

**CHAPTER 8
SUB-ANALYSIS**

TRAFFIC REGULATIONS

(SEE CHAPTER 7 FOR DEFINITIONS, SCOPE AND APPLICATION ELATING TO THIS CHAPTER)

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CHAPTER 8
TRAFFIC REGULATIONS
(SEE CHAPTER 7 FOR DEFINITIONS, SCOPE AND
APPLICATION RELATING TO THIS CHAPTER)

SECTION 8.01. MINNESOTA STATUTES, CHAPTERS 168, 169 AND 171 ADOPTED BY REFERENCE. Except as otherwise provided in this Chapter, or in Chapters 7 and 9 of this Code, the regulatory and procedural provisions of Minnesota Statutes, Chapter 168, Chapter 169 (commonly referred to as the Highway Traffic Regulation Act) and Chapter 171, as amended through Laws 1987, are hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

SEC. 8.02. TRUCK ROUTE.

Subd. 1. It is unlawful for any person to drive a tractor, agricultural implement, truck over 10,000 pounds axle gross vehicle weight, truck-trailer, tractor-trailer or truck tractor in through traffic, upon any street except those which have been designated and sign-posted as truck routes. The total weight for the entire vehicle shall not exceed 80,000 pounds. For the purpose of this Chapter, "through traffic" means originating without the City and with a destination without the City, as distinguished from "local traffic" which means traffic either originating or having a destination within the City. The truck route designated by the City Council of the City of Virginia shall be kept on file for inspection at the City Clerk's Office in City Hall, 327 First Street South, Virginia, Minnesota.

Subd. 2. It is unlawful to use engine retarder brakes within the City limits of the City of Virginia.

Violation of this ordinance shall subject the violator to civil and criminal penalties pursuant to Minnesota Statutes 169.832 through 169.851.

(Amended 2/26/02)

(Amended 2/13/07)

SEC. 8.03. EXHIBITION DRIVING.

Subd. 1. Definition. "Exhibition driving", as used in this Section, means to stop, start, accelerate or decelerate a motor vehicle, or to turn such motor vehicle at an unnecessary rate of speed so as to cause tires to squeal, gears to grind, soil to be thrown, engine backfire, fishtailing or skidding, or, as to two-wheeled or three-wheeled motor vehicles, the front wheel to lose contact with the ground or roadway surface.

Subd. 2. Unlawful Act. It is a misdemeanor for any person to do any exhibition driving on any street, parking lot, or other public or private property, except when an emergency creates necessity for such operation to prevent injury to persons or damage to property.

SEC. 8.04. ONE-WAY STREETS.

Subd. 1. The Council may, by resolution, designate streets as one-way streets.

Subd. 2. It is a misdemeanor for any person to travel upon any one-way street in a direction opposite that designated when the same has been duly sign-posted.

SEC. 8.05. RECREATIONAL MOTOR VEHICLES (INCLUDING SNOWMOBILES).

Subd. 1. Definitions. For the purposes of this Section, the terms defined shall have the meanings given them.

1. "Motorized Bicycle" - A bicycle with fully operable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two break horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

2. "All-Terrain Vehicle" or "ATV" - Trail bikes, amphibious vehicles and similar devices, other than snowmobiles, used at least partially for travel on natural terrain, but not "special mobile equipment" as defined in M.S.A. 168.011, Subdivision 22, which is hereby incorporated herein by reference.

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

4. "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 a motorized bicycle, all-terrain vehicle, snowmobile, hovercraft, or motor vehicle licensed for highway operation which is being used for off-road recreational purposes.

5. "Owner" - A person, other than a lien holder, having a property interest in, or title to, a recreational motor vehicle, who is entitled to the use or possession thereof.

6. "Operate" - To ride in or on and have control of a recreational motor vehicle.

7. "Operator" - The person who operates or is in actual physical control of a recreational motor vehicle.

Subd. 2. Recreational Motor Vehicle Operating Restrictions. It is unlawful for any person to operate a recreational motor vehicle as follows:

A. On a public sidewalk or walkway provided or used for pedestrian travel.

B. On private property of another without lawful authority or permission of the owner or occupant.

C. On any lands owned or occupied by a public body or on frozen waters, including, but not limited to, school grounds, park property, playgrounds, recreational areas, private roads, platted but unimproved roads, utility easements, public trails and golf courses. Provided, however, that the Council may, by resolution, specifically permit use on City property, in which event the shortest route to and from areas so permitted shall be used.

D. While the operator is under the influence of liquor or narcotics, or habit-forming drugs.

E. At a rate of speed greater than reasonable or proper under all of the surrounding circumstances.

F. In a careless, reckless or negligent manner so as to endanger the person or property of another or cause injury or damage thereto.

G. Towing any person or thing on a public street or highway except through the use of a rigid tow bar attached to the rear of an automobile.

H. At a speed greater than 10 miles per hour when within 100 feet of any lakeshore, except in channels, or of a fisherman, ice house, skating rink, or sliding area, nor where the operation would conflict with the lawful use of property or would endanger other persons or property.

I. In a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of other persons.

J. Chasing, running over, or killing any animal, wild or domestic.

K. During the hours between 11:00 o'clock P.M. of one day and 7:00 o'clock A.M. of the day next following, except that during such hours a motorized bicycle, if otherwise lawfully operated, may be operated on a public street.

Subd. 3. Owner Responsibility.

A. It is unlawful for the owner of any recreational motor vehicle to permit its operation on private property without permission of the owner or occupant, on City property without the permission of the Council, or on other public property without permission of the body in charge thereof. For purposes of this Section, the owner shall be conclusively presumed to have given such permission unless the recreational motor vehicle so operated shall have been reported stolen to a law enforcement agency.

B. Every person leaving a recreational motor vehicle in a public place shall lock the ignition, remove the key and take the same with him.

Subd. 4. Additional Snowmobile Operating Regulations.

A. It is unlawful for any person to operate a snowmobile upon the roadway, shoulder or inside bank or slope of any street or highway. Operation in the ditch or on the outside bank within the right-of-way of any street or highway except interstate highways or freeways is permitted in conformance with State law and the City Code, unless the roadway directly abuts a public sidewalk or walkway or property used for private purposes. Between the hours of one-half hour after sunset to one-half hour before sunrise, any operation may only be on the right-hand side of such street or highway and in the same direction as the highway traffic on the nearest lane of the roadway adjacent thereto.

B. 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 safe crossing.

2. The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way of the highway.

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 reduced visibility, only if both front and rear lights are on.

C. No snowmobile shall enter any uncontrolled intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians which constitute an immediate hazard.

D. Notwithstanding any prohibition in this Section, 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.

E. No person under fourteen (14) years of age shall operate on streets or highways or make a direct crossing of a street or highway as the operator of a snowmobile. A person fourteen (14) years of age or older, but less than eighteen (18) years of age, may operate a snowmobile on streets or highways as permitted under this Section and make a direct crossing thereof only if he has in his immediate possession a valid snowmobile safety certificate issued by the Commissioner of Conservation as provided by Minnesota Statutes 1969, Section 84.86. It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this Subparagraph.

Subd. 5. Snowmobile Equipment. It is unlawful for any person to operate a snowmobile unless it is equipped with the following:

A. Standard mufflers which are properly attached and in constant operation, and which reduce the noise of operation of the motor to the minimum necessary for operation. Mufflers shall comply with Regulation CONS. 55 which is hereby adopted by reference as it existed on September 1, 1970. No person shall use a muffler cut-out, by-pass, straight pipe or similar device on a snowmobile motor, and 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 under any conditions of the operation.

C. A safety or so-called "deadman" throttle in operating condition, so that when pressure is removed from the accelerator or throttle, the motor is disengaged from the driving track.

D. 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 vehicle operator. It shall also be equipped with at least one red tail lamp having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness under normal atmospheric conditions. The equipment to be in operating condition when the vehicle is operated between the hours of one-half hour after sunset to one-half hour before sunrise or at times of reduced visibility.

E. Reflective material at least sixteen inches on each side, forward of the handlebars, so as to reflect or beam light at a 90 degree angle.

SEC. 8.06. MOTORIZED GOLF CARTS, OPERATION AND REGULATION.

Subd. 1. Operation Authorized. Operation of motorized golf carts is hereby authorized on the roadways of all streets, except such as are prohibited by resolution of the Council, and only in strict compliance with this Section.

Subd. 2. Permits. Permits shall be issued only to handicapped persons as defined by statute. Application for a permit to operate a motorized golf cart on the roadways of streets shall include the name and address of the applicant and such other information as may from time-to-time be required by the Council. Applications for initial or renewal permits shall be accompanied by a certificate signed by a physician stating that the applicant is capable of safely operating a motorized golf cart on the roadway of streets. All permits shall expire on December 31, unless renewed. The fee for a permit shall be fixed by resolution of the Council.

Subd. 3. Unlawful Acts. It is unlawful for any person to operate a motorized golf cart on the roadway of a street unless:

A. The operator has in possession a valid, current and unrevoked permit from the City.

B. The operation is on a roadway which has not been designated as prohibited for such operation, except crossing at an intersection.

C. The operation is during daylight hours between sunrise and sunset.

D. The operation is not during inclement weather, or when visibility is impaired by weather, smoke, fog, or other conditions, or when there is insufficient light to clearly see persons or vehicles thereon at a distance of 500 feet.

E. The motorized golf cart displays a slow moving vehicle emblem, as described by statute, on the rear thereof.

F. The motorized golf cart is equipped with rear view mirrors as required by statute for other vehicles.

G. The operator has insurance coverage as provided by statute (presently Section 65B.48, Subdivision 5) for motorcycles.

H. The operator observes all traffic laws, except such as cannot reasonably be applied to motorized golf carts.

Source: City Code
Effective Date: 3-1-88

SEC. 8.07. RULES AND REGULATIONS FOR THE OPERATION OF BOATS AND WATERCRAFT ON SILVER LAKE AND VIRGINIA (BAILEY'S) LAKE.

Subd. 1. No person shall navigate, operate, dock or anchor any boat or watercraft on Silver Lake or Virginia (Bailey's) Lake within the City of Virginia except in accordance with the provisions of this ordinance.

Subd. 2. For the purpose of this ordinance, the term "person" shall mean any person, firm, partnership, corporation or other combination of persons.

Subd. 3. For the purpose of this ordinance, the term "boat" shall mean every boat, houseboat, barge, vessel, raft, canoe or other watercraft used as a support in or upon the water.

Subd. 4. No person shall operate or have charge of any motor boat on Silver Lake or Virginia (Bailey's) Lake, except and unless a special permit therefor has been granted by the City Council. A person may operate an electric trolling motor that creates no wakes on Silver Lake or Virginia (Bailey's) Lake without special permit from the City of Virginia.

(Amended 6/8/99)

Subd. 5. A motor boat is defined as a boat propelled by an internal combustion engine and includes both varieties commonly known as "outboard" and "in-board". The use of motor boats upon Silver Lake and Virginia (Bailey's) Lake is prohibited.

Subd. 6. Penalty. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not more than One Hundred and No/100ths Dollars (\$100.00) or by imprisonment for not more than ninety (90) days."

(Adopted 8/26/97)

(Sections 8.08 through 8.98, inclusive, reserved for future expansion.)

SEC. 8.99. VIOLATION A MISDEMEANOR OR PETTY MISDEMEANOR. Every person violates a section, subdivision, paragraph or provision of this Chapter when he performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as follows:

Subd. 1. Where the specific section, subdivision, paragraph or provision specifically makes violation a misdemeanor, he shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he shall be punished as for a misdemeanor; where he stands convicted of violation of any provision of this Chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he shall be punished as for a misdemeanor.

Subd. 2. As to any violations not constituting a misdemeanor under the provisions of Subdivision 1 hereof, he shall be punished as for a petty misdemeanor.

Subd. 3. As to any violation of a provision adopted by reference, he shall be punished as specified in such provision, so adopted.

Source: City Code
Effective Date: 3-1-88