

**TITLE VII: TRAFFIC CODE**

Chapter

**70. TRAFFIC AND PARKING**

**71. RECREATIONAL VEHICLES**



## CHAPTER 70: TRAFFIC AND PARKING

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### **GENERAL PROVISIONS**

#### **§ 70.01 DEFINITIONS.**

Any term used in this chapter, and defined in M.S. § 169.011, as it may be amended from time to time, has the meaning given it by that section.

(Prior Code, § 701.01)

**§ 70.02 SAFETY ZONES, LANES OR TRAFFIC.**

To assist in the direction and control of traffic, to improve safe driving conditions at any intersection or dangerous location and to warn pedestrians or drivers of motor vehicles of dangerous conditions or hazards, the Chief of Police may establish safety zones, lanes or traffic, and stop intersections, and he or she may order installation by the City Engineer of stop signs, yield signs, warning sign, signals, pavement markings or other devices. No regulation may be established on a trunk highway unless the consent of the Commissioner of Highways is first secured.

(Prior Code, § 701.10)

**§ 70.03 POLICE DUTIES.**

The Police Department shall enforce the provisions of this chapter and the state traffic laws. Police officers are authorized to direct all traffic within the city, either in person or by means of visible or audible signal, in conformity with this chapter and the state traffic laws. During a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the Police Department may direct traffic as conditions require, notwithstanding the provisions of this chapter and the state traffic laws. Officers of the Fire Department may direct or assist the police in directing traffic at the scene of a fire or in the immediate vicinity.

(Prior Code, § 701.12)

***TRAFFIC REGULATIONS*****§ 70.15 TURNING RESTRICTIONS; U TURNS.****(A) *Restriction on turns.***

(1) The Council, by resolution, may, whenever necessary to preserve a free flow of traffic or to prevent accidents, designate any intersection as one where the turning of vehicles to the left or to the right, or both, is to be restricted at all times or during specified hours. The City Engineer shall mark, by appropriate signs, any intersection so designated. No intersection on a trunk highway shall be so designated until the consent of the Commissioner of Highways to the designation is first obtained.

(2) No person shall turn a vehicle at any intersection contrary to the directions on the signs.

(B) *U turns.* No person shall turn a vehicle so as to reverse its direction on any street in the business district or at any intersection where traffic is regulated by a traffic-control signal.

(Prior Code, § 701.02) Penalty, see § 70.99

**§ 70.16 THROUGH, ONE-WAY STREETS.**

(A) The Council, by resolution, may designate any street or portion of street as a through highway or a one-way roadway, where necessary, to preserve the free flow of traffic or to prevent accidents. The City Engineer shall post appropriate signs at the entrance to the street.

(B) No trunk highway shall be so designated unless the consent of the Commissioner of Highways to the designation is first secured.

(Prior Code, § 701.03)

**§ 70.17 WEIGHT RESTRICTIONS.**

(A) *General.*

(1) The City Council, by resolution, may designate streets on which travel by commercial vehicles in excess of 6,000 pounds per axle is prohibited. The City Engineer shall erect appropriate signs on the streets.

(2) No person shall operate a commercial vehicle on the posted streets in violation of the restrictions stated.

(Prior Code, § 701.04)

(B) *Seasonal weight restrictions.* The City Engineer may prohibit the operation of vehicles upon any street under his or her jurisdiction or impose weight restrictions on vehicles to be operated on the street whenever the street, by reason of deterioration, rain, snow or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles on the street is prohibited or the permissible weights thereof reduced. He or she shall erect and maintain signs plainly indicating the prohibition or restriction at each end of that portion of the street affected. No person shall operate a vehicle on a posted street in violation of the prohibition or restriction.

(Prior Code, § 701.05)

Penalty, see § 70.99

**§ 70.18 EXHIBITION DRIVING.**

(A) No person shall turn, accelerate, decelerate or otherwise operate a motor vehicle within the city in a manner which causes unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing or sand or gravel, or in a manner simulating a race.

(B) Squealing or screeching sounds emitted by tires, or the throwing of sand or gravel by the tires, is prima facie evidence of a violation of this section.

(Prior Code, § 701.11) Penalty, see § 70.99

***PARKING RULES*****§ 70.30 NO PARKING, STOPPING OR STANDING ZONES.**

(A) *General.* The City Council may, by resolution, designate certain streets or portions of streets as no parking or no stopping or standing zones and may limit the hours in which the restrictions apply. The City Engineer shall mark, by appropriate signs, each zone so designated. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic-control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited; except that, a vehicle may be parked temporarily in the zone for the purpose of forming a funeral procession and a truck may be parked temporarily between the hours of 6:00 a.m. and 7:00 p.m. of any business day for the purpose of loading and unloading where access to the premises is not otherwise available.

(B) *Time limit parking zones.* The City Council may, by resolution, designate certain areas where the right to park is limited during hours specified. The City Engineer shall mark, by appropriate signs, each zone so designated. During the hours specified on the sign, no person shall park a vehicle in any limited parking zone for a longer period than is so specified.

(C) *General time limit.* No vehicle shall be parked for more than 30 minutes between and 8:00 a.m. in the business district; and no vehicle shall in any case be parked upon any street in any one place for a longer continuous period than 48 hours.

(D) *Impoundment.* Any police officer may remove a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic or hinders snow removal or street improvement or maintenance operations. The vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for violation of this subchapter.

(E) *Prima facie violation.* The presence of any motor vehicle on any street when standing or parked in violation of this chapter is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

(Prior Code, § 701.06) Penalty, see § 70.99

**§ 70.31 LOADING OR TRUCK ZONES.**

(A) *Establishment.* The City Council may, by resolution, establish spaces in streets as loading zones or truck zones. The hours of 6:00 a.m. and 7:00 p.m. of any day, except Sundays, New Year's Day, Memorial Day, July 4, Labor Day, Thanksgiving Day and Christmas Day or such other time as the City Council may specify in the resolution establishing the zone, shall be the loading zone or truck zone hours. The City Engineer shall mark each zone by appropriate signs.

(B) *Truck zone prohibitions.* During truck zone hours, no person shall stop, stand or park any vehicle, except a truck in a truck zone. No person shall stop, stand or park a truck in a truck zone during truck zone hours, except to receive or discharge passengers or freight and then only for a period no longer than is necessary for the purpose.

(C) *Loading zone prohibitions.* During loading zone hours, no person shall stop, stand or park any vehicle in a loading zone, except to receive or discharge passengers or freight and then only for a period not longer than is necessary for the purpose. No person shall occupy a loading zone with a vehicle other than a truck for more than five minutes during those hours.

(D) *Property owner initiative.* Any person desiring the establishment of a loading zone or truck zone abutting premises occupied by him or her shall make written application therefor to the City Council. If the Council grants the request, the proper city officer shall bill the applicant for the estimated cost of placing signs and of painting the curb. When the amount is paid to the City Treasurer, the Chief of Police shall install the necessary signs and paint the curb.

(E) *Semi-trailer parking.* No person shall allow a semi-trailer to stand or be parked unattached from a tractor unit for any length of time on any street in the city, except in an emergency in order to change tractors.

(F) *No truck parking zones.* The Council may, by resolution, establish no truck parking zones in the business district and the City Engineer shall mark, by appropriate signs, any zones so established. The zones shall be established in the business district where heavy traffic by trucks or other traffic congestion makes parking by trucks a hazard to the safety of vehicles or pedestrians. No person shall park a truck of more than one-ton capacity between 6:00 a.m. and 7:00 p.m. on any week day upon any street in any such zone, but parking of the vehicle for a period of not more than 30 minutes shall be permitted in the zone for the purpose of having access to abutting property when the access cannot conveniently be secured otherwise.

(Prior Code, § 701.07) Penalty, see § 70.99

### **§ 70.32 BUS STOPS AND TAXI STANDS.**

No driver of any bus shall stand or park his or her bus upon any street, except at a bus stop. Except for the purpose of loading or unloading passengers or for a reasonable time while on personal errand, no driver of any taxicab shall stand or park upon any street, except at a taxi stand.

(Prior Code, § 701.08) Penalty, see § 70.99

### **§ 70.33 WINTER PARKING.**

No person shall stop, stand or park any vehicle or permit it to stand on any street in any of the following places at any of the following time between November 1 and April 1:

(A) On Soo Street, between the hours of 2:00 a.m. to 6:00 p.m. on any day; and

(B) On any other street as determined by the City Engineer and indicated on appropriate signs posted by him or her.

(Prior Code, § 701.09) Penalty, see § 70.99

#### **§ 70.34 NO PARKING AREAS; RESTRICTIONS.**

(A) *General.*

(1) *No parking areas.*

(a) The city designates no parking areas to include all areas that have yellow painted curbs or posted and/or signed areas indicating no parking or a parking restriction. The posted areas include temporary or permanent signs.

(b) Temporary no parking areas may be designated and posted as needed at the direction of the Police Department.

(2) *Snow removal parking restrictions.* All city streets, city parking lots, county and state highways within the city are deemed no parking areas from November 1 through April 1, between the hours of 2:00 a.m. and 6:00 a.m.

(3) *Truck parking restrictions.* Commercial vehicles exceeding two axles are not permitted to park overnight on residential streets or property.

(4) *Enforcement.* The Police Department is responsible for parking restriction enforcement. All fines are payable to the City Clerk-Administrator-Treasurer's office.

(B) *Leaving vehicles unattended on city streets during snow removal.*

(1) No person shall park or leave standing unattended any vehicle or trailer upon any streets in the city between the hours of 2:00 a.m. and 8:00 a.m. on any night in which snowfall is occurring or a night following a day in which snow (one-half inch or more) has accumulated.

(2) When a police officer discovers a vehicle parked in violation of this division (B), he or she shall ticket the vehicle and may have it towed to the nearest convenient garage or impound lot. (Ord. passed - -; Ord. passed 11-29-2001; Ord. passed 12-10-2010; Ord. passed 1-21-2020) Penalty, see § 70.99

**§ 70.99 PENALTY.**

(A) Any person convicted of violating any provision of this chapter is guilty of a petty misdemeanor.

(Prior Code, § 701.13)

(B) (1) Fines for violations of § 70.34(A) of this chapter are \$35. Parking fines double if not paid within 48 hours. Vehicles not removed within 24 hours of receiving a citation will be towed at owner's expense.

(2) The owner or lessee of any motor vehicle or trailer, or any other person, who shall have parked in violation of § 70.34(B) of this chapter shall be guilty of a petty misdemeanor. A fine of an amount in accordance with the current city fee schedule shall be imposed. If the fine is not paid within ten days, the matter shall be prosecuted in District Court. A judge may impose additional fines in an amount in accordance with the current city fee schedule.

(Ord. passed - -; Ord. passed 1-21-2020)



## CHAPTER 71: RECREATIONAL VEHICLES

### Section

#### *General Provisions*

- 71.01 Purpose
- 71.02 Designated roadways
- 71.03 Conditions and operation
- 71.04 Prohibitions

#### *Skateboards*

- 71.15 Definitions
- 71.16 Unlawful acts
- 71.17 Hours of use
- 71.18 Violations; enforcement
  
- 71.99 Penalty

### **GENERAL PROVISIONS**

#### **§ 71.01 PURPOSE.**

(A) The city establishes this subchapter to provide a reasonable and safe operating environment for recreational vehicles.

(B) Recreational vehicles include golf carts, ATVs (three- and four-wheelers) and snowmobiles.  
(Ord. passed - -)

#### **§ 71.02 DESIGNATED ROADWAYS.**

(A) All city streets and avenues shall be designated for use by recreational vehicles.

(B) No state or county highway shall be designated for use by recreational vehicles, except as allowed by statute.

(Ord. passed - -)

### § 71.03 CONDITIONS AND OPERATION.

(A) *Golf carts.*

(1) Only persons possessing valid driver's licenses, 16 years of age or older, are permitted to operate motorized golf carts under this section.

(2) Motorized golf carts may only be operated on designated roadways from sunrise to sunset.

(3) Motorized golf carts shall display the slow moving vehicle emblem provided for in M.S. § 169.522, as it may be amended from time to time, when operated.

(4) Every person operating a motorized golf cart has all the rights and duties applicable to the driver of any other vehicle under the provisions of M.S. Ch. 169, as it may be amended from time to time, except when those provisions cannot reasonably be applied to motorized golf carts and except as otherwise specifically provided in M.S. § 169.045, subd. 7, as it may be amended from time to time.

(5) Motorized golf carts may not be operated on public sidewalks provided for pedestrian travel.

(6) Exception: a motorized golf cart may be operated by a disabled person at least 14 years of age, provided a doctor's statement is provided to the Chief of Police stating:

(a) The individual has the ability to safely operate a motorized golf cart;

(b) The use of a motorized golf cart will enhance the individual's quality of life; and

(c) The individual adheres to divisions (A)(2) through (A)(5) above.

(B) *Snowmobiles.*

(1) *Areas of operation.*

(a) May be operated in the right-most lane which is used for motor vehicle traffic in the same direction on designated roadways;

(b) May also be operated upon the ditch bottom or outside slope of county and state highways where the highways are so configured within city limits;

(c) May not be operated on public sidewalks provided for pedestrian travel;

(d) May not be operated on boulevards within any city street;

(e) May not be operated on private property of another without specific permission of the owner or person in control of the property; and

(f) May not be operated on any public place, including city parks and school property, except as may be specifically permitted.

(2) *Traffic responsibilities.*

(a) A snowmobile may make a direct crossing of a street or highway, provided 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.

(b) The snowmobile is brought to a complete stop before crossing the shoulder and traveled portion of a main highway.

(c) The driver yields the right-of-way to all oncoming traffic, which constitutes an immediate hazard.

(d) No snowmobile shall enter an 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.

(e) City traffic ordinances shall apply to the operation of snowmobiles upon streets and highways, except those which, by their very nature, have no application.

(3) *Restrictions.*

(a) No person under 14 years of age shall operate a snowmobile on streets or the roadway surface of highways or make a direct crossing of a trunk, county-state-aid, county or city street as the operator of a snowmobile. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile on streets and highways as permitted under this subchapter if he or she has in his or her immediate possession a valid snowmobile safety certificate issued by the Commissioner, as provided by M.S. § 84.872, as it may be amended from time to time.

(b) Snowmobiles must be currently licensed and registered with the Department of Natural Resources.

(c) Snowmobiles shall not be operated at a rate of speed greater than the posted limit.

(d) Snowmobiles shall not be operated at any time or 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.

(e) Snowmobiles shall not tow any person or thing in a public street or highway, except through use of a rigged tow bar attached to the rear of the snowmobile.

(f) Snowmobiles shall not be operated within 75 feet of any fisher, pedestrian, skating rink or sliding area where the operation would conflict with use or endanger other persons or property.

(g) Snowmobiles shall not be operated during the hours from 1:00 a.m. to 7:00 a.m. of any day.

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

(C) *ATVs (three- and four-wheeled).*

(1) ATVs may only be operated on designated routes from sunrise to sunset.

(2) ATVs must be licensed and registered with the state's Department of Natural Resources for public use in accordance with M.S. § 84.922, as it may be amended from time to time.

(3) Every person operating an ATV has all the rights and duties applicable to the driver of any other vehicle under the provisions of M.S. Ch. 169, as it may be amended from time to time, except when those provisions cannot reasonably be applied to ATVs and except as otherwise specifically provided in M.S. § 169.045, subd. 7, as it may be amended from time to time.

(4) Only persons possessing valid driver's licenses, 16 years or age or older, are permitted to operate an ATV under this section.

(5) ATVs may be operated in the right-most lane which is used for motor vehicle traffic in the same direction on designated roadways.

(6) ATVs shall not be operated at a rate of speed greater than the posted limit.

(7) ATVs shall not be operated 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.

(8) ATVs may not be operated on private property of another without specific permission of the owner or person in control of the property.

(9) ATVs may not be operated on any public place, including city parks or school property, except as may be specifically permitted.

(Ord. passed - -) Penalty, see § 71.99

**§ 71.04 PROHIBITIONS.**

(A) Two-wheeled motorized vehicles, generally known as “dirt bikes” or “mini-bikes”, and go carts or similar type recreational vehicles are specifically prohibited from operating on any city street, alley or roadway at any time. Only licensed motorcycles as permitted by state statute may be operated on city streets.

(B) It is unlawful for the owner of a recreational vehicle covered by this section to permit the recreational vehicle to be operated contrary to the provisions of this subchapter.

(Ord. passed - -) Penalty, see § 71.99

***SKATEBOARDS***

**§ 71.15 DEFINITIONS.**

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

***BUSINESS DISTRICT.*** The part of the city so designated by Council resolution.

***OPERATE.*** To ride on or upon or control the operation of a skateboard.

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

***SKATEBOARD.*** A device for riding upon, usually while standing, consisting of an oblong piece of wood, or of other composition, mounted on skate wheels.

(Ord. 06-03, passed 3-27-2006)

**§ 71.16 UNLAWFUL ACTS.**

(A) It is unlawful for any person to operate a skateboard under the circumstances set forth hereafter:

(1) On any public sidewalk, street or public parking lot;

(2) On private property of another without the express permission to do so by the owner or occupant of the property; and

(3) In any careless, reckless or negligent manner so as to endanger or be likely to endanger the safety of any person or property of any other person.

(B) It is unlawful for any person operating a skateboard to attach the same, or the person of the operator, to any vehicle upon a street.

(Ord. 06-03, passed 3-27-2006) Penalty, see § 71.99

#### **§ 71.17 HOURS OF USE.**

It is unlawful for any person to use a skateboard upon a public street, sidewalk or other roadway from 10:00 p.m. to 6:00 a.m., except on private property with express permission of owner, and except if the skateboard or operator are equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in from of lawful lower beams of head lamps on a motor vehicle. The reflective material shall be a minimum of 40 square inches. All reflective materials used in compliance with this subchapter shall meet the requirements as prescribed by the Commissioner of Public Safety.

(Ord. 06-03, passed 3-27-2006) Penalty, see § 71.99

#### **§ 71.18 VIOLATIONS; ENFORCEMENT.**

A person apprehended by a peace officer in violation of the provisions of this subchapter does, by his or her use of the public sidewalks, streets and public parking lots, consent to the impoundment by a peace officer of the skateboard for a period of three days upon a first offense, a week upon the second offense and 30 days upon a third or additional offense. Any operator aggrieved by the impoundment of his or her skateboard may petition the Council for a hearing thereon at the next regular Council meeting following the impoundment.

(Ord. 06-03, passed 3-27-2006)

#### **§ 71.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) The Police Department or any law enforcement agency is responsible for enforcement. An initial violation of §§ 71.01 through 71.04 of this chapter is punishable by a fine. State ATV and snowmobile fines in an amount in accordance with the current city fee schedule, depending on the violation. Initial fines are payable to the City Clerk-Administrator-Treasurer's office. Subsequent violations may be referred to District Court and are punishable by a fine of an amount in accordance with the current city fee schedule or by imprisonment for a period of not more than 90 days, or both, but, in either case, the costs of prosecution may be added.

(Ord. passed - -)