

Effective Date: March 7, 2006

Amendments: 10-07-08 **351A** / 08-02-17 **468A** / 12-19-17 **469A** / 04-02-19 **479A** / 03-21-23 **507A**
05-20-25 **517A**

Section 5.1: General Traffic

5.1.01 Minnesota State Highway Traffic Regulation Act Incorporated by Reference. The regulatory provisions of Minn. Stat. Chapter 169 shall be adopted as a traffic code regulating the use of highways, streets and alleys within the City and shall be incorporated in and made a part of this Chapter as completely as if set out here in full.

State law references: Adoption by reference, Minn. Stats. § 471.62.

5.1.02. Designation of Through Streets. The Council may designate any street as a through street and any intersection as a stop intersection where necessary to preserve the free flow of traffic and to prevent accidents, and shall cause to be posted appropriate signs at the entrance to such streets or intersections, but no trunk highway shall be designated as a through street and no intersection on a trunk highway shall be designated as a stop intersection unless the consent of the Commissioner of Highways to such designation is first secured. Every driver of a vehicle shall bring his or her vehicle to a full stop before entering any established street or intersection properly designated and posted.

5.1.03. Designation of One-Way Streets. The Council may designate one-way streets where necessary to preserve the free flow of traffic and to prevent accidents, and shall cause to be posted appropriate signs at the entrances to such streets indicating in which direction lawful vehicular traffic shall move. No person shall operate any vehicle on a street designated and sign posted for one-way traffic as a one-way street in a direction opposite to that permitted on the street.

State law references: Authority to designate through highways, Minn. Stats. § 169.04(5); authority to designate on-way streets, Minn. Stats. § 169.04(4); obedience to traffic control devices, Minn. Stats. § 169.06, subd. 4; through highways, Minn. Stats. § 169.20, subd. 3; one-way streets, Minn. Stats. § 169.18, subd. 6.

5.1.04 Prohibition Against Exhibition Driving. No person shall start or accelerate any motor vehicle with an unnecessary exhibition of speed on any public or private driveway within the City. Prima facia evidence of the unnecessary exhibition of speed shall be squealing or screeching sounds emitted by the tires or the throwing of sand or gravel by the tires of the vehicle, or both. Violators of this provision may be cited either under state statute or as an administrative offense with a maximum administrative fine commensurate with the then existing fine under state statute for a petty misdemeanor.

State law references: Reckless or careless driving, Minn. Stats. § 169.13.

Section 5.2: Inattentive Driving

5.2.01. Prohibition Against Inattentive Driving. No person shall be so engaged or occupied while driving a motor vehicle as to interfere with the safe driving of such vehicle. Depending upon the severity of the offense violators can either be cited under state statute or as an administrative offense punishable as a petty misdemeanor.
(Ordinance 144A)

Section 5.3: Regulation of Trucks

5.3.01. Definitions. For the purpose of this Section, the following terms shall have the meaning given. When not inconsistent with the context, words used in the present tense shall include the future; words in the singular shall include the plural. The words "shall" shall always be mandatory and not merely directory, and "may" shall be permissive.

Subd. 1 City. "City" shall mean the City of Cloquet, Minnesota.

Subd. 2 Deviating Truck. "Deviating Truck" shall mean a truck which leaves and departs from a street designated to be used by pulpwood truck traffic.

Subd. 3 Person. "Person" shall be any person, firm, partnership, association, corporation, company or organization of any kind.

Subd. 4 Pulpwood Truck. "Pulpwood Truck" shall mean a vehicle designated or operated for the transportation of pulpwood.

Subd. 5 Pulpwood Truck Route. "Pulpwood Truck Route" shall mean any street as designated in this Section, over and along which a pulpwood truck within the City shall operate.

5.3.02. Truck Travel Restricted. All pulpwood trucks operating within the City shall be operated only over and along the pulpwood truck routes established in this Section, except that this Section shall not prohibit:

- A. The operation of trucks upon any street where necessary to the conduct of business at a destination point, provided streets upon which the traffic shall be permitted shall be used until reaching the intersection nearest the destination point.
- B. The operation of emergency vehicles upon any street in the City.
- C. The operation of trucks owned or operated by the City, or public utilities, while engaged in the repair, maintenance, or construction of streets, street improvements or street utilities within the City.
- D. The operation of trucks upon any officially established detour in any case where the truck could be lawfully operated on the street for which the detour is established.

5.3.03. Streets and Roads Designated for Pulpwood Truck Use. The following streets and roads shall be maintained for pulpwood truck routes:

- A. Highway #33 and Service Drives;
- B. County State Aid Highway #45 (Cloquet Avenue) from I-35 in Scanlon to 18th Street;
- C. Brookston Road;
- D. Brevator Road;
- E. University Road;
- F. Reservation Road;
- G. County State Aid #7 or Big Lake Road;
- H. Prospect Avenue West of Highway #33;
- I. Broadway; and
- J. Avenue B; from Broadway to 22nd Street; and
- K. Any other street or road designated a pulpwood truck route and posted by the Council. (Ordinance 18A)

5.3.04. Enforcement.

Subd. 1. Maps. The City Administrator shall keep and maintain accurate maps setting out the truck routes or streets upon which pulpwood truck traffic shall be permitted and the maps shall be available to the public.

5.3.05. Liability and Penalties. Any person convicted of violating any provision of this Section shall be guilty of a misdemeanor. In the discretion of the City prosecutor violations may also be treated as administrative offenses with a maximum fine commensurate with the existing maximum penalty for a petty misdemeanor.

Section 5.4: Parking Regulation

5.4.01. General Prohibitions. No person shall stop, stand or park a vehicle on any street or highway except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or other designated City official or traffic control device. This same prohibition will apply along any tract or parcel of land owned or under the control of any governmental body, authority or agency when such stopping, standing or parking is prohibited by official signs or by painted curb markings. The City, by sign, may designate certain parking areas and parking spaces in the City to be limited exclusively for those public building users of specific public buildings while the user is actually within the building. Violators who park in those restricted areas when they are not within that designated public facility may have their motor vehicles towed at their expense and shall receive a parking ticket for violation of that restricted parking area.

State law references: Obedience to traffic control devices, Minn. Stats. §169.06, Subd. 4.

Subd. 1. Penalties for Violation. Fines for parking tickets will constitute administrative violations and shall be in an amount in accordance with the resolution of the City Council regarding such violations. In no event will the amount charged for a parking offense exceed the maximum assessable for a petty misdemeanor as then defined by state statute.

State law references: Petty misdemeanors, Minn. Stats. §609.0332.

5.4.02. Exceptions. The Police Department shall be empowered to temporarily suspend the parking provisions of this Section on any street or avenue within the City on account of parades, street or utility conditions, or for other reasons by placement of appropriate temporary signs on the street or avenue. All vehicles shall be removed from any street or avenue on which "no-parking" signs have been placed pursuant to this Section with fifteen (15) hours after placement of the signs. The Police Department shall be further empowered to designate "no-parking" spaces in front of the main entrances of hotels, theaters, churches, depots, hospitals or other public places at their discretion in the interest of public safety and welfare.

5.4.03. Limited Parking Zones. The Council may designate 30 minute, one hour, or two hour limited parking zones and shall cause the same to be marked by appropriate signs in the zones so established. The zones shall be established wherever necessary for the convenience of the public or to minimize traffic hazards and to permit a free flow of traffic. No persons shall park any vehicle in any limited parking zone for a longer period than is specified on the sign marking the zone.

5.4.04. Designation of Parking Spaces. The Chief of Police shall be authorized and directed to mark off individual parking spaces established pursuant to this Section and in such other zones as may hereinafter be established. The parking spaces will be designated by lines painted or durably marked on the curbing or surface of the street by the City. At each space so marked off, it shall be unlawful to park any vehicle in such a way that the vehicle shall not be entirely within the limits of the space so designated.

5.4.05. Winter Parking / Snow Emergency Regulations.

Subd. 1 Winter Parking Restrictions. During the period from November 1st to March 31st of each year, no person, persons, firm or corporation shall park any motor vehicle on the streets, alleys, boulevards, sidewalks or public grounds within the corporate limits of the City between the hours of midnight and six o'clock a.m. This subdivision does not apply to a motor vehicle parked at an open business establishment between the hours of midnight and 2:00 a.m. unless ordered to be moved at the direction of a peace officer. (Ordinance 478A)

Subd. 2 Winter Parking / Snow Emergency – Penalties / Impoundment. (a) A motor vehicle found to be in violation of Subdivision 1 of this section is subject to a parking citation. (b) A motor vehicle found to be in violation of Subdivision 1 when there is a snowfall accumulation requiring the plowing of city streets (approximately 2 inches or more), as determined by the Director of Public Works or the Supervisor of Street Maintenance, is subject to a parking citation and to immediate removal, as needed for plowing, to an impound lot at the owner's expense by a towing authority authorized by the City, and only at the direction of a peace officer who has prepared, in addition to a parking citation, a written towing report describing the motor vehicle and the reasons for towing, in accordance with Minn. Stat. 168B.035. Towing and storage fees are in addition to any fine otherwise imposed for the violation of this section. Such vehicle shall not be released until the fine and the fees for towing and storage are paid.

5.4.06. Truck Parking.

Subd. 1 Definitions.

- A. The term "Semi-truck" shall include any truck-tractor, road tractor, or semitrailer or any combination of these as those terms are defined in Minn. Stat. Sections 169.01 Subd. 7, Subd. 9 and Subd. 11.
- B. The term "Straight Truck" shall include any motor vehicle which is larger than a van or pickup truck.

Subd. 2 Prohibition. Except as provided in this Section, no semi-truck or straight truck may be parked upon any street, alley, thoroughfare or public ground in any residential area located in the City, except when actually loading or unloading goods being or to be transported.

Subd. 3 Hazardous Materials. No semi-truck or straight truck used for transportation of petroleum products, explosives or hazardous materials shall be parked upon any street, alley, thoroughfare or public grounds, as defined in Minn. Stat. Section 169.01 except when loading or unloading products being or to be transported.

Subd. 4 Idling. No semi-truck or straight truck lawfully parked in the City may run its engine, whether or not the engine is used to propel the vehicle for more than thirty minutes in any three hour period.

5.4.07. Disabled Vehicles. No disabled motor vehicle shall be parked upon any street, alley, thoroughfare or public ground or vacant lot in the City for more than twenty-four consecutive hours, even if the vehicle is a "dead storage" vehicle or a vehicle under repair. A dead storage vehicle shall be defined for the purpose of this Section as any vehicle missing any major parts or missing a tire, wheel or otherwise disabled.

5.4.08. Sidewalks, Alley Obstruction. No motor vehicle shall be parked upon a sidewalk in the City, except when loading or unloading products being or to be transported, and shall be parked so as not to obstruct pedestrian traffic. Any straight truck or semi-truck may be parked on a street, alley, thoroughfare, or public grounds at a job site adjacent to and during the duration of a particular job, provided that the vehicle shall be parked in such a manner as to not obstruct the orderly flow of vehicular or pedestrian traffic. No motor vehicle shall be parked in or upon any alley in the City of Cloquet in a manner which obstructs vehicle traffic and is required to leave a clear and unobstructed width of at least ten (10) feet of the alley available for the free passage of other vehicles.

5.4.09. Penalty. Any person, firm or corporation found to be in violation of any of the prohibitions contained in this Section shall be guilty of an administrative offense or petty misdemeanor and, upon conviction, shall be punished by a fine up to the maximum provided by Minnesota Statute for petty misdemeanor offenses, together with costs of prosecution.

5.4.10. Reservation of Powers. Nothing in this Section shall be construed as prohibiting the City from providing for bus stops, taxicab stands and other matters of a similar nature, including the loading or unloading of trucks, vans, or other commercial vehicles.

5.4.11. Parking Monitor. The Chief of Police is authorized to appoint and utilize a parking monitor to assist the police department in enforcing the parking provisions of this Code.

Subd. 1. Definition. "Parking Monitor" shall mean that person or persons appointed by the Chief of Police, with the consent of the City Council, to act as parking control monitors in enforcing the parking, handicap and crosswalk codes or ordinances of the City and Minnesota State Statutes. The Parking Monitor shall not need to be licensed to be a peace officer, constable or part-time peace officer.

Subd. 2 Citations. The Parking Monitor shall be duly authorized and empowered to issue a citation or citations in lieu of arrest or continued detention of any person who is believed to have violated any codes, ordinance or statutes of the State of Minnesota for parking, handicap or crosswalk violations of the City and States Statutes. Nothing in this Section shall be construed to mean the Parking Monitor shall be authorized to do any of the following, which acts can only be done by a peace officer:

- A. Arrest or detain a violator; or,
- B. Ask a person receiving a citation to give a written promise to appear in Court; or,
- C. Take a person in custody as permitted by Minn. Stat. Section 629.34.

Subd. 3. Nothing in this Subsection shall be construed to limit the authority of any peace officer to issue a citation or perform all other lawful acts of enforcement of any parking, handicap or crosswalk state statute, this Code, or the Ordinances of the City or as otherwise prescribed by law.

(Ordinance 198A, 151A)

State law references: Definitions, Minn. Stats. §169.01 Subd. 7, Subd. 9 and Subd. 11.

Section 5.5: Regulation of Bicycles**5.5.01 Use of Streets.**

Subd. 1 Age. No person shall ride or propel a bicycle upon any street, highway or alley in the City in such a manner that, in the opinion of a designated police officer, is unsafe or impedes vehicle traffic properly in a lane of traffic designed for vehicle traffic.

5.5.02 Number of Persons. No person shall ride or propel a bicycle on the public streets or highway of the City with more persons on it than there are seats attached to the bicycle as intended by the manufacturer.

5.5.03 Speed. No bicycle shall be ridden faster than is reasonable and proper and shall be operated with reasonable regard to the safety of the operator and other persons upon the public streets and highways of the City.

5.5.04 Lights. No bicycles shall be permitted on any street or public highway of the City between thirty minutes after sunset and thirty minutes before sunrise, without a headlight visible under normal atmospheric conditions from the front thereof for not less than 300 feet indicating the approach or presence of the bicycle, firmly attached to the bicycle and when properly lighted shall give a clear white light, or without a yellow or red light or reflector attached to and visible from 200 feet from the rear thereof.

5.5.05 Riding Abreast. No person shall ride or propel a bicycle upon any street or other public highway in the City abreast of more than one other person riding or propelling a bicycle.

5.5.06 Applicability of Traffic Rules. Every person riding or propelling a bicycle upon any public street or highway in the City shall observe all traffic rules and regulations and stop at all stop signs, and, shall turn only at intersections, signal for all turns, ride at the right hand side of the street or highway, pass to the left when passing overtaken vehicles and individuals which are slower moving and shall pass vehicles to the right when meeting.

5.5.07. Penalty. Any person, firm or corporation found to be in violation of any of the prohibitions contained in this Section shall be guilty of an administrative offense or petty misdemeanor and, upon conviction, shall be punished by the fine up to the maximum provided by Minnesota Statute for petty misdemeanor offenses, together with costs of prosecution.

State law references: Bicycle lanes and ways, Minn. Stats. §160.263; bicycle registration, Minn. Stats. ch. 168C; operation of bicycles, Minn. Stats. §169.222.

Section 5.6: Regulation of Snowmobiles, Off-Highway Motorcycles and Special Vehicles Including All-Terrain Vehicles (ATV's), Motorized Golf Carts, Utility Task Vehicles and Mini-Trucks within City Limits

5.6.01 Intent. It is the intent of this Section to supplement Minnesota Statutes chapters 84 and 169, as they may be amended from time to time, with respect to the operation of snowmobiles, all-terrain vehicles (ATV's), off-highway motorcycles and special vehicles as defined in Minn. Stat. 169.045. This section is not intended to otherwise allow what Minnesota State Statutes prohibit, nor prohibit what Minnesota State Statutes allow.

5.6.02 Definitions.

Subd. 1 Snowmobiles. "Snowmobiles" as used in this Section shall have the meaning as defined in Minn. Stat. Section 84.81 as it may be amended from time to time and presently means any self-propelled vehicle or any vehicle propelled or drawn by a self-propelled vehicle designed to travel across ice or snow steered by skis or runners, but not operated exclusively upon railroad or trolley tracks.

Subd. 2 All-terrain Vehicles/ATV. "All-terrain vehicle or ATV" as used in this Section shall have the meaning as defined in Minn. Stat. Section 84.92 as it may be amended from time to time and presently means a motorized flotation-tired vehicle, of not less than three low pressure tires, but not more than six tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight of less than 900 pounds.

Subd. 3 Off-Highway Motorcycle. "Off-highway motorcycle" as used in this Section shall have the meaning as defined in Minn. Stat. Section 84.787 as it may be amended from time to time and presently means a motorized, off-highway vehicle traveling on two wheels and having a seat or saddle designed to be straddled by the operator and handlebars for steering control, including a vehicle that is registered under chapter 168 for highway use if it is also used for off-highway operation on trails or unimproved terrain.

Subd. 4 Motorcycle. "Motorcycle" as used in the Section shall mean every motor vehicle not otherwise defined above having a saddle for the use of the rider and designated for travel on not more than 3 vehicles in contact with the ground, including motor scooters and bicycles with a motor attached, but excluding a tractor.

Subd. 5 Motorized Golf Cart. A vehicle commonly known as a golf cart, having at least three wheels and either an electric or gas-powered motor.

Subd. 6 Mini-Truck. As defined in Minn. Stat. § 169.01, subd. 40(a), which presently is a motor vehicle that has four wheels; is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less; has a total dry weight of 900 to 2,200 pounds; contains an enclosed cabin and a seat for the vehicle operator; commonly resembles a pickup truck or van, including a cargo area or bed located at the rear of the vehicle; and was not originally manufactured to meet federal motor vehicle safety standards required of motor vehicles in the Code of Federal Regulations, title 49, sections 571.101 to 571.404, and successor requirements. A mini-truck does not include: a neighborhood electric vehicle or a medium-speed electric vehicle as defined by § 73.11; or a motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, title 49 section 571.500, as it may be amended from time to time.

Subd. 7 Utility Task Vehicle (UTV). A utility task vehicle means 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.

Subd. 8 Motor Vehicle. "Motor Vehicle" as used in this Section shall mean every self-propelled device in, upon or by which any person or property is or may be transported or drawn within the City, regardless of whether the motor vehicle is required by law to be registered with the State of Minnesota and regardless of whether the driver, operator or person in physical control of the vehicle is required by law to have obtained a license, permit or endorsement to a license so as to lawfully operate the motor vehicle within the State of Minnesota. A Motor vehicle shall not include a vehicle moved solely by human power, but shall include without limitation the following:

- A. Snowmobile as defined in Subdivision 1;
- B. Recreational vehicles and ATV's, including but not limited to the following:
 - (1) Motorized dirt bike having two or more wheels; and
 - (2) Motorized all-terrain vehicle having three or more wheels, such as a three-wheeler or four-wheeler; and,
- C. Off-highway motorcycle as defined in Subdivision 3;
- D. Motorcycle as defined in Subdivision 4.
- E. Any other motor vehicle as shall be defined in this Section regardless of the vehicle's number of wheels or mode of self-propulsion if other than solely by human power, including but not limited to the following types of commonly understood vehicles:
 - (1) Automobile;
 - (2) Truck; and
 - (3) Van
 - (4) Motorized Golf Cart as defined in Subdivision 5
 - (5) Mini-truck as defined in Subdivision 6
 - (6) Utility Task Vehicle as defined in Subdivision 7

Subd. 9 Permit. "Permit" as used in this Section shall mean a permit issued by the City of Cloquet under the provisions of Subsection 5.6.04 below or an ATV registration card issued by the Commissioner of Natural Resources pursuant to M.S.S. 84.922. Any motor vehicle regulated by this Section which bears a current permit/registration sticker for the vehicle being driven, affixed in a visible and readable location, shall be considered to be properly permitted under this Section.

5.6.03 Snowmobile and Off-Highway Motorcycle Operation. Unless otherwise specifically modified herein, the City hereby adopts (as they are amended from time to time) Minn. Stat. §84.81 to §84.915 relating to the operation of snowmobiles and §84.787 to §84.796 relating to the operation of off-highway motorcycles within the city limits. In addition, a snowmobile may be operated upon city roadways, road shoulders, and the inside bank or slope of those city streets, county roads, and state highways as are designated on a City Snowmobile Map which shall be maintained by the City provided that operation occurs on the farthest right hand side of the street, road or highway and whenever possible and legal the operation occurs within the ditch and always in the same direction as traffic.

Subd. 1. Snowmobile Restrictions. However, it shall be unlawful to operate a snowmobile within city limits as follows:

- a. On a public sidewalk used for pedestrian travel;
- b. On boulevards located within the public right-of-way;
- c. On private property except where permission has been obtained from its owner;
- d. On public property, playgrounds, parks and recreation areas except as designated on the City Snowmobile Map;
- e. On any school grounds, except as permission has been expressly obtained from school authorities;
- f. At a rate of speed in excess of 30 miles per hour but in no event at a rate of speed greater than reasonable and proper under existing conditions;
- g. To operate a snowmobile in a careless, reckless or negligent manner so as to endanger person or property; and,
- h. In a manner that disturbs, annoys or interferes with the peace and quiet of the public.

5.6.04 Authorized Use of ATV's (all-terrain vehicles), motorized golf carts, utility task vehicles and mini-trucks within city limits by permit only. Consistent with Minn. Stat. 169.045, ATV's, motorized golf carts, utility task vehicles and mini-trucks as defined in this Section, will only be allowed on designated streets or roadways within the City as designated by the City on a City ATV Route Map which shall be maintained by the City. However, operation of such vehicles upon the streets and roadways designated on the City ATV Route Map will be by permit only and will otherwise comply with the provisions of Minn. Stat. 169.045 as amended from time to time. However, from and after the adoption of this Code section no person shall drive, operate or be in physical control of any motor vehicle as shall be defined in this Section on the private property of another within the City without the express permission of the owner of the property, nor shall any person drive, operate or be in physical control of a motorized golf cart, all-terrain vehicle, utility task vehicle or mini-truck as shall be defined in this Section upon any lands owned, controlled or regulated by the City and used as a City Park, or otherwise owned by the City, except where specifically permitted by the City as shall be provided for below in this Section.

In that regard, the Mayor, subject to the consent of the Council, shall be instructed to determine what areas of the City owned, controlled or regulated lands, if any, will be allowed for this use, and in areas so designated it shall be lawful to drive, operate or be in physical control of a motorized golf cart, all-terrain vehicle, utility task vehicle or mini-truck. For purposes of designating permitted areas, the City shall post signs of the type normally used in highway traffic regulation by the City designating the areas in which such use will be permitted.

Unless otherwise specifically modified herein, the City hereby adopts the provisions of Minn. Stat. §84.92 to §84.929 relating to the operation of ATV's as they are amended from time to time and adopt them by reference.

Subd. 1. Restrictions on the permitted use of ATV's, motorized golf carts, utility task vehicles and mini-trucks. No person shall operate a motorized golf cart, all-terrain vehicle, utility task vehicle or mini-truck on streets, alleys, sidewalks or other public property without obtaining a permit as provided herein.

- A. Every application for a permit shall be made on a form supplied by the city and shall contain all of the following information:
 - (1) The name and address of the applicant.
 - (2) Model name, make and year and number of the motorized golf cart, all-terrain vehicle, utility task vehicle, or mini-truck.
 - (3) Current driver's license or reason for not having a current license.
 - (4) Other information as the city may require.
- B. The operator of an all-terrain vehicle or utility task vehicle shall either have a valid driver's license and/or a valid ATV safety certificate issued by the Commissioner of the Department of Natural Resources. Proof of the same must be in the possession of the operator at all times.
- C. The annual permit fee shall be as set forth in the annual fee schedule promulgated by the City Council, as may be amended from time to time.
- D. Permits shall be granted for a period of one year and may be renewed annually Jan. 1 to Dec. 31.
- E. No permit shall be granted or renewed unless the following conditions are met:
 - (1) The applicant must demonstrate that he or she currently holds or has held a valid Minnesota driver's license to operate a mini-truck.
 - (2) The applicant may be required to submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart, all-terrain vehicle or utility task vehicle on designated roadways.
 - (3) The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the golf cart, all-terrain vehicle, utility task vehicle or mini-truck.
 - (4) The applicant has not had his or her driver's license revoked as the result of criminal proceedings.

(5) The applicant for a permit to operate an all-terrain vehicle or utility task vehicle shall either have a valid driver's license and/or a valid ATV safety certificate issued by the Commissioner of the Department of Natural Resources.

F. Unless otherwise specifically modified herein, the City hereby adopts the provisions of Minn. Stat. §§84.765, 169A.52 and 169A.54, as they may be amended from time to time, relating to the operation of off-road recreational vehicles while impaired, including ATVs, and adopts them by reference. Pursuant to the foregoing, no person shall operate an off-road recreational vehicle, including an ATV, on city streets, alleys, sidewalks, designated ATV routes or other public property, pursuant to a city permit or an ATV safety certificate issued by the Commissioner of the Department of Natural Resources, when their operating privilege for motor vehicles has been revoked or cancelled pursuant to the preceding statutes, which also applies to the operating privilege for an off-road recreational vehicle, including an ATV, and their operating privileges have not been reinstated. This prohibition may only be cured by the rehabilitation of operating privileges and obtaining a valid driver's license.

Subd 2. Motorized golf carts, all-terrain vehicles, utility task vehicles, and mini-trucks are permitted to operate only on designated city streets, not state or federal highways, except to cross at designated intersections.

Subd 3. Motorized golf carts, all-terrain vehicles, utility task vehicles, and mini-trucks are prohibited from city sidewalks except for purposes of snow removal or unless otherwise exempt as provided herein.

Subd 4. Except for purposes of snow removal, motorized golf carts, all-terrain vehicles, and utility task vehicles and mini-trucks may only be operated on designated roadways from sunrise to sunset, unless equipped with original equipment headlights, tail lights, and rear-facing brake lights. Except for purposes of snow removal, they shall not be operated in inclement weather or when visibility is impaired by weather, smoke, for or other conditions, or at any time when there is insufficient visibility to clearly see persons and vehicles on the roadway at a distance of 500 (Five Hundred) feet.

Subd 5. Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minn. Stat. §169.045, as it may be amended from time to time, when operated on designated roadways.

Subd 6. Motorized golf carts, all-terrain vehicles, utility task vehicles, and mini-trucks shall be equipped with a rear-view mirror to provide the driver with adequate vision from behind as required by Minn. Stat. §169.70.

Subd 7. The operator of a motorized golf cart, all-terrain vehicle, utility task vehicle or mini-truck may cross any street or highway intersecting a designated roadway.

Subd 8. When operating a motorized golf cart, all-terrain vehicle, utility task vehicle or mini-truck, the operator must have a copy of the permit in his or her possession, provide proof of insurance and properly display permit in plain sight as designated by permit.

Subd 9. Every person operating a motorized golf cart, an all-terrain vehicle, a utility task vehicle or a mini-truck under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minn. Stat., ch. 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to motorized golf carts or mini-trucks and except as otherwise specifically provided in Minn. Stat. §169.045(7), as it may be amended from time to time.

Subd 10. Additional Mini-truck equipment requirements:

- A. A mini-truck may be operated under permit on designated roadways if it is equipped with all of the following:
- (1) At least two headlamps.
 - (2) At least two tail lamps.
 - (3) Front and rear turn-signal lamps.

- (4) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror.
- (5) A windshield.
- (6) A seat belt for the driver and front passenger.
- (7) A parking brake.

Subd 11. The Cloquet Police Department is authorized to suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this section or Minn. Stat., Chapter 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the motorized golf cart, all-terrain vehicle, utility task vehicle or mini-truck on the designated roadways.

Subd 12. The number of occupants on the golf cart, all-terrain vehicle, utility task vehicle or mini-truck may not exceed the design occupant load.

5.6.05 Exemptions, No permit required.

Subd. 1. Nothing in this subchapter shall prohibit a person from operating a motorized golf cart, all-terrain vehicle, utility task vehicle or mini-truck for the following purposes:

- A. Authorized city staff may operate city owned motorized golf carts, mini-trucks, all-terrain vehicles or utility task vehicles without obtaining a permit within the City on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business;
- B. For law enforcement purposes;
- C. For public safety purposes including fire department and ambulance service;
- D. For emergencies and exigent circumstances as determined by the Chief of Police for the City of Cloquet.

5.6.06 Limitation of Liability. Nothing in this sub-chapter shall be construed as an assumption of liability by the City of any injuries to persons or damage to property which may result from the operation of a motorized golf cart, all-terrain vehicle, utility task vehicle or mini-truck by a permit holder, other authorized user, the grant of such permit, or the failure by the City to revoke such permit.

5.6.07 Violations and Penalties. Any person violating any provision of this code section shall be guilty of a misdemeanor and is subject to having any permit previously granted under this sub-chapter revoked.

Section 5.7: Abandoned Motor Vehicles

5.7.01 Abandoned Motor Vehicles. The City hereby adopts and specifically incorporates by direct reference the provisions contained in Minn. Stat. §168B relating to abandoned vehicles.

Subd. 1. Impoundment and Sale. The police department shall take into custody and impound any abandoned or unauthorized motor vehicle as defined by Minn. Stat. §168B.011. It shall give notice of the taking as provided by law and if the owner or any lien holder does not reclaim the vehicle within the period provided by law, it shall provide for the sale of the vehicle to the highest bidder at public auction or sale following two weeks' published notice.

Subd. 2 Disposition of Proceeds. The proceeds of the sale of an abandoned or unauthorized motor vehicle shall be placed in the general fund of the City. If the former owner or entitled lien holder makes application and furnishes satisfactory proof of ownership or a lien interest within ninety (90) days of the sale, he or she shall be paid the net proceeds of the sale of the vehicle, less the cost of towing, preserving, and storing the vehicle and all administrative, notice and publication costs incurred in its handling.

State law references: Definitions, Minn. Stats §168B.011.

Section 5.8: Prohibition Against Camping on Public Streets or Rights of Way

Subd. 1. General Prohibitions. No person shall park any recreational vehicle or trailer capable of habitation on any public street or highway for purposes of occupation or camping overnight except where specifically permitted. This same prohibition will apply to any recreational vehicle or trailer parked on any public street or highway to which services such as water or electricity are connected regardless of the length it is parked. The City, by sign, may designate certain parking areas and parking spaces in the City for camping. Violators who park or occupy a recreational vehicle or trailer capable of habitation in violation of this provision may have their recreational vehicle or camping trailers towed at their expense and shall also receive a parking ticket for violation of this prohibition.

Subd. 2. Penalties for Violation. Fines for parking tickets issued pursuant to this section will constitute administrative violations and shall be in an amount in accordance with the resolution of the City Council regarding such violations. At the time of the adoption of this section, the violation imposed will be an administrative fee of \$25 per violation with each day constituting a separate violation. In no event will the amount charged for a parking offense under this section exceed the maximum assessable for a petty misdemeanor as then defined by State Statute.

Section 5.9: Prohibition Against Parking Vehicles For Sale on Public Streets or Rights of Way

Subd. 1. General Prohibitions. No person shall park or leave unattended any vehicle listed or being advertised for sale on any public street or highway overnight except where specifically permitted. This same prohibition will apply to any recreational vehicle or trailer parked on any public street or highway which is being advertised for sale. The City, by sign, may designate certain parking areas and parking spaces in the City for such purpose or a person may conduct such activity on private property. Violators who park and advertise any vehicle for sale in violation of this provision may have the vehicle towed at their expense and shall also receive a parking ticket for violation of this prohibition.

Subd. 2. Penalties for Violation. Fines for parking tickets issued pursuant to this section will constitute administrative violations and shall be in an amount in accordance with the resolution of the City Council regarding such violations. At the time of the adoption of this section, the violation imposed will be an administrative fee of \$25 per violation with each day constituting a separate violation. In no event will the amount charged for a parking offense under this section exceed the maximum assessable for a petty misdemeanor as then defined by State Statute.