

City of East Bethel
Public Hearing
Special Meeting – 7:00 p.m.
Date: April 23, 2014



	Item	
7:00 PM	1.0	Call to Order
7:01 PM	2.0	Adopt Agenda
7:02 PM	3.0	Public Hearing, Traffic and Motor Vehicles Ordinance, Section 70
8:30 PM	4.0	Adjourn



City of East Bethel City Council Agenda Information

Date:

April 23, 2014

Agenda Item Number:

Item 3.0

Agenda Item:

Public Hearing – Traffic and Motor Vehicles Ordinance, Section 70

Requested Action:

Conduct a Public Hearing – Traffic and Motor Vehicles Ordinance, Section 70

Background Information:

On October 2, 2013 Becky Knisley, 23250 Sunset Road, requested City Council to consider amending Traffic and Motor Vehicles Ordinance, Section 70 to address noise and hours of operation of dirt bikes. The City has received previous complaints from residents in other areas regarding this same issue. This Ordinance was discussed at an Ordinance Committee meeting on October 28, 2013, but no consensus was reached at that meeting. City Council has scheduled a Public Hearing for April 23, 2014 to solicit citizen input on this matter.

Attachments

1. Traffic and Motor Vehicles Ordinance, Section 70 and proposed revisions as presented to Council on March 5, 2014
2. Public Hearing Notice

City Council will conduct the Public Hearing on this issue and consider this matter at a date to be determined.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

- CODE OF ORDINANCES
Chapter 70 - TRAFFIC AND MOTOR VEHICLES
ARTICLE IV. - OPERATION OF OFF-ROAD VEHICLES, MOTORCYCLES AND ALL-TERRAIN VEHICLES

DIVISION 2. USE

DIVISION 2. USE

[Sec. 70-109. Purpose.](#)

[Sec. 70-110. Definitions.](#)

[Sec. 70-111. Use of all-terrain vehicles and off-road motorcycles.](#)

[Sec. 70-112. Exemptions.](#)

[Sec. 70-113. Penalty.](#)

[Secs. 70-114—70-139. Reserved.](#)

Sec. 70-109. Purpose.

It is the purpose of this division to regulate the use of all-terrain vehicles and motorized dirt bikes in the city.

(Ord. No. 197, § 1, 9-7-2005)

Sec. 70-110. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

All-terrain vehicle (ATV) (Class 1) means a motorized floatation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 1,000 cubic centimeters and total dry weight of less than 1,000 pounds.

All-terrain vehicle (ATV) (Class 2) means a motorized floatation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 1,000 cubic centimeters and total dry weight of 1,000 to 1,800 pounds.

Established riding area means a course, track, or other area on a residential property for use of an all-terrain vehicle and/or a motorized dirt bike.

Off Highway Motorcycle (OHM, commonly called dirt bikes) - means a vehicle traveling on two wheels and capable of cross-country travel on natural terrain without benefit of a road or trail.

Race Track - (Motor Racing) a circuit or course, used for riding or racing off road vehicles.

Residential property means real property used for residential purposes, including all parcels of real property located within the RR residential district under the city's zoning ordinance, set forth in Appendix A to this Code.

(Ord. No. 197, § 2, 9-7-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

Sec. 70-111. Use of all-terrain vehicles and off- highway motorcycles.

An off-highway vehicle may be used on residential property within the city, but only on the condition that the operator adheres to the following:

- CODE OF ORDINANCES

Chapter 70 - TRAFFIC AND MOTOR VEHICLES

ARTICLE IV. - OPERATION OF OFF-ROAD VEHICLES, MOTORCYCLES AND ALL-TERRAIN VEHICLES

DIVISION 2. USE

- (1) An off-highway vehicle may be used on an established riding area only if it is no closer than 100 feet from any lot boundary line and no closer than 200 feet from any dwelling unit.
- (2) Article III of [chapter 26](#) establishes the noise standards that apply to the operation of off-highway vehicles in the city.
- (3) No non-resident can operate an ATV or OHM without the written permission of the property owner on a private residence where they will be riding. Written permission is required to be carried on the person operating the ATV or OHM.
- (4) No more than two persons who are not residents of any particular residential property may simultaneously use off-highway vehicles on the residential property. It is the responsibility of the owner of that residential property to enforce this restriction.
- (5) An all-terrain vehicles and off-road motorcycles may be operated on residential property only during the following hours: Monday through Fridays, 9:00 a.m. through 8:00 p.m., and Saturdays and Sundays, 10:00 a.m. through 5:00 p.m.
- (6) After two consecutive hours of operation of one or more all-terrain vehicles and off-highway motorcycles on any residential property there must be at least two hour during which there is no operation of all-terrain vehicles and off-road motorcycles on the residential property.
- (7) Operation of an all-terrain vehicles and off-road motorcycles is not allowed on either a primary or secondary individual sewage treatment system site.
- (8) Race tracks are prohibited on private residences in areas that are zoned R1 (Single Family Residential, and R2 (One and Two family residential). Race tracks can be located in RR (Rural Residential) areas on lots over 5 acres in size and complying with all other regulations related to ATV and OHM.

(Ord. No. 197, § 3, 9-7-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

Sec. 70-112. Exemptions.

The use of any all-terrain vehicle and/or off-road motorcycle by any officer, employee, or agent of the city or of any other governmental unit in the course of official governmental business is exempt from this division.

(Ord. No. 197, § 4, 9-7-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

Sec. 70-113. Penalty.

Any person who violates any provision of this division shall be guilty of a misdemeanor, and upon conviction thereof may be punished as provided in [section 1-14](#), and may be required to complete eight hours of community service for each violation. Violators will be responsible for all costs of prosecution.

(Ord. No. 197, § 5, 9-7-2005)

Secs. 70-114—70-139. Reserved.



**NOTICE OF PUBLIC HEARING
CITY OF EAST BETHEL PLANNING COMMISSION
COUNTY OF ANOKA
STATE OF MINNESOTA**

CITY CODE, APPENDIX A. ZONING CODE

NOTICE IS HEREBY GIVEN that the East Bethel City Council will hold a public hearing on Wednesday, April 23, 2013 at 7:00 P.M., at the City Hall, 2241 221st Avenue NE, East Bethel, MN. The hearing will be to consider an amendment to the Code of Ordinances Chapter 70 - TRAFFIC AND MOTOR VEHICLES ARTICLE IV. - OPERATION OF OFF-ROAD VEHICLES, MOTORCYCLES AND ALL-TERRAIN VEHICLES DIVISION 2. USE. The proposed change is related to operation of dirt bikes on private residential property.

A copy of the proposed amendment is available at city hall during regular hours between 8:00 A.M. to 4:00 P.M. for the public's review.

The public is invited to provide comment at the hearing.

Published in the Anoka Union
April 11, 2014.


Colleen Winter
Community Development Director

Subscribed and sworn to me
this 8th day of April 2014.


Carrie Frost
Notary Public

