

ARTICLE IV. SNOWMOBILES*

*State law references: Snowmobiles, M.S. § 84.81 et seq.; local snowmobile regulations, M.S. § 84.84, subd. 3.

Sec. 16-76. Operation on roadway or alley generally.

(a) Operation of a snowmobile upon a roadway or alley is permitted only as follows:

- (1) From the owner's residence or place of business or place the snowmobile is generally stored, in a direct route to and from a place of destination, provided such place of destination is a place that such snowmobile may be lawfully operated.
- (2) In an emergency during the period of time when and at locations where snow upon the roadway or alley renders travel by automobile impractical.
- (3) The snowmobile must be operated on the far right hand portion of the lane used by traffic traveling in the same direction of travel. It shall be unlawful for two snowmobiles to travel side by side on any city street or alley in the City of Fairmont.

State law references: Similar provisions, M.S. § 84.87, subd. 1(d).

(b) No snowmobile shall be operated at any time within the right-of-way of any interstate or freeway.

State law references: Similar provisions, M.S. § 84.87, subd. 1(a).

(c) Except as previously set forth in this section no snowmobile shall be operated upon a roadway or alley except to make a direct crossing only as follows:

- (1) The crossing is made at an angle of approximately ninety (90) degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.
- (2) The snowmobile is brought to a complete stop before crossing the shoulder or main-traveled way of the highway.
- (3) The driver shall yield the right-of-way to all on-coming traffic which constitutes an immediate hazard.
- (4) In crossing a divided highway, the crossing is made only at an intersection of such highway with another public street.
- (5) The crossing shall be made between one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

State law references: Similar provisions, M.S. § 84.87, subd. 1(b)(1)--(5).

(Code 1984, Title 7, § 1270; Ord. No. 98-10, 10-19-98)

Sec. 16-77. Operation on certain property.

It shall be unlawful to operate a snowmobile upon private property without written permission of the owner or person entitled to give permission. It is also unlawful to operate a snowmobile in Cedar Creek Park, on any golf course, playground or any property posted "No Snowmobile" or "No Trespassing".

(Code 1984, Title 7, § 1210; Ord. No. 98-10, 10-19-98)

Sec. 16-78. Hours of operation.

It is unlawful to operate a snowmobile within the city from 1:00 a.m. to 7:00 a.m. of each day, except in an emergency as defined in subsection 6(B).

(Code 1984, Title 7, § 1220)

Sec. 16-79. Operation on sidewalks and boulevards.

It is unlawful to operate a snowmobile on a sidewalk or boulevard, except that a direct crossing may be made in the same manner as provided for direct mobile on a sidewalk or boulevard, except that a direct crossing may be made in the same manner as provided for direct crossing of a city street.

(Code 1984, Title 7, § 1230)

Sec. 16-80. Manner of operation on roadway.

(a) It is unlawful to operate a snowmobile upon the roadway, alley, right of way, or any other area inside the city limits, except as provided in section 16-80(b), at a rate of speed in excess of twenty (20) miles per hour.

(b) It is unlawful to operate a snowmobile upon public waters (lakes, streams, creeks) at a rate of speed in excess of fifty (50) miles per hour.

(Code 1984, Title 7, § 1240; Ord. No. 98-10, 10-19-98)

Sec. 16-81. Speed limit.

It is unlawful for any person to operate a snowmobile at a rate of speed greater than reasonable or proper under all the surrounding circumstances.

(Code 1984, Title 7, § 1250(A)(1))

State law references: Similar provisions, M.S. § 84.87, subd. 2(a).

Sec. 16-82. Careless or negligent operation.

It is unlawful for any person to operate a snowmobile in a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.

(Code 1984, Title 7, § 1250(A)(2))

State law references: Similar provisions, M.S. § 84.87, subd. 2(b).

Sec. 16-83. Operation while under the influence of alcohol or controlled substances.

It is unlawful for any person to operate a snowmobile while under the influence of alcohol or controlled substances.

(Code 1984, Title 7, § 1250(A)(3); Ord. No. 98-10, 10-19-98)

State law references: Similar provisions, M.S. § 84.87, subd. 2(c).

Sec. 16-84. Equipment.

(a) It is unlawful for any person to operate a snowmobile:

(1) Without a lighted headlight and taillight when required for safety.

State law references: Similar provisions, M.S. § 84.87, subd. 2(d).

(2) That is not equipped at all times with a muffler in good working order which blends the exhaust noise into the over-all snowmobile noise and is in constant operation to prevent excessive or unusual noise. The exhaust system shall not emit or produce a sharp popping or crackling sound.

State law references: Mufflers, M.S. § 84.871.

(b) No snowmobile shall be operated upon a roadway unless it is equipped with at least one (1) headlamp, one (1) taillamp, each of minimum candlepower as prescribed by state regulation, reflector material of a minimum area of sixteen (16) square inches mounted on each side forward of the handlebars, and with brakes, each of which shall conform to standards prescribed by state regulation.

State law references: Similar provisions, M.S. § 84.87, subd. 1(c).

(c) Any sled, trailer, or other device being towed by a snowmobile must be equipped with reflective materials as required by rules and regulations of the State of Minnesota.

State law references: Similar provisions, M.S. § 84.87, subd. 1(f).

(Code 1984, Title 7, § 1250(A)(4), (A)(6), (B), (C))

Sec. 16-85. Damaging vegetation.

It is unlawful for any person to operate a snowmobile in any tree nursery or planting in a manner which damages or destroys growing stock.

(Code 1984, Title 7, § 1250(A)(5))

State law references: Similar provisions, M.S. § 84.87, subd. 2(e).

Sec. 16-86. Minimum age of operators.

A person fourteen (14) years of age or older, but less than eighteen (18) years of age, may make a direct crossing of a street while operating a snowmobile only if he/she has in his/her possession a valid snowmobile safety certificate. No person under the age of fourteen (14) years shall operate a snowmobile on any public land or water unless accompanied by his/her parent, legal guardian, or another person eighteen (18) years of age or older on the same or an accompanying snowmobile, or on a device towed by the same or an accompanying snowmobile.

(Code 1984, Title 7, § 1260; Ord. No. 96-6, 6-6-96)

State law references: Similar provisions, M.S. § 84.872.

Sec. 16-87. Adult liability for behavior of youthful operator.

It is unlawful for any person over the age of eighteen (18) who is the owner or in lawful control of a snowmobile to permit the snowmobile to be operated by a person under the age of eighteen (18) in any manner that violates this article or any state law regulating snowmobiles.

(Ord. No. 98-10, 10-19-98)

Sec. 16-88. Seizure of snowmobiles.

Whenever a law enforcement officer observes a violation of this article or state law, said observation shall be sufficient probable cause to seize the snowmobile as evidence of the violation. The snowmobile may be held by law enforcement until disposition of the charge.

(Ord. No. 98-10, 10-19-98)

Sec. 16-89. Reserved.