

ROSEAU COUNTY ORDINANCE NO. 33

**ROSEAU COUNTY ORDINANCE
FOR THE MANAGEMENT OF ALL TERRAIN VEHICLES
IN THE PUBLIC RIGHT OF WAY ON CERTAIN ROADS
WITHIN THE COUNTY'S JURISDICTION**

THE COUNTY OF ROSEAU DOES ORDAIN:

Subdivision 1. Findings, purpose and intent.

Minnesota Statutes § 84.82-84.928 generally regulate the use of all terrain vehicles within the right of way for trunk highways, county state aid highways, and county roads. Consistent with these statutes, and to provide for the health, safety and welfare of its citizens, and to ensure the integrity of roads falling under the jurisdiction of Roseau County, this Ordinance is enacted to regulate the use of all terrain vehicles on county state aid highways and county roads within Roseau County.

Pursuant to Minnesota Statutes § 84.928, subd. 6(c), the County makes the following findings:

1. That the following County State Aid Highways and County Roads exist throughout Roseau County:

- County State Aid Highway 2 from County State Aid Highway 13 east sixteen (16) miles to County Road 141
- County State Aid Highway 4 from Trunk Highway 89 east nine (9) miles to Hayes Lake State Park
- County State Aid Highway 7 from Kittson County State Aid Highway No. 25 south and east to County State Aid Highway 10
- County State Aid Highway 72 (excepting 2nd Ave. SE to 2nd Ave. SW in the City of Roseau)
- County State Aid Highway 8
- County State Aid Highway 10
- County State Aid Highway 11
- County State Aid Highway 12
- County State Aid Highway 13
- County State Aid Highway 14
- County State Aid Highway 16
- County State Aid Highway 17
- County State Aid Highway 18
- County State Aid Highway 19
- County State Aid Highway 20
- County State Aid Highway 23
- County State Aid Highway 24
- County State Aid Highway 28
- County State Aid Highway 30
- County State Aid Highway 33
- County State Aid Highway 34
- County State Aid Highway 35

- County Road 103
- County Road 104
- County Road 108
- County Road 109
- County Road 114
- County Road 115
- County Road 118
- County Road 120
- County Road 121
- County Road 122
- County Road 123
- County Road 124
- County Road 125
- County Road 126
- County Road 136
- County Road 137
- County Road 138
- County Road 141
- County Road 142
- County Road 143
- County Road 145
- County Road 146

2. That the above County State Aid Highways and County Roads are in an area of the County that is generally flat and contains numerous and extensive lowlands.

3. That the terrain adjacent to the above roads is such that travel by all terrain vehicles in the ditch or outside slopes for such roads is not possible.

Subdivision 2. Definitions.

The following definitions apply to this Ordinance.

1. **ATV or All Terrain Vehicle** shall mean a motorized flotation-tired vehicle of not less than three, but not more than six, low pressure tires, with an engine displacement of less than 800 cubic centimeters, and a total dry weight of less than 900 pounds.

2. **County** means the County of Roseau, Minnesota.

3. **County State Aid Highway or CSAH** means the following roads located in Roseau County:

- County State Aid Highway 2 from County State Aid Highway 13 east sixteen (16) miles to County Road 141
- County State Aid Highway 4 from Trunk Highway 89 east nine (9) miles to Hayes Lake State Park
- County State Aid Highway 7 from Kittson County State Aid Highway No. 25 south and east to County State Aid Highway 10
- County State Aid Highway 72 (excepting 2nd Ave. SE to 2nd Ave. SW in the City of Roseau)
- County State Aid Highway 8

- County State Aid Highway 10
- County State Aid Highway 11
- County State Aid Highway 12
- County State Aid Highway 13
- County State Aid Highway 14
- County State Aid Highway 16
- County State Aid Highway 17
- County State Aid Highway 18
- County State Aid Highway 19
- County State Aid Highway 20
- County State Aid Highway 23
- County State Aid Highway 24
- County State Aid Highway 28
- County State Aid Highway 30
- County State Aid Highway 33
- County State Aid Highway 34
- County State Aid Highway 35

4. County Road means the following roads located in Roseau County:

- County Road 103
- County Road 104
- County Road 108
- County Road 109
- County Road 114
- County Road 115
- County Road 118
- County Road 120
- County Road 121
- County Road 122
- County Road 123
- County Road 124
- County Road 125
- County Road 126
- County Road 136
- County Road 137
- County Road 138
- County Road 141
- County Road 142
- County Road 143
- County Road 145
- County Road 146

Subdivision 3. Permitted Operation of ATVs on certain roads in Roseau County.

1. Except as provided below and in Minnesota Statutes § 84.928, subd. 1(e), it shall be unlawful for any person to operate an all terrain vehicle on the roadway, shoulder or inside bank or slope of any County State Aid Highway or county road within Roseau County.

2. It shall be permissible to operate an all terrain vehicle on the roadway on the following County State Aid Highways and County Roads within Roseau County:

- County State Aid Highway 2 from County State Aid Highway 13 east sixteen (16) miles to County Road 141
- County State Aid Highway 4 from Trunk Highway 89 east nine (9) miles to Hayes Lake State Park
- County State Aid Highway 7 from Kittson County State Aid Highway No. 25 south and east to County State Aid Highway 10
- County State Aid Highway 72 (excepting 2nd Ave. SE to 2nd Ave. SW in the City of Roseau)
- County State Aid Highway 8
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- County State Aid Highway 13
- County State Aid Highway 14
- County State Aid Highway 16
- County State Aid Highway 17
- County State Aid Highway 18
- County State Aid Highway 19
- County State Aid Highway 20
- County State Aid Highway 23
- County State Aid Highway 24
- County State Aid Highway 28
- County State Aid Highway 30
- County State Aid Highway 33
- County State Aid Highway 34
- County State Aid Highway 35
- County Road 103
- County Road 104
- County Road 108
- County Road 109
- County Road 114
- County Road 115
- County Road 118
- County Road 120
- County Road 121
- County Road 122
- County Road 123
- County Road 124
- County Road 125
- County Road 126
- County Road 136
- County Road 137
- County Road 138
- County Road 141
- County Road 142
- County Road 143
- County Road 145
- County Road 146

3. Persons operating all terrain vehicles on any of the roadways listed above must operate the all terrain vehicle on the extreme right hand side of the road, making left turns across the road only if it is safe to do so under prevailing conditions.

4. Persons operating all terrain vehicles within the right of way of any of the roadways listed above shall not operate their ATV on the inside slope, ditch bottom or outside slope of the right of way, unless such operation is otherwise permitted by appropriate trail designation or signage.

5. Except as otherwise provided in this Ordinance, all operation of all terrain vehicles shall be in compliance with Minnesota Statutes § 84.92-84.928, as well as any other federal, state, or local rule or regulation.

Subdivision 4. Effective Date.

This ordinance shall be in full force and effect upon adoption pursuant to Minnesota law.

Dated this 28th day of February, 2006.

ROSEAU COUNTY BOARD OF COMMISSIONERS

By _____
Orris Rasmussen, Chairman
Roseau County Board of Commissioners

ATTEST:

By _____
Teresa Harren
Roseau County Coordinator