



STAFF REPORT

DATE: August 8, 2018
CONSENT #8

AGENDA ITEM: Snowmobile Ordinance

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

The Council discussed changes to the snowmobile ordinance at the April 10th and July 10th work sessions. Numerous changes were discussed and staff has incorporated those into the draft amendment.

ISSUE BEFORE COUNCIL:

Should the City Council amend the snowmobile ordinance? If so, how?

PROPOSAL DETAILS/ANALYSIS:

Included in your packet is a redlined snowmobile ordinance to show the proposed changes. The language provides clarification on where snowmobiles may be ridden and extends the time from 11pm to midnight that they are allowed to be in use.

OPTIONS:

- 1) Approve Ordinance No 08-217 and Summary Publication Resolution 2018-088
- 2) Amend and then Approve Ordinance No 08-217 and Summary Publication Resolution 2018-088
- 3) Do not approve any changes to the Snowmobile ordinance

RECOMMENDATION:

If removed from the Consent Agenda:

Motion to Approve Ordinance No 08-217

AND

Motion to Approve Summary Publication Resolution 2018-088

ATTACHMENTS:

- Ordinance No 08-217
- Resolution 2018-088

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-217

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
AMENDING REGULATIONS PERTAINING TO SNOWMOBILES

SECTION 1. The City Council of the City of Lake Elmo hereby amends Chapter 70: Snowmobiles and All-Terrain Vehicle, by amending the following:

Lake Elmo, MN Code of Ordinances

**CHAPTER 70: SNOWMOBILES AND ALL-TERRAIN
VEHICLES**

Section

70.01 Incorporation by reference

70.02 Regulations

§ 70.01 INCORPORATION BY REFERENCE.

Provisions of M.S. Ch. 84, as amended from time to time, shall be applicable to the City of Lake Elmo. In those cases where there is a conflict between the provisions of M.S. Ch. 84 and this chapter, the more restrictive regulation shall apply.

(Ord. 97-164, passed 12-20-2006)

§ 70.02 REGULATIONS.

(A) No person shall operate a snowmobile or all-terrain vehicle on a public sidewalk or ~~within the unimproved portion of a city street.~~ or upon any public park or playground.

(B) No person shall operate a snowmobile on city streets except for when traveling in the most right-hand lane available for automobile traffic or as close as practicable to the right-hand curb or edge of the roadway and when traveling in the same direction as automobile traffic in that lane.

(C) No person shall operate a snowmobile in the ditch except in the ditch bottom or outside slope of any drainage ditch which lies within and runs parallel to any city-controlled public road easement.

(D) No person shall ride a snowmobile in the right of way as a substitute for trail riding. Travel in the right of way shall be used to reach a destination such a trail, public body of water, public gathering place, residence, etc.

~~(E) No person shall operate a snowmobile or all-terrain vehicle on city owned property.~~

~~(E)~~ No person shall operate a snowmobile or all-terrain vehicle between the hours of ~~11:00 p.m. midnight~~ and 7:00 a.m. provided that all-terrain vehicles may be used for snow plowing purposes during prohibited hours.

~~(DF)~~ No person shall operate a snowmobile or all-terrain vehicle within ~~50-10~~ feet of a residential dwelling unless such operation occurs on property owned or occupied by the operator of the snowmobile or all-terrain vehicle and such operation is for the purpose of accessing a public right-of-way from private property.

~~(GE) No person shall operate a snowmobile or all-terrain vehicle within 100 feet of any fisherman, pedestrian, skating rink, or sliding area.~~

(Ord. 97-164, passed 12-20-2006) Penalty, see § 10.99

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 08-___ was adopted on this _____ day of ___ 2018, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-216 was published on the ____ day of _____, 2018.

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

RESOLUTION NO. 2018-088

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-217 BY TITLE
AND SUMMARY**

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-217, an ordinance amending the City Code of Ordinances by amending the regulations relating to snowmobiles and all-terrain vehicles; and

WHEREAS, the Ordinance is lengthy; and

WHEREAS, Minnesota Statutes Section 412.191, subdivision 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the Ordinance; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-217 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-217, which amends certain provisions of Chapter 70 of the City Code. The Ordinance amends the regulations relating to snowmobiles and all-terrain vehicles to clarify where they may be used and extend the time they are allowed.

The full text of Ordinance No. 08-217 is available for inspection at Lake Elmo city hall during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the Ordinance at City Hall for public inspection and that a copy be placed for public inspection at the Lake Elmo Public Library.

Dated: August 8, 2018.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

(SEAL)

The motion for the adoption of the foregoing resolution was duly seconded by member

_____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:

Whereupon said resolution was declared duly passed and adopted.