



CITY OF GRAND RAPIDS

Meeting Agenda Full Detail City Council Work Session

Monday, September 24, 2018

4:00 PM

Conference Room 2A

CALL TO ORDER: Pursuant to due notice and call thereof a Special Meeting/Worksession of the Grand Rapids City Council will be held on Monday, September 24, 2018 at 4:00 p.m. in City Hall Conference Room 2A, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL: On a call of roll, the following members were present:

Discussion Items

1. 18-0592 Discuss proposed amendment to Chapter 66-Traffic & Vehicles of the Grand Rapids Municipal Code.
Attachments: proposed chapter 66 update 09-2018
2. 14-0789 Review 5:00 PM Regular Meeting

ADJOURN

Attest: Kimberly Gibeau, City Clerk



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #:	18-0592	Version:	1	Name:	Discuss to amend Chapter 66 to the City Code, which addresses traffic and vehicles.
Type:	Agenda Item	Status:		Status:	CC Worksession
File created:	9/11/2018	In control:		In control:	City Council Work Session
On agenda:	9/24/2018	Final action:		Final action:	
Title:	Discuss proposed amendment to Chapter 66-Traffic & Vehicles of the Grand Rapids Municipal Code.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	proposed chapter 66 update 09-2018				

Date	Ver.	Action By	Action	Result
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Discuss proposed amendment to Chapter 66-Traffic & Vehicles of the Grand Rapids Municipal Code.

Background Information:

As part of the police department's efforts to update city ordinances, the department reviewed City Ordinance Chapter 66 TRAFFIC AND VEHICLES. We recommend the ordinance be amended to reflect current practices. In incorporating these amendments the ordinance:

- Eliminates "Congested District"
- Eliminates unnecessary language reference vehicle lockouts
- Clarifies that firefighters can direct traffic for other needs other than a fire i.e. car crashes
- Eliminates "Commissioner of Highways" and replaces it with "Minnesota Department of Transportation."
- Clarifies that the Public Works Director is responsible for signage, lane markings and street closures.
- Eliminates prohibition of U-turns at traffic semaphores as state law describes safe flow of traffic
- Reflects the vehicle towing/impounding procedure actually used by the police department
- Changes the area in which snowmobiles are prohibited from operating to be the same as for ATVs i.e. central business district
- Changes the parking citation procedure to reflect the method actually used
- Clarifies that the prohibition on 24 hour parking on city streets includes trailers, campers and other recreational vehicles.
- Eliminates "Time Limited Parking Zones" on city streets as there are none
- Eliminates "Loading Zones" as there are none
- Eliminates "No Truck Parking Zones" as there are none
- Prohibits the parking of vehicles that block driveways and blocking mailboxes at a time when mail is being delivered
- Prohibits the moving of barricades or obstructions placed by the city to block off public property i.e. parking lots,

public roads

- Prohibits tampering with regulatory signs i.e. removing temporary No Parking signs
- Prohibits the placement of signs and other objects that attempt to interfere with the use of a public street
- Clarifies that rock, dirt and metal storage containers cannot be placed on city streets without the approval of the public works director
- Clarifies that truck parking on city streets are trucks that meet a minimum weight requirement, requires a commercial driver's license and are specific to residential streets.
- Eliminates "Unclaimed Bicycles" as it is covered under the ordinance that addresses unclaimed property coming into possession of the city
- Eliminates the prohibition against riding on sidewalks
- Changes the Golf Course permit to require operator information and eliminates need for insurance to make that section congruent with ATVs
- Eliminates need for a slow moving vehicle emblem on the back of a golf cart.
- Eliminates redundancy of golf carts following traffic laws and intersections as they are required to comply with all traffic laws
- Clarifies that the operation of skateboards is prohibited in the same area as snowmobiles, ATVs and golf carts i.e. central business district.

Staff Recommendation:

It is the Police Department's recommendation that Chapter 66 be amended by the City Council to reflect current practices.

Chapter 66 - TRAFFIC AND VEHICLES

Cross reference— Any ordinance establishing traffic regulations for specific locations not codified in this Code saves from repeal, § 1-12(15); supplemental regulations for parking of commercial vehicles, § 30-561; offenses and miscellaneous provisions, ch. 42; motorized vehicles in any city park facility, § 42-5; streets, sidewalks and other public places, ch. 58.

State Law reference— Traffic generally, Minn. Stat. ch. 169; powers of local authorities, Minn. Stat. §§ 169.022, 169.04.

ARTICLE I. - IN GENERAL

Sec. 66-1. - Definitions.

Any term used in this chapter and defined in Minn. Stat. § 169.01 has the meaning given it by that section and as used in this chapter, the following terms shall mean:

~~Congested district~~ includes the following streets:

- ~~(1) Third Avenue West between Third Street North and Fifth Street North;~~
- ~~(2) Second Avenue West between platted First Street North and Sixth Street North;~~
- ~~(3) First Avenue West between platted First Street North and Sixth Street North;~~
- ~~(4) Pokegama Avenue between the Pokegama Avenue Bridge and Fifth Street North;~~
- ~~(5) First Avenue East between Second Street North and Fifth Street North;~~
- ~~(6) Second Avenue East between Third Street North and Fifth Street North;~~
- ~~(7) Second Street North between First Avenue East and Second Avenue West;~~
- ~~(8) Third Street North between Third Avenue West and Second Avenue East;~~
- ~~(9) Fourth Street North between Third Avenue West and Second Avenue East;~~
- ~~(10) Fifth Street North between Third Avenue West and Second Avenue East; and~~
- ~~(11) Sixth Street North between Second Avenue West and First Avenue West.~~

Truck means any vehicle or combination of vehicles or trailers whose total weight loaded or unloaded exceeds 10,000 pounds, or is registered with a gross weight of 12,000 pounds or greater.

(Code 1978, § 41.01)

~~Sec. 66-2. - Vehicle lockouts.~~

~~The police department, upon request, may open motor vehicles which have been locked with the keys inside. The police department shall require, in nonemergency situations, a signed waiver/release of liability prior to unlocking a motor vehicle. The chief of police may establish procedures for responding to citizens with vehicle lockouts. The fee for successfully unlocking any motor vehicle shall be as set forth by resolution and shall be payable within ten days. Failure to pay the fee within ten days shall constitute a petty misdemeanor.~~

(Code 1978, § 41.111)

Secs. 66-3—66-30. - Reserved.

ARTICLE II. - ADMINISTRATION AND ENFORCEMENT²¹

Cross reference— Administration, ch. 2.

Sec. 66-31. - Police duties.

The police department shall enforce the provisions of this chapter and the state traffic laws. The 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 laws.

(Code 1978, § 41.14)

Sec. 66-32. - Fire department officers ~~traffic direction~~

The members of the fire department may direct or assist the police in directing traffic at the scene of a fire or other public safety incident. ~~in the immediate vicinity.~~

(Code 1978, § 41.14)

Cross reference— Officers and employees, § 2-61 et seq.; fire prevention and protection, ch. 22.

Sec. 66-33. - Establishment of turning restrictions.

- (a) Intersections where the turning of vehicles to the left or to the right, or both, are as established by resolution restricted at all times or during specified hours. The Public Works Director shall mark by appropriate signs any intersection so designated. No intersection on a trunk highway shall be so designated until the consent of the Minnesota Department of Transportation ~~commissioner of highways to such designation~~ is first obtained.
- (b) ~~The chief of police~~ Public Works Director may, whenever necessary to preserve a free flow of traffic or to prevent accidents, designate any intersection ~~within the congested districts~~ as one where the turning of vehicles to the left or to the right, or both, is to be restricted and shall ~~cause to be marked~~ by appropriate signs any intersection so designated; but no intersection on a trunk highway shall be so designated until the consent of the ~~state~~ Minnesota Department of Transportation ~~commissioner of highways~~ to such designation is obtained.

(Code 1978, § 41.02(a), (c))

State Law reference— Turning movements, Minn. Stat. § 169.19; obedience to traffic control devices required, Minn. Stat. § 169.06, subd. 4.

Sec. 66-34. - Establishment of through streets and one-way streets.

Through highways or one-way roadways are as designated by resolution. The Public Works Director shall post appropriate signs at the entrance to such street. No trunk highway shall be so designated unless the consent of the Minnesota Department of Transportation ~~commissioner of highways~~ to such designation is first secured.

(Code 1978, § 41.03)

Cross reference— Streets, sidewalks and other public places, ch. 58.

State Law reference— Authority to designate through streets, Minn. Stat. § 169.04(5); through streets, Minn. Stat. §§ 169.20, subd. 3, 169.30; authority to designate one-way streets, Minn. Stat. § 169.04(4); one-way streets, Minn. Stat. § 169.18, subd. 6; obedience to traffic control devices required, Minn. Stat. § 169.06, subd. 4.

Sec. 66-35. - Establishment of safety zones, lanes of 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 ~~Public Works Director~~ ~~chief of police~~ may establish safety zones, lanes of traffic and stop intersections and he or she may order installation ~~by the Public Works Director~~ of stop signs, yield signs, warning signs, signals, pavement markings or other devices. No regulation may be established on a trunk highway unless the consent of the ~~Minnesota Department of Transportation commissioner of highways~~ is first secured.

(Code 1978, § 41.08)

State Law reference— Driving through safety zones, Minn. Stat. § 169.25; obedience to traffic control devices required, Minn. Stat. § 169.06, subd. 4; authority to designate stop intersections, Minn. Stat. § 169.04(5).

Sec. 66-36. - ~~City employee parking spaces.~~—Road Closures

~~Areas or places where the right to park is reserved for designated city employees are as established by resolution. The Public Works Director shall mark by appropriate signs the areas or places so designated. If authorized by resolution the police department shall tow away any such illegally parked cars at the owner's expense.~~

Except in case of an emergency, city street closures must be approved by the Public Works Director.

(Code 1978, § 41.05(d))

State Law reference— Authority to restrict parking, Minn. Stat. § 169.04(1); stopping, standing and parking, Minn. Stat. § 169.32 et seq.; obedience to traffic control devices required, Minn. Stat. § 169.06, subd. 4.

Sec. 66-37. - Weight restrictions generally.

Streets on which travel by commercial vehicles in excess of the posted gross weight is prohibited are as designated by resolution. The Public Works Director shall ~~cause to be erected~~ appropriate signs on such streets.

(Code 1978, § 41.04(a))

State Law reference— Local restrictions on weight, Minn. Stat. §§ 169.04(6), 169.825, subd. 15, 169.87; obedience to traffic control devices required, Minn. Stat. § 169.06, subd. 4.

Sec. 66-38. - Vehicle impoundment.

- (a) ~~The city police department may take into custody and impound any abandoned or unauthorized motor vehicle as defined by Minn. Stat. § 168B.04. Any vehicle so removed may at the discretion of the police department be removed to the city impound lot, a garage or other place of safety. The city impound lot shall be open Monday through Friday from 8:00 a.m. to 4:30 p.m.~~
- (b) The owner or lienholder of an impounded vehicle shall have a right to reclaim such vehicle from the city in accordance with state law ~~from the city~~ upon completion of the following:
 - (1) Presentation of proof to the satisfaction of the police department of a legal right to reclaim the vehicle;
 - (2) Presentation of proof of the existence of insurance, as required by law, on the vehicle; if the vehicle is to be driven and
 - (3) Payment of all towing charges and storage charges ~~and administrative fees resulting from the taking of the vehicle into custody within the timeframe set forth in Minn. Stat. § 168B.07. The storage fees and administrative fees are as established by resolution. Payment for towing charges and storage and administrative fees shall be made and received at the police department Monday through Friday from 8:00 a.m. to 4:30 p.m.~~
- (c) When an impounded vehicle is taken into custody by the police department, the police department shall ~~cause notice to be given to the owner on record, according to the State, give notice of the taking as provided by Minn. Stat. § 168B.06. An impounded vehicle is eligible for disposal or sale after the waiting period set forth in Minn. Stat. § 168B.051. If an abandoned or unauthorized vehicle and contents taken into custody by the police department is not reclaimed, it may be sold pursuant to Minn. Stat. § 168B.08 at auction or sale. Abandoned or junked vehicles not sold by the city pursuant to Minn. Stat. § 168B.08 shall be disposed of pursuant to Minn. Stat. § 168B.09.~~
- ~~(d) From the proceeds of a sale by the city of an abandoned or unauthorized motor vehicle, the city shall reimburse itself for the cost of towing, preserving and storing the vehicle, and all administrative, notice and publication costs incurred in the handling of the vehicle. Any remainder from the proceeds of a sale shall be held for the owner of the vehicle or entitled lienholder for 90 days and then shall be deposited in the general fund of the city.~~

(Code 1978, § 41.05(f))

Secs. 66-39—66-70. - Reserved.

ARTICLE III. - VEHICLE OPERATION GENERALLY

Sec. 66-71. - Exhibition driving prohibited.

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 of sand or gravel or in a manner simulating a race. 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.

(Code 1978, § 41.10)

~~**Sec. 66-72. - U-turns.**~~

~~No person shall turn a vehicle so as to reverse its direction on any street in the congested district or at any intersection where traffic is regulated by a traffic control signal.~~

Sec. 66.72 Barricades and Regulatory Signs

- (a) No person shall drive over, through or around any barricade, fence or other obstruction erected by the City for the purpose of preventing traffic from passing over a portion of public property, including roadways, trails, driveways and parking lots, that are closed to the public.
- (b) No person shall remove, deface, relocate or damage any barricade, fence, other obstruction or regulatory sign placed in accordance with this section.
- (c) No person shall place a sign or other object on or adjacent to a public roadway so as to disrupt the flow of traffic or interfere with the legal use of such roadway.

(Code 1978, § 41.02(b))

State Law reference— Turning movements, Minn. Stat. § 169.19.

Sec. 66-73. - Operation on certain streets prohibited; exception.

The Public Works Director may prohibit the operation of vehicles upon any street under his jurisdiction or impose weight restrictions on vehicles to be operated on such street whenever the street, by reasons 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 cause notice to be given ~~erect and maintain signs plainly~~ indicating the prohibition or restriction ~~at the city limit lines~~. No person shall operate a vehicle on a ~~posted~~ street in violation of the prohibition or restriction, except that travel on certain streets may be allowed by prior permit of the Public Works Director. ~~The Public Works Director shall issue such a permit upon a showing that the route to be used is the only available route and a further showing that the operation of the vehicle on the street will not damage the street or endanger public safety.~~

(Code 1978, § 41.04)

Cross reference— Streets, sidewalks and other public places, ch. 58.

Sec. 66-74. - Engine retarder brakes.

Use of engine retarder brakes is prohibited within the city, except in an emergency.

(Code 1978, § 41.04(f))

State Law reference— Local weight restrictions, Minn. Stat. §§ 169.04(6), 169.825, subd. 15, 169.87; local permits, Minn. Stat. § 169.851; obedience to traffic control devices required, Minn. Stat. § 169.06, subd. 4.

Sec. 66-75. - Snowmobiles.

- (a) Operation of a snowmobile within the city is prohibited except as authorized by this article.
 - (1) Snowmobiles shall not be operated within the ~~area described in 66.76 (b) 1-6 following described area, except as provided in this section: Commencing at the point where the southerly extension of the west boundary of Third Avenue West intersects with the Mississippi River, then~~

~~north along the east west boundary of Third Avenue West to the north boundary of Fifth Street West, thence east on the north boundary of Fifth Street to the east boundary of Second Avenue East to the Mississippi River, thence west along the north bank of the Mississippi River to the point of beginning. A snowmobile may be operated in the area described in 66.76 (b) 1-6 this subsection in an emergency as determined by the Chief of Police or his/her designee during the period of time when and at the location where snow upon the roadway renders travel by automobile impractical.~~

- (2) Snowmobiles shall not be operated in close proximity to any hospital, school, skating rink or playground ~~except as authorized by the Chief of Police or his/her designee.~~
 - (3) Snowmobiles shall not be operated on city sidewalks, except those sections of sidewalk that are part of the city's designated snowmobile route.
 - (4) Snowmobiles shall not be operated upon the private property of another, without claim of right or consent of the owner or the consent of one who has the right to give consent, except in an emergency situation.
- (b) Snowmobiles may be operated on the streets, avenues and alleyways of the city except that they shall not be operated ~~in the area described in 66.76 (b) 1-6.~~
- (1) ~~Commencing at the point where the southerly extension of the west boundary of Third Avenue west intersects with the Mississippi River, then north along the west boundary of Third Avenue west to the north boundary of Fifth Street West, thence east on the north boundary of Fifth Street to the east boundary of Second Avenue east to the Mississippi River, thence west along the north bank of the Mississippi River to the point of beginning.~~
 - (2) ~~In close proximity to any hospital, school, skating rink or playground.~~
- (c) ~~A snowmobile may be operated on any roadway of the city in an emergency during the period of time when and at the location where snow upon the roadway renders travel by automobile impractical.~~
- (d) A snowmobile may not be operated on the streets, avenues and alleyways of the city and designated city snowmobile trails unless:
- (1) The snowmobile is operated ~~as far to the right of on~~ the traveled portion of the street, avenue or alley, as is reasonable and prudent without traveling on any snow banked along the street, avenue or alley.
 - (2) The operator stops his snowmobile at every intersection.
 - (3) The operator yields to the right-of-way of all motor vehicles and pedestrians.
 - (4) The snowmobile is not operated at a speed greater than 15 miles per hour.
 - (5) All snowmobiles traveling in the same direction must travel in single file.
 - (6) The snowmobile is operated within the city limits between the hours of 7:00 a.m. and 12:00 midnight, except in an emergency ~~as determined by the Chief of Police or his/her designee during the period of time when and at the location where snow upon the roadway renders travel by automobile impractical.~~
- (e) ~~No person under 14 years of age shall make a direct crossing of a trunk, county state-aid, county highway or city street as the operator of a snowmobile, or operate a snowmobile upon a street or highway within the city. A person 14 years of age or older, but less than 18 years of age, may make a direct crossing of a trunk, county state-aid, county highway or city street only if the person has in his immediate possession a valid snowmobile safety certificate issued by the commissioner or a valid motor vehicle operator's license issued by the commissioner of public safety or the drivers license authority of another state, all as provided by Minn. Stat. § 84.872.~~

State Law reference— Similar provisions, Minn. Stat. § 84.872, subd. 1.

- (f) Drivers of snowmobiles must abide by all state statutes and regulations.
- (g) All snowmobiles operated on any street, avenue, or alleyway in the city shall be equipped with the manufacturer's specified stock muffler, one front light, one taillight and brakes.

(Code 1978, § 41.12)

State Law reference— Similar provisions, Minn. Stat. § 84.871; snowmobiles, Minn. Stat. § 84.81 et seq.

Sec. 66-76. - All-terrain vehicles (ATVs).

- (a) *Definitions.* For the purposes of Grand Rapids City Ordinances, the terms defined herein shall have the meaning ascribed to them:

ATV or all-terrain vehicle shall mean all-terrain vehicles defined in Minn. Stat. § 84.92 as may be amended from time to time.

Owner means a person, other than a lienholder, having property in or title to an ATV, entitled to the use or possession thereof.

Operator means a person who operates or is in actual physical control of an ATV.

Person includes an individual, partnership, corporation, the state and its agencies and subdivisions, and any body of persons, whether incorporated or not.

Roadway means that portion of a highway improved, designed or ordinarily used for vehicular traffic.

- (b) *ATV restrictions.*

- (1) Operation of an ATV within the city is prohibited except as authorized by this section.
- (2) ATVs shall not be operated within the portion of the city depicted in the ATV central business district restricted area map, except during an emergency when snow upon the roadway renders travel by automobile impractical. This map may be obtained through the city's police department.
- (3) ATVs shall not be operated upon the campus of a hospital or school, upon the property of a skating rink, city park, playground or city property, except on designated ATV routes, nor shall they be operated within an area prohibiting their use by signs.
- (4) ATVs shall not be operated on city sidewalks, except those sections of sidewalk that are part of the city's designated ATV route.
- (5) ATVs shall not be operated along state roadways within the municipal limits of Grand Rapids except in the most direct crossing thereof.
- (6) ATVs shall not be operated upon the private property of another without claim of right or consent of the owner or consent of one who has the right to give consent except in an emergency situation.

- (c) *ATV allowed operation.* ATVs may be operated on the streets, avenues, alleyways and property of the city as follows:

- (1) An ATV may not be operated on the streets, avenues and alleyways of the city and designated city ATV trails unless:
 - a. The ATV is operated to the far right on the traveled portion of the street, avenue, alley or designated ATV trail as is reasonable and prudent.

- b. The operator stops the ATV at every intersection.
 - c. The operator yields to the right-of-way of all motor vehicles and pedestrians.
 - d. The ATV is not operated at a speed greater than 15 miles per hour or in excess of any posted speed limits.
 - e. All ATVs traveling in the same direction must travel in single file.
 - f. Except as provided in this section, all operation of all-terrain vehicles shall be in compliance with Minn. Stat. §§ 84.92—84.928 and Minnesota Rules Chapter 6102, as well as any other applicable federal, state or local rule, regulation or ordinance.
- (2) Operators of ATVs must abide by all state statutes and regulations.
 - (3) All ATVs operated on any street, avenue, alleyway, city property or designated ATV trail in the city shall be equipped as described in Minn. Stat. §§ 84.928(2) and 6102.0040.
- (d) *Penalty.* Every person convicted of violation of any provisions in this section shall be guilty of a misdemeanor.

(Ord. No. 13-05-08, 5-28-2013; Ord. No. 17-07-06, Exh. A, 7-24-2017)

Secs. 66-77—66-100. - Reserved.

ARTICLE IV. - STOPPING, STANDING AND PARKING¹³¹

Editor's note— Ord. No. 07-02-03, adopted Feb. 12, 2007, amended former Art. IV, §§ 66-101—66-114, in its entirety which pertained to the same subject material and derived from the Code of 1978.

Cross reference— Off-street loading, § 30-651 et seq.

State Law reference— Authority to regulate standing or parking of vehicles, Minn. Stat. § 169.04(1); stopping, standing and parking, Minn. Stat. § 169.32 et seq.

Sec. 66-101. - Prima facie violation.

The presence of any motor vehicle on any street or city parking lot when standing or parked in violation of this article is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

(Ord. No. 07-02-03, 2-12-2007)

Sec. 66-102. - Parking citations.

The police department shall may issue a parking citation for any vehicle parked in violation of this article. ~~The owner or operator may, within five business days after the time when such notice was attached to such vehicle, pay in full satisfaction for overtime parking violations, the sum of \$10.00 and for all other illegal parking violations, the sum of \$15.00. Payment shall be made to the police chief's authorized civilian deputy located at the city hall police headquarters, or alternatively, payment may be made by deposition the citation with payment in any appropriately designated courtesy box or mailing the citation with payment and proper postage in the United States Postal Service. If the penalty for such violations is not paid within five business days, the fine shall then become \$15.00 for overtime violations and \$25.00 for all other illegal parking violations if paid before a summons is issued. A summons will be issued 30 days after the notice is attached to the vehicle if such fine is not paid prior thereto. If the amount is not paid before a summons is issued for the violation, the bail and fine for such violation shall~~

~~be set by the court with a minimum fine of \$50.00, provided that no summons shall be issued unless a notice of violation by first class mail has been sent by the police department to the last registered owner of the vehicle involved.~~

(Ord. No. 07-02-03, 2-12-2007)

Sec. 66-103. - Removing keys.

~~No person shall leave a motor vehicle except a truck which is engaged in loading or unloading, unattended on any street, used car sales lot or unattended parking lot without first stopping the engine, locking the ignition, and removing all ignition keys from the vehicle. Whenever any police officer finds any motor vehicle standing in violation of this provision he shall remove the keys from the vehicle and deliver them to the police station. police headquarters. Any officer removing keys from a motor vehicle in violation of this section shall leave information in a conspicuous place in or on the vehicle informing the operator that the keys have been delivered to police headquarters.~~

(Ord. No. 07-02-03, 2-12-2007)

Sec. 66-104. - General time limit.

~~No vehicle, as defined by Minnesota Statute, or other object, including trailers, campers, other recreational vehicles, large metal containers, dirt or rock shall be parked or left upon any street or city parking lot in any one place for a longer continuous period than 24 hours without prior permission from the Public Works Director or Chief of Police or their designees.~~

(Ord. No. 07-02-03, 2-12-2007)

~~Sec. 66-105. - Parking restrictions in congested district.~~

~~The chief of police may, whenever necessary to minimize traffic congestion, promote traffic safety or provide access to abutting property, designate the following in the business district:~~

~~(1) *Time limited parking zones.* The chief of police may designate certain blocks within the congested district as "time limited parking zones" restricting the length of their use, and the City public works director shall mark by appropriate signs any zones so established. Such zones shall be established in the congested district wherever necessary for the convenience of the public or to minimize traffic hazards and to preserve the free flow of traffic. No person shall park any vehicle in any limited parking zone between the hours of 8:00 a.m. and 6:00 p.m. of any weekday for a longer period than is signified on the signs marking such zone.~~

~~(2) *Loading zones.* The chief of police may establish in each block of the congested district one or more loading zones and the public works director shall mark by appropriate signs any zone so established. Such zones shall be located at places most convenient for the use of the public with regard to traffic conditions in the block. No person shall, between the hours of 8:00 a.m. and 6:00 p.m. of any weekday, park any vehicle in any loading zone except for the purpose of receiving or discharging passengers or freight and then only for a period no longer than is necessary for the discharge or receipt of such passengers or freight.~~

(Ord. No. 07-02-03, 2-12-2007)

Sec. 66-106. - Angle and parallel parking.

Angle parking shall be required on streets designated for same by resolution, and city parking lots where painted angle lines have been placed. On all other streets, and city parking lots, vehicles shall be parked parallel to the curb or edge of the roadway, or in the marked parking spaces in accordance with state law. On such streets, and city parking lots, every vehicle shall be parked within a single space as the space is marked on the street, curb or parking lot, and no vehicle shall be parked in more than one marked space.

(Ord. No. 07-02-03, 2-12-2007)

Sec. ~~66-107.~~ "No Truck Parking" zones.

- ~~(a) The chief of police may establish "No Truck Parking" zones in the congested district and at the request of the chief of police the public works director shall mark by appropriate signs any zones so established. Such zones shall be established in the congested district where heavy traffic by commercial vehicles or other traffic congestion makes parking by commercial vehicles a hazard to the safety of vehicles or pedestrians.~~
- ~~(b) No person shall park a commercial vehicle of more than one ton capacity between 8:00 a.m. and 6:00 p.m. on any weekday upon any street in any "No Truck Parking" zone, but parking of such vehicles for a period of not more than 30 minutes shall be permitted in such zones for the purpose of having access to abutting property when such access cannot conveniently be secured from any alley or from a side street where truck parking is not so restricted.~~

(Ord. No. 07-02-03, 2-12-2007)

Sec. 66-108. - No truck parking on city streets.

No trucks requiring a commercial driver's license to operate shall be parked on any residential street in the city except under the following circumstances: (1) while receiving, buying, loading, delivering, or unloading commodities or other services in the regular course of business with the abutting property owners; or (2) in an emergency. The following trucks are exempt from this provision: emergency vehicles; school and transit buses while engaged in the act of transporting persons; trucks owned and operated by the city, public utility companies, and any of their contractors or suppliers, while engaged in the repair, maintenance, construction of streets, street improvements or public utilities; and recreational vehicles parked within a commercial zoning district.

(Ord. No. 07-02-03, 2-12-2007)

Sec. 66-109. - Trailers and semi-trailers.

Areas in which the parking of automobiles or trucks which have trailers or semi-trailers attached thereto is prohibited except in an emergency are as established by resolution.

(Ord. No. 07-02-03, 2-12-2007)

Sec. 66-110. - No parking, permit parking, no stopping or no standing zones.

The city council may by resolution designate certain streets, portions of streets, city parking lots, or portions of city parking lots as no parking or no stopping or standing zones. The city council may also by resolution designate certain city parking lots and streets or portions of city parking lots and streets, as "Permit Parking Zones". The city council may limit the hours in which the restrictions apply. The Public Works Director shall cause to be marked ~~public works superintendent 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 such zone for the purpose of forming a funeral procession and a truck may be parked temporarily between the hours of 8:00 a.m. and 6:00 p.m. of any business day for the purpose of loading or unloading where access to the premises is not otherwise available. No vehicle shall be parked in a city parking lot or portions of a city parking lot designated as a "Permit Parking Only" zone unless a permit issued by the ~~City city administrator or his designee~~ is clearly displayed in the windshield area of the vehicle, visible from the outside front of the vehicle.

- (a) No vehicle, trailer, motorcycle or other conveyance shall be parked and left unattended in such a manner as to block a driveway, alleyway, sidewalk, marked bicycle path or in front of or in close proximity to a United States Postal Service mailbox at a time and in such a manner as to prevent the delivery of mail.

(Ord. No. 07-02-03, 2-12-2007)

Sec. 66-111. - Time limit parking zone.

Areas where ~~the right to parking~~ is limited during hours specified are as established by resolution. ~~The Public Works Director shall cause to be marked public works director 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. For the purpose of enforcement of this section, any vehicle moved less than 300 feet in a limited time parking zone shall be deemed to have remained stationary.

(Ord. No. 07-02-03, 2-12-2007)

Sec. 66-112. - Bus stops and taxistands.

- (a) *Designation.* The city council by resolution may designate spaces on streets in the city where vehicles engaged in carrying passengers for hire shall stand or park. ~~The Public Works Director shall cause to be marked chief of police shall mark~~ by appropriate sign any bus stop or taxistand so established.
- (b) *Parking restrictions.* Except for the purpose of loading and unloading passengers, no driver of any vehicle other than a bus shall stand or park at a bus stop and no driver of any vehicle other than a taxicab shall stand or park in a taxistand.

(Ord. No. 07-02-03, 2-12-2007)

Sec. 66-113. - Winter parking.

No owner or driver of a motor vehicle shall park the motor vehicle or permit any motor vehicle to remain on any street between November 1 and May 1 in the city during any time that snow plowing or snow removal operations are in progress.

This prohibition shall not apply on any block after it has become substantially clear of snow and ice from the roadway surface.

Any vehicle which shall be left parked in violation may be removed by officers of the police department of the city and stored in any appropriate place. All necessary costs and expenses of

towing, removing and storage of such vehicle shall be first paid by the owner before release of the vehicle.

(Ord. No. 16-12-07, § 5.01, 12-12-2016)

Editor's note— Ord. No. 16-12-07, § 5.01, adopted Dec. 12, 2016, repealed § 66-113 in its entirety and enacted new provisions to read as herein set out. Former § 66-113 pertained to snow emergency parking, and derived from Ord. No. 07-02-03, adopted Feb. 12, 2007.

Sec. 66-114. - Vehicles for sale.

No vehicle shall be parked on any street or in any city parking lot for the purpose of displaying it for sale.

(Ord. No. 07-02-03, 2-12-2007)

Secs. 66-115—66-150. - Reserved.

ARTICLE V. - BICYCLES^[4]

State Law reference— Bicycles generally, Minn. Stat. § 169.222; bicycle registration, Minn. Stat. ch. 168C.

Sec. 66-151. - Unclaimed bicycles.

- ~~(a) The city police department is empowered to conduct auctions to dispose of unclaimed bicycles, which lawfully come into its possession in the course of municipal operations, provided the bicycle has been in the possession of the police department for 60 days and is unclaimed by the owner of the bicycle.~~
- ~~(b) Such auction shall be advertised in a notice published for two weeks before the time of the sale in a legal newspaper of general circulation within the city, and shall specify the time and place where the sale shall be conducted.~~
- ~~(c) Unclaimed or impounded bicycles shall be sold to the highest bidder and proceeds of the sale shall be placed in the general fund of the city.~~
- ~~(d) For a period of six months following the sale, the former owner of the property sold at such an auction, upon satisfactory proof of ownership, is entitled a refund of the amount of the auction price from the general fund.~~

(Code 1978, § 37.05)

Sec. 66-152. - Traffic rules apply.

Every person riding or propelling a bicycle upon any street or other public highway in the city shall observe all traffic rules and regulations applicable thereto, and shall turn only at intersections, signal for all turns, ride at the right hand side of the street or highway, pass to the left when passing overtaken vehicles and individuals that are slower moving and shall pass vehicles to the right when meeting.

(Code 1978, § 37.02(g))

Sec. 66-153. - Traffic signs.

Persons riding bicycles shall observe all traffic signs and stop at all stop signs.

(Code 1978, § 37.02(d))

Sec. 66-154. - Speed.

No bicycle under this article shall be ridden faster than is reasonable and proper, but shall be operated with reasonable regard to the safety of the operator and other persons upon the streets of the city.

(Code 1978, § 37.02(b))

Sec. 66-155. - Riding abreast.

No person shall ride or propel a bicycle upon any street or other public highway in the city abreast of more than one other person riding or propelling a bicycle.

(Code 1978, § 37.02(e))

Sec. 66-156. - Size of rider.

Riders of bicycles under this article must be large enough to occupy seat and operate pedals with ease.

(Code 1978, § 37.02(f))

Sec. 66-157. - ~~Riding on sidewalks.~~

~~Bicycle riding on public sidewalks in the central business district is prohibited at all times.~~

(Code 1978, § 37.04)

Cross reference— Streets, sidewalks and other public places, ch. 58.

Secs. 66-158—66-190. - Reserved.

ARTICLE VI. - GOLF CARTS⁵¹

Footnotes:

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State Law reference— Golf carts on roadways, Minn. Stat. § 169.045.

Sec. 66-191. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~Certification and certificate mean a certificate issued by the owner's insurance company which indicates that the vehicle is covered for operation on a public roadway.~~

Designated roadway means a public roadway designated as a roadway where golf carts may, under permit, be operated on the public roadway.

Golf cart means a motorized vehicle, either three-wheeled or four-wheeled, which is typically used on a golf course to transport players and golf equipment on a golf course.

Operator means the person having control of the operation of the vehicle when it is in motion.

~~Owner means any person registered as the owner of a vehicle which is used for travel upon the public right-of-way.~~

Public roadway means that portion of a roadway dedicated to and accepted by the public used for vehicular travel, ~~exclusive of sidewalk or shoulder, even though such sidewalk or shoulder is used by persons riding bicycles or other human-powered vehicles.~~

(Code 1978, § 41.13(c); Ord. No. 13-05-07, 5-13-2013)

Sec. 66-192. - Purpose.

It is the purpose of this article to establish a uniform system for the regulation and use of golf carts on designated roadways in the city, pursuant to Minn. Stat. § 169.045.

(Code 1978, § 41.13(a); Ord. No. 13-05-07, 5-13-2013)

Sec. 66-193. - Scope, area covered.

Except as otherwise specifically provided, this article shall apply to the entire city.

(Code 1978, § 41.13(b); Ord. No. 13-05-07, 5-13-2013)

Sec. 66-194. - Designation of applicable roadways; permit to operate on same.

(a) ~~The Public Works Director~~ ~~chief of police~~ shall designate city roadways or portions of city roadways upon which only an operator with a permit issued by the city shall be permitted to operate the motorized golf cart.

(b) The application for a permit to operate a golf cart on designated public roadways within the city limits shall include the following:

- (1) Owner of the golf cart.
- (2) Operator of the golf cart.
- (2) Address of owner and operator of the golf cart.
- (3) Make and Model ~~number~~ of the golf cart.
- (4) Serial number of the golf cart.
- (5) ~~Name of insurance company and policy number.~~

- (6) ~~Certification of insurance for operation of the golf cart on a public way.~~
 - (7) ~~A statement signed by a licensed physician or chiropractor certifying that the applicant is a physically disabled person as defined in Minn. Stat. § 169.345, subd. 2. The statement that the applicant is a physically disabled person must specify whether the disability is permanent or temporary, and if temporary, the opinion of the physician or chiropractor as to the duration of the disability. The city may request additional information from the physician or chiropractor if needed to verify the applicant's eligibility. The statement must also certify that the applicant is able to safely operate a golf cart on the designated roadways. This signed statement is required for all roadways other than designated roadways under subsection 66-194(a).~~
 - (8) Date of application.
 - (9) Statement, under oath, that contents of the application are true.
 - (10) Signature of applicant.
 - (11) Permit fee, as established by resolution.
- (c) ~~Before the city issues a permit tag for operation of a golf cart on a public way, the applicant must provide proof of liability insurance, in the amount required in Minn. Stat. ch. 65B, and no-fault insurance as provided for by state statutes, for operation of the vehicle on a public road. At all times during the operation of the vehicle on a public way, the owner of the golf cart shall maintain liability insurance at least in the amount required by Minn. Stat. ch. 65B, and no-fault coverage as provided for by state statutes. If any person operating a motorized golf cart under the terms of this article cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage, from the state automobile assigned risk plan at a rate determined by the commissioner of commerce, pursuant to Minn. Stat. § 169.045, subd. 8.~~
- (d) The operator of a golf cart ~~Golf carts which are operated on designated roadways shall have proof of current city registration in possession while operating the golf cart. and shall display the permit tag provided by the city upon payment of the fee and proof of required insurance.~~
- (1) The police department ~~chief of police~~ shall register by way of issuing permits for all golf carts for use on designated roadways within the city limits.
 - (2) Permits shall be issued for one-year periods, beginning January 1 and expiring on December 31 of each year.
 - (3) The fee for a permit is as established by resolution.
- (e) A map of designated roadways as defined under subsection 66-194(a) shall be maintained by the police department and made available to the public upon request.

(Code 1978, § 41.13(d)—(g); Ord. No. 13-05-07, 5-13-2013)

Sec. 66-195. - Times of operation.

Golf carts may only be operated on designated roadways from sunrise to sunset. ~~one-half hour after sunrise to one-half hour before sunset.~~ Golf carts shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any other time when there is insufficient light to clearly see persons and vehicles on a roadway at a distance of 500 feet.

(Code 1978, § 41.13(h); Ord. No. 13-05-07, 5-13-2013)

State Law reference— Similar provisions, Minn. Stat. § 169.045, subd. 3.

Sec. 66-196. — Slow-moving vehicle emblem.

~~Vehicles issued a permit by the city under this article shall display a universal slow-moving vehicle symbol in a conspicuous location on the rear of the vehicle, pursuant to Minn. Stat. § 169.522.~~

~~(Code 1978, § 41.13(i); Ord. No. 13-05-07, 5-13-2013)~~

State Law reference— Similar provisions, Minn. Stat. § 169.045, subd. 3.

Sec. 66-197. - Intersections.

~~Operators of golf carts shall be responsible for the safe operation of their vehicle at intersections. Motorized golf carts traveling on a designated roadway may cross any street or highway intersecting a roadway designated for use by motorized golf carts. Operators shall signal turns and stops pursuant to Minn. Stat. § 169.19, as it relates to the operation of vehicles not equipped with turn signals or brake lights.~~

~~(Code 1978, § 41.13(j); Ord. No. 13-05-07, 5-13-2013)~~

Sec. 66-198. - Application of traffic laws.

The operator of motorized golf carts, under permit, on a designated roadway, has all of the rights and duties applicable to the driver of any other vehicle under the provisions of Minn. Stat. ch. 169, except as follows:

- ~~(1) Golf carts operated on public roadways must be operated as far to the right of the traffic lane or shoulder as is practical.~~
- ~~(1) Regardless of city ordinance, all operators must be compliant with all state and federal laws relative to the operation of motor vehicles.~~
- ~~(2) The provisions of Minn. Stat. ch. 169, relating to equipment on vehicles is not applicable to motorized golf carts, under permit, on designated roadways, except that motorized golf carts, under permit, on designated roadways, must comply with Minn. Stat. § 169.70 requiring rearview mirrors on vehicles where the driver's view to the rear is obstructed, which are located to reflect to the driver a view of the highway, for a distance of at least 200 feet to the rear of the vehicle.~~

~~(Code 1978, § 41.13(k); Ord. No. 13-05-07, 5-13-2013)~~

Sec. 66-199. - Operation by underaged persons.

- ~~(1) It is unlawful for any person under 16 years of age to operate a golf cart upon any public highway or street.~~

~~Only the operator(s) to which the permit is issued is entitled to operate the golf cart upon the designated roadways.~~

~~(Code 1978, § 41.13(l)(2); Ord. No. 13-05-07, 5-13-2013)~~

Secs. 66-200—66-230. - Reserved.

ARTICLE VII. - SKATEBOARDS AND ROLLER SKATES

Sec. 66-231. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Operate means to ride on or upon or control the operations of a skateboard.

Operator means a person who rides on or upon or controls the operation of a skateboard.

~~*Roller skate* means a shoe with wheels or rollers attached or a device with wheels or rollers which is designed to be attached to a shoe.~~

Skateboard means a device for riding upon, usually while standing, consisting of an oblong piece of wood or of other composition mounted on skate wheels. Skateboard does not mean or include roller skates.

(Code 1978, § 38.01)

Sec. 66-232. - Violations.

Any ~~police~~ peace officer who observes any person violating any of the provisions of this article is authorized to seize the offender's skateboard and to hold the skateboard at the city police station. In the event of such seizure, the offender, if an adult, may secure the return of the article seized after three days have elapsed since the seizure. In the case of a minor, the article that is seized shall be returned only to the parent or guardian of such minor offender after three days have elapsed since the seizure.

(Code 1978, § 38.04)

Sec. 66-233. - Use upon the Centennial River Front Trail.

~~It shall be unlawful for any person to use roller skates upon the Centennial River Front Trail.~~

(Code 1978, § 38.02)

Sec. 66-234. - Regulation of the use of skateboards.

It shall be unlawful for any person to operate a skateboard under the circumstances set forth in the subsections which follow:

- (1) ~~Upon the Centennial River Front Trail.~~
- (2) ~~In the area described in 66.76 (b) 1-6. Upon any public street, public sidewalk or other public property within an area bounded on the south by the Mississippi River, on the west by Third Avenue West, on the north by Sixth Street North, and on the east by Second Avenue East and including the area of the designated streets and the sidewalks parallel thereto on both sides of the street.~~
- (3) On private property of another within the area described in subsection (b) of this section without the express permission to do so by the owner or occupant of the property.
- (4) No person operating a skateboard shall attach the same or the person of the operator to any vehicle upon a roadway.
- (5) No person shall use skateboards upon any state or U.S. highway in the city.

(Code 1978, § 38.03)