

ORDINANCE NO. 77

AN ORDINANCE REGULATING AND CONTROLLING THE USE OF
SNOWMOBILES

The Village Council of the village of Hokah, Houston County, Minnesota, does ordain as follows:

SECTION 1. DEFINITIONS. Subdivision 1. For the purposes of this Ordinance the terms defined herein shall have the meaning ascribed to them.

Subd. 2. "Person" includes an individual, partnership, corporation, the state and its agencies and subdivisions, and any body of persons, whether incorporated or not.

Subd. 3. "Snowmobile" Means a self-propelled vehicle designed for travel on snow or ice or natural terrain steered by wheels, skis or runners.

Subd. 4. "Owner" means a person, other than a lien holder having the property in or title to snowmobile entitled to the use or possession thereof.

Subd 5. "Operate" means to ride in or on and control the operation of a snowmobile.

Subd. 6. "Operator" means every person who operates or is in actual physical control of a snowmobile.

SECTION 2. Except as herein specifically permitted and authorized, it is unlawful for any person to operate a snowmobile within the limits of the Village of Hokah:

1. On the portion of any right of way of any public highway.
2. On any street, road, trail or alley at a speed greater than 10 m.p.h. or ¼ throttle, whichever is the lesser, and providing said travel is on the most right side of the right of way.
3. On a public sidewalk provided for pedestrian travel.
4. On boulevards within any public right of way, or in the public parks.
5. On private property of another without written permission of the owner or person in control of said property, a copy of said written permission in order to validate same to be filed with the Clerk of said Village.
6. On any other public place except as may be specifically permitted in writing as required in paragraph four thereof, or by other provisions of the Village of Hokah ordinances.

SECTION 3. A snowmobile may make a direct crossing of a street or highway, except an interstate highway or freeway, provided:

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

SECTION 4. Village traffic ordinances shall apply to the operation of snowmobiles upon streets and highways, except for those relating to required equipment, and except those which by their nature have no application.

SECTION 5. No snowmobile 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.

SECTION 6. Persons under 18 Subdivision 1. No person under 14 years of age shall operate on streets or the roadway surface of highways or make a direct crossing of a trunk, county state-aid, county highway, or city street as the operator of a snowmobile. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile on streets and highways as permitted under this ordinance and make a direct crossing of such streets and highways only if he has in his immediate possession a valid snowmobile safety certificate issued by the commissioner, as provided by M.S.A. Section 84.872.

Subd. 2. It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this section.

SECTION 7. It is unlawful for any person to operate a snowmobile within the limits of the Village of Hokah.

1. At any place, while under the influence of alcohol or drugs as defined in M.S. 169.121, which is hereby incorporated herein by reference;

2. At a rate of speed greater than reasonable or proper under all surrounding circumstances;

3. At any place 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;

4. During the hours from 10:00 P.M. to 7:00 A.M. of any day, except for purposes of taking the most direct route to the residence of the operator and at those speeds as specified in Sec. 2, and further that said operators shall not at anytime allow the use of said snowmobile at greater than one-quarter throttle or otherwise "rev" the engine.

5. So as to tow any person or thing across a public street or highway as permitted in paragraph 1 of Section 3 hereof except through use of a rigid tow bar attached to the rear of the snowmobile;

6. Within 100 feet of any fisherman, pedestrian, skating rink or sliding area where the operation would conflict with use or endanger other persons or property.

SECTION 8. It is unlawful for any person to operate a snowmobile any place within the limits of the Village of Hokah unless it is equipped with the following:

1. Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operations. No person shall use a muffler cutout, by-pass, straight pipe or similar device on a snowmobile motor.

2. Brakes adequate to control the movement of and to stop and hold the snowmobile under any condition of operations.

3. A safety or so-called "deadman" throttle in operating condition. A safety or "deadman" throttle is defined as a device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving tract.

4. When operated between the hours of on-half hour after sunset to one-half hour before sunrise or at times of reduced visibility, at least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. Such head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile operator. It shall also be equipped with at least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a

distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions.

5. A pennant flag of red or blaze material, of a size of the outside dimensions being not less than 12 inches by 9 inches, at a height of not less than 6 feet from the ground level at any time when the vehicle is crossing a public street in so far as permitted by this ordinance.

6. Reflective material at least 16 square inches on each side, forward of the handlebars, so as to reflect light at a ninety degree angle.

SECTION 9. Every person leaving a snowmobile on a public place shall lock the ignition, remove the key and take the same with him.

SECTION 10. Notwithstanding any prohibitions in this ordinance, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time when, and at locations where, snow upon the roadway renders travel by automobile impractical.

SECTION 11. It is unlawful to intentionally drive, chase, run over or kill any animal with a snowmobile.

SECTION 12. Every person convicted of a violation of any of the provisions of this ordinance shall be punished by a fine of not more than \$300 or by imprisonment for a period of not more than 90 days, or both, but in either case the costs of prosecution may be added.

SECTION 13. This ordinance shall become effective upon passage and adoption and publication according to law.

Adopted by the Village Council of the Village of Hokah,
February 6, 1973

Approved:

Joseph Melde, Mayor

Attest: Verian Craig, Village Clerk