

Chapter 22

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**\*Cross references** – Any ordinance establishing traffic or parking regulations on any street in the city saved from repeal, § 1-9(10); consumption in public places, § 4-35; traffic control design for zoning, § 12-198; parking and driving vehicles in parks, § 16-5; speed of vehicles in parks, § 16-6.

**State law reference** – Powers of local authorities regarding traffic, M.S.A. § 169.04; Special vehicle use on roadway, M.S. A. § 169.045.

## TRAFFIC AND VEHICLES

### ARTICLE I. IN GENERAL

#### **Sec. 22-1. Generally.**

All traffic regulations shall be followed pursuant to Minnesota State Statute Chapter 169. Nothing in this section should be construed to conflict with traffic regulations per state statute.

#### **Secs. 22-2—22-30. Reserved.**

(Ord 06-2012, § 22-1 -- 22-30, 08/21/2012)

### ARTICLE II. OPERATION

#### **Sec. 22-31. Unnecessary acceleration of motor vehicle.**

No person shall start or accelerate any motor vehicle with an unnecessary exhibition of speed on any public or private way within the city limits. Prima facie evidence of such unnecessary exhibition of speed shall be the squealing or screeching sounds emitted by the tires or the throwing of sand or gravel by the tires of such vehicle, or both.

(Code 1982, § 705.101)

#### **Sec. 22-32. Bicycle, hiking trails.**

(a) It shall be unlawful to operate any motorized vehicle upon any public bicycle trail or public hiking trail within the limits of the city.

(b) The use of snowmobiles will be permitted on the public bicycle and hiking trail between November 1 of each year and April 1 of the next year inclusive, provided that the trail is snow covered. The period of time during which snowmobiles may be used on such trails may be increased or decreased by action of the city council published in the official newspaper of the city designating the inclusive dates when the use of snowmobiles shall be permitted on such trails.

(c) All provisions of the Highway Traffic Regulations Act, M.S.A. ch. 169, and all ordinances of the city, regulating traffic shall apply to the operation of bicycles on such trails.

(Code 1982, § 703)

**Cross reference--**Parks and recreation, Ch. 16.

#### **Sec. 22-33. Self-Propelled Devices.**

The city council may, by resolution, prohibit the operation of self propelled devices within areas of the city, provided that the resolution is recommended by the Sheriff and the city council finds that the prohibition is necessary to protect pedestrians, or to eliminate hazards.

#### **Sec. 22-34. Purpose.**

The purpose of this Section is to protect the public health and safety arising out of the use of skateboards, roller skates, rollerblades and roller skis within the City; to regulate the use thereof upon public streets and sidewalks; to prohibit the same from parking lots on commercially zoned land; and to provide penalties for violations. Nothing in this Section shall be construed to prohibit the use of a wheelchair or other wheeled devices designed to assist disabled persons on sidewalks or public or private parking lots.

#### **Sec. 22-35. Definitions.**

For the purposes of this Section, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

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*Self-propelled devices.* The term "self-propelled device" means "a non-motorized platform, footboard, ski-like device, shoe, boot, or similar object mounted on wheels and designed and intended to propel the rider by human power or force or by gravity, including, but not limited to: skateboards, roller skis, scooters, roller skates and in-line skates. The definition does not include a wheel chair operated by a disabled person, bicycles, wagons or strollers."

### **Sec. 22-36. Prohibited Acts.**

(a) No person may attach a rider of any self-propelled device to any motor vehicle upon a street or roadway in the City of Afton.

(b) No person in a motor vehicle may closely follow a skateboarder such that a safe distance is not maintained between the vehicle and the skateboarder.

(c) People using self-propelled devices may not obstruct any sidewalk, lane, alley, public ground, public landing, wharf or pier, or any other public place by placing any building materials, carriages, carts, boxes, lumber, firewood, posts or rails or any other materials or substances whatsoever to be used as ramps or guides for other skateboards or other self-propelled devices.

(d) People using self-propelled devices may not obstruct any public street in a manner that impedes traffic.

(e) No person may ride or propel a self-propelled device on any sidewalk, public street or public walkway within the City of Afton, in a manner that endangers or is likely to endanger other persons or property.

(f) Use of a self-propelled device is forbidden on the private property of another without the written permission of the owner. The document granting permission shall be available for presentation to law enforcement.

(g) All riders must slow to a speed that is reasonable for conditions of traffic, be able to stop if necessary and yield the right-of-way to any pedestrian upon any public way. Riders must yield to motor vehicles when crossing roadways.

(h) Operators or riders of self-propelled devices shall yield the right of way to other pedestrians using the City sidewalks and shall not otherwise endanger or interfere with pedestrian traffic on those sidewalks.

(i) Self-propelled devices may not be operated contrary to the statutory provisions applicable to the operation of bicycles.

(j) It shall be unlawful for any person to operate or ride a self-propelled device (skateboard, roller skates, roller skis, roller blades) in any of the following places:

(1) On any public property where signs prohibit such use.

### **Sec. 22-37. Violation and Penalty.**

Violation of any provision of this Section shall be punishable as a misdemeanor according to Sec. 1-13 of this Code.

### **Sec. 22-38 – 22-55. Reserved.**

(Ord 06-2012, § 22-33 through 22-55, 08/21/2012)

## **ARTICLE III. PARKING\***

### **DIVISION 1. GENERALLY**

### **Sec. 22-56. Definitions.**

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The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Motor vehicle* means any self-propelled motor vehicle or other vehicle on wheels which would ordinarily travel on public streets.

*Owner* includes any person owning, renting or having charge of a motor vehicle.

*Snow-removal period* means a period of time of no more than 48 hours after each snowfall; except that such snow-removal period shall be deemed to have terminated on those streets on which snow has been removed if the removal has been completed in a period of time less than 48 hours.

*Street* means any street, avenue or other public way in the city.  
(Code 1982, § 704.101)

**\*Cross reference--**Definitions generally, § 1-2.

### **Sec. 22-57. Obedience required.**

The owner of any vehicle parked or left standing upon any street, within the corporate limits of the city shall conform to and observe the regulations set forth in this article.  
(Code 1982, § 704.102(1))

### **Sec. 22-58. Maximum parking time.**

No vehicle will be left standing or parked at the curb of any street or on any public place within the corporate limits of this city for more than 48 continuous hours.  
(Code 1982, § 704.102(2))

### **Sec. 22-59. Parking during snow-removal period.**

No person, except physicians or emergency calls or other emergency vehicles, shall park on any street in the city during a snow-removal period.  
(Code 1982, § 704.102(3))

### **Sec. 22-60. Removal of vehicles in violation.**

Whenever any police officer finds a vehicle standing upon the street or highway in violation of this article, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to remove the same, to a position off the street. If the owner or operator of such vehicle is not available to remove such vehicle, it shall be towed away from such parking place at the direction of the sheriff's department of the county and the owner of such vehicle, prior to having the same returned to him, shall pay the cost of the towing plus the cost of storage until claimed by owner. The payment of such sums shall be prerequisite for the return of the vehicle to the person entitled thereto.  
(Code 1982, § 704.102(4))

### **Sec. 22-61. Liability for damages.**

Any damage occasioned to any vehicle found in violation of this article by such towing operations or the storage of such vehicle thereafter, shall be assumed by the owner or operator hereof, and no liability for damage shall be assumed by the city.  
(Code 1982, § 704.102)

### **Secs. 22-62--22-95. Reserved.**

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**\*Cross reference—**Parking, § 12-196.

**State law references—**Authority to regulate parking, M.S.A. § 169.04 (1).

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### DIVISION 2. PRIVATELY OWNED PARKING LOTS AND AREAS

#### **Sec. 22-96. Manner of driving generally.**

All operation and driving of motor vehicles on privately owned parking lots and areas shall be done in a careful manner so that no sudden starting or erratic movement of such vehicle is deliberately engaged in by the driver. It shall be unlawful for any person to operate any motor vehicle upon such lot in any manner that would constitute careless driving if done on a public street. No person shall engage in any drag racing or exhibition driving on any such parking lot or area.

(Code 1982, § 706.101)

#### **Sec. 22-97. Maximum speed.**

No person shall operate a motor vehicle on any privately owned parking lot or area within the city at a speed greater than is safe and reasonable under the conditions of traffic then existing therein; and in no event shall any such vehicle be operated in excess of a speed of 15 miles per hour.

(Code 1982, § 706.101)

#### **Sec. 22-98. Parking of vehicles.**

Parking of vehicles on privately owned parking lots and areas shall conform to the markings of stalls or positions for parking which are designated on the surface of the parking area. No vehicle shall be parked or allowed to stand in any area of such parking lot which has been designated or is used as a lane for moving traffic so that such parking will interfere with the movement of traffic therein. No vehicle shall be parked for a continuous period longer than 24 hours in any parking lot or area.

(Code 1982, § 706.102)

#### **Sec. 22-99. Notice of collision.**

If any person who drives a motor vehicle upon such a parking lot or area becomes involved in a collision between the vehicle he is driving and any other vehicle or vehicles, parking upon such lot, such driver shall leave a notice upon each unattended vehicle with which he has collided, giving his name, address and license number. Failure on the part of any person to comply with this section shall constitute a violation of this article.

(Code 1982, § 706.103)

#### **Secs. 22-100 -- 22-135. Reserved.**

### **ARTICLE IV. SNOWMOBILES AND ALL TERRAIN VEHICLES\***

#### **Sec. 22-136. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*All terrain vehicle or ATV* refers to trail bikes, minibikes, amphibious vehicles and similar devices other than snowmobiles used at least partially for travel on natural terrain but not "special mobile equipment" defined in M.S.A. § 168.011, subd. 22.

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

*Operate* means to ride in or on and control the operation of a snowmobile or ATV.

*Operator* means every person who operates or is in actual physical control of a snowmobile or ATV.

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*Owner* means a person, other than a lienholder having the property in or title to snowmobile or ATV entitled to the use or possession thereof.

*Right-of-way* means the entire strip of land traversed by a highway or street in which the public owns the fee or an easement for roadway purposes.

*Roadway* means that portion of a highway improved, designed or ordinarily used for vehicular travel.

*Snowmobile* means a self-propelled vehicle designed for travel on snow, ice or natural terrain steering by skis, wheels or runners.

*Street* means a public thoroughfare, roadway, alley, or trail used for motor vehicular traffic which is not an interstate, truck, county state aid, or county highway.  
(Code 1982, § 701.101)

### **Sec. 22-137. General restriction on ATVs.**

Except as specifically permitted and authorized in this article, it is unlawful for any person to operate an ATV within the limits of the city on the right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel.  
(Code 1982, § 701.102)

### **Sec. 22-138. General restriction on snowmobiles.**

Except as herein specifically permitted and authorized in this article it is unlawful for any person to operate a snowmobile on the right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel.  
(Code 1982, § 701.103)

### **Sec. 22-139. Application of traffic provisions.**

City 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.  
(Code 1982, § 701.112)

### **Sec. 22-140. Penalty for violation.**

Every person convicted of a violation of any of the provisions of this article shall be guilty of a misdemeanor and upon conviction, shall be punished in accordance with section 1-13.  
(Code 1982, § 701.113)

### **Sec. 22-141. Operation on roadway restricted.**

Except as specifically permitted in this article, it is unlawful for any person to operate a snowmobile within the right-of-way of any trunk, county state aid, county highway, or city street except in the ditch or outside bank or slope of the right-of-way, and in the same direction as the highway traffic on the nearest lane of the roadway adjacent thereto. Where no ditch exists, snowmobiles may be operated only on the right-hand side of the right-of-way, and in no event on the roadway or shoulder, except as needed to cross a roadway, in compliance with Section 22-143.  
(Code 1982, § 701.104)

### **Sec. 22-142. Where operation prohibited.**

The operation of a snowmobile or ATV is specifically prohibited on the following locations:

- (1) Within the right-of-way of any county state aid highway designated as a natural preservation route.

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- (2) Within the Village Historic Site – Residential (VHS-R) and Village Historic Site – Commercial (VHS-C) Districts, except for loading or unloading of a snowmobile or ATV.  
(Ord 1997-49, 1/15/02)
- (3) On boulevards within any public right-of-way.
- (4) On public property, playgrounds and recreation areas, except areas specifically listed or authorized for such use by the city council, in which case, such use shall be lawful and snowmobiles or ATVs may be driven to and from such areas by the shortest route. Authorized areas in the city shall be designated by resolution of the city council.
- (5) On any other public property except as may be specifically permitted by other provisions of this Code.
- (6) Within 100 feet of any dwelling.
- (7) Within 200 feet of any church property during the hours of church services and during the hours of other church functions.
- (8) Within 100 feet of any fisherman, pedestrian, skating rink or sliding area where the operation would conflict with the use or endanger other persons or property.
- (9) On private property of another unless the land is clearly posted so as to allow the operation of snowmobiles or ATVs in compliance with M.S.A. § 84.90, or unless written permission has been otherwise obtained from the owner or person in control of such property. Such written permission must be in the immediate possession of the person operating the snowmobile or ATV.  
(Code 1982, § 701.105)
- (10) Within the right-of-way of 22<sup>nd</sup> Street after March 1, 2004.  
(Resolution 2004-13, 2/17/04)

### **Sec. 22-143. Crossing roadways.**

Nothing in this article shall be deemed to prohibit a snowmobile or ATV from making a direct crossing of a street or highway from and to property where the operation of the snowmobiles or ATV is otherwise legal and permitted, 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 vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the street or highway;
- (3) The driver yields the right-of-way to all oncoming traffic that 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 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 reduced visibility, only if both front and rear lights are on; and
- (6) A snowmobile may be operated upon a bridge when required for the purpose of avoiding obstructions to travel when no other method of avoidance is possible; provided the snowmobile is crossing from and to property where the operation of a snowmobile is operated in the extreme right-hand lane, the entrance to the roadway is made within 100 feet of the bridge and the crossing is made without undue delay.  
(Code 1982, § 701.106)

### **Sec. 22-144. Night operation restricted.**

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It shall be unlawful for any person to drive or operate any snowmobile on city streets during the hours from 11:00 p.m. to 7:00 a.m.  
(Code 1982, § 701.107(1))

### **Sec. 22-145. Specific prohibitions.**

It shall be unlawful for any person to drive or operate any snowmobile or ATV within the limits of the city:

- (1) While under the influence of alcohol or a controlled substance. A person in control of operating a snowmobile or ATV under the influence of alcohol or a controlled substance is governed by the prohibitions and chemical testing requirements of M.S.A. ch. 84 and is punishable in accordance with that chapter.
- (2) At a rate of speed greater than reasonable or proper under all the given surrounding circumstances.
- (3) In a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.
- (4) Without a lighted head and taillight when required for safety.
- (5) In any tree nursery or planting in a manner which damages or destroys growing stock.  
(Code 1982, § 701.107(2))

### **Sec. 22-146. Protection of animals.**

It is unlawful to drive, chase, run over or kill any animal with a snowmobile or ATV.  
(Code 1982, § 701.107(3))

**Cross reference--**Animals, Ch. 6.

### **Sec. 22-147. Speed limits.**

Within the corporate limits of the old platted Village of Afton the speed limit must not exceed 15 miles per hour.  
(Code 1982, § 701.107(4))

### **Sec. 22-148. Minors.**

- (a) No person under 14 years of age shall operate a snowmobile or ATV on streets or the roadway surface of highways or make a direct crossing of a trunk, county state aid, county highway, or city street.
- (b) Persons 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 article and make a direct crossing of such streets or highways only if they have in their immediate possession a valid snowmobile safety certificate issued by the commissioner, as provided by M.S.A. § 84.872.
- (c) It is unlawful for the owner of a snowmobile or ATV to permit the snowmobile or ATV to be operated contrary to the provisions of this section.  
(Code 1982, § 701.108)

### **Sec. 22-149. Identification pennant.**

It is unlawful to drive or operate any snowmobile or ATV any place within the limits of the city unless it is equipped with a pennant flag of red or blaze material, of a size not less than 12 inches by nine inches, at a height of not less than four feet from ground level at any time when the vehicle is operated on public streets.  
(Code 1982, § 701.109(1))

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**Sec. 22-150. Towing.**

It is unlawful to drive or operate any snowmobile or ATV 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.  
(Code 1982, § 701.109(2))

**Sec. 22-151. Leaving vehicle unattended.**

Every person leaving a snowmobile or ATV at a public place shall lock the ignition, remove and take the key with them.  
(Code 1982, § 701.110)

**Sec. 22-152. Emergency operation.**

Notwithstanding any prohibitions in this article, a snowmobile or ATV 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.  
(Code 1982, § 701.111)

**Sec. 22-153 - 160. Reserved.**

**ARTICLE V. USE OF MOTORIZED GOLF CARTS ON  
PUBLIC STREETS AND ROADWAYS OF THE CITY OF AFTON**

**Sec. 22-161. Adoption by Reference of MN Statute.**

Except as herein specifically addressed or modified, the provisions of MN Statute Section 169.045 are herewith incorporated by reference.

**Sec. 22-162. Motorized Golf Carts on City Streets.**

a) WHEREAS, the State of Minnesota legislature has authorized the use of motorized golf carts on designated roadways within a City, on streets under their jurisdiction, and;

b) WHEREAS, the City Council sees the need to limit the availability of access to City streets and roadways using golf carts to persons who are over the age of sixteen (16), who have possessed a valid driver's license in the past, or who currently possess a valid driver's license, and who are physically disabled as herein defined, consistent with this Ordinance and all other laws and regulations applicable, making it difficult or impossible for the person to operate a standard motor vehicle, without modifications to the vehicle, within the City of Afton.

c) WHEREAS, the intent of this ordinance is to allow businesses and residents within the Old Village Historic Downtown to access the downtown area of Afton by use of a motorized golf cart, consistent with this Ordinance and all other laws and regulations that apply.

d) WHEREAS, the City Council desires no motorized golf carts shall be operated on top of the city levee and trail way nor on any sidewalk private or public.

e) THEREFORE, the following rules are adopted:

**Sec. 22-163. Issuing Officer.**

The City Council shall authorize the issuing of all permits and shall determine the streets or roadways of operation and the hours of operation if more restrictive than State Statute and deemed necessary for public safety reasons and may recommend the denial of a permit if the applicant's driving status is revoked, suspended or cancelled for prior violations or in the case of a business (for the use by their guests or employees) the business shall

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ensure the individual operator, the person(s) allowed to operate the motorized golf cart, has neither had their driving status revoked, suspended or cancelled.

The City Administrator, Sheriff, or designee may revoke a permit at any time upon finding that the holder has violated any of the provisions of this Ordinance or Chapter 169 of MN Statutes, or if there is any evidence that the permit holder cannot safely operate the motorized golf cart.

### **Sec. 22-164. Requirements for Permit.**

Every application for a permit shall be made on a form supplied by the City and shall contain the information listed below. All permits shall be issued for a specific golf cart and a specific individual. The permit shall be carried in the vehicle, indicating the number and year for which issued.

- a) All motorized golf carts, and their drivers must carry liability insurance at all times when operating on a public street or roadway. A certificate of insurance must be provided at the time of permit application.
- b) Model name, make, year and serial number of the motorized golf cart is required.
- c) Name and address of applicant, and current driver's license (for a business: the business name and address and proof of insurance is all that is required) or reason for not having a current license is required.
- d) As a condition of obtaining a permit, the applicant may be required to submit a physician's certificate stating the applicant is able to safely operate a motorized golf cart on designated streets or roadways.
- e) The applicant shall present a certificate signed by a competent and experienced mechanic indicating the golf cart is in good mechanical condition, complete with rear view mirror, lights, (including brake lights, head lights and turn signals), brakes and a slow moving vehicle emblem and that it is safe for transportation of passengers.
- f) Other pertinent information as may be required.

### **Sec. 22-165. Other Requirements.**

- a) Motorized golf carts must display the slow moving vehicle emblem provided for in MN Statutes, Section 169.522, when operated on a public streets or roadway.
- b) Every operator has all the rights and duties applicable to the driver of any other vehicle under the provisions of Chapter 169 of MN Statutes, except when these provisions cannot reasonably be applied to motorized golf carts and except as otherwise specifically provided in MN Statutes, Section 169.045, Subd. 7.
- c) Motorized golf carts may only be operated on streets and roadways as designated on the permit authorized by the City Council. No motorized golf carts shall be permitted to operate on the levee or levee trailway or any sidewalk be it public and/or private. The operator may cross any highway intersecting a designated street or roadway.
- d) Hours of permitted operation shall be from sunrise to sunset. Operation of a golf cart shall not be permitted during inclement weather or when visibility is impaired by weather, smoke, fog or other conditions or at any time wherein there is insufficient light to clearly see persons and vehicles on the street or roadway at a distance of 500 feet.
- e) If a licensed golf cart is disabled through mechanical failure or for needed repairs, the permit may be temporarily transferred to another golf cart for a seven (7) day period, but only upon verification of mechanical condition and insurance coverage of the substitute vehicle.

### **Sec. 22-166. Assumption of Liability.**

Nothing in this ordinance shall be construed as an assumption of liability by the City for any injuries to persons or property which may result from the operation of a motorized golf cart by a permit holder or the failure by the City Administrator, Sheriff, or designee to revoke said permit.

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**Sec. 22-167. Initial Fee.**

The city may charge an initial application fee of \$25 per individual (for a residence) or \$50 per business (for up to two carts, each additional cart shall add on \$10 onto the application fee). The annual permit fee must be paid prior to issuance of permit. The permit fee may be adjusted upon annual review by the Council.

**Sec. 22-168. Violation and Penalty.**

Violation of any provision of this ordinance shall be punishable as a misdemeanor according to Sec. 1-13.

(Ord. 4-2006, § 20-70 -- 78, 5/16/06)

**Sec. 22-169 – 22-170. Reserved.**

(Ord. 09-2013, § 22-161 – 22-170, 10/15/13)

**ARTICLE VI. JUNK VEHICLES\***

**Sec. 22-171. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Junk vehicle* includes any motor vehicle, former motor vehicle or part of motor vehicle which is unusable or inoperable because of lack of, or defects in component parts, or damage from collision, deterioration or other factors, or is not properly licensed for operation in the state, unless allowed by one of the exemptions in Section 22-173.

(Code 1982, § 1103.102)

**Cross reference**--Definitions generally, § 1-2.

**Sec. 22-172. Prohibitions.**

No person shall cause or permit the parking, storing or keeping of a junk vehicle on any property within the city unless such vehicle is stored within an enclosed garage.

(Code 1982, § 1103.101)

**Sec. 22-173. Exemptions.**

(a) A classic or pioneer car, as defined in M.S.A. § 168.10, shall not be considered a junk motor vehicle within the meaning of this article as long as it has substantial potential further use consistent with its usual functions, and provided that any classic or pioneer car which is stored in the open shall be covered with an opaque cover designed or molded or otherwise fitted to the vehicle.

(b) A vehicle which is registered to the owner or occupant of the property where it is parked or kept, and which is being kept for repair on that property, provided that the vehicle is kept for no longer than 90 days in a disabled condition and its condition does not present a hazard, and provided that only one disabled vehicle may be kept on the property outside of an enclosed garage at any given time.

(Code 1982, § 1103.103)

**Sec. 22-174 – 22-179. Reserved.**

(Ord 06-2013, 4/16/2013)

**\*Cross references**—Solid waste management, Ch. 18.

**State law references**—Abandoned vehicles, M.S.A. § 168B.01 et seq.

TRAFFIC AND VEHICLES

ARTICLE VII. AIRCRAFT

**Sec. 22-180. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

*Aircraft* means a vehicle for traveling through air, which is not either an Unpowered Vehicle or Powered Vehicle as defined in this section.

*Powered Vehicles* means a powered ultra-light which has a maximum empty weight of 254 pounds; has a maximum fuel capacity of 5 U.S. gallons; is capable of less than 55 knots airspeed at full power in level flight; and has a power-off stall speed which does not exceed 24 knots (see FAA AC 103-7).

*Unpowered Vehicles* means an unpowered ultra-light under 155 pounds. Balloons and gliders are Unpowered Vehicles (see FAA AC 103-7).

**Sec. 22-181. Restriction of take-offs and landings within the City of Afton.**

The landing and taking-off of all Aircraft is prohibited in all districts within the city limits of Afton except for the following:

(a) An *Unpowered or Powered Vehicle*, which does not exceed the maximum noise levels as prescribed in Sec. 12-208 (b)(2), provided an annual permit is obtained from the City Administrator for the vehicle.

(b) Emergency landings and take-offs of aircraft as allowed under FAA regulations.

(Ord 44-2004, § new sections 22-180 and 22-181, 8/17/2004)

**Secs. 22-182 – 22-189. Reserved.**

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**Cross reference**--Definitions generally, § 1-2.

**\*State law reference**—Authority to regulate off-road vehicles, M.S.A. § 84.804(6); authority to regulate snowmobiles, M.S.A. § 84.87(3); authority to regulate the operation of motorized golf carts and all-terrain vehicles, M.S.A. § 169.045.