

CITY OF HASTINGS, MINNESOTA

ORDINANCE NO. 2015-\_\_\_, THIRD SERIES

An Ordinance of the City of Hastings Amending City Code  
Chapter 70: Traffic Regulations

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HASTINGS:

HASTINGS CITY CODE CHAPTER 70, SECTION 70.02 IS AMENDED AS FOLLOWS  
(new language is underlined, strikethrough language is deleted):

§ 70.02 OPERATION OF MOTORIZED GOLF CARTS, FOUR WHEEL SIDE-BY-SIDE ALL-TERRAIN VEHICLES AND UTILITY TASK VEHICLES ON CITY STREETS.

(A) *Purpose.* The purpose of this section is to authorize the operation of motorized golf carts, four wheel side-by-side all-terrain vehicles or utility task vehicles by disabled individuals on designated city streets in the City of Hastings pursuant to the authority given to the city by M.S. § 169.045, as it may be amended from time to time, now in effect.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DISABLED INDIVIDUAL** or **DISABLED PERSON.** A person who:

- (a) Because of disability cannot walk without significant risk of falling;
- (b) Because of disability cannot walk 200 feet without stopping to rest;
- (c) Because of disability cannot walk without the aid of another person, a walker, a cane, crutches, braces, a prosthetic device, or a wheelchair;
- (d) Is restricted by a respiratory disease to such an extent that the person's forced (respiratory) expiratory volume for 1 second, when measured by spirometry, is less than 1 meter;
- (e) Has an arterial oxygen tension (PA02) of less than 60 mm/hg on room air at rest;
- (f) Uses portable oxygen; or
- (g) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to the standards set by the American Heart Association.

**FOUR WHEEL SIDE-BY-SIDE ALL-TERRAIN VEHICLE.** A side-by-side all-terrain vehicle as defined in M.S. § 84.92, as it may be amended from time to time, that has four wheels, and is carrying only the operator of the vehicle and otherwise meets the requirements of this section.

**MOTORIZED GOLF CART.** A 3- or 4-wheeled, self-propelled vehicle that is carrying only the operator of the vehicle and otherwise meets the requirements of this section.

**UTILITY TASK VEHICLE.** A side-by-side, 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, that is carrying only the operator of the vehicle and otherwise meets the requirements of this section.

(C) *Required permit.* All disabled persons who desire to operate a motorized golf cart, [four wheel side-by-side all-terrain vehicle](#) or utility task vehicle pursuant to this section must first obtain a permit from the city.

(1) Permit applications shall be available at the City Clerk's office and shall be in a form approved by resolution of the City Council.

(2) At the time of application, the applicant shall:

(a) Provide proof of insurance complying with the requirements of M.S. § 65B.48, Subdivision 5, now in effect and as it may be amended from time to time;

(b) Submit a certificate signed by a physician stating that the applicant is able to safely operate a motorized golf cart, [four wheel side-by-side all-terrain vehicle](#) or utility task vehicle on the city streets; and

(c) All other information as may be required by the city.

(3) All permits granted pursuant to this section shall be issued for a period not to exceed 1 year and may be renewed annually by complying with the requirements of this section.

(D) *Revocation.* Any permit issued pursuant to this section may be revoked by the City Council, at any time, if evidence is presented to the City Council that the permittee cannot safely operate the motorized golf cart, [four wheel side-by-side all-terrain vehicle](#) or utility task vehicle on the designated streets. Before any permit can be revoked by the City Council, the permittee shall be given notice of the Council Meeting where the permit will be discussed. At that Council Meeting, the permittee will be given an opportunity to address the Council.

(E) *Designated streets.* A permittee shall be allowed to operate a motorized golf cart, [four wheel side-by-side all-terrain vehicle](#) or utility task vehicle on all city streets in the City of Hastings. A permittee may not operate a motorized golf cart, [four wheel side-by-side all-terrain vehicle](#) or utility task vehicle on any county road or state highways in the City of Hastings. This does not prohibit a permittee from crossing a county road or state highway while traveling on a city street.

(F) *Times of operation.* Motorized golf carts, [four wheel side-by-side all-terrain vehicles](#) and utility task vehicles may only be operated on streets designated in division (E) above from sunrise to sunset. Motorized golf carts, [four wheel side-by-side all-terrain vehicles](#) and utility task vehicles shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions or at any time when there is insufficient light to see persons and vehicles on the roadway at a distance of 500 feet.

(G) *Slow-moving vehicle emblem.* Motorized golf carts, [four wheel side-by-side all-terrain vehicles](#) and utility task vehicles shall display the slow-moving vehicle emblem as provided for in M.S. § 169.522, as it may be amended from time to time, whenever they are operated on designated streets.

(H) *Application of traffic laws.* Every person operating a motorized golf cart, [four wheel side-by-side all-terrain vehicle](#) or utility task vehicle shall have all of the rights and duties

applicable to the driver of any other vehicle under the provisions of M.S. Chapter 169, as it may be amended from time to time, except when those provisions cannot reasonably be applied to motorized golf carts or utility task vehicles.

(I) *Required equipment.* All motorized golf carts, four wheel side-by-side all-terrain vehicles or utility task vehicles operating on designated streets pursuant to this section shall be equipped with a mirror that is located so as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of the vehicle.

(J) *Violations.* Any person who violates any provision of this section shall be guilty of a misdemeanor.  
(Prior Code, § 7.04) Penalty, see § 10.99

This Ordinance shall be effective seven (7) days after publication.

Council member \_\_\_\_\_ moved a second to this Ordinance, and upon being put to a vote it was adopted by a majority of all Council members present.

Adopted by the Hastings City Council on this \_\_\_ day of June, 2015, by the following vote:

Ayes  
Nays:  
Absent:

**CITY OF HASTINGS**

\_\_\_\_\_  
Paul J. Hicks, Mayor

**ATTEST:**

\_\_\_\_\_  
Julie A. Flaten  
Assistant City Administrator/City Clerk

I hereby certify that the above is a true and correct copy of the Ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the \_\_\_ day of June, 2015, as disclosed by the records of the City of Hastings on file and of record in the office.

\_\_\_\_\_  
Assistant City Administrator/City Clerk