

ORDINANCE NO. 2172

**AN ORDINANCE TO AMEND SECTION 16-78.1 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR AMENDED DEFINITION OF MINIBIKES; TO REPEAL ORIGINAL SECTION 16-78.1, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

**Section 1.** That Section 16-78.1 of the Lexington City Code is hereby amended to read as follows:

Sec. 16-78.1 Mini-Bikes and Off-Road Vehicles.

(a) Definitions:

- (1) Snowmobile shall mean a self-propelled vehicle designed to travel on snow or ice or a natural terrain steered by wheels, skis, or runners and propelled by a belt driven track with or without steel cleats.
- (2) Mini-bike shall mean a 2-wheeled motor vehicle which has a total wheel and tire diameter of less than 14", or an engine rated capacity of less than 45 cubic centimeters displacement or a seat height less than 25" from the ground or any other 2-wheeled motor vehicle primarily designed by the manufacturer for off-road use only, provided, this definition shall not include an "electric personal assistive mobility device" as defined by Sec. 60-618.02 R.R. S. 1998.
- (3) Public street shall mean the entire width between the boundary limits of any street, alley, or road, including sidewalks constructed on the public right-of-way, when any part thereof is opened to the use of the public for purpose of vehicular or pedestrian travel.

(b) Except as otherwise provided in this ordinance, no person shall operate a snowmobile, mini-bike, or other off-road vehicle upon the public streets in the City of Lexington, Nebraska.

(c) Except as otherwise provided in this ordinance, no person shall operate a snowmobile, mini-bike or off-road vehicle within the boundaries of the City parks or cemeteries except in areas and upon paths specially designated and marked for such use.

(d) Snowmobiles, mini-bikes and other off-road vehicles shall be exempt from the provisions of this ordinance during any public emergency or while being used in a parade sponsored by a recognized charitable, social, educational or community service organization.

- (e) Nothing in this ordinance shall prohibit occasional necessary movement of snowmobiles, mini-bikes, and off-road vehicles on streets for purposes of moving the vehicle across streets or a turn around on the streets.
- (f) Nothing in this ordinance shall prohibit the operation of motorized wheelchairs or other vehicles used for transportation of a person with a physical disability.

**Section 2.** That original Section 16-78.1, together with all ordinances or sections of ordinances in conflict herewith are hereby repealed.

**Section 3.** That this Ordinance shall be published in pamphlet form and take effect as provided by law.

Passed and approved July 22, 2003.

*John S. Fyfe*

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Mayor

Attest:

*Shirley Lewis*  
City Clerk = Deputy

