

ORDINANCE NO. A 103

AN ORDINANCE REGULATING AND CONTROLLING SNOWMOBILES IN THE CITY OF MAX, NORTH DAKOTA, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

BE it Ordained by the City Council of the City of Max, North Dakota

SECTION I - DEFINITION

1. Snowmobile - a self-propelled vehicle designed for travel on snow, ice or a natural terrain and steered by wheels, skis or runners.

SECTION II - TRAFFIC LAWS APPLY TO PERSON OPERATING SNOWMOBILES

Every person operating a snowmobile upon a roadway shall be granted all rights and shall be subject to all duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic ordinances of this City applicable to the driver of a vehicle except as to special regulations in this ordinance which by their nature can have no application.

SECTION III - RULES FOR OPERATION OF SNOWMOBILES

1. No person shall operate a snowmobile upon a sidewalk or boulevard of this City.
2. No person shall operate a snowmobile upon the property of another without permission of the owner, his agent or lessee.
3. No snowmobile shall be operated upon a street unless it is equipped with:
  - a. At least one head lamp of sufficient intensity to reveal a person or vehicle not less than 100 feet.
  - b. One tail light mounted on the rear of the vehicle capable of being seen and distinguished under normal atmospheric conditions at the time lights are required at a distance of 400 feet from the rear of the snowmobile.
  - c. Brakes capable of controlling the vehicle under normal operating conditions.
  - d. Manufacturer-installed or equivalent muffler in good working order and connected to the snowmobile exhaust system.
4. No person shall operate a snowmobile within the city between the hours of 12:01 o'clock A.M. and 7:00 o'clock A.M. of any day except upon special circumstances specifically permitted by the Chief of Police or his equal.

5. It shall be unlawful for any person to drive or operate any snowmobile in the following ways which are declared to be unsafe and a public nuisance.

- a. At a rate of speed which is unsafe for surrounding circumstances, and more than posted speed.
- b. In a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage to such person or property.
- c. While under the influence of intoxicating liquor or a drug as defined in Section 39-24.1-01 of the North Dakota Century Code, or a combination thereof.
- d. Without a lighted head lamp and tail lamp when required for safety.

6. It shall be unlawful for any person to operate a snowmobile within this City without having a valid currently in effect driver's license.

7. It shall be unlawful for any person under the age of fourteen (14) to operate a snowmobile upon the streets of this City.

8. Snowmobiles are to be operated only on City streets for use of entering or exiting the City.

#### SECTION IV - PENALTY

Any person found guilty of violating any of the provisions of this ordinance shall be punished by a fine of not more than One Hundred Dollars (\$100.00) or be imprisonment for not to exceed Thirty (30) days, or both such fine and imprisonment in the discretion of the Court; the Court to have the power to suspend said sentence and to revoke the suspension thereof.

APPROVED : Richard Kostenko  
Mayor of the City of Max

ATTEST : C. T. Jacobson  
Auditor

First Reading: 12 - 6 - 71

Second Reading: 1 - 3 - 72

Third Reading: 1 - 3 - 72

Huettl moved to amend Ordinance A 103 to include ATV's, second by Wagner.  
All voting aye.

First Reading February 3, 1992  
Second Reading March 2, 1992  
Third Reading April 6, 1992

APPROVED: Donald J Nett  
Mayor

ATTEST: C. T. Jacobson  
Auditor

REVISED:

First Reading: 2 - 03 - 03

Second and Final Passage: 3 - 03 - 03

APPROVED: Jody Mullickom  
Mayor

ATTEST: Patricia Harnegeop  
Auditor