of this ordinance shall be the same as those set forth in Minnesota Statutes Sections 84.81 and 84.92 respectively.

SECTION 2. The following regulations shall apply to the operation of all snowmobiles and all-terrain vehicles operated within the City of Danube.

2.1. Speed of vehicles - No snowmobile or all-terrain vehicle shall be operated at a speed greater than the nearest posted speed limit within city limits.

2.2. Operation of snowmobiles and all-terrain vehicles - The above mentioned motorized vehicles may be operated on the streets of the City of Danube in accordance with this ordinance and the laws of the State of Minnesota. It shall be unlawful to operate a snowmobile or an all-terrain vehicle on public or private property except for entering or leaving the city by the most direct route.

2.3. Operation on certain property prohibited - It shall be unlawful to operate a snowmobile or all-terrain vehicle upon any sidewalks, parks, streets, parking lots, or alleys other than direct access to and from a residence or any city business during business hours. Without authorization, operation of any motorized vehicle is prohibited on school grounds or other public or private property within City of Danube, other than the property of the operator or the property of another person when that person has given permission for the vehicle's driver to go on their property.

SECTION 3. It shall be unlawful for the registered owner of a snowmobile or all-terrain vehicle to allow his/her vehicle to be operated contrary to this ordinance or governing state law. The registered owner of the snowmobile or all-terrain vehicle may not be prosecuted of any charges if;

3.1. the snowmobile or all-terrain vehicle was reported as stolen to the D.N.R. or another law enforcement agency at the time the alleged unlawful conduct occurred or

3.2. the registered owner demonstrates that the snowmobile or all-terrain vehicle either was stolen or was not in use at the time of the alleged unlawful conduct or

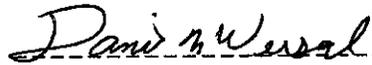
3.3. the registered owner furnishes to law enforcement officers upon request the identity of the person in actual physical control of the snowmobile or all-terrain vehicle at the time of such unlawful conduct.

This section shall not apply to any person who rents or leases snowmobiles or all-terrain vehicles if this person keeps a record of the name and address of the person or persons renting or leasing the vehicles while such unlawful activity is being reported.

The prosecution of the owner of a snowmobile or all-terrain vehicle under this section shall not operate to limit or bar the prosecution of the vehicle's operator for violations of this ordinance or applicable Minnesota statutes.

SECTION 4. A violation of this ordinance shall be a misdemeanor, subject to the maximum penalties provided by law.

Passed and adopted by the City Council of Danube this 8th day of March, 2000.

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Daniel Wersal, Mayor

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Attest: Veva Mittelstadt
City Clerk