

CHAPTER 75: ALL-TERRAIN VEHICLES AND OFF-ROAD MOTORCYCLES

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§ 75.01 PURPOSE AND INTENT.

The purpose and intent of this chapter is to provide reasonable regulations for the use of all-terrain vehicles (ATV) and off-road motorcycles and to limit nuisances caused by concentrated and/or intensive ATV and off-road motorcycle use. The intent is not to prevent riding of ATVs or off-road motorcycles in a non-repetitive and non-nuisance manner.
(Ord. O-2A-04, passed 5-18-2004)

§ 75.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALL-TERRAIN VEHICLE (ATV). A motorized flotation-tired vehicle of not less than 3 low pressure tires or other similar motorized vehicles designed or used for off-road recreational purposes. The term does not include snowmobiles as defined in Chapter 73.

ESTABLISHED RIDING AREA. The area, location and/or trails that are used by any ATV or off-road motorcycle in a continuous or repetitive manner (such as consecutive riding loops or around a defined un-vegetated track or course).

OFF-ROAD MOTORCYCLE. A motorized vehicle having 2 wheels, handlebars and a seating area for the use of the rider that is designed or capable of being ridden off of surfaced roads.
(Ord. O-2A-04, passed 5-18-2004)

§ 75.03 USE OF ATV'S AND OFF-ROAD MOTORCYCLES.

(A) It shall be unlawful for any person to operate or knowingly permit the operation of an ATV or off-road motorcycle:

- (1) On public sidewalks, walkways or surfaced trails provided or used for pedestrian travel;
- (2) On public lands including public parks, playgrounds, historic sites, school grounds, golf courses and other public buildings and structures, unless otherwise designated by the City of Greenfield;
- (3) Upon any street or highway within the city, including any portion of the right-of-way within the city, unless fully licensed and approved for public road use;
- (4) Within 300 feet of any person fishing, fish house, shelter, park, pedestrian, skating rink, sliding area, occupied livestock building or in any other area when the operation would conflict with the use or endanger other persons or property;
- (5) At any place in a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto;
- (6) In a manner which creates a nuisance as defined in Chapter 93 of the City Code;
- (7) On primary or secondary septic sites;
- (8) In a consecutive loops as in around a track or defined unvegetated route, in a continuous manner, or on an established riding area except when complying with the requirements of division (B) below; and
- (9) On private property without the consent of the property owner.

(B) Riding of ATV's and off-road motorcycles in consecutive loops or around a track is permitted on the condition that riders have the lawful authority and the consent of the owner or occupant of the property, the owner or occupant of the property is present and adhere to the following:

- (1) The established riding area is to be located no closer than 50 feet from any property line and 300 feet from an occupied dwelling;
- (2) (a) Dust and noise control measures shall be maintained on the riding area by the property owner or occupant. These dust and noise control measures are required to be installed if directed by the City Council if other properties are adversely affected by dust or noise caused by ATV or off-road motorcycle use.

(b) Dust and noise control measures shall include, but are not limited to the following:

1. The watering down of unvegetated riding area(s) before, during and/or after usage as needed to limit dust; and

2. The planting of coniferous trees, 10 feet on center and a minimum of 10 feet high, or the construction of an 8-foot minimum board on board style fence, along all affected property lines;

(c) An ATV or off-road motorcycle must have a federally approved spark arrestor, and mufflers may not be altered to increase motor noise, or have a cut out bypass or similar device;

(d) No more than 3 riders may operate an ATV or off-road motorcycle on any riding area in a continuous riding manner at 1 time;

(e) Operation of ATV's or off-road motorcycle(s) on any riding area, public or private, in a continuous uninterrupted manner is limited to:

1. Up to 1-1/2 total hours per day from the onset of the use per riding area (example, riding starts at 11:00 a.m., there can be no riding after 12:30 p.m.);

2. Between the hours of 9:00 a.m. and 7:00 p.m.;

3. Monday through Saturday (no use of riding areas on Sunday); and

4. Riding every other day (no use of riding areas on consecutive days); and

(f) No riding areas are allowed in platted property used for residential purposes. (Ord. O-2A-04, passed 5-18-2004) Penalty, see § 75.99

§ 75.04 EXCEPTIONS.

The following activities shall not be considered as ATV or off-road motorcycle use and are not limited to the provisions of § 75.03:

(A) Official city and public use in conjunction with public conservation, maintenance, enforcement or other similar public purpose;

(B) Legal on road use. ATVs or off-road motorcycles with proper license's, equipment and permits for legal on road use;

(C) Agricultural use of an ATV as defined in M.S. § 84.92, subdivision I(d), as it may be amended from time to time; and

(D) Crossing of city or county right-of-way, which is otherwise allowed by M.S. § 84.928, as it may be amended from time to time.
(Ord. O-2A-04, passed 5-18-2004)

§ 75.99 PENALTY.

Any person violating any provision of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than \$1,000 or by imprisonment of not more than 90 days, or both, plus costs of prosecution in either case.
(Ord. O-2A-04, passed 5-18-2004)