

**CITY OF FOREST LAKE
WASHINGTON COUNTY, MINNESOTA**

ORDINANCE NO. ____

**AN ORDINANCE REPEALING AND REPLACING TITLE VII, CHAPTER 71, SECTION 71.06
OF THE FOREST LAKE CODE OF ORDINANCES**

The City Council of Forest Lake, Minnesota ordains:

SECTION 1. REPEALED AND REPLACED: Title VII, Chapter 71, Section 71.06 of the Forest Lake City Code is hereby repealed and replaced as follows.

§ 71.06 ALL TERRAIN VEHICLES AND UTILITY TASK VEHICLES

A. PURPOSE AND INTENT

Pursuant to its authority under Minn. Stats. §169.045, the City authorizes the operation of all-terrain vehicles (ATVs) and Utility Task Vehicles (UTVs) as defined in this Chapter on public streets under City jurisdiction (“designated roadways”), as permitted under this section. This ordinance shall not allow what state statutes prohibit, nor prohibit what state statutes expressly allow.

B. DEFINITIONS

All-Terrain Vehicle (ATV) ATVs have at least three, but no more than six, low-pressure or non-pneumatic tires (not filled with or containing compressed air) with a total dry weight less than 2,000 pounds and a total width from outside of tire rim to outside of tire rim that is 65 inches or less. Vehicles not considered ATVs includes golf carts, mini-trucks, dune buggies, go carts, or a vehicle designed and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

Class 1 ATVs have a total width 50 inches or less from outside of tire rim to outside of tire rim.

Class 2 ATVs have a total width greater than 50 inches but not more than 65 inches from outside of tire rim to outside of tire rim.

Utility Task Vehicle (UTV) UTVs are a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less and has a total dry weight of 1,800 but less than 2,600 pounds.

C. PROHIBITED USES

Except as specifically permitted and authorized herein, it is unlawful for any person to operate an ATV or UTV under the following conditions within the City:

1. On any right-of-way of any public highway, street, road, trail or alley, except that ATVs and UTVs may operate upon the most right-hand side of a public City street or alley and may, in passing or making a left turn, operate on other lanes which are used for vehicle traffic in the same direction.
2. On publicly-owned land, including school, park property, playgrounds, recreation areas and golf courses, except where permitted by this ordinance.
3. In any manner so as to obstruct the flow of vehicular traffic on a public City street.
4. On a public sidewalk or walkway provided or used for pedestrian travel.
5. On any highway, or highway right-of-way unless registered pursuant to Minnesota law.
6. Within 150 yards of any public recreational area or gathering of people. This provision does not apply to the occasional use of ATVs or UTVs on private property.
7. On a trail not specified for ATV or UTV use.
8. As an unlicensed motor vehicle.
9. On private property of another without specific permission of the owner or person in control of the property.
10. On any other public place except as may be specifically permitted by other provisions of the City.
11. In a careless, reckless, or negligent manner so as to endanger, or be likely to endanger, the safety of any person or property of any other person.
12. At any place while under the influence of alcohol or drugs as defined in Minn. Stat. §169A.20.
13. Nothing in this ordinance shall prohibit the agricultural use of an ATV or UTV in the rights-of-way, as defined in Minn. Stat. §84.92, Subd. 1d, as amended from time to time.
14. Nothing in this ordinance is intended to prohibit the crossing of a city or county right-of-way, which is otherwise allowed by Minn. Stat. §84.928.

D. CROSSING OF STREETS OR HIGHWAYS

An ATV or UTV may make a direct crossing of a street or highway, other than 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 safe crossing.
2. The ATV or UTV first comes to a complete stop at the edge of the shoulder of the 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 made only at the intersection of such street or highway with another public street or highway.
5. If the crossing is made between the hours of 1/2 hour after sunset to 1/2 hour before sunrise or, in conditions of reduced visibility, both front and rear lights shall be on.

E. PERMIT REQUIRED

Pursuant to Minn. Stat. §169.045, if the City wants to allow ATV/UTVs on city streets, it must be “by permit only.” The City recognizes that the Minnesota Department of Natural Resources (“DNR”) requires that all ATV/UTVs register with the DNR. A DNR registration must be renewed every three years. Therefore, to reduce bureaucratic redundancy and regulation, the permit to operate an ATV/UTV on designated City streets shall be a valid DNR registration subject to the following conditions:

1. The DNR registration sticker must be displayed on the ATV/UTV at all times;
2. The DNR registration sticker must be valid; and
3. No ATV/UTV without a valid DNR registration sticker may be operated on a designated City roadway.

F. TRAFFIC ORDINANCE APPLICABLE

City and State traffic regulations shall apply to the operation of recreational vehicles upon streets and highways, except for those relating to required equipment, those which by their nature have no application and those inconsistent with the provisions herein.

G. HOURS OF OPERATION

It shall be unlawful to operate any ATV or UTV upon the public streets within the city between the hours of 12:00 a.m. and 7:00 a.m. Monday through Friday of each week and between the hours of 1:30 a.m. and 7:00 a.m. on Saturday and Sunday of each week.

1. Exception. The operation of an ATV or UTV in accordance with the rest of the provisions of this section shall be permitted from 7:00 a.m. until the following day at 1:30 a.m. on federally recognized holidays.

H. PERSONS UNDER 18 YEARS OF AGE

1. A person 16 years of age or older, but less than 18 years of age, may operate an ATV or UTV on public City streets as permitted under this Section and make a direct crossing of

the streets and highways only if he/she has in his/her immediate possession a valid ATV safety certificate issued by the Commissioner of Public Safety, as provided by Minn. Stat. §84.925, Subd. 5.

2. A person under 18 years of age operating a recreational vehicle on local city streets or frozen waters must wear an approved helmet as defined by the state and a seat belt if one has been provided by the manufacture.

I. DESIGNATION CITY STREETS

A map with the designated City streets where ATV and UTV use is permitted shall be posted to the City's website upon enactment of this ordinance. The permitted City streets may be changed from time to time by the City Council.

J. EQUIPMENT REQUIRED

It is unlawful for any person to operate any place within the City an ATV or UTV unless it is equipped with the following:

1. Standard mufflers shall be properly attached and in constant operation to reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass, straight pipe, or similar device on a recreational motor vehicle motor. The exhaust system shall not emit or produce a sharp popping or crackling sound.
2. Brakes adequate to control the movement of and to stop and hold the ATV or UTV under any conditions of operation.
3. When operated between the hours of 1/2 hour after sunset and 1/2 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 and under normal atmospheric conditions. The headlamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming 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.
4. A rigid tow-bar if any towing a trailer, equipment sled, or similar tow-behind.

SECTION 2. EFFECTIVE DATE: This ordinance shall take effect and be in full force upon its passage and publication according to law.

Adopted by the City Council of the City of Forest Lake this ____ day of _____, 2025.

Blake Roberts
Mayor

Jolleen Chaika
City Clerk