

**RICE COUNTY, MINNESOTA  
REGULATING THE USE OF ALL TERRAIN VEHICLES IN  
COUNTY ROAD RIGHT-OF-WAYS  
ORDINANCE No. 210**

The County Board of Rice County Ordains:

**CHAPTER 210**

**210.01 Purpose and Statutory Authority**

This ordinance is enacted to provide for the health, safety, and welfare of the citizens of Rice County and to ensure the integrity of all County roads in its jurisdiction.

This Ordinance is adopted pursuant to Minnesota Statutes §375.51 and Minnesota Statutes §84.928 Subdivision 1(b).

**210.02 Definitions**

The following definitions apply in this ordinance:

- 210.02.01** “All Terrain Vehicle” or “ATV” shall mean a motorized flotation-tired vehicle of not less than three low-pressure tires, but not more than six tires, that is limited in engine displacement to less than 960 cubic centimeters, as defined in Minnesota Statute § 84.92, Subdivision 8.
- 210.02.02** “County” means the County of Rice, Minnesota.
- 210.02.03** “Public Road Right of Way” shall have the meaning given to it by Minnesota Statute § 84.92, Subdivision 6a.
- 210.02.04** “County Public Road Right of Way” shall be the public road right of way for which Rice County is the road authority, as defined in Minnesota Statute §160.02, Subdivision 25.

**210.03 Prohibitions**

Except as provided for in Minnesota Statute § 84.928, Subdivision 1(e) and in Section 210.04 of this Ordinance, it shall be unlawful for any person to operate an All Terrain Vehicle in any County public road right-of-way from March 1 through August 1 unless the vehicle is being used exclusively as transportation to and from work on agricultural lands.

**210.04 Exemptions**

- 210.04.01** This ordinance shall not apply to any agent or employee of any road authority, law enforcement, or public safety agency, or any agent or employee of the Minnesota Department of Natural Resources when performing or exercising official duties or powers.
- 210.04.02** Nothing in this ordinance shall prohibit the agricultural use of ATVs in rights-of-way, as defined in Minnesota Statute § 84.92, Subd. 1d.

**210.04.03** Nothing in this ordinance is intended to prohibit the crossing of a County Public Road Right of Way, which is otherwise allowed by Minnesota Statute § 84.928, Subdivision 1a, (1) through (5).

**210.05 Violations**

Anyone violating this ordinance shall be guilty as follows:

**210.05.01** For the first offense, the person shall be guilty of a petty misdemeanor and shall be punished by a fine of \$100.00 plus applicable fees and surcharges.

**210.05.02** For the second and subsequent offenses, the person shall be guilty of a misdemeanor and shall be punished according to law.

**210.06 Severability**

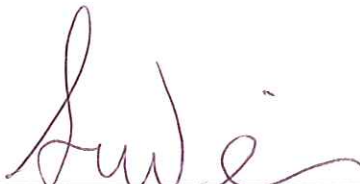
If any Court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included in said judgment.

**210.07 Effective Date**

This Ordinance shall be effective from and after the date of its passage by the Rice County Board of Commissioners and publication according to Minnesota Statutes.

This Ordinance was passed by the Rice County Board of Commissioners on this 9<sup>th</sup> day of March, 2010.

  
Milt Plaisance, Chairperson  
Rice County Board of Commissioners

Attest:   
Gary Weiers, Clerk of the Board