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TITLE VII: TRAFFIC CODE

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§ 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. Ch. 169, as it may be amended from time to time, shall be applicable to this traffic code and Ch. 151 of this code of ordinances.

(Prior Code, § 7.01)

§ 70.02 APPLICATION.

The provisions of this traffic code and Ch. 151 of this code of ordinances 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 country, town, city, district or other political subdivision.

(Prior Code, § 7.02)

§ 70.03 SCOPE AND ORDERS OF OFFICERS.

(A) *Scope.* The provisions of this traffic code and Ch. 151 of this code of ordinances 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.

(Prior Code, § 7.03) Penalty, see § 70.99

§ 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.

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(B) *Temporary restrictions.* The city 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 sign-posted, 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 another authority.

(Prior Code, § 7.04) Penalty, see § 70.99

§ 70.05 STATE LAW ADOPTED.

Except as otherwise provided in this traffic code and Ch. 151 of this code of ordinances, the regulator and procedural provisions of M.S. Ch. 168, Ch. 169 (commonly referred to as the Highway Traffic Regulation Act) and Ch. 171, as they may be amended from time to time, are hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

(Prior Code, § 8.01)

SPECIAL VEHICLE USE BY HANDICAPPED PERSONS

§ 70.20 OPERATION AUTHORIZED.

Operation of motorized golf carts or four-wheel all-terrain vehicles are hereby authorized on the

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roadways of all streets, except such as are prohibited by resolution of the Council, and only in strict compliance with this subchapter. For the purpose of this subchapter, a ***FOUR-WHEEL ALL-TERRAIN VEHICLE*** is a motorized floatation-tired vehicle with four low-pressure tires.
(Prior Code, § 8.06)

§ 70.21 PERMITS.

(A) Permits shall be issued only to handicapped persons, as defined by statute.

(B) Application for a permit to operate a motorized golf cart or a four-wheel all-terrain vehicle on the roadways of streets shall include the name and address of the applicant and such 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 or a four-wheel all-terrain vehicle on the roadway of streets. All permits shall expire on December 31, unless renewed.

(C) The fee for a permit shall be fixed by resolution of the Council.
(Prior Code, § 8.06)

§ 70.22 UNLAWFUL ACTS.

It is unlawful for any person to operate a motorized golf cart or a four-wheel all-terrain vehicle on the roadway of a street unless:

(A) The operator has in possession a valid, current and unrevoked permit from the city;

(B) The operation is on a roadway which has not been designated as prohibited for the operation, except crossing at an intersection;

(C) The operation is during daylight hours between sunrise and sunset;

(D) 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;

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(E) The motorized golf cart or four-wheel all-terrain vehicle displays a slow moving vehicle emblem, as described by statute, on the rear thereof;

(F) The motorized golf cart or four-wheel all-terrain vehicle is equipped with rear view mirrors as required by statute for other vehicles;

(G) The operator has insurance coverage as provided by statute (presently M.S. § 65B.48, subd. 5, as it may be amended from time to time) for motorcycles; and

(H) The operator observes all traffic laws, except such as cannot reasonably be applied to motorized golf carts or four-wheel all-terrain vehicles.

(Prior Code, § 8.06) Penalty, see § 70.99

VEHICULAR NOISE

§ 70.35 GENERAL PROHIBITION.

No person shall make or cause to be made any distinctly and loudly audible noise through the use of a vehicle that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of any person or precludes his or her enjoyment of property or affects his or her property's value. This general prohibition is not limited by the specific restriction of the following subdivisions.

(Prior Code, § 8.07) (Ord. 18, effective 9-25-1995) Penalty, see § 70.99

§ 70.36 DYNAMIC ENGINE BREAKS.

No dynamic engine break shall be used within the limits of the city.

(Prior Code, § 8.07) (Ord. 18, effective 9-25-1995) Penalty, see § 70.99

§ 70.37 EXHAUST.

No person shall discharge the exhaust or permit the discharge of the exhaust of any engine

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without passing through a muffler or explosive noises therefrom and complies with all applicable state laws and regulations.

(Prior Code, § 8.07) (Ord. 18, effective 9-25-1995) Penalty, see § 70.99

§ 70.38 STATIONARY ENGINE NOISE.

No person shall allow a stationary engine to run continuously for a period of time that is objectionable as outlined in § 70.35 of this chapter. This would include truck engines and auxiliary engines.

(Prior Code, § 8.07) (Ord. 18, effective 9-25-1995) Penalty, see § 70.99

§ 70.99 PENALTY.

(A) Every person violates §§ 70.01 through 70.04 of this chapter when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished as follows.

(1) Where the specific section, division, paragraph or provision specifically make violation a misdemeanor, he or she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he or she shall be punished as for a misdemeanor; where he or she stands convicted of violation of §§ 70.01 through 70.04 of this chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(2) As to any violation not constituting a misdemeanor under the provisions of division (A)(1) above, he or she shall be punished as for a petty misdemeanor.

(Prior Code, § 7.99)

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(B) Every person violates §§ 70.05, 70.20 through 70.22, 70.35 through 70.38, Ch. 71 and Ch. 73 of this code of ordinances when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished as follows.

(1) Where the specific section, division, paragraph or provision specifically makes violation a misdemeanor, he or she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he or she shall be punished as for a misdemeanor; where he or she stands convicted of violation of any provision of §§ 70.05, 70.20 through 70.22, 70.35 through 70.38, Ch. 71 and Ch. 73 of this code of ordinances, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(2) As to any violations not constituting a misdemeanor under the provisions of division (B)(1) above, he or she shall be punished as for a petty misdemeanor.

(3) As to any violation of a provision adopted by reference, he or she shall be punished as specified in the provision so adopted.
(Prior Code, § 8.99)

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CHAPTER 71: TRAFFIC REGULATIONS

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§ 71.01 U-TURNS.

It is unlawful for any person to operate a motor vehicle by turning so as to proceed in the opposite direction upon any street, except at a street intersection, and then only if the street intersection is not sign-posted prohibiting a U-turn or otherwise controlled by a traffic signal; provided that, any person making a permitted U-turn shall yield the right-of-way to all other vehicles.

(Prior Code, § 8.03) Penalty, see § 71.99

§ 71.02 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.*

(1) 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.

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(2) 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. (Prior Code, § 8.04) Penalty, see § 71.99

§ 71.99 PENALTY.

Every person violates a section, division, paragraph or provision of this chapter when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished as follows.

(A) Where the specific section, division, paragraph or provision specifically makes violation a misdemeanor, he or she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he or she shall be punished as for a misdemeanor; where he or she stands convicted of violation of any provision of this chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(B) As to any violations not constituting a misdemeanor under the provisions of division (A) above, he or she shall be punished as for a petty misdemeanor.

(C) As to any violation of a provision adopted by reference, he or she shall be punished as specified in the provision so adopted.
(Prior Code, § 8.99)

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§ 72.01 PRESUMPTION.

As to any vehicle parking in violation of this traffic code and Ch. 151 of this code of ordinances 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.

(Prior Code, § 9.01)

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§ 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 or stop sign;
- (G) In a sign-posted fire lane;

(H) Alongside or opposite any street excavation or obstruction when the stopping, standing or parking would obstruct traffic;

- (I) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (J) Upon any bridge or other elevated structure upon a street;
- (K) At any place where official signs prohibit or restrict stopping, parking or both; or

(L) On any boulevard which has been curbed.

(Prior Code, § 9.02) Penalty, see § 72.99

§ 72.03 RECREATIONAL CAMPING VEHICLE PARKING.

(A) *Definition.* The term **RECREATIONAL CAMPING VEHICLE** means any of the following.

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(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) **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) *Unlawful act.* It is unlawful for any person to leave or park a recreational camping vehicle on or within the limits of any street or right-of-way for a continuous period in excess of 24 hours, except where signs are erected designating the place as a campsite or in a mobile home park; provided, however, that, during the 24-hour period, the vehicle shall not be occupied as living quarters.

(Prior Code, § 9.03) Penalty, see § 72.99

§ 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.

(Prior Code, § 9.04) Penalty, see § 72.99

§ 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.

(Prior Code, § 9.05) Penalty, see § 72.99

§ 72.06 PARALLEL PARKING.

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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.

(Prior Code, § 9.06) Penalty, see § 72.99

§ 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.

(Prior Code, § 9.07) Penalty, see § 72.99

§ 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.

(Prior Code, § 9.08) Penalty, see § 72.99

§ 72.09 PARKING HOURS.

Parking on streets shall be limited as follows.

(A) (1) It shall be unlawful for any person to stop, park or leave standing any vehicle upon any street between the hours of 2:00 a.m. and 6:00 a.m. for the months of November through March.

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(2) (a) Upon application, a person may obtain a permit from the City Administrator for extraordinary circumstances as determined by the City Administrator. The City Administrator may limit the length of time the permit being granted or place other restrictions on the permit. The Council may also establish a fee for the permit by resolution. Any decision to grant or deny a permit by the City Administrator may be appealed to the City Council.

(b) A vehicle registered to a person not living in the city shall be exempted from a fine for a period of four days for violating division (A)(1) above, but not any other part of this chapter or any other chapter of the city code. The vehicle may be towed at the owner's expense if it is deemed to be causing a hazard.

(c) If signs are placed on any street designating parking restrictions other than is stated in division (A)(1) above, the restrictions stated on the sign shall prevail for the designated area.

(B) The City Administrator 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, certain times of the day 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.

(C) It is unlawful for any person to remove, erase or otherwise obliterate any mark or sign placed upon a tire or other part of a vehicle by a police officer for the purpose of measuring the length of time the vehicle has been parked.

(D) For the purpose of enforcement of this section, any vehicle moved less than one block in a limited time parking zone shall be deemed to have remained stationary.

(Prior Code, § 9.09) (Ord. 12, effective 11-22-1993) Penalty, see § 72.99

§ 72.10 ADDITIONAL PARKING RESTRICTIONS.

(A) *Central Business District.* The area of Broadway Avenue between Park Street and Jefferson Street is hereafter designated "No Parking" from 2:00 a.m. to 5:00 a.m. It is unlawful to park any

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vehicle in violation of this section.

(B) *Parking on all other streets.*

(1) It is unlawful for any person to park or permit any vehicle or trailer to stand upon any street or alley, not described in division (A) above, for more than 24 consecutive hours.

(2) For the purpose of this section, any vehicle moved a distance of not more than one block during the 24-hour period shall be deemed to have remained stationary.

(3) Approval to extend parking beyond the 24-hour limit may be granted by the City Council or the City Administrator.

(Prior Code, § 9.10) Penalty, see § 72.99

§ 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 streets as specifically designated by the Council by resolution and sign-posted.

(B) It is unlawful to park any of the following described vehicles on any street or alley in a residential district for more than one hour:

(1) Trucks of a capacity of more than 10,000 pounds according to manufacturers rating;

(2) Trucks having an over-all length of more than 25 feet, or width at any point of more than eight and one-half feet;

(3) Dump trucks, tractors, truck-tractors, semi-trailers or any heavy machinery; or

(4) Any truck, trailer or semi-trailer which is being used for the transportation of livestock or has been used for the transportation of livestock and has not been cleaned.

(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

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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 truck or other vehicle using or equipped with a trailer, or extended body or other extension or projection beyond the original length of the vehicle, or any passenger bus, diagonally along any street, except for a time sufficient to load or unload, and, in such case, only parallel parking shall be permitted; provided, however, that, a truck may stand backed up to the curb if the weight or bulk of the load makes parallel parking impracticable, but then only for a period of time sufficient to load or unload.

(E) Parking of commercial vehicles is permitted in duly designated and sign-posted loading zones, and in alleys, for a period of up to 20 minutes; provided that, the alley parking does not prevent the flow of traffic therein, all of which shall be for the purpose of access to abutting or adjacent property while actively loading or unloading.

(Prior Code, § 9.11) Penalty, see § 72.99

§ 72.12 PARKING RULES IN CITY PARKING LOTS.

(A) 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 limitations and restrictions are marked or sign-posted thereon.

(B) 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.

(Prior Code, § 9.12) Penalty, see § 72.99

§ 72.13 IMPOUNDING AND REMOVING VEHICLES.

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. 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

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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 the place of storage or safekeeping.

(Prior Code, § 9.13)

§ 72.14 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.

(Prior Code, § 9.14) Penalty, see § 72.99

§ 72.15 PARKING FOR THE PURPOSE OF ADVERTISING OR SELLING MERCHANDISE.

It is unlawful for any person to park a vehicle on any street for the purpose of advertising the vehicle for sale, for the purpose of advertising for sale or selling merchandise thereon or therein, or advertising any merchandise for sale or a forthcoming event.

(Prior Code, § 9.15) Penalty, see § 72.99

§ 72.16 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.

(Prior Code, § 9.16) Penalty, see § 72.99

§ 72.17 PARKING FINES.

(A) The City Administrator shall hereafter administer and collect the fines and penalties for parking violations of this chapter.

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(B) Upon payment of any parking fine or penalty, the City Administrator shall, in return, issue an official city receipt to the party in violation and all moneys collected shall be deposited into the city account and shall be a part of the general fund of the city.
(Prior Code, § 9.17)

§ 72.99 PENALTY.

Every person violates a section, division, paragraph or provision of this chapter when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished as follows.

(A) Where the specific section, division, paragraph or provision specifically makes violation a misdemeanor, he or she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he or she shall be punished as for a misdemeanor where he or she stands convicted or violation of any provision of this chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(B) As to any violation not constituting a misdemeanor under the provisions of division (A) above, he or she shall be punished as for a petty misdemeanor.
(Prior Code, § 9.99)

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CHAPTER 73: RECREATIONAL VEHICLES

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GENERAL PROVISIONS

§ 73.01 DEFINITIONS.

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

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ALL-TERRAIN VEHICLE or **ATV**. Trail bikes, amphibious vehicles and similar devices, other than snowmobiles, used at least partially for travel on natural terrain, but not “special mobile equipment”, as defined in M.S. § 168.002, subd. 31, as it may be amended from time to time, which is hereby incorporated herein by reference.

MOTORCYCLE. Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, whether or not designed for use on streets and highways, including motor scooters, bicycles with motor attached other than those herein defined as motorized bicycles and mini-bikes.

MOTORIZED BICYCLE. A bicycle with fully operable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two break horsepower, which is capable of a maximum speed of not more than 30 mph on a flat surface with not more than 1% grade in any direction when the motor is engaged.

OPERATE. To ride in or on and have control of a recreational motor vehicle.

OPERATOR. The person who operates or is in actual physical control of a recreational motor vehicle.

OWNER. A person, other than a lien holder, having a property interest in, or title to, a recreational motor vehicle, who is entitled to the use or possession thereof.

RECREATIONAL MOTOR 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 motorcycle, motorized bicycle, all-terrain vehicle, snowmobile, hovercraft or motor vehicle licensed for highway operation which is being used for off-road recreational purposes.

SNOWMOBILE. A self-propelled vehicle designed for travel on snow or ice or natural terrain steered by wheels, skis or runners.
(Prior Code, § 8.05)

§ 73.02 OPERATING RESTRICTIONS.

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It is unlawful for any person to operate a recreational motor vehicle as follows:

(A) On a public sidewalk or walkway provided or used for pedestrian travel;

(B) On private property of another without lawful authority or permission of the owner or occupant;

(C) On any lands owned or occupied by a public body or on frozen waters, school grounds, park property, playgrounds, recreational areas, private roads, platted but unimproved roads, utility easements, public trails and golf courses; provided, however, that, the Council may, by resolution, specifically permit use on city property, in which event the shortest route to and from areas so permitted shall be used;

(D) While the operator is under the influence of liquor or narcotics or habit-forming drugs;

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

(F) In a careless, reckless or negligent manner so as to endanger the person or property of another or cause injury or damage thereto;

(G) Towing any person or thing on a public street or highway, except through the use of a rigid tow bar attached to the rear of an automobile; and/or

(H) Chasing, running over or killing any animal, wild or domestic.
(Prior Code, § 8.05) Penalty, see § 73.99

§ 73.03 OWNER RESPONSIBILITY.

(A) It is unlawful for the owner of any recreational motor vehicle to permit its operation on private property without permission of the owner or occupant, on city property without the permission of the Council, or on other public property without permission of the body in charge thereof.

(B) For purposes of this section, the owner shall be conclusively presumed to have given the permission unless the recreational motor vehicle so operated shall have been reported stolen to a law

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enforcement agency.

(Prior Code, § 8.05) Penalty, see § 73.99

§ 73.04 ADDITIONAL SNOWMOBILE OPERATING REGULATIONS; EQUIPMENT.

(A) Additional snowmobile operating regulations.

(1) It is unlawful for any person to operate a snowmobile upon the roadway, shoulder or inside bank or slope of any street or highway. Operation in the ditch or on the outside bank within the right-of-way of any street or highway, except interstate highways or freeways is permitted in conformance with state law and the city code, unless the roadway directly abuts a public sidewalk or walkway or property used for private purposes. Between the hours of one-half hour after sunset to one-half hour before sunrise, any operation may only be on the right-hand side of the street or highway and in the same direction as the highway traffic on the nearest lane of the roadway adjacent thereto.

(2) A snowmobile may make a direct crossing of a street or highway, except an interstate highway or freeway; provided:

(a) 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 or main traveled way of the highway;

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

(d) 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.

(3) No snowmobile shall enter any uncontrolled intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians which constitute an immediate hazard.

(4) Notwithstanding any prohibition in this section, a snowmobile may be operated on a

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public thoroughfare in an emergency during the period of time when, and at locations where, snow upon the roadway renders travel by automobile impractical.

(5) No person under 14 years of age shall operate on streets or highways or make a direct crossing of a street or highway 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 or highways as permitted under this section and make a direct crossing thereof only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued by the Commissioner of Conservation as provided by M.S. § 84.86, as it may be amended from time to time. It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this division (A)(5).

(B) *Snowmobile equipment.* It is unlawful for any person to operate a snowmobile unless it is equipped with the following:

(1) Standard mufflers which are properly attached and in constant operation, and which reduce the noise of operation of the motor to the minimum necessary for operation. Mufflers shall comply with Regulation CONS. 55 which is hereby adopted by reference as it existed on 9-1-1970. No person shall use a muffler cut-out, by-pass, straight pipe or similar device on a snowmobile motor, and the exhaust system shall not emit or produce a sharp popping or crackling sound;

(2) Brakes adequate to control the movement of and to stop and hold the snowmobile under any conditions of the operations;

(3) A safety or so-called "deadman" throttle in operating condition, so that when pressure is removed from the accelerator or throttle, the motor is disengaged from the driving track;

(4) At least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least one red tail lamp having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness under normal atmospheric conditions. The equipment to be in operating condition when the vehicle is operated between the hours of one-half hour after sunset to one-half hour before sunrise or at times of reduced visibility; and

(5) Reflective material at least 16 inches on each side, forward of the handlebars, so as to

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reflect or beam light at a 90-degree angle.
(Prior Code, § 8.05) Penalty, see § 73.99

BICYCLES

§ 73.15 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 traffic code, except as to special regulations in this traffic code, and except as to those provisions of this traffic code which, by their nature, can have no application.
(Prior Code, § 8.02)

§ 73.16 MANNER AND NUMBER RIDING.

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

(B) 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.
(Prior Code, § 8.02) Penalty, see § 73.99

§ 73.17 HITCHING RIDES.

It is unlawful for any person riding upon any bicycle, coaster, roller skates, toboggan, sled, skateboard or toy vehicle to attach the same or himself or herself to any vehicle upon a roadway.
(Prior Code, § 8.02) Penalty, see § 73.99

§ 73.18 WHERE TO RIDE.

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(A) Every person operating a bicycle 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.

(B) Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.

(C) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use the paths and shall not use the roadway.

(Prior Code, § 8.02) Penalty, see § 73.99

§ 73.19 RIGHT-OF-WAY; SIDEWALKS.

Whenever a person is riding a bicycle 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 a bicycle on a sidewalk in a business district or to park a bicycle upon a sidewalk, except where parking stalls have been provided.

(Prior Code, § 8.02) Penalty, see § 73.99

GOLF CARTS

§ 73.35 OPERATION AUTHORIZED.

Operation of motorized golf carts vehicles are 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 subchapter. For the purpose of this subchapter, a ***GOLF CART*** is a vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes equipped with three or four low pressure tires and is not capable of exceeding speeds of 20 mph.

(Prior Code, § 8.08) (Ord. effective 10-12-2015)

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§ 73.36 PERMITS.

(A) Application for a permit to operate a motorized golf cart and ATV on the roadways of streets shall include:

(1) The name and address of the applicant;

(2) Copy of a current driver's license; and

(3) Proof of insurance and such other information as may from time to time be required by the Council.

(B) Permits expire on December 31, unless renewed.

(C) The fee for a permit shall be fixed by resolution of the Council.
(Prior Code, § 8.08) (Ord. effective 10-12-2015)

§ 73.37 UNLAWFUL ACTS.

It is unlawful for any person to operate a motorized golf cart or ATV on the roadway of a street unless:

(A) The operator has in possession a valid, current and unrevoked permit from the city;

(B) The operation is on a roadway which has not been designated as prohibited for the operation, except crossing at an intersection;

(C) The operation is during daylight hours between sunrise and sunset;

(D) 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;

(E) The motorized golf cart or ATV vehicle displays a slow moving vehicle emblem, as described by statute, on the rear thereof;

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(F) The motorized golf cart or ATV is equipped with rear view mirrors as required by statute for other vehicles;

(G) The operator has insurance coverage as provided by statute; and

(H) The operator observes all traffic laws, except such as cannot reasonably be applied to motorized golf carts or four-wheel all-terrain vehicles.

(Prior Code, § 8.08) (Ord. effective 10-12-2015) Penalty, see § 73.99

§ 73.99 PENALTY.

Every person violates a section, division, paragraph or provision of this chapter when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished as follows.

(A) Where the specific section, division, paragraph or provision specifically makes violation a misdemeanor, he or she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he or she shall be punished as for a misdemeanor; where he or she stands convicted of violation of any provision of this chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(B) As to any violations not constituting a misdemeanor under the provisions of division (A) above, he or she shall be punished as for a petty misdemeanor.

(C) As to any violation of a provision adopted by reference, he or she shall be punished as specified in the provision so adopted.

(Prior Code, § 8.99)