

TITLE VII: TRAFFIC CODE

Chapter

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CHAPTER 70: TRAFFIC REGULATIONS

Section

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- 70.02 Unreasonable acceleration or braking
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- 70.99 Penalty

Cross-reference:

Fees, see Chapter 35, Appendix A

Obedience to traffic laws by Fire Department personnel, see § 32.23

§ 70.01 ADOPTION OF TRAFFIC REGULATIONS.

The regulatory provisions of the Highway Traffic Regulation Act, M.S. Chapter 169, as amended, are hereby adopted as a traffic ordinance regulating the use of highways, streets and alleys within the city and are hereby incorporated in and made a part of this code as completely as if set out here in full. (Ord. 81, passed 3-5-1970) Penalty, see § 70.99

§ 70.02 UNREASONABLE ACCELERATION OR BRAKING.

(A) *Prohibition.* Any unreasonable acceleration or unreasonable braking of any motor vehicle on any public road or on any private road within the city is hereby declared to be a public nuisance and is prohibited.

(B) *Definitions; prima facie evidence.*

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

UNREASONABLE ACCELERATION. Accelerating in such manner as to cause squealing or screeching sounds by the tires of the vehicle or the throwing of sand or gravel by the tires of the vehicle or both.

UNREASONABLE BRAKING. Braking not in the sense of meeting an emergency stop, and braking in such manner as to cause squealing or screeching sounds by the tires of the vehicle, or throwing of sand or gravel by the tires of the vehicle or both.

(2) *Prima facie evidence.* Prima facie evidence of unreasonable acceleration or unreasonable braking shall be squealing or screeching sounds emitted by the tires or the throwing of sand or gravel by the tires of the vehicle or both.

(Ord. 83, passed 8-5-1971) Penalty, see § 70.99

Cross-reference:

Fee, see Chapter 35, Appendix A

Nuisances, see Chapter 93

§ 70.03 MOTORIZED GOLF CARTS.

(A) *Operation authorized.* Motorized golf carts may be operated on all city streets when a permit has been obtained pursuant to this section and the terms of this section are complied with. Any person operating a motorized golf cart under permit has all the rights and duties applicable to the driver of any vehicle, except when those provisions cannot reasonably be applied to motorized golf carts.

(B) *Permits.* Authorization to operate a motorized golf cart on city streets is by permit only. Permits shall be issued by the Chief of Police, or authorized designee, only to physically disabled persons, as defined in M.S. § 169.345, who have supplied the information required on the permit application. All permits shall expire one year from the date of issuance unless renewed. The fee for a permit shall be \$10.

(C) *Permit applications.*

(1) Each application for a permit shall be made on a form supplied by the city and shall include the following:

- (a) Date of application;
- (b) Name and address of the applicant;
- (c) The make and model of any identification number of the motorized golf cart to be operated under the permit;
- (d) A certificate signed by a physician stating that the applicant is capable of safely operating a motorized golf cart on the designated roadways;
- (e) Insurance company, policy number and liability limits;
- (f) Any other information as deemed necessary;
- (g) Proof that the motorized golf cart and the permitted operator are insured with bodily injury liability limits of \$30,000/60,000 and with property damage limits of \$10,000.

(2) The applicant must provide all information required above prior to being issued a permit.

(D) *Required equipment.*

(1) The following equipment is required on any motorized golf cart during operation upon the roadway of any street:

(a) The slow moving vehicle emblem provided for by state statute, properly mounted on the rear of the golf cart pursuant to state regulations; and

(b) A rear view mirror, properly mounted on the golf cart so as to reflect to the operator a view of the street for a distance of at least 200 feet to the rear of the golf cart.

(2) Any motorized golf cart and its operator during operation upon a roadway or street within the city shall at all times be insured as follows:

(a) Bodily injury liability limits of \$30,000/60,000; and

(b) Property damage limits in the amount of \$10,000.

(3) A certificate of valid insurance shall be present at any time any motorized city golf cart is operated upon any roadway or street within the city.

(E) *Other requirements.*

(1) All permits shall be issued for a specific golf cart and individual. The current permit shall be carried in the golf cart, indicating the number and year for which issued.

(2) Motorized golf carts shall not be operated during inclement weather or when visibility is impaired by weather, smoke, fog or other conditions.

(3) The motorized golf cart can only be operated during daylight hours between sunrise and sunset.

(4) If a licensed vehicle is disabled through mechanical failure or for needed repairs, the permit may be temporarily transferred to another golf cart for a seven-day period upon approval by the Chief of Police or authorized designee.

(F) *Revocation or modification of permits.* A permit issued under division (C) above may be revoked or modified at any time by the Chief of Police, or authorized designee, if there is evidence that the permit holder cannot safely operate a motorized golf cart on the streets within the city.

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(G) *Appeal.* Any person whose permit to operate a motorized golf cart has been revoked may appeal the revocation to the City Council. Appeals shall be submitted in writing to the City Clerk within 30 days of the date of revocation.

(Ord. 98-1, passed 6-11-1998)

§ 70.99 PENALTY.

(A) Any person, firm, or corporation who violates any provision of this code for which another penalty is not specifically provided shall, upon conviction, be penalized as provided in § 10.99.

(B) Any violation of the statutes adopted by reference in § 70.01 is a violation of this code and the violator shall be guilty of the offense and shall be punished by the penalty as prescribed by those statutes.

(C) Any person violating § 70.02 shall be guilty of a misdemeanor and shall be punished by a fine not to exceed \$300 or by imprisonment for a period not to exceed 90 days or both.

(Ord. 83, passed 8-5-1971)

CHAPTER 71: SNOWMOBILES AND OTHER RECREATIONAL VEHICLES

Section

Snowmobiles and Other Recreational Vehicles

- 71.01 Purpose
- 71.02 Definitions
- 71.03 Operation
- 71.04 Operation by minors
- 71.05 Equipment
- 71.06 Emergencies
- 71.07 Animals
- 71.08 Adoption of Minnesota Statutes

Cross-reference:

Fees, see Chapter 35, Appendix A

SNOWMOBILES AND OTHER RECREATIONAL VEHICLES

§ 71.01 PURPOSE.

Because the operation and use of snowmobiles and other recreational vehicles in an uncontrolled manner endangers the public peace, health, and safety of the city's inhabitants, the city adopts the following rules to regulate the operation and use of recreational vehicles and provide penalties for the improper use of recreational vehicles to greatly decrease the danger and to provide greater protection to the public peace, health and safety of the inhabitants of the city while snowmobiles and other recreational vehicles are operated and used in the city.

§ 71.02 DEFINITIONS.

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

ALL-TERRAIN VEHICLE. 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 of less than 800 cubic centimeters and total dry weight less than 800 pounds.

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

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

OWNER. A person, other than a lienholder, having the property in or title to a snowmobile or other recreational vehicle and entitled to the use or possession of the vehicle.

PERSON. An individual, partnership, corporation, the state and its agencies and subdivision and any body of persons, whether incorporated or not.

PUBLIC PROPERTY. Any real property owned by the city including all city parks and recreation areas.

RECREATIONAL MOTOR VEHICLE or **RECREATIONAL VEHICLE.** Any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes, including but not limited to a snowmobile, trail bike or other all-terrain vehicle, hovercraft, or motor vehicle licensed for highway operation that is being used for off-road recreational purposes.

ROADWAY. That portion of a highway improved, designed, or ordinarily used for vehicular travel.

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

§ 71.03 OPERATION.

Except as this chapter specifically permits and authorizes, no person shall operate a snowmobile, all-terrain vehicle or other recreational vehicle within the city limits:

(A) *Public roads.* On the portion of any right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel, except the most right-hand lane, (except in passing) which is used for vehicle traffic in the same direction, other than on freeways, interstate, trunk, county state aid, or county highways. A person may operate a snowmobile or other recreational vehicle upon the ditch bottom or outside of trunk, county state aid and county highways where such highways are so configured within the corporate limits.

(B) *Sidewalks.* On a public sidewalk provided for pedestrian travel.

(C) *Boulevards.* On boulevards within any public right-of-way.

(D) *Private property.* On private property of another without specific permission of the owner or person in control of the property.

(E) *Public property.* On any other public property, including parks and recreational areas, except as the city's ordinances may specifically permit.

(F) *Alcohol and drugs.* No person shall operate a snowmobile or other recreational vehicles within the city limits at any place while under the influence of alcohol or drugs, as defined in M.S. § 169.121, which is incorporated by reference.

(G) *Speed.* No person shall operate a snowmobile or recreational vehicle at a rate of speed greater than reasonable and proper under all surrounding circumstances. No person shall operate a snowmobile or recreational vehicle on public roadways at speeds greater than 30 miles per hour.

(H) *Recklessness.* No person shall operate a snowmobile or other recreational vehicle 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.

(I) *Towing.* No person shall operate a snowmobile or recreational vehicle so as to tow any person or thing in a public street or highway except through use of a rigid tow bar attached to the rear of the vehicle.

(J) *Operation near people.* No person shall operate a snowmobile or other recreational vehicle within 100 feet of any pedestrian, skating rink or sliding area where the operation would conflict with use or endanger other person or property.

(K) *Crossing streets or highways.* A snowmobile or recreational vehicle 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° to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

(2) The vehicle 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) If the crossing is made between the hours of ½ hour after sunset to ½ hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

(L) *Traffic laws.* City traffic ordinances shall apply to the operation of snowmobiles and recreational vehicles upon streets and highways, except for those relating to required equipment and except those which by their nature have no application.

(M) *Yielding.* No snowmobile or recreational vehicle shall 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.

Cross-reference:

Fee, see Chapter 35, Appendix A

§ 71.04 OPERATION BY MINORS.

(A) No person under 14 years of age shall operate on streets or the roadway surface of highways, or make a direct crossing of a trunk, county state-aid, county highway 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 chapter and make a direct crossing of streets and highways only if he or she has in his or her possession a valid snowmobile safety certificate issued by the commissioner, as provided by M.S. § 84.872.

(B) No owner of a snowmobile or recreational vehicle shall permit the vehicle to be operated contrary to the provisions of this section or state law.

§ 71.05 EQUIPMENT.

No Person shall operate a snowmobile or recreational vehicle any place within the city limits unless it is equipped with the appropriate equipment required by state law.

§ 71.06 EMERGENCIES.

Notwithstanding any prohibitions in this chapter, a snowmobile or other recreational vehicle may be operated on a public thoroughfare in an emergency during the period of time when, and at locations where, snow upon the roadway renders travel by automobile impractical.

§ 71.07 ANIMALS.

No person shall intentionally drive, chase, run over or kill any animal with a snowmobile or recreational vehicle.

§ 71.08 ADOPTION OF MINNESOTA STATUTES.

M.S. §§ 84.81 to 84.929 and the following sections of M.S. Chapter 169 are adopted by reference and shall be applicable to snowmobiles and recreational vehicles: M.S. §§ 169.09, 169.12, 169.15, 169.18, 169.19, 169.32, 169.33, 169.34 and 169.46.

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CHAPTER 72: PARKING REGULATIONS

Section

- 72.01 Trucks, trailers, and the like
- 72.02 Snow removal and parking; fines
- 72.03 Loading and unloading of livestock
- 72.04 Prohibited parking on all city streets

- 72.99 Penalty

Cross-reference:

Fees, see Chapter 35, Appendix A

Trailer houses, see Chapter 96

§ 72.01 TRUCKS, TRAILERS, AND THE LIKE.

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

SEMI-TRAILER. Every vehicle without motive power designed for carrying persons, livestock or other animals or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

STREET OR HIGHWAY. The entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic within the city.

TRAILER. Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

TRUCK. Every motor vehicle designed, used, or maintained primarily for the transportation of property.

TRUCK-TRACTOR. Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

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(B) *Parking restrictions.*

(1) No person shall park, stop, or leave standing any truck, truck-tractor, trailer, or semi-trailer, whether attended or unattended, on any street or highway in the city between the hours of 6:00 p.m. and 7:00 a.m.

(2) No person shall park, stop, or leave standing any truck, truck-tractor, trailer, or semi-trailer, whether attended or unattended, on any street or highway in the city for a period longer than two hours between the hours of 7:00 a.m. and 6:00 p.m. on any one day.

(3) No person shall park, stop, or leave standing any automobile, truck, truck-tractor, trailer, or semi-trailer, whether attended or unattended on any sidewalk or boulevard.

(4) No person shall park, stop, or leave any automobile, truck, truck-tractor, trailer, or semi-trailer, whether attended or unattended on any street or highway in the city on the side of the street or highway facing into the direction of oncoming traffic.

(5) Violation of the provisions of this division (B) shall be cited by the Police Department. The penalty for a violation shall be \$25 payable to the City Clerk. If the penalty is not paid within ten days of the date of the citation, the violation may be prosecuted as a petty misdemeanor.

(C) *Enforcement.*

(1) When any police officer finds a truck, truck-tractor, trailer, or semi-trailer standing upon a street or highway in violation of any of the provisions of division (B) above, the officer is hereby authorized to move such vehicle or require the driver or other person in charge of the vehicle to move the same.

(2) When any police officer finds a vehicle unattended upon any street or highway in violation of this section, such officer is hereby authorized to provide for the removal of such vehicle, the cost of which shall be borne by the operator of such vehicle.

(3) Any vehicle moved and re-parked within the city limits during the limited parking period shall be deemed to have remained stationary.

(Ord. 79-2, passed 7-11-1979) Penalty, see § 72.99

§ 72.02 SNOW REMOVAL AND PARKING; FINES.

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

DAY SNOW. Snow of one inch or more occurring between 6:00 a.m. and 6:00 p.m.

NIGHT SNOW. Snow of one inch or more occurring between 6:00 p.m. and 6:00 a.m.

STREET. Any street, avenue, or other public way in the city.

VEHICLE. Any self-propelled motor vehicle or other vehicle on wheels which would ordinarily travel on public streets.

(B) No person shall park a vehicle in the Central Business District on Central Avenue between the hours of 2:30 a.m. and 6:00 a.m., November 1 to April 1. Vehicles found parked or abandoned in the Central Business District on Central Avenue in violation of this provision shall be cited by the Police Department. The first offense shall be a \$25 fine; the second offense shall be a \$50 fine; recurring offenses shall be a \$100 fine. Owners of vehicles so cited shall pay the fine to the City Clerk. If the fines are not paid within ten days of the date of the citation, the violation may be prosecuted as a petty misdemeanor.

(C) On all other city streets, a parking ban shall go into effect at 12:00 a.m. when a night snow occurs. This parking ban shall remain in effect until the streets are plowed and cleared of snow. The first offense shall be a \$25 fine; the second offense shall be a \$50 fine; recurring offenses shall be a \$100 fine. Owners of vehicles so cited shall pay the fine to City Hall.

(D) No person shall remove snow from public or private property and deposit snow onto any public street or parking lot.

(E) In addition to the foregoing penalties, any person violating any provision of this section shall be penalized as provided in § 72.99.
(Ord. 79-3, passed 12-12-1979; Am. Ord. 97-4, passed 12-11-1997; Am. Ord. 2003-7, passed 11-13-2003) Penalty, see § 72.99

Cross-reference:

Fee, see Chapter 35, Appendix A

Public nuisances affecting peace and safety; failure to remove snow from sidewalks, see § 93.04

§ 72.03 LOADING AND UNLOADING OF LIVESTOCK.

It shall be unlawful for any person or persons to load or unload any livestock whatsoever to or from any truck on any public highway or street, except loading or unloading into or out of stockyards, within the city limits.

(Ord. 35, passed 3-21-1932) Penalty, see § 72.99

§ 72.04 PROHIBITED PARKING ON ALL CITY STREETS.

(A) No recreational vehicle, camper, travel trailer, camper top, boat, boat trailer or motor home shall be stored or parked for more than 48 hours on any city street.

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(B) No automobile shall be parked for more than 72 hours in the same location on any city street or parking lot.

Cross-reference:

Fee, see Chapter 35, Appendix A

§ 72.99 PENALTY.

Violation of any provisions of this chapter shall be a petty misdemeanor punishable by a fine not to exceed \$300 unless another provision is made in this chapter. 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.

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