

CITY OF WESTBROOK REGISTERED ATV, GOLF CART AND UTV OPERATORS PERMIT APPLICATION

ALL PERMITS EXPIRE MARCH 31ST OF EACH YEAR

PERMIT NO. _____

| SECTION A – OWNERS PERSONAL INFORMATION | | | |
|--|-------|----------|--|
| Last Name | First | Middle | Date of Birth |
| Street Address | | | |
| City | State | Zip Code | Are you a licensed driver? Yes _____ No _____ License/ID Number _____ |
| Telephone Number | | | |
| Do you have proof of liability insurance? Yes _____ No _____ <i>Please attach a copy of the certificate of insurance</i> | | | |

| SECTION B – VEHICLE INFORMATION | |
|--|------|
| Make and Model Model # | Year |
| Headlights _____ Taillights _____ Brake lights _____ Turn Signals _____ (if no turn signal vehicle can only operate in Daylight hours. See Code 11.08 Subd. 2 #12) | |

AS AN APPLICANT FOR A REGISTERED ATV PERMIT I AGREE TO THE FOLLOWING:

1. I understand that this permit is for travel only on city streets and alleys under the jurisdiction of the City of Westbrook EXCEPT: public sidewalks, boulevards within any public right of ways, all city property including city parks and utility easements, private property of another without specific permission of the owner or person in control of the property and any other public place.
2. I understand that the permit shall be displayed on the drivers side corner of plate or drivers side rear fender of the vehicle
3. I understand that drivers have the same rights, duties and responsibilities as any other vehicle operated on City Streets and I or the driver(s) will abide by all state and local statutes and can be charged or fined for violation of these statutes.
4. All drivers/operators of the above listed vehicle are at least 18 years old and hold a valid Minnesota Drivers License.
5. I understand that the permit will be revoked by the City if my driver's license is revoked for traffic violation or if the driver operates the above listed vehicle in an unsafe manner.
6. I understand that the city assumes no liability for any injuries to persons or property which may result from the operation of the above listed vehicle under my permit.
7. Each applicant for a permit shall be required to furnish evidence of insurance complying with the provision of M.S §65B.48 Subd. 5 as it may be amended from time to time and shall also produce proof of insurance upon demand of any police officer.
8. I have received a copy of City Code and I understand that it is my responsibility to read and have all the designated drivers read and follow the laws as set forth in the city code and MN traffic laws. initial

I authorize the Westbrook Police Department to verify my driving records and any related information:

| | |
|--------------------------------|-------|
| Additional Operator - _____ | _____ |
| Signature of Authorized Driver | DL # |
| Additional Operator - _____ | _____ |
| Signature of Authorized Driver | DL # |
| Additional Operator - _____ | _____ |
| Signature of Authorized Driver | DL # |

**PERMIT
FEE**

**\$25.00 per
vehicle**

| | |
|---------------------------------|------------|
| Applicants Signature _____ | Date _____ |
| Signature of City Clerk _____ | Date _____ |
| Signature of Police Chief _____ | Date _____ |

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SECTION 11.08. ATV and UTV -“ALL-TERRAIN and UTILITY VEHICLES”

Subdivision 1. Definitions. For the purposes of this Section, the terms defined shall have the meanings given them.

1. ATV “All-Terrain Vehicle”. Class 1 ATV (under 1,000 lbs) Class 2 ATV (1,000 lbs – 1,800 lbs). This term also refers to trail bikes, mini-bikes and amphibious vehicles.
2. "Owner" - A person, other than a lien holder, having a property interest in, or title to, an ATV, who is entitled to the use or possession thereof.
3. "Operate" - To ride in or on and have control of an ATV.
4. "Operator" - The person who operates or is in actual physical control of an ATV.

Subdivision 2. ATV “All-Terrain Vehicle Restrictions.

ATV (3 or 4 wheelers) that are not licensed for road use are only permitted for yard maintenance only and not to be used on city streets as a mode of transportation.

It is unlawful for any person to operate an ATV or UTV as follows:

1. Operate a motorized ATV or UTV on streets, alleys, sidewalks or other public property without obtaining a permit as provided herein
2. The number of occupants shall not exceed the designed occupant load.
3. On a public sidewalk or walkway provided or used for pedestrian travel.
4. On private property of another without lawful authority or permission of the owner or occupant.
5. On any lands owned or occupied by a public property including school grounds, cemeteries, park property, playgrounds, recreational areas, private roads, platted but unimproved roads, or utility easements.
6. While the operator is under the influence of liquor or narcotics, or habit-forming drugs.
7. At a rate of speed greater than reasonable or proper under all of the surrounding circumstances and to not exceed posted speed limits.
8. In a careless, reckless or negligent manner so as to endanger the person or property of another or cause injury or damage thereto.
9. Towing any person or thing on a public street or highway except through the use of a rigid tow bar attached to the rear of an automobile or recreational vehicle.
10. In a manner so as to create a loud, unnecessary or unusual noise, which disturbs, annoys or interferes with the peace and quiet of other persons.
11. Chasing, running over, or killing any animal, wild or domestic.

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12. ATV and UTV operation may only be operated on City Street and alleys from sunrise to sunset unless the vehicle is equipped with operational headlights, taillights, brake lights and turn signals. They 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 clearly see persons and vehicles on the roadway at a distance of 500 feet.
13. We recommend driving on the extreme right side of roadway.

Subdivision. 3. Owner Responsibility.

1. It is unlawful for the owner of any ATV or UTV to permit its operation on private property without permission of the owner or occupant, on City property without the permission of the Council, or on other public property without permission of the body in charge thereof. For purposes of this Section, the owner shall be conclusively presumed to have given such permission unless the ATV or UTV operated shall have been reported stolen to a law enforcement agency.
2. Every person leaving an ATV or UTV in a public place shall lock the ignition, remove the key and take the same with him.
3. Every person operating an ATV or UTV under a permit has all the rights and duties applicable to the driver of any other vehicle under the provisions of MN Statue Chapter 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to ATV's specifically provided by M.S 169.70 as it may amend.

Subdivision. 4. Permitting Requirements.

1. Each driver will need to apply and pay a permit fee
2. All applicants must have a valid driver's license
3. The applicant must provide evidence of insurance in compliance with the provisions of MN Statues concerning insurance coverage for all-terrain vehicles.
4. Proof of current vehicle registration for licensed road use.
5. Application for permits must be approved by City Council and the Chief of Police.
6. Permits shall be issued for a period of one calendar year commencing on April 1st – March 31st of each year and may be annually renewed.
7. Permit Fee shall be charged and will need to be paid when an application for a permit is submitted to the City Clerk in the amount of \$25.00 per operator.
8. The Chief of Police may suspend or revoke a permit granted hereunder upon a finding the holder thereof has violated any of the provisions of this section or MN Statues Ch 169 or if there is evidence that the permit holder cannot safely operate the permitted vehicle on designated roadways.

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Subdivision. 5. Right to Appeal.

1. If an application for a permit is denied by the City Clerk and/or Police Chief, the party applying for the permit shall have the right to appeal the denial to the City Council by filing a written request for a hearing before the City Council.
2. The hearing before City Council will be held in the Council Chambers at the closest council meeting that takes place after the denial. The decision the City Council makes by majority vote after the hearing has been held will be final and will be made immediately following the hearing.

Subdivision 6. Violation a misdemeanor or petty misdemeanor.

See section 11.99

SECTION 11.09 MOTORIZED GOLF CARTS.

Subdivision 1. Definition

Motorized Golf Cart A small battery or gas powered three or four-wheeled vehicle primarily used for transporting one or two golfers and their equipment.

Subdivision 2. Requirements.

It is unlawful for any person to operate a motorized golf cart on the roadway of a street unless:

1. The operator has in possession a valid, current and unrevoked permit from the city;
2. The operation is on a roadway which has not been designated as prohibited for this type of operation, except crossing at an intersection;
3. The operation is from one-half hour after sunrise to one-half hour before sunset;
4. The operation is not during inclement weather, nor when visibility is impaired by weather, smoke, fog, or other conditions, nor when there is insufficient light to clearly see persons or vehicles thereon at a distance of 500 feet;
5. The motorized golf cart displays a slow moving vehicle emblem on the rear thereof;
6. The motorized golf cart is equipped with rear view mirrors;
7. The operator has insurance coverage as provided by statute
8. The operator observes all traffic laws, except those, which cannot reasonably be applied to motorized golf carts.

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9. Only person at least 18 years of age are eligible for permits.

Subdivision 3. Special Vehicle Use

1. Operation Authorized. Operation of motorized golf carts or four-wheel all-terrain vehicles are hereby authorized on the roadways of all streets, except such as are prohibited by resolution of the Council, and only in strict compliance with this Section.

Subdivision 4. Revocation.

City Council may at any time suspend or revoke a permit granted upon a finding that the holder thereof has violated any provisions of this section or M.S. Chapter 169, as it may be amended from time to time, or if there is evidence that the permittee cannot safely operate the motorized golf cart on designated roadways.