

**CITY OF LEXINGTON
WORKSHOP AGENDA
Thursday, December 20, 2018
Immediately following Council meeting
City Hall**

1. Call to Order: Mayor Kurth

2. Roll Call: DeVries – Hughes – Harris - Murphy

3. Discussion Items:

A. Discuss revised Lexington logo

pp. 1-3

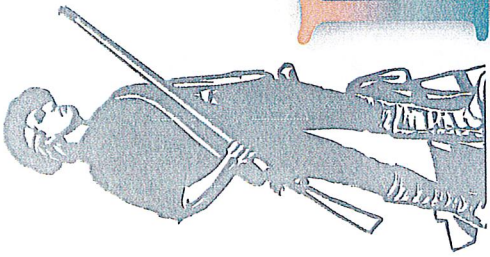
B. Discuss Section 8.30 – Recreational Vehicles and Snowmobiles pp. 4-9

4. Staff Input

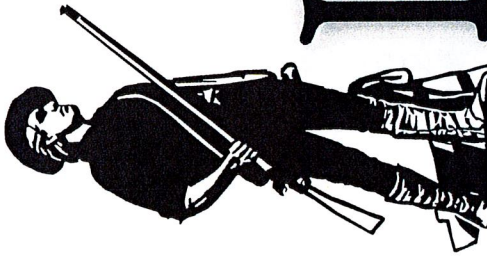
5. Council Input

6. Adjourn





LLEXINGTON



LLEXINGTON



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.

SECTION 8.04. 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.

SECTIONS 8.05 THROUGH 8.29, INCLUSIVE, RESERVED FOR FUTURE EXPANSION.

SECTION 8.30. RECREATIONAL MOTOR VEHICLES AND SNOWMOBILES.

Subd. 1. Definitions. For the purposes of this section, the terms defined shall have the meanings given them.

- A. **"All-Terrain Vehicle" or "ATV"** - Trail bikes, amphibious vehicles, three and four wheelers and similar devices, other than snowmobiles, used at least partially for travel on natural terrain, but not "special mobile equipment" as defined in M.S.A. 168.011, Subdivision 22, which is hereby incorporated herein by reference.
- B. **"Deadman Throttle or Safety Throttle"** - A device which when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.
- C. **"Motorcycle"** - Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, not designed for street or highway use including motor scooters and mini-bikes.
- D. **"Motorized Bicycle"** - A bicycle with fully operable pedals which may be propelled by human power or a motor, or by both, with a motor capacity of less than 50 cubic centimeters piston displacement, and a maximum of five horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

- E. **“Motorized Skateboard”** - A device consisting of two or more wheels, normally propelled by human power, with a motor capacity of less than 50 cubic centimeters piston displacement, and a maximum of five horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.
- F. **“Operate”** - To ride in or on and have control of a recreational motor vehicle including snowmobiles.
- G. **“Operator”** - The person who operates or is in actual physical control of a recreational motor vehicle including snowmobiles.
- H. **“Owner”** - A person, other than a lien holder, having a property interest in, or title to, a recreational motor vehicle including snowmobiles, who is entitled to the use or possession thereof.
- I. **“Recreational Motor Vehicle”** - Any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes, including but not limited to a motor cycle, motorized bicycle, motorized skateboard, all-terrain vehicle or ATV, hovercraft or motor vehicle which is being used for recreational purposes.
- J. **“Right of Way”** - The entire strip of land traversed by a highway or street in which the public owns the fee or an easement for roadway purposes.
- K. **“Roadway”** - That portion of a highway or street improved, designed or ordinarily used for vehicular travel.
- L. **“Snowmobile”** - A self-propelled vehicle designed for travel on snow or ice or natural terrain steered by wheels, skis or runners.
- M. **“Street”** - A public thoroughfare, roadway, alley, or trail used for motor vehicular traffic which is not an interstate, trunk, county-state aid, or county highway.

Subd. 2. Recreational Vehicle Operating Restrictions. It is unlawful of any person to operate a recreational motor vehicle as follows:

- A. On a public street or highway within the corporate limits of the City of Lexington.
- B. On a public sidewalk, boulevard or walkway provided or used for pedestrian travel.
- C. On a private property of another without lawful authority or permission of the owner or occupant.

- D. On any lands owned or occupied by a public body, including but not limited to, school grounds, park property, playgrounds, recreational areas, private roads, platted but unimproved roads, utility easements, public trails and golf courses. Provided, however, that the Council may, by resolution, specifically permit use on City property, in which event the shortest route to and from areas so permitted shall be used.
- E. While the operator is under the influence of alcohol, narcotics, or a controlled substance.
- F. At a speed greater than reasonable or prudent under all of the surrounding circumstances.
- G. In a careless, reckless or negligent manner so as to endanger the person or property of another or cause injury or damage thereto.
- H. Towing any person or thing except through the use of a rigid tow bar attached to the rear of the recreational motor vehicle.
- I. In a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of other persons.
- J. By chasing, running over, or killing any animal, wild or domestic.

Subd. 3. Owner Responsibility.

- A. It is unlawful for the owner of any recreational motor vehicle to permit its operation on private property without permission of the owner or occupant, on City property without permission of the Council, or on other public property without permission of the body in charge thereof.
- B. Every person leaving a recreational motor vehicle in a public place shall lock the ignition, remove the key and take the same with him/her.

Subd. 4. Snowmobile Operating Restrictions. It is the intent of this Section to supplement Minn. Stat. 84.82 - 84.911, and Minn. Stat. Chap. 169, with respect to the operation of snowmobiles. Such statutes are incorporated herein by reference. This section is intended to be more restrictive than the state statutes.

Subd. 5. Unlawful Use. Except as otherwise allowed, it is unlawful for any person to operate a snowmobile within the limits of the City:

- A. On any roadway except the most right-hand lane when available for traffic or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle stopped in that lane or proceeding in the

same direction, or in making a left turn. Snowmobiles may also be operated upon the out-side slope of trunk, county-state aid and county highways where such highways are so configured within the corporate limits.

- B. On a public sidewalk or trail provided for pedestrian travel.
- C. On boulevards within any public right of way.
- D. On private property of another without specific permission of the owner or person in control of said property.
- E. Upon any school grounds, except as permission is expressly obtained from responsible school authorities.
- F. On any public property, playgrounds or recreation areas, except areas previously listed or authorized for such use by the Council, in which case the use shall be lawful, and snowmobiles may be driven in and out of these areas by the shortest route. Authorized areas in the city shall be designated by resolution of the Council.
- G. On streets as permitted by this section at a speed exceeding ten (10) miles per hour.
- H. On posted portions of the Rice Creek snowmobile trail at a speed exceeding thirty (30) miles per hour.
- I. The Anoka County Curfew Ordinance for minors under the age of 17 is hereby adopted by reference and shall apply to the operation of snowmobiles by youthful operators. For operators 17 years of age or older it shall be unlawful to operate a snowmobile within the city limits during the following times:
 - 1) During the hours from 10:00 o'clock p.m. to 7:00 o'clock a.m., Sunday through Thursday; and
 - 2) 12:00 o'clock a.m. to 8:00 o'clock a.m., on other days. This provision is not intended to prohibit snowmobiles from operating on city streets during the specified hours, however snowmobiles may proceed to and from their residence by street utilizing the most direct route for the purpose of accessing the designated snowmobile trail while entering and exiting the City of Lexington.
- J. Within two hundred (200) feet of church property during the hours of church services, and during the hours of other church functions where the operation of snowmobiles would interfere with such church functions. This provision is not intended to prohibit snowmobiles from operating on city streets adjacent to church property during the hours specified.

Subd. 6. Traffic Ordinances. City traffic ordinances and state statutes shall apply to the operation of snowmobiles upon streets and highways except those which by their nature have no application.

Subd. 7. Uncontrolled Intersections. No snowmobile shall enter any uncontrolled intersection without making a complete stop. The operator shall then yield the right of way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard.

Subd. 8. Persons under 18. No person under 14 years of age shall operate a snowmobile upon the public streets or highways or make a crossing of a city street as the operator of a snowmobile. A person 14 years or older, but less than 18 years of age, may operate a snowmobile on streets as permitted under this Section, and make a crossing of such streets only if the person has in their immediate possession a valid snowmobile safety certificate issued by the Commissioner of Natural Resources as provided by Minn. Stat. 84.86. It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this section.

Subd. 9. Violation a Misdemeanor. Every person who 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 guilty of a misdemeanor.

SECTION 8.31 SELF-PROPELLED WHEELED DEVICES.

Subd. 1. Definitions. The term “self-propelled device” shall mean a non-motorized platform, foot board, ski-like device, shoe, boot, or similar object mounted on wheels and designed or intended to propel a rider by human power or force of gravity including, but not limited to, skateboards, roller-skis, roller skates, and rollerblades. These devices do not include a wheelchair operated by a disabled person, bicycles, wagons or strollers.

Subd. 2. Prohibited Acts. It shall be unlawful for any person to ride or operate a self-propelled wheeled device under any of the following conditions:

- A. Upon any property containing facilities designed to invite public pedestrian shopping traffic, unless written permission has been obtained from the owner, occupant, or person in charge of the property.
- B. In any area within the City while being pushed, pulled or in any way propelled by any motorized vehicle or by a person on a bicycle.
- C. In a careless, reckless, or negligent manner in disregard for the rights or safety of property or any other person.

D. Contrary to the rights and duties applicable to the driver of any vehicle pursuant to Minnesota Statutes, Chapter 169, except in respect to those provisions therein which by their nature cannot reasonably be applied to such devices.

E. Upon the roadway of any County State Aid Highway.

Subd. 3. Penalty. Any person who shall operate a self-propelled wheeled device in violation of the provisions of this Section shall be punished in the same manner as a violation of Minnesota Statutes, Chapter 169, as more fully described in Section 169.89, Subd. 1 thereof.

Subd. 4. Impoundment. Any police officer who observes any violation of this Section is authorized to impound the self-propelled wheeled device and to hold the same at the police department. The self-propelled wheeled device shall immediately be released to the parent or legal guardian of an operator under the age of eighteen (18) years, and shall be released to any operator eighteen (18) years or older following the expiration of a 24-hour impoundment period.

SECTIONS 8.32 THROUGH 8.89, INCLUSIVE, RESERVED FOR FUTURE EXPANSION.

SECTION 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. Misdemeanor. Where the specific section, subdivision, paragraph or provision specifically makes violation a misdemeanor, he/she 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 12-month period for the third or subsequent time, he/she shall be punished as for a misdemeanor.

Subd. 2. Petty Misdemeanor. 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. Violation. As to any violation of a provision adopted by reference, he/she shall be punished as specified in such provision, so adopted.