

TITLE VII: TRAFFIC CODE

Chapter

- 70. GENERAL STREET/TRAFFIC PROVISIONS**
- 71. RECREATIONAL VEHICLES**
- 72. PARKING AND STOPPING REGULATIONS**

CHAPTER 70: GENERAL STREET/TRAFFIC PROVISIONS

Section

General Provisions

- 70.01 Definitions
- 70.02 Application
- 70.03 Scope and orders of officers
- 70.04 Traffic and parking control
- 70.05 Load limits
- 70.06 Limiting time of railway-street crossing obstruction
- 70.07 Statutes adopted
- 70.08 Truck route
- 70.09 Bicycles, skateboards, roller skates, in-line skates and related devices
- 70.10 Exhibition driving
- 70.11 Driving through private property to avoid traffic signal
- 70.12 Excessive vehicle noise

Streets and Sidewalks

- 70.25 Ice and snow on public sidewalks
- 70.26 Obstructions in streets
- 70.27 Grass, weeds and trees
- 70.28 Requirement of sewer and water main service lateral installation
- 70.29 Curb and gutter, street and sidewalk painting or coloring
- 70.30 Motorized vehicles prohibited on sidewalks

GENERAL PROVISIONS

§ 70.01 DEFINITIONS.

Except as otherwise defined in the city code, or where the context clearly indicates a contrary intent, the words and terms defined in M.S. Chapter 169, as it may be amended from time to time, shall be applicable to this chapter.

(2003 Code, § 7.01)

§ 70.02 APPLICATION.

The provisions of this chapter are applicable to the drivers of all vehicles and animals upon streets, including, but not limited to, those owned or operated by the United States, the state or any county, town, city, district or other political subdivision.
(2003 Code, § 7.02)

§ 70.03 SCOPE AND ORDERS OF OFFICERS.

(A) *Scope.* The provisions of this chapter relate exclusively to the streets and alleys in the city, and the operation and parking of vehicles refer exclusively to the operation and parking of vehicles upon the streets and alleys.

(B) *Orders of an officer.* It is a misdemeanor for any person to willfully fail or refuse to comply with any lawful order or direction of any police or peace officer invested by law with authority to direct, control or regulate traffic.
(2003 Code, § 7.03) Penalty, see § 10.99

§ 70.04 TRAFFIC AND PARKING CONTROL.

(A) *Council action.* No device, sign or signal shall be erected or maintained for traffic or parking control unless the Council shall first have approved and directed the same, except as otherwise provided in this section; provided, that when traffic and parking control is marked or sign-posted, the marking or sign-posting shall attest to Council action thereon.

(B) *Temporary restrictions.* The city, acting through the Chief of Police, may temporarily restrict traffic or parking for any private, public or experimental purpose. It is the duty of the Chief of Police to so restrict traffic or parking when a hazardous condition arises or is observed.

(C) *Traffic restrictions and prohibitions.* It is a misdemeanor for any person to drive a vehicle contrary to lane restrictions or prohibitions painted on any street, or contrary to sign-posted, fenced or barricaded restrictions or prohibitions.

(D) *Parking restrictions and prohibitions.* It is unlawful for any person to park a vehicle, except an emergency vehicle, contrary to lane restrictions or prohibitions painted on any curb, or contrary to signposted, fenced or barricaded restrictions or prohibitions.

(E) *Damaging or moving markings.* It is a misdemeanor for any person to deface, mar, damage, move, remove or in any way tamper with any structure, work, material, equipment, tools, sign, signal, barricade, fence, painting or appurtenance in any street unless the person has written permission from

the city or is an agent, employee or contractor for the city, or other authority having jurisdiction over a particular street, and acting within the authority or scope of a contract with the city or other authority. (2003 Code, § 7.04) Penalty, see § 10.99

§ 70.05 LOAD LIMITS.

(A) The City Manager, upon the recommendation of the Public Works Director, may from time to time impose upon vehicular traffic on any part or all of the streets such load limits as may be necessary or desirable.

(B) The limits, and the specific extent or weight to which loads are limited, shall be clearly and legibly sign-posted thereon.

(C) It is a misdemeanor for any person to operate a vehicle on any street in violation of the limitation so posted; provided, however, that this section shall not apply to emergency vehicles of public utilities used for repairing its plant or equipment, nor shall it apply to roads paved with concrete cement. (2003 Code, § 7.09) Penalty, see § 10.99

§ 70.06 LIMITING TIME OF RAILWAY-STREET CROSSING OBSTRUCTION.

It is a misdemeanor for any person operating or in charge of a railroad train, car, engine, locomotive or other railroad equipment, or combination thereof, to so operate, park or leave the same standing upon the railroad at its intersection with a street, so as to prevent unobstructed vehicular traffic on the street for a period longer than ten minutes. (2003 Code, § 7.10) Penalty, see § 10.99

§ 70.07 STATUTES ADOPTED.

Except as otherwise provided in this chapter, the regulatory and procedural provisions of M.S. Chapter 169, as it may be amended from time to time (commonly referred to as the Highway Traffic Regulation Act) and M.S. Chapter 171, as amended through Laws 1995, as it may be amended from time to time, are hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

(2003 Code, § 7.30) (Ord. 64, passed 5-31-1996) Penalty, see § 10.99

§ 70.08 TRUCK ROUTE.

(A) It is unlawful for any person to drive a tractor, agricultural implement, truck over 12,000 pounds gross vehicle weight, truck-trailer, tractor-trailer or truck tractor in through traffic, upon any street, except those which have been designated and sign-posted as truck routes.

(B) For the purpose of this chapter, **THROUGH TRAFFIC** means originating without the city and with a destination without the city, as distinguished from **LOCAL TRAFFIC**, which means traffic either originating or having a destination within the city.

(2003 Code, § 7.31) (Ord. 81, passed 12-18-1998) Penalty, see § 10.99

§ 70.09 BICYCLES, SKATEBOARDS, ROLLER SKATES, IN-LINE SKATES AND RELATED DEVICES.

(A) *Traffic laws apply.* Every person riding a bicycle upon a roadway or upon any path set aside for the exclusive use of bicycles shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special regulations in this chapter and except as to those provisions of this chapter which by their nature can have no application.

(B) *Manner and number riding.*

(1) It is unlawful for any person propelling a bicycle to ride other than upon or astride a permanent and regular seat attached thereto.

(2) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except on a baby seat attached to the bicycle, provided that the seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel or in a seat attached to the bicycle operator.

(C) *Hitching rides.* It is unlawful for any person riding upon any bicycle, coaster, roller skates, in-line, skates, toboggan, sled, skateboard or toy vehicle to attach the same or himself or herself to any vehicle upon a roadway.

(D) *Where to ride.*

(1) Every person operating a bicycle, coaster, roller skates, in-line skates or skateboard upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(2) Persons riding the devices noted in division (D)(1) above, shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles or the devices.

(3) Whenever a usable path for bicycles has been provided adjacent to a roadway, riders or operators of the devices noted in division (D)(1) above, shall use the paths, and shall not use the roadway.

(E) *Right-of-way; sidewalks.* Whenever a person is riding a bicycle or operating any of the other devices noted in division (C) above, upon a sidewalk, the person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian; provided, that it is unlawful for any person to ride the devices on a sidewalk in a Business District or to park a bicycle or coaster upon a sidewalk except where parking stalls have been provided.

(F) *Carrying articles.* It is unlawful for any person operating a bicycle or coaster to carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars. (2003 Code, § 7.32) (Ord. 40, passed 7-1-1994) Penalty, see § 10.99

§ 70.10 EXHIBITION DRIVING.

(A) *Prima facie evidence.* It is prima facie evidence of exhibition driving when a motor vehicle stops, starts, accelerates, decelerates or turns at an unnecessary rate of speed so as to cause tires to squeal, gears to grind, soil to be thrown, engine backfire, fishtailing or skidding, or, as to two-wheeled or three-wheeled motor vehicles, the front wheel to lose contact with the ground or roadway surface.

(B) *Unlawful act.* It is a misdemeanor for any person to do any exhibition driving on any street, parking lot or other public or private property, except when an emergency creates necessity for the operation to prevent injury to persons or damage to property; provided, that this section shall not apply to driving on a racetrack. For purposes of this section, a **RACETRACK** means any track or premises whereon motorized vehicles, horses, dogs or other animals or fowl legally compete in a race or timed contest for an audience, the members of which have directly or indirectly paid a consideration for admission.

(2003 Code, § 7.33) Penalty, see § 10.99

§ 70.11 DRIVING THROUGH PRIVATE PROPERTY TO AVOID TRAFFIC SIGNAL.

It is unlawful for any person to avoid obedience to any traffic control device by driving upon or through any private property.

(2003 Code, § 7.34) Penalty, see § 10.99

§ 70.12 EXCESSIVE VEHICLE NOISE.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABNORMAL OR EXCESSIVE NOISE.

(a) Distinct and loudly audible noise that unreasonably annoys, disturbs, injures or endangers the comfort and repose of any person or precludes their enjoyment of property or affects their property's value;

(b) Noise in excess of that permitted by M.S. § 169.69, as it may be amended from time to time, which requires every motor vehicle to be equipped with a muffler in good working order; or

(c) Noise in excess of that permitted by M.S. § 169.693, as it may be amended from time to time, and Minn. Rules parts 7030.1000 through 7030.1050, as this statute and these rules may be amended from time to time, which establish motor vehicle noise standards.

ENGINE RETARDING BRAKE. A Dynamic Brake, rake Brake, Jacobs Brake, C-Brake, Paccar Brake, transmission brake or other similar engine retarding brake system which alters the normal compression of the engine and subsequently releases that compression.

(B) It is unlawful for any person to discharge the exhaust or permit the discharge of the exhaust on any motor vehicle except through a muffler that effectively prevents abnormal or excessive noise and complies with all applicable state laws and regulations.

(C) It is unlawful for the operator of any truck to intentionally use an engine retarding brake on any public highway, street, parking lot or alley within the city which causes abnormal or excessive noise from the engine because of an illegally modified or defective exhaust system, except in any emergency.

(D) M.S. §§ 169.69 and 169.693, as they may be amended from time to time (motor vehicle noise limits) and Minn. Rules parts 7030.1000 through 7030.1050, as these statutes and rules may be amended from time to time, are hereby adopted by reference.

(E) Signs stating "VEHICLE NOISE LAWS ENFORCED" may be installed at locations deemed appropriate by the Council to advise motorists of the prohibitions contained in this section, except that no sign stating "VEHICLE NOISE LAWS ENFORCED" shall be installed on a state highway without a permit from the Minnesota Department of Transportation. The provisions of this section are in full force and effect even if no signs are installed.

(F) It is the intention of the Council that all future amendments to any statutes and rules referenced or adopted by reference in this section are also referenced or adopted by reference as if they had been in existence at the time this section was adopted.

(2003 Code, § 7.67) (Ord. 112, passed 2-28-2003) Penalty, see § 10.99

STREETS AND SIDEWALKS

§ 70.25 ICE AND SNOW ON PUBLIC SIDEWALKS.

(A) *Ice and snow a nuisance.* All snow and ice remaining upon public sidewalks in the business district is hereby declared to constitute a public nuisance, and shall be abated by the owner or tenant of the abutting private property within 12 hours after the snow or ice has ceased to be deposited.

(B) *City to remove snow and ice.* The city may cause to be removed from all public sidewalks, beginning 24 hours after snow or ice has ceased to fall, all snow or ice which may be discovered thereon, and it shall keep a record of the cost of the removal and the private property adjacent to which the accumulations were found and removed.

(C) *Cost of removal to be assessed.* The City Manager shall, upon direction of the Council, and on receipt of the information provided for in the preceding division (B), extend the cost of the removal of snow or ice as a special assessment against the lots or parcel of ground abutting on walks which were cleared, and the special assessments shall at the time of certifying taxes to the County Auditor be certified for collection as other special assessments are certified and collected.

(D) *Civil suit for cost of removal.* The City Manager shall, in the alternative, upon direction of the Council, bring suit in a court of competent jurisdiction to recover from the persons owning land adjacent to which sidewalks were cleared, as provided in division (B) above, the cost of clearing and the cost and disbursement of a civil action therefor.

(2003 Code, § 7.05)

§ 70.26 OBSTRUCTIONS IN STREETS.

(A) *Obstructions.* It is a misdemeanor for any person to place, deposit, display or offer for sale, any fence, goods or other obstructions upon, over, across or under any street without first having obtained a written permit from the Council, and then only in compliance in all respects with the terms and conditions of the permit, and taking precautionary measures for the protection of the public. An electrical cord or device of any kind is hereby included, but not by way of limitation, within the definition of an obstruction.

(B) *Fires.* It is a misdemeanor for any person to build or maintain a fire upon a street.

(C) *Dumping in streets.* It is a misdemeanor for any person to throw or deposit in any street any nails, dirt, glass or glassware, cans, discarded cloth or clothing, metal scraps, garbage, leaves, grass or tree limbs, paper or paper products, shreds or rubbish, oil, grease or other petroleum products, or to empty any water containing salt or other injurious chemical thereon. It is a violation of this section to haul any such material, inadequately enclosed or covered, thereby permitting the same to fall upon

streets. It is also a violation of this section to place or store any building materials or waste resulting from building construction or demolition on any street without first having obtained a written permit from the Council.

(D) *Signs and other structures.* It is a misdemeanor for any person to place or maintain a sign, advertisement or other structure in any street without first having obtained a written permit from the Council. In a district zoned for commercial or industrial enterprises special permission allowing an applicant to erect and maintain signs overhanging the street may be granted upon such terms and conditions as may be set forth in the zoning or construction provisions of the city code.

(E) *Placing snow or ice in a roadway or on a sidewalk.*

(1) It is a misdemeanor for any person, not acting under a specific contract with the city or without special permission from the City Manager, to remove snow or ice from private property and place the same in any roadway, on a sidewalk, parking lot or open areas near fire hydrants.

(2) Where permission is granted by the City Manager, the person to whom the permission is granted shall be initially responsible for payment of all direct or indirect costs of removing the snow or ice from the street or sidewalk. If not paid, collection shall be by civil action or assessment against the benefitted property as any other special assessment.

(F) *Continuing violation.* Each day that any person continues in violation of this section shall be a separate offense and punishable as such.

(G) *Condition.* Before granting any permit under any of the provisions of this section, the Council may impose insurance or bonding conditions thereon as it, considering the projected danger to public or private property or to persons, deems proper for safeguarding the persons and property. The insurance or bond shall also protect the city from any suit, action or cause of action arising by reason of the obstruction.

(2003 Code, § 7.06) Penalty, see § 10.99

§ 70.27 GRASS, WEEDS AND TREES.

(A) *City to control tree planting (standards).* The city shall have control and supervision of planting shrubs and trees upon, or overhanging, all the streets or other public property. The city may establish and enforce uniform standards relating to the kinds and types of trees to be planted and the placement thereof. The standards shall be kept on file in the office of the City Manager and may be revised from time to time by action of the Council upon the recommendation of the City Manager.

(B) *Duty of property owners to cut grass and weeds and maintain trees and shrubs.*

(1) Every owner of property abutting on any street shall cause the grass and weeds to be cut from the line of the property nearest to the street to the center of the street.

(2) If the grass or weeds in such a place attain a height in excess of six inches, it shall be prima facie evidence of a failure to comply with this division (B).

(3) It shall also be the duty of every owner and every occupant of property to keep all trees, on the property owned or occupied, and overhanging any sidewalk, street or alley, so trimmed that no branches are closer to the curbline or pavement edge of any street or alley than 14 feet, and so that no branches are closer to the sidewalk than eight feet.

(4) All limbs of trees not kept trimmed as provided herein are declared to constitute a public nuisance.

(C) *City may order work done.* The city may, in cases of failure to comply with this section, perform the work with employees of the city, keeping an accurate account of the cost thereof for each lot, piece or parcel of land abutting upon the street.

(D) *Assessment.*

(1) If the maintenance work is performed by the city as set forth in the foregoing division (C), the City Manager shall forthwith upon completion thereof ascertain the cost attributable to each lot, piece or parcel of abutting land. The City Manager shall, at the next regular meeting thereof, present the certificate to the Council and obtain its approval thereof.

(2) When the certificate has been approved, it shall be extended as to the cost therein stated as a special assessment against the abutting land and the special assessment shall, at the time of certifying taxes to the County Auditor, be certified for collection as other special assessments are certified and collected.

(2003 Code, § 7.08) (Ord. 18, passed 8-24-1990)

§ 70.28 REQUIREMENT OF SEWER AND WATER MAIN SERVICE LATERAL INSTALLATION.

(A) *Requirement of sewer and water laterals.* No petition for the improvement of a street shall be considered by the Council if the petition contemplates constructing therein any part of a pavement or stabilized base, or curb and gutter, unless all sewer and water main installations shall have been made therein, including the installation of service laterals to the curb, if the area along the street will be served by the utilities installed in the street.

(B) *Sewer system service and water main service laterals.* No sewer system shall be hereafter constructed or extended unless service laterals to platted lots and frontage facing thereon shall be extended simultaneously with construction of mains.

(C) *Waiver*. The Council may waive the requirements of this section only if it finds the effects thereof are burdensome and upon the notice and hearing as the Council may deem necessary or proper. (2003 Code, § 7.11) Penalty, see § 10.99

§ 70.29 CURB AND GUTTER, STREET AND SIDEWALK PAINTING OR COLORING.

It is unlawful for any person to paint, letter or color any street, sidewalk or curb and gutter for advertising purposes, or to paint or color any street, sidewalk or curb and gutter for any purpose, except as the same may be done by city employees acting within the course or scope of their employment; provided, however, that this provision shall not apply to uniformly coloring concrete or other surfacing, or uniformly painted house numbers, as such coloring may be approved by the City Manager. (2003 Code, § 7.12) Penalty, see § 10.99

§ 70.30 MOTORIZED VEHICLES PROHIBITED ON SIDEWALKS.

It is unlawful for any person to drive or operate a motorized vehicle, except a wheelchair powered by electricity and occupied by a disabled person, on any public sidewalk or public property designated for use as a pedestrian walkway or bicycle trail, except when crossing the same for ingress and egress through a curb cut to property lying on the other side thereof. (2003 Code, § 7.13) Penalty, see § 10.99

CHAPTER 71: RECREATIONAL VEHICLES

Section

- 71.01 Snowmobile traffic control and regulations
- 71.02 Motorized golf carts, operation and regulation

§ 71.01 SNOWMOBILE TRAFFIC CONTROL AND REGULATIONS.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DEADMAN THROTTLE or **SAFETY THROTTLE.** A device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.

OPERATE. To ride in or on and control the operation of a snowmobile.

OPERATOR. Every person who operates or is in actual physical control of a snowmobile.

OWNER. A person, other than a lien holder having the property in or title to a snowmobile entitled to the use or possession thereof.

SNOWMOBILE. A self-propelled vehicle designed for travel on snow or ice steered by skis or runners.

(B) *Scope of application.* Notwithstanding provisions of this section to the contrary, this section shall apply to control of traffic and regulation of that certain class of vehicles falling within the definition of snowmobiles as to matters set forth herein. All provisions of this section, not relating to matters herein stated, apply as equally to snowmobiles as other vehicles.

(C) *Operation.* Except as otherwise herein permitted, it is unlawful for any person to operate a snowmobile not licensed as a motor vehicle as follows:

(1) On the portion of any right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel, except upon the most right-hand lane of a street or alley and may in passing or making a left-hand turn, operate on other lanes which are used for vehicle traffic in the same direction. A snowmobile may also be operated upon the ditch bottom or the outside bank of trunk, county state-aid and county highways where the highways are so configured within the corporate limits;

(2) On a public sidewalk provided for pedestrian travel;

(3) On boulevards within any public right-of-way;

(4) On private property of another without specific permission of the owner or person in control of the property;

(5) At a rate of speed greater than reasonable or proper under all surrounding circumstances;

(6) At any place in a careless, reckless or negligent manner or heedlessly in disregard of the rights or safety of others, or in a manner so as to endanger or be likely to endanger or cause injury or damage to any person or property;

(7) During the hours from 11:00 p.m. to 7:00 a.m. of any day, closer than 100 feet to any dwelling which is usually occupied by one or more persons; provided, however, that snowmobile operation shall be permitted during hours when traveling directly to or from the residence of the operator and the nearest city limits line at a rate of speed not in excess of 15 mph;

(8) So as to tow any person or thing except through use of a rigid towbar attached to the rear of the snowmobile;

(9) At any place while under the influence of alcohol or drugs as defined in M.S. § 169.121, as it may be amended from time to time, which is hereby incorporated herein by reference; or

(10) Within 100 feet of any pedestrian, fisherman, skating rink or sliding area where the operation would conflict with the use or endanger other persons or property.

(D) *Special orders.* In addition to the regulations provided in division (C) above, it is unlawful to operate a snowmobile on any public place where prohibited by order of the city. The City Manager shall have the power, by written order, to prohibit the operation whenever in his or her discretion the same would be likely to produce damage to property or endanger the safety or repose of other persons. Those areas shall be appropriately sign-posted before the order shall become effective.

(E) *Direct crossings.* A snowmobile may make a direct crossing of a street or highway, except an interstate highway or freeway, provided:

(1) The crossing is made at an angle of approximately 90 degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

(2) The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way;

(3) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard;

(4) In crossing a divided street or highway, the crossing is made only at an intersection of the street or highway with another public street or highway; and

(5) If the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

(F) *Yielding the right-of-way.* It is unlawful for any person operating a snowmobile to enter any intersection without yielding the right-of-way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard.

(G) *Locking vehicles.* It is unlawful for any person to leave a snowmobile on a public place unless he or she shall lock the ignition, remove the key and take the same with him or her.

(H) *Emergencies.* Notwithstanding the prohibition of operating a snowmobile upon a roadway to the contrary, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time when, at locations where, snow upon the roadway renders travel by automobile impractical.

(I) *Animals.* It is unlawful to intentionally drive, chase, run over or kill any animal with a snowmobile.

(J) *Signal from officer to stop.* It is unlawful for a snowmobile operator, after having received a visible or audible signal from any law enforcement officer to come to a stop, to: operate a snowmobile in willful or wanton disregard of the signal; interfere with or endanger the law enforcement officer or any other person or vehicle; or increase his or her speed or attempt to flee or elude the officer.

(K) *Certain statutes adopted.* M.S. §§ 84.81 through 84.90, as it may be amended from time to time, inclusive, as amended in 1980, together with rules and regulations promulgated thereunder, are hereby adopted by reference, incorporated herein, and made a part hereof, except as otherwise provided herein.

(2003 Code, § 7.35) Penalty, see § 10.99

§ 71.02 MOTORIZED GOLF CARTS, OPERATION AND REGULATION.

(A) *Operation authorized.* Operation of motorized golf carts is 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.

(B) *Permits.* Permits shall be issued only to disabled persons as defined by statute. Application for a permit to operate a motorized golf cart on the roadways of streets shall include the name and address of the applicant and other information as may from time-to-time be required by the Council. Applications for initial or renewal permits shall be accompanied by a certificate signed by a physician stating that the applicant is capable of safely operating a motorized golf cart on the roadway of streets. All permits shall expire on December 31, unless renewed. The fee for a permit shall be fixed by resolution of the Council.

(C) *Unlawful acts.* 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 the operation, except crossing at an intersection;
 - (3) The operation is during daylight hours between sunrise and sunset;
 - (4) The operation is not during inclement weather, or when visibility is impaired by weather, smoke, fog or other conditions, or 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, as described by statute, on the rear thereof;
 - (6) The motorized golf cart is equipped with rear view mirrors as required by statute for other vehicles;
 - (7) The operator has insurance coverage as provided by statute (presently M.S. § 65B.48(5), as it may be amended from time to time) for motorcycles; and
 - (8) The operator observes all traffic laws, except such as cannot reasonably be applied to motorized golf carts.
- (2003 Code, § 7.36) Penalty, see § 10.99

CHAPTER 72: PARKING AND STOPPING REGULATIONS

Section

- 72.01 Presumption
- 72.02 General parking prohibitions
- 72.03 Parking of certain vehicles prohibited
- 72.04 Unauthorized removal
- 72.05 Direction to proceed
- 72.06 Parallel parking
- 72.07 Angle parking
- 72.08 Streets without curb
- 72.09 Parking hours
- 72.10 Snow removal
- 72.11 Truck parking
- 72.12 Parking rules in city parking lots
- 72.13 Impounding and removing vehicles
- 72.14 Unattended vehicle
- 72.15 Vehicle repair on street
- 72.16 Physically disabled parking
- 72.17 Parking on private property without consent

§ 72.01 PRESUMPTION.

As to any vehicle parking in violation of this chapter when the driver thereof is not present, it shall be presumed that the owner parked the same, or that the driver was acting as the agent of the owner. (2003 Code, § 7.50)

§ 72.02 GENERAL PARKING PROHIBITIONS.

It is unlawful for any person to stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the specific directions of a police officer or traffic control device in any of the following places:

- (A) On a sidewalk;

- (B) In front of a public or private driveway;
- (C) Within an intersection;
- (D) Within ten feet of a fire hydrant;
- (E) On a crosswalk;
- (F) Within 20 feet of a crosswalk at any intersection;
- (G) In a sign-posted fire lane;
- (H) Within 30 feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
- (I) Within 50 feet of the nearest rail of a railroad crossing;
- (J) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly sign-posted;
- (K) Alongside or opposite any street, excavation or obstruction when the stopping, standing or marking would obstruct traffic;
- (L) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (M) Upon any bridge or other elevated structure upon a street;
- (N) At any place where official signs prohibit or restrict stopping, marking or both;
- (O) In any alley, except for loading or unloading and then only so long as reasonably necessary for the loading and unloading to or from adjacent premises; or
- (P) On any boulevard which has been curbed.
(2003 Code, § 7.51) Penalty, see § 10.99

§ 72.03 PARKING OF CERTAIN VEHICLES PROHIBITED.

- (A) *Definitions.* The term **RECREATIONAL CAMPING VEHICLE** means any of the following:
 - (1) **CAMPING TRAILER.** A folding structure, mounted-on wheels and designed for travel, recreation and vacation uses;

(2) **MOTOR HOME.** A portable, temporary building to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle;

(3) **PICK-UP COACH.** A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation;

(4) **TRAILER.** Any vehicle designed for carrying property or passengers on its own structure and for being drawn by a motor vehicle but does not include a trailer drawn by a truck-tractor semi-trailer combination or an auxiliary axle on a motor vehicle which carries a portion of the weight of the motor vehicle to which it is attached; or

(5) **TRAVEL TRAILER.** A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, permanently identified "travel trailer" by the manufacturer of the trailer.

(B) *Limitations.*

(1) No person shall park any of the following described vehicles upon any street, street right-of-way, alley or public parking lot for more than 72 hours in any one seven calendar day period unless otherwise provided:

(a) Trucks of a capacity of more than one ton, not to exceed 12,000 pounds gross weight, according to the manufacturer's rating;

(b) Trucks having an overall length of more than 20 feet, or width at any point of more than six feet, unless greater according to original manufacturer's rating or specification; and

(c) Dump trucks, tractors, truck-tractors, trailers, boats, boat trailers, travel trailers, pick-up coaches, motor homes, camping trailers or any heavy machinery.

(2) It is further provided that during periods of time as the vehicle is authorized to be parked upon any street, street right-of-way, alley or public parking lot, they shall nonetheless not be occupied as living quarters.

(3) The limitations contained in this division (B) do not apply to parking of a trailer, whether attached to a towing vehicle or not, which trailer is used for commercial purposes and the parking of the trailer, when the same is actively engaged in commercial activity and is at an adjacent site, but only to the extent that the commercial activity necessitates the use of the trailer and only for periods during which the commercial activity is actually occurring. Trailers shall not be left unattended unless the same has proper reflectors or other safety hazard markers.

(2003 Code, § 7.52) (Ord. 81, passed 12-18-1998)

§ 72.04 UNAUTHORIZED REMOVAL.

It is unlawful for any person to move a vehicle not owned by the person into any prohibited area or away from a curb a distance as is unlawful.
(2003 Code, § 7.53) Penalty, see § 10.99

§ 72.05 DIRECTION TO PROCEED.

It is unlawful for any person to stop or park a vehicle on a street when directed or ordered to proceed by any police officer invested by law with authority to direct, control or regulate traffic.
(2003 Code, § 7.54) Penalty, see § 10.99

§ 72.06 PARALLEL PARKING.

Except where angle parking is specifically allowed and indicated by curb marking or sign-posting, or both, each vehicle stopped or parked upon a two-way road where there is an adjacent curb shall be stopped or parked with the right-hand wheels of the vehicle parallel with, and within 12 inches of the right-hand curb, and, where painted markings appear on the curb or the street, the vehicle shall be within the markings, front and rear; provided that upon a one-way roadway all vehicles shall be so parked, except that the left-hand wheels of the vehicle may be parallel with and within 12 inches from the left-hand curb, but the front of the vehicle in any event and with respect to the remainder of the vehicle, shall be in the direction of the flow of traffic upon the one-way street; and it is unlawful to park in violation of this section.
(2003 Code, § 7.55)

§ 72.07 ANGLE PARKING.

Where angle parking has been established by Council resolution, and is allowed, as shown by curb marking or sign-posting, or both, each vehicle stopped or parked shall be at an angle of approximately 45 to 60 degrees with the front wheel touching the curb and within any parking lines painted on the curb or street, provided that the front wheel not touching the curb shall be the portion of the vehicle furthest in the direction of one-way traffic; and it is unlawful to park in violation of this section.
(2003 Code, § 7.56) Penalty, see § 10.99

§ 72.08 STREETS WITHOUT CURB.

Upon streets not having a curb, each vehicle shall be stopped or parked parallel and to the right of the paving, improved or main traveled part of the street; and it is unlawful to park in violation of this section.
(2003 Code, § 7.57) Penalty, see § 10.99

§ 72.09 PARKING HOURS.

Parking on streets shall be limited as follows.

(A) It is unlawful for any person to stop, park or leave standing any vehicle upon any street for a continuous period in excess of 72 hours unless otherwise further restricted by other provisions of the city code in which case the more restrictive revisions shall apply.

(B) The Manager may, when authorized by resolution of the Council, designate certain streets, blocks or portions of streets or blocks as prohibited parking zones, or five-minute, ten-minute, 15-minute, 30-minute, one-hour, two-hour, four-hour, six-hour, eight-hour, morning or afternoon rush hour limited parking zones and shall mark by appropriate signs any zones so established. The zones shall be established whenever necessary for the convenience of the public or to minimize traffic hazards and preserve a free flow of traffic. It is unlawful for any person to stop, park or leave standing any vehicle in a prohibited parking zone, for a period of time in excess of the sign-posted limitation, or during sign-posted hours of prohibited parking.

(2003 Code, § 7.58) (Ord. 81, passed 12-18-1998) Penalty, see § 10.99

§ 72.10 SNOW REMOVAL.

(A) In order to facilitate snow removal from the public streets of the city from November 1 through April 1 of each year, no person shall park, nor shall any motor vehicle be parked on any street for a period of time that results in the vehicle being plowed in or plowed around by a city-owned or contracted snow removal vehicle or piece of equipment.

(B) Additionally, parking is not allowed on any public street when four inches or more of snow has fallen until the street has been plowed curb to curb. The official depth for the purpose of this provision shall be determined by the city, which determination shall be final and not subject to appeal.

(C) In addition to any other provisions provided in this code, any vehicle parked in violation of this chapter may be towed or removed summarily without notice to the owner or operator thereof. The vehicle shall be removed and stored in a parking lot or facility designated by the Police Department.

(D) The owner of the vehicle which is towed shall not be allowed to redeem the same until all costs of removing, towing and storage shall be paid to any party having the claim for services rendered in the removing, towing and storing of the motor vehicle.

(E) The city shall not be responsible for any damage to a vehicle removed in accordance with the provisions of this chapter. In addition to any of the foregoing, the Public Works Director or his or her designee is also hereby authorized to post no parking signs for snow removal along streets where snow removal operations will require further use of the street by snow plowing and snow removal equipment.

(F) No person shall park any vehicle nor leave any vehicle which was parked at the time of the posting for a period of more than two hours thereafter until the snow removal operations have been completed and the signs removed.

(2003 Code, § 7.59) (Ord. 158, passed 2-22-2011) Penalty, see § 10.99

§ 72.11 TRUCK PARKING.

(A) It is unlawful to park a detached semi-trailer upon any street, city-owned parking lot, or other public property, except such as are specifically designated by the Council by resolution and sign-posted.

(B) It is unlawful to park a truck (other than a one-ton truck not exceeding 12,000 pounds gross vehicle weight, or less), truck-trailer, tractor-trailer or truck-tractor within an area zoned as a residential district except for the purpose of loading or unloading the same, and then only during such time as is reasonably necessary for the activity.

(C) It is unlawful to park a commercial vehicle of more than 12,000 pounds gross vehicle weight upon any street in the business district except streets as specifically designated by the Council by resolution and sign-posted, but parking of the vehicle for a period of not more than 20 minutes shall be permitted in the space for the purpose of necessary access to abutting property while actively loading or unloading when the access cannot reasonably be secured from an alley or from an adjacent street where truck parking is not so restricted.

(D) It is unlawful to park a semi-trailer or semi-tractor on any street, or within 300 feet of the occupied dwelling of another, with any engine thereon running, for a period of more than one hour.
(2003 Code, § 7.60) (Ord. 81, passed 12-18-1998) Penalty, see § 10.99

§ 72.12 PARKING RULES IN CITY PARKING LOTS.

In addition to any other rules and restrictions imposed by this chapter with respect to parking in city-owned parking lots, the Council may limit the sizes and types of motor vehicles to be parked thereon, hours of parking and prescribed method of parking, provided that the further limitations and restrictions are marked or sign-posted thereon. It is unlawful to park or leave standing any vehicle backed into a parking place, to drive in a direction opposite the flow of traffic marked by "one-way" signs or arrows, or to park any vehicle in any city-owned parking lot contrary to the restrictions or limitations marked or sign-posted therein or as otherwise provided in this chapter.
(2003 Code, § 7.61) (Ord. 81, passed 12-18-1998) Penalty, see § 10.99

§ 72.13 IMPOUNDING AND REMOVING VEHICLES.

(A) When any police officer finds a vehicle standing upon a street or city-owned parking lot in violation of any parking regulation, the officer is hereby authorized to require the driver or other person in charge of the vehicle to remove the same to a position in compliance with this chapter.

(B) When any police officer finds a vehicle unattended upon any street or city-owned parking lot in violation of any parking regulation, the officer is hereby authorized to impound the unlawfully parked vehicle and to provide for the removal thereof and to remove the same to a convenient garage or other facility or place of safety; provided, that if any charge shall be placed against the vehicle for cost of removal or storage, or both, by anyone called upon to assist therewith the same shall be paid prior to removal from that place of storage or safekeeping.

(2003 Code, § 7.62)

§ 72.14 UNATTENDED VEHICLE.

(A) It is unlawful for any person to leave a motor vehicle unattended while the engine is running.

(B) It is unlawful for any person to leave a motor vehicle unattended with the key in the ignition.
(2003 Code, § 7.63) Penalty, see § 10.99

§ 72.15 VEHICLE REPAIR ON STREET.

It is unlawful for any person to service, repair, assemble or dismantle any vehicle parked upon a street, or attempt to do so, except to service the vehicle with gasoline or oil or to provide emergency repairs thereon, but in no event for more than 24 hours.

(2003 Code, § 7.64) Penalty, see § 10.99

§ 72.16 PHYSICALLY DISABLED PARKING.

(A) Statutory parking privileges for physically disabled shall be strictly observed and enforced. Police officers are authorized to tag vehicles on either private or public property in violation of the statutory privileges.

(B) It is unlawful for any person, whether or not physically disabled, to stop, park or leave standing, a motor vehicle: in a sign-posted fire lane at any time; or in lanes where, and during hours as parking is prohibited to accommodate heavy traffic during morning and afternoon rush hours.

(2003 Code, § 7.65) Penalty, see § 10.99

§ 72.17 PARKING ON PRIVATE PROPERTY WITHOUT CONSENT.

It is a misdemeanor to park or abandon a motor vehicle on the property of another, or upon an area developed as an off-street parking facility, without the consent of the owner, lessee or person in charge of any such property or facility.

(2003 Code, § 7.66) Penalty, see § 10.99