

**Chapter 302**  
**Regulations to the Use of**  
**Recreational Vehicles**

The Council of the City of Chisago City hereby ordains:

1. Purpose and Intent

The purpose of this ordinance is to provide reasonable regulations for the use of special and recreational motor vehicles on public and private property in the city. This ordinance is not intended to allow what the Minnesota Statutes prohibit or to prohibit what the Minnesota Statutes expressly allow. It is intended to ensure the public safety and prevent a public nuisance.

2. Definitions

For the purpose of this Section, the following terms have the meanings stated:

**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. ATVs include Class 1 and Class 2. Dry weight is normally the weight of the vehicle without fluids. 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.

**Deadman Throttle or Safety Throttle** - A device which when pressure is removed from the engine accelerator or throttle, causes the motor to stop supplying power.

**Established Riding Area** - Means trails or area on a lot used by a motorized snowmobile, ATV, OHMs, ORV, or go-cart.

**Go-Cart** - A motorized miniature vehicle capable of achieving speeds in excess of ten miles per hour and commonly used on courses or racetracks specifically designed for such vehicles.

**Golf Carts** - A motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour. Golf carts shall have no increased power, wheel base or tire modifications from a standard manufactured gas or electric golf cart.

**Natural Terrain** - Areas other than roadways, driveways (private or public), parking lots and other areas the surface of which has been intentionally modified for motor vehicle operation thereon.

**Off-highway motorcycles (OHMs)** - A motorized off-highway vehicle traveling on two wheels. OHMs have a seat or saddle designed to be straddled by the operator and have handlebars for steering control. Motorcycles may be legal for highway use and still considered to be OHMs if used for off-highway operation on trails or natural terrain.

**Off-road vehicles (ORVs)** - A motorized recreational vehicle capable of cross-country travel on natural terrain, such as four-wheel-drive trucks. This does not include vehicles such as snowmobiles, ATVs, OHMs, motorcycles, watercraft or aircraft. Farm, logging, military, emergency, law enforcement, utility, trail grooming, and construction vehicles are not considered to be ORVs when used for their intended purpose.

**Operate** - To ride in or on and have control of the operation of the motorized snowmobile, ATV, OHMs, ORV, or go-cart.

**Operator** - Every person who operates or is in actual physical control of a snowmobile, ATV, OHMs, ORV, or go-cart.

**Owner** - A person, other than a lien holder, having the property in or title to a snowmobile, ATV OHMs, ORV, or go-cart entitled to the use or possession thereof

**Public Roads** - Any township, municipal, county, state or federal road or highway.

**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 trail bike, off-highway motorcycle, as defined by Minn. Stat. § 84.787, subd. 7, as it may be amended from time to time, or other all-terrain vehicle as defined by Minn. Stat. 84.90 and Minn. Stat. § 84.92, subd. 8-10 as it may be amended from time to time, or motorized go-carts, hovercraft, or motor vehicle licensed for highway operation, which is being used for off-road recreational purposes, but not including motorized golf carts, personal electric mobility devices, motorized foot scooters, neighborhood electric vehicles, medium-speed electric vehicles, or mini-trucks.

**Right-Of-Way** - The entire strip of land traversed by any highway, street, county road or roadway easement for the purpose of vehicle travel, and includes the entire width of the land dedicated or acquired by law for right-of-away purposes.

**Roadway** - That portion of the improved right-of-way designed or ordinarily used for vehicle travel, including the shoulder.

**Snowmobile** - A self-propelled vehicle designed for travel on snow or ice and steered by skis or runners.

### 3. Permitted Uses

Except as specifically permitted and authorized herein, it is unlawful for any person to operate a snowmobile, ATV, OHM, ORV, go-cart, golf cart under the following conditions within the City:

- A. On any right-of-way of any public highway, street, road, trail or alley, except that snowmobiles or Class 1 and Class 2 ATVs may operate upon the most right-hand side of a municipal 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.
- B. Snowmobiles and Class 1 ATVs may be operated upon the ditch bottom or the outside bank

of trunk county state-aid and county highways where such highways are so configured within the corporate limits.

- C. On publicly owned land, including school, park property, playgrounds, recreation areas and golf courses, except where permitted by this ordinance.
- D. In a manner so as to create a loud, unnecessary, or unusual noise that disturbs, annoys, or interferes with the peace and quiet of other persons.
- E. On a public sidewalk or walkway provided or used for pedestrian travel.
- F. On any highway, or highway right-of-way unless registered pursuant to Minnesota law.
- G. Within 150 yards of any public recreational area or gathering of people. This provision does not apply to the occasional use of recreational motor vehicles on private property for the purpose of loading or unloading it from a trailer or for mechanically checking it.
- H. A person less than 18 years of age shall not ride as a passenger or as an operator of a recreational vehicle regulated herein on public land, public waters, or on a public road right-of-way unless wearing a safety helmet approved by the commissioner of Public Safety.
- I. A person less than 18 years of age shall not ride as a passenger or as an operator of a vehicle regulated herein without wearing a seat belt when such seat belt has been provided by the manufacturer.
- J. On a trail not specified for snowmobile or ATV use.
- K. Snowmobiles, ATVs, and ORVs operating in Chisago City not licensed as a motor vehicle.
- L. On private property of another without specific permission of the owner or person in control of the property.
- M. On any other public place except as may be specifically permitted by other provisions of the City.
- N. Snowmobiles and Class 1 ATVs shall not exceed a speed of 20 m.p.h. on local city streets unless specifically posted. Class 2 ATVs shall not exceed the posted speed for motor vehicles.
- O. 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.
- P. At any place while under the influence of alcohol or drugs as defined in Minn. Stat. 169A.20.
- Q. Any person born after July 1, 1987, 16 years of age or older, operating an ATV on any roadway in Chisago City must possess a valid driver's license and safety certificate issued by the commissioner.

- R. Nothing in this ordinance shall prohibit the agricultural use of an all-terrain vehicle in the right-of- ways, as defined in the Minnesota Statue 84.92, Subd. 1d, as amended from time to time, or the use an all-terrain vehicle to maintain permitted accesses over Public Road Right-of-way.
  - S. Nothing in this ordinance is intended to prohibit the crossing of a City or County Right-of-Way, which is otherwise allowed by Minnesota Statues 84.87 and 84.928 as amended from time to time.
  - T. Nothing in this ordinance is intended to prohibit the operation of a snowmobile and Class 1 ATV upon the shoulder, inside bank, or slope of any public highway, street, road, trail, or alley as permitted by Minnesota. Statute 84.87, Subd. 3 as amended from time to time.
4. Crossing of Streets or Highways  
A snowmobile or ATV may make a direct crossing of a street or highway, other than an interstate highway or freeway, provided:
- A. ‘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.
  - B. The snowmobile or ATV first comes to a complete stop at the edge of the shoulder of the main traveled way.
  - C. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.
  - D. In crossing a divided street or highway, the crossing made only at the intersection of such street of highway with another public street or highway.
  - E. 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.
5. Traffic Ordinance Applicable  
City and State traffic regulations shall apply to the operation of snowmobiles and ATVs 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.
6. Yielding Right-of-Way  
No snowmobile or ATV shall enter any intersection without yielding the right-of-way to any vehicles or pedestrians at the intersection, or so cross the intersection as to constitute an immediate hazard.
7. Operation. Persons under 18 years of age.
- A. No person under 14 years of age shall operate a snowmobile on the roadway surface of highways or make a direct crossing of a trunk, county state aid, or a county highway.

- B. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile on local city streets and highways 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 snowmobile safety certificate issued by the Commissioner, as provided by Minnesota Statute 84. 87, as amended from time to time.
  - C. Any person operating a snowmobile in Chisago City must possess a valid driver's license or safety certificate as required by the Minnesota Statute 84.9256 as amended from time to time.
  - D. No person under 16 years of age shall operate a snowmobile on the roadway surface of highways or make a direct crossing of a trunk, county state aid, or a county highway.
  - E. A person 16 years of age or older, but less than 18 years of age, may operate an ATV on local city streets and highways 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, as provided by Minnesota Statute 84.925 Sub. 5., as amended from time to time.
  - F. Any person operating an ATV in Chisago City must possess a valid driver's license and/or safety certificate as required by the Minnesota Statute 84.9256 as amended from time to time.
  - G. A person under 18 years of age operating a snowmobile or ATV 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.
8. Established Riding Area
- A. The use of an OHM, ORV, or go-cart is not allowed on a lot or parcel of land of less than one (1) acres in size.
  - B. A motorized OHM, ORV, go-cart, or other recreational motor vehicle may be used on a riding track on lots of five (5) acres or greater in size located within the city on the condition that the riders shall adhere to the following:
    - 1. Established Riding Area for a recreational motor vehicle is to be located no closer than three hundred feet (300') from a neighboring building occupied by humans or livestock.
    - 2. Dust and noise control measures are to be maintained. If other properties are adversely affected by dust and noise due to motorized recreational motor vehicle use, the owners affected must file a written complaint with the City Police Department.
      - a). Dust control measures shall include, but are not limited to, the planting of eight foot (8') high coniferous trees planted ten feet (10') on center, or the construction of a six foot (6') maximum board on board style fence.

- b). A recreational motor vehicle must have a factory approved exhaust. The noise emission may not exceed one hundred five (105) decibels at a distance of 20 inches during operation, and mufflers may not be altered to increase motor noise, or have a cut-out bypass, or similar device.
3. No more than four (4) riders may operate a recreational motor vehicle on the property. A recreational motor vehicle may only be operated on the property during the following times: Monday through Friday, 9:00 a.m. through 7:00 p.m.; and Saturdays and Sundays, 10:00 a.m. through 7:00 p.m. Operation of a recreational motor vehicle must cease for a minimum of one (1) hour after every two hours of riding.
  4. Operation of a recreational motor vehicle shall not be allowed on either primary or secondary septic sites.
9. Uses Specifically Prohibited.
- It is unlawful for any person to operate a snowmobile or ATV under the following conditions:
- A. At any place while under the influence of alcohol or drugs as defined in Minnesota Statute 169A.20 which is hereby incorporated herein by reference.
  - B. At a rate of speed greater than reasonable or proper under all surrounding circumstances.
  - C. 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.
  - D. No person shall operate a snowmobile or Class 1 ATV on any street in the City between the hours of 12:01 a.m. and 7:00 a.m., except going to or from their usual place of abode at a reduced speed and using the most direct route.
  - E. So as to tow any person or thing except through use of a rigid tow bar attached to the rear of the snowmobile or ATV.
  - F. 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, or within 100 feet of any dwelling which is usually occupied by one or more persons.
  - G. Without headlight and taillight lighted at all times if the vehicle is equipped with headlight and taillight. Without a functioning stoplight if so equipped.
  - H. To intentionally drive, chase, run over, or kill any animal, wild or domestic.
  - I. By halting any recreational motor vehicle carelessly or heedlessly in disregard of the rights or the safety of others or in a manner so as to endanger or be likely to endanger

any person or property or in excess of 30 miles per hour on publicly owned lands.

#### 10. Equipment Required

It is unlawful for any person to operate a snowmobile or a recreational motor vehicle any place within the limits of the City unless it is equipped with the following:

- A. 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.
- B. Brakes adequate to control the movement of and to stop and hold the snowmobile or recreational motor vehicle under any conditions of operation.
- C. A safety or so-called “deadman” throttle in operating condition.
- D. 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.
- E. Reflective material at least 16 inches square on each side, forward of the handlebars or steering device of a snowmobile or recreational motor vehicle and at the highest practical point on any towed object, as to reflect light at a 90 degree angle.

#### 11. Ignition Lock

Every person leaving a snowmobile or ATV on a public place or way shall lock the ignition and remove and take the keys with them.

#### 12. Emergencies Operation Permitted

Notwithstanding any other provisions in this Section, a snowmobile or ATV may be operated on a public thoroughfare in an emergency during the period of time and at locations where snow upon the roadways renders travel by an automobile impractical.

#### 13. Exemptions

The following uses are exempt from this Ordinance:

- A. Any motorized vehicles used for the purpose of property maintenance.

- B. Any agent or employee of any road authority, law enforcement or public safety agency, or any agent or employee of the Minnesota Department of Natural Resources or any other governmental body in conducting official business.
- C. Any organized track-racing event as approved by city administration.
- D. Golf carts for the physically handicapped persons may be operated on city streets with a city permit. The permit is a period not to exceed one year and may be renewed annually. The permits are exempt from registration tax but must display the triangular slow-moving vehicles emblem.

14. Signal from Officer to Stop

It is unlawful for a snowmobile or recreational motor vehicle operator, after having received a visual or audible signal from a law enforcement officer, to operate the vehicle in willful or wanton disregard of the signal to stop, interfere with or endanger the law enforcement officer or any other person or vehicle, or increase speed or attempt to flee or elude the officer. Any person attempting to flee an officer in or on any motorized vehicle is guilty of a gross misdemeanor and punishable thereto.

15. Penalty for Violation

Any person who violates the provisions of Chapter 302, excluding Subd. 12, of the City Code shall be guilty of a petty misdemeanor, punishable by a fine of up to \$200.00. Any person who violates Subd. 302.12 shall be guilty of a gross misdemeanor and punishable according to Minnesota Statute 609.487, as amended from time to time.

This ordinance shall take effect and be in force from and after its passage and publication.

(Ordinance Amendment Chapter 302: 11/10/2008, Amendment 12/10/2024)