

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

**RESOLUTION NO. 2003-088
A RESOLUTION SUPPORTING WASHINGTON COUNTY
PROPOSED ATV ORDINANCE**

WHEREAS, the Washington County Department of Transportation and Physical Development has proposed to the Washington County Board of Commissioners an ordinance to restrict the use of ATV's on bottoms and far slopes of County owned and maintained highway ditches; and

WHEREAS, the damage caused in ditches cannot be either controlled or corrected without substantial investment of time and tax revenue; and

WHEREAS, the property owners of Lake Elmo pay a disproportionate amount of the cost for ditch remediation; and

WHEREAS, a significant number of ATV vehicles are found to be illegally using the inside slopes of ditches; and


WHEREAS, individual property rights are being violated by ditch riders who are trespassing on privately owned front yards and damaging private driveways as they are crossed; and

WHEREAS, it has been demonstrated that many ATV operators do not consistently operate their ATV's with the observed detrimental effects; and

WHEREAS, the Department ban is consistent with a similar ban on Lake Elmo City Streets;

NOW, THEREFORE, the City Council of Lake Elmo supports the Washington County Department of Transportation and Physical Development Ordinance for the management for All Terrain Vehicles in Washington County Rights-of-Way and urges the County Board of Commissioners to reassert the County ownership, management, and control of the County ditches through the lawful ban of these vehicles.

ADOPTED, by the Lake Elmo City Council on 21st day of October, 2003.


Lee Hunt, Mayor

ATTEST:


Charles E. Dillerud
Acting City Administrator