

TITLE VII: TRAFFIC CODE

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§ 70.01 CERTAIN STATUTES ADOPTED BY REFERENCE.

(A) Except as otherwise provided in this traffic code, or in Ch. 95 of this code of ordinances, the regulatory and procedural provisions of M.S. Ch. 169, commonly referred to as the Highway Traffic Regulation Act, as amended through laws of 1997, and as amended from time to time, is hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

(B) Except as otherwise provided in this traffic code, or in Ch. 95 of this code of ordinances, M.S. §§ 171.01, 171.02, 171.08, 171.22, 171.23 and 171.24, as amended through laws of 1997, and as amended from time to time, are hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

(Prior Code, § 8.01) (Ord. 106, 2nd Series, eff. 7-29-1998)

§ 70.02 TRUCK ROUTES.

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

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

(Prior Code, § 8.02) Penalty, see § 70.99

§ 70.03 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, fish-tailing or skidding or, as to two-wheeled or three-wheeled motor vehicles, the front wheel to lose contact with the ground or roadway surface.

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

(Prior Code, § 8.04) Penalty, see § 70.99

§ 70.04 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, § 8.05) Penalty, see § 70.99

§ 70.05 CERTAIN LEFT TURNS PROHIBITED.

(A) It is unlawful for any person to turn across an on-coming lane of traffic to park in an angled parking space without making a lawful U-turn.

(B) It is unlawful for any person to back a vehicle from an angled parking space so as to head in a direction generally opposite from that of the angled parking space in which the vehicle was parked.

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

§ 70.06 USE OF RETARDERS (“JAKE BRAKES”) PROHIBITED.

(A) It shall be unlawful for the driver of any truck to intentionally use an engine retarding brake on any public highway, street, parking lot or alley within the city, except in an emergency. Appropriate signs prohibiting the use of engine retarding brakes, except in emergencies, shall be erected at highway entrances to the city. A sign stating “Vehicle Noise Ordinance Enforced” shall be sufficient.

(B) **ENGINE RETARDING BRAKE**, for the purpose of this section, shall mean a dynamic brake, Jake brake, Jacobs brake, C-brake, Paccar brake or other similar engine retarding brake system which alters the normal compression of the engine and subsequently releases that compression causing abnormal or excess noise from the engine.

(Prior Code, § 8.07) (Ord. 113, 2nd Series, eff. 8-25-1999) Penalty, see § 70.99

§ 70.99 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 violation 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)

CHAPTER 71: BICYCLES

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- 71.07 Carrying articles
- 71.08 Lighting and braking equipment
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§ 71.01 GENERALLY.

Definition. The term **BICYCLE**, as used in this section, means every device propelled by human power upon which a person may ride, having two tandem wheels, either of which is over 14 inches in diameter, and including any device generally recognized as a **BICYCLE**, though equipped with two front or rear wheels.

(Prior Code, § 7.41) (Ord. 148, 2nd Series, passed 6-17-2014) Penalty, see § 71.99

§ 71.02 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 chapter and except as to those provisions of this chapter which, by their nature, can have no application.

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

§ 71.03 MANNER OF 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, § 8.03) Penalty, see § 71.99

§ 71.04 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, § 8.03) Penalty, see § 71.99

§ 71.05 WHERE TO RIDE.

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

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

§ 71.06 RIGHT-OF-WAY ON 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.

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

§ 71.07 CARRYING ARTICLES.

It is unlawful for any person operating a bicycle to carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.

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

§ 71.08 LIGHTING AND BRAKING EQUIPMENT.

(A) Every bicycle when in use at nighttime shall be equipped with, or its operator shall carry, a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the Department of Public Safety which is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector. No person may, at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, operate a bicycle unless the bicycle or its operator is equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective materials on each side of each pedal to indicate their presence from the front or the rear and with a minimum of 20 square inches on each side of the bicycle or its operator, of white reflective material. All reflective materials used in compliance with this division (A) shall meet the requirements as prescribed by the Commissioner of Public Safety.

(B) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.
(Prior Code, § 8.03) Penalty, see § 71.99

§ 71.09 SALE WITH REFLECTORS.

It is unlawful for any person to sell or offer for sale any new bicycle unless it is equipped with reflectors as are prescribed in § 71.07.
(Prior Code, § 8.03) Penalty, see § 71.99

§ 71.99 PENALTY.

(A) Every person violates § 71.01 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 § 71.01, 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)

(B) Every person violates §§ 71.02 through 71.09 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 §§ 71.02 through 71.09, 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)

CHAPTER 72: RECREATIONAL VEHICLES

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Bicycles, see Ch. 71

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GENERAL PROVISIONS**§ 72.001 PURPOSE AND INTENT.**

(A) (1) The purpose of this chapter is to provide reasonable regulations for the use of special and recreational motor vehicles on public roadways and, in conformance with private property, in the city.

(2) This chapter is not intended to allow what the Minnesota Statutes prohibit or to prohibit what the Minnesota Statutes expressly allow.

(B) It is intended to ensure the public safety and prevent a public nuisance.
(Ord. 146, 2nd Series, passed 7-1-2014)

§ 72.002 EQUIPMENT.

It is unlawful for any person to operate any vehicle or device referenced in this chapter any place within the city unless it is equipped with the following (if said equipment is available for that vehicle):

(A) Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass, straight pipe or similar device;

(B) Brakes adequate to control the movement of and to stop and hold the vehicle under any condition of operation;

(C) A safety or so-called "deadman" throttle in operating condition;

(D) (1) When operated between the hours of one-half hour after sunset to one-half hour before sunrise or at a time of reduced visibility, 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 and under normal atmospheric conditions;

(2) The head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle operator; and

(3) It shall also be equipped with at least one red tail lamp having a minimum candlepower 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.

(E) Reflective material at least 16 square inches on each side, forward of the handlebars, or steering device of a vehicle and at the highest practical point on any towed object, as to reflect light at a 90° angle.

(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.003 LOCKING VEHICLES.

It is unlawful for any person to leave any vehicle or device referenced in this chapter on a public place unless he or she shall lock the ignition, remove the key and take the same with him or her.

(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.004 EMERGENCIES.

Notwithstanding the prohibition of operating any vehicle referenced in this chapter upon a roadway to the contrary, the vehicle or device may be operated on a public thoroughfare in an emergency during the period of time when, at locations where, snow upon the roadway renders travel by automobile impractical.

(Ord. 146, 2nd Series, passed 7-1-2014)

§ 72.005 ANIMALS.

It is unlawful to intentionally drive, chase, run over or kill any animal with any vehicle or device referenced in this chapter.

(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.006 SIGNAL FROM OFFICER TO STOP.

It is unlawful for any vehicle or device operator, after having received a visual or audible signal from any law enforcement officer to come to a stop, to:

(A) Operate the vehicle or device in willful or wanton disregard of the signal;

(B) Interfere with or endanger the law enforcement officer or any other person or vehicle; or

(C) Increase his or her speed or attempt to flee or elude the officer.

(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.007 SPECIAL ORDERS.

In addition to the regulations provided herein, it is unlawful to operate any vehicle or device referenced in this chapter on any public place where prohibited by order of the city. The City Administrator shall have the power, by written order, to prohibit the operation whenever, in his or her discretion, the same would be likely to produce damage to property or endanger the safety or repose of other persons. The areas shall be appropriately signposted before the order shall become effective.

(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

SNOWMOBILES AND MOTORIZED TWO-WHEEL VEHICLES**§ 72.020 DEFINITIONS.**

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

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

MOTORIZED TWO-WHEEL VEHICLE. Refers to trail bikes, mini-bikes, and similar devices other than snowmobiles used at least partially for travel on natural terrain, but not “special mobile equipment” defined in M.S. § 168.002, Subd. 31, as amended from time to time, which is hereby incorporated herein by reference.

NATURAL TERRAIN. Areas other than roadways or driveways (private or public), parking lots and other areas the surface of which has been intentionally modified for motor vehicle operation thereon.

OPERATE. To ride in or on and control the operation of a snowmobile or motorized two-wheel vehicle.

OPERATOR. Every person who operates or is in actual physical control of a snowmobile or motorized two-wheel vehicle.

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

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

(Ord. 146, 2nd Series, passed 7-1-2014)

§ 72.021 SCOPE OF APPLICATION.

Notwithstanding provisions of this subchapter to the contrary, this section shall apply to control of traffic and regulation of that certain class of vehicles falling within the definition of **SNOWMOBILES** and **MOTORIZED TWO-WHEEL VEHICLES** as to matters set forth herein. All provisions of this subchapter, not relating to matters herein stated, apply as equally to snowmobiles as other vehicles.

(Ord. 146, 2nd Series, passed 7-1-2014)

§ 72.022 OPERATION.

Except as otherwise herein permitted, it is unlawful for any person to operate a snowmobile or motorized two-wheel vehicle, not licensed as a motor vehicle, as follows:

(A) On the portion of any right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel, except upon the most right-hand lane of a street or alley and may in passing or making a left-hand turn, operate on other lanes which are used for vehicle traffic in the same direction;

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

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

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

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

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

(G) Except as otherwise herein permitted, it is unlawful to operate a snowmobile during the hours from 11:00 p.m. to 6:00 a.m. of any day, closer than 100 feet to any dwelling which is usually occupied by one or more persons; provided, however, that, snowmobile operation shall be permitted during the hours when traveling directly to or from the residence of the operator and the nearest city limits line at a rate of speed not in excess of ten mph;

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

(I) In a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of other persons;

(J) At any place while under the influence of alcohol or drugs, as defined in M.S. § 169.A, as amended from time to time, which is hereby incorporated herein by reference; and

(K) Within 100 feet of any pedestrian, fisher, skating rink or sliding area where the operation would conflict with the use or endanger other persons or property.
(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.023 DIRECT CROSSINGS.

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

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

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

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

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

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

(B) Motorized two-wheel vehicles not licensed as a motor vehicle are forbidden to cross highways or streets, except when they are pushed across by human power. Motorized two-wheel vehicles, when pushed across highways or streets, shall be subject to all the regulations of this section. (Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.024 YIELDING THE RIGHT-OF-WAY.

It is unlawful for any person operating a snowmobile or motorized two-wheel vehicle to enter any intersection without yielding the right-of-way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard. (Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.025 PERSONS UNDER 18.

(A) It is unlawful for any person under the age of 14 years to operate a snowmobile or motorized two-wheel vehicle on streets, in city parks or other public land, or the roadway surface of highways, or make a direct crossing of a trunk, county state-aid or county highway as the operator of the vehicle. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile or motorized two-wheel vehicle as permitted under this section, only if he or she has in his or her possession, a safety certificate issued by the Commissioner, as provided by M.S. § 84.872, as amended from time to time.

(B) It is unlawful for the owner of a snowmobile or motorized two-wheel vehicle to permit the snowmobile or motorized two-wheel vehicle to be operated contrary to the provisions of this section. (Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.026 CERTAIN STATUTES ADOPTED.

M.S. §§ 84.81 through 84.928, inclusive, as amended from time to time, together with rules and regulations promulgated thereunder, are hereby adopted by reference, incorporated herein and made a part hereof, except as otherwise, provided herein. (Ord. 146, 2nd Series, passed 7-1-2014)

MOTORIZED GOLF CARTS, ALL-TERRAIN VEHICLES, AND MINI-TRUCKS

§ 72.040 DEFINITIONS.

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

ALL TERRAIN VEHICLE. A motorized flotation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 1,000 cubic centimeters and included a Class 1 all-terrain vehicle and Class 2 all-terrain vehicle.

DRIVER. The person driving and having physical control over the motorized golf cart, all-terrain vehicle, or mini-truck and being the licensee.

MINI-TRUCK. As defined in M.S. § 169.011, Subd. 40(a), a motor vehicle that has four wheels; is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less; has a total dry weight of 900 to 2,200 pounds; contains an enclosed cabin and a seat for the vehicle operator; commonly resembles a pickup truck or van, including a cargo area or bed located at the rear of the vehicle; and was not originally manufactured to meet federal motor vehicle safety standards required of motor vehicles in 49 C.F.R. §§ 571.101 to 571.404, and successor requirements. A mini-truck does not include: a neighborhood electric vehicle or a medium-speed electric vehicle as defined by M.S. § 169.011; or a motor vehicle that meets or exceeds the regulations in the 49 C.F.R. § 571.500, as it may be amended from time to time.

MOTORIZED GOLF CART. Any passenger conveyance being driven with three or four wheels with three or four low-pressure tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 800 pounds.

(B) Authorized city staff may operate city owned motorized golf carts and mini-trucks without obtaining a permit within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

(C) *Mini-truck equipment requirements.* A mini-truck may be operated under permit on designated roadways if it is equipped with all of the following:

- (1) At least two headlamps;
- (2) At least two tail lamps;
- (3) Front and rear turn-signal lamps;
- (4) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror;
- (5) A windshield;
- (6) A seat belt for the driver and front passenger; and
- (7) A parking brake.

(Ord. 146, 2nd Series, passed 7-1-2014)

§ 72.041 OPERATION.

Except as otherwise herein permitted, it is unlawful for any person to operate a motorized golf cart, all-terrain vehicle, or mini-truck, not licensed as a motor vehicle, as follows:

(A) On the portion of any right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel, except upon the most right-hand lane of a street or alley and may in passing or making a left-hand turn, operate on other lanes which are used for vehicle traffic in the same direction;

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

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

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

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

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

(G) In a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of other persons;

(H) At any place while under the influence of alcohol or drugs, as defined in M.S. § 169.A, as amended from time to time, which is hereby incorporated herein by reference; and

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

(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.042 SPECIAL VEHICLE USE ON STREETS; PERMIT.

(A) No person shall operate a motorized golf cart, all-terrain vehicle, or mini-truck on streets, alleys, sidewalks or other public property without obtaining a permit as provided herein.

(B) Every application for a permit shall be made on a form supplied by the city and shall contain all of the following information:

(1) The name and address of the applicant.

(2) Model name, make, and year and number of the motorized golf cart, all-terrain vehicle, or mini-truck.

(3) Current driver's license or reason for not having a current license.

(4) Other information as the city may require.

(C) The annual permit fee shall be as set forth by the City Council and adopted by resolution as that fee schedule may be amended from time to time.

(D) Following the year of adoption of this chapter, permits shall be granted for a period of one year and may be renewed annually January 1 to December 31.

(E) No permit shall be granted or renewed unless the following conditions are met:

(1) If applying for a permit to operate a mini-truck, the applicant must demonstrate that he or she currently holds a valid Minnesota driver's license.

(2) At the Windom Police Chief's sole discretion, the applicant may be required to submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart or all-terrain vehicle on the roadways designated.

(3) The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the golf cart, all-terrain vehicle, or mini-truck.

(4) The applicant has not had his or her driver's license revoked as the result of criminal proceedings.

(F) Motorized golf carts, all-terrain vehicles, and mini-trucks are permitted to operate only on city streets, not state or Federal highways, except to cross at designated intersections.

(G) Motorized golf carts and four-wheel, all-terrain vehicles, and mini-trucks may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather, except during emergency conditions as provided in this section, or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light visibility to clearly see persons and vehicles on the roadway at a distance of 500 feet.

(H) Motorized golf carts shall display the slow-moving vehicle emblem provided for in M.S. § 169.045, as it may be amended from time to time, when operated on designated roadways.

(I) Motorized golf carts, all-terrain vehicles, and mini-trucks shall be equipped with a rear-view mirror to provide the driver with adequate vision from behind as required by M.S. § 169.70.

(J) The operator of a motorized golf cart, all-terrain vehicle, or mini-truck may cross any street or highway intersecting a designated roadway;

(K) Every person operating a motorized golf cart, an all-terrain vehicle, or a mini-truck under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of M.S. Ch. 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to motorized golf carts or mini-trucks and except as otherwise specifically provided in M.S. § 169.045(7), as it may be amended from time to time.

(L) The City Council may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this section or M.S. Ch. 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the motorized golf cart, all-terrain vehicle, or mini-truck on the designated roadways.

(M) The number of occupants on the golf cart, all-terrain vehicle, or mini-truck may not exceed the design occupant load.

(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

MEDIUM-SPEED ELECTRIC VEHICLES AND NEIGHBORHOOD ELECTRIC VEHICLES

§ 72.055 MEDIUM-SPEED ELECTRIC VEHICLES AND NEIGHBORHOOD ELECTRIC VEHICLES.

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

MEDIUM SPEED ELECTRIC VEHICLE. An electrically powered four-wheeled motor vehicle, equipped with a roll cage or crushproof body design, that can attain a maximum speed of 35 miles per hour on a paved level surface, is fully enclosed and has at least one door for entry, has a wheelbase of 40 inches or greater and a wheel diameter of 10 inches or greater, and except with respect to maximum speed, otherwise meets or exceeds regulations in 49 C.F.R. § 571.500, and successor requirements.

NEIGHBORHOOD ELECTRIC VEHICLE. An electrically powered motor vehicle that has four wheels, and has a speed attainable in one mile of at least 20 miles per hour, but not more than 25 miles per hour on a paved level surface.

(B) Operation of neighborhood electric vehicles on city streets is prohibited except as provided in division (C) below.

(C) *Use on designated exclusive city streets.* The City Council may, by resolution, designate exclusive city streets within its jurisdiction where the operation of neighborhood electric vehicles or medium-speed electric vehicles is permissible, provided that no street so designated has a speed limit of more than 35 miles per hour.

(D) A neighborhood electric vehicle or a medium-speed electric vehicle may be operated on public streets and highways only if it meets all equipment and vehicle safety requirements in 49 C.F.R. § 571.500, as it may be amended from time to time.

(E) Authorized city staff may operate city owned neighborhood electric vehicles and medium-speed electric vehicles within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

(Ord. 146, 2nd Series, passed 7-1-2014)

MOTORIZED FOOT SCOOTERS

§ 72.070 MOTORIZED FOOT SCOOTERS.

(A) ***MOTORIZED FOOT SCOOTER*** means a device with handlebars designed to be stood or sat upon by the operator, and powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion, and that has no more than two 12-inch or smaller diameter wheels and has an engine or motor that is capable of a maximum speed of 15 miles per hour on a flat surface with not more than 1% grade in any direction when the motor is engaged. An electric personal assistive mobility device, a motorized bicycle, an electric-assisted bicycle, or a motorcycle is not a motorized foot scooter.

(B) Every person operating a motorized foot scooter shall have all rights and duties applicable to the operator of a bicycle, except in respect to those provisions relating expressly to motorized foot scooters and in respect to those provisions of law that by their nature cannot reasonably be applied to motorized foot scooters.

(C) No person may operate a motorized foot scooter upon a sidewalk, except when necessary to enter or leave adjacent property. No person may operate a motorized foot scooter that is carrying any person other than the operator.

(D) No person under the age of 12 years may operate a motorized foot scooter.

(E) No person under the age of 18 years may operate a motorized foot scooter without wearing properly fitted and fastened protective headgear that complies with standards established by the Commissioner of Public Safety.

(F) A motorized foot scooter must be equipped with a headlight and a taillight that comply with standards established by the Commissioner of Public Safety if the vehicle is operated under conditions when vehicle lights are required by law.

(G) A person operating a motorized foot scooter on a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway, except in the following situations:

(1) When overtaking and passing another vehicle proceeding in the same direction.

(2) When preparing for a left turn, in which case the operator shall stop and dismount at the right-hand curb or right edge of the roadway, and shall complete the turn by crossing the roadway on foot, subject to restrictions placed by law on pedestrians.

(3) When reasonably necessary to avoid impediments or conditions that make it unsafe to continue along the right-hand curb or edge, including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes.

(Ord. 146, 2nd Series, passed 7-1-2014)

ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES

§ 72.085 OPERATION OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES.

(A) ***ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE*** means a self-balancing device with two non-tandem wheels, designed to transport not more than one person, and operated by an electric propulsion system that limits the maximum speed of the device to 15 miles per hour.

(B) Except as otherwise provided by law, a person operating an electric personal assistive mobility device has the rights and responsibilities of a pedestrian.

(C) *Operation.*

(1) An electric personal assistive mobility device may be operated on a bicycle path.

(2) No person may operate an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path at a rate of speed that is not reasonable and prudent under the conditions. Every person operating an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path is responsible for becoming and remaining aware of the actual and potential hazards then existing on the roadway or sidewalk and must use due care in operating the device.

(3) An electric personal assistive mobility device may be operated on a roadway only under the following circumstances:

(a) While making a direct crossing of a roadway in a marked or unmarked crosswalk;

(b) Where no sidewalk is available;

- (c) Where a sidewalk is so obstructed as to prevent safe use;
- (d) When so directed by a traffic control device or by a peace officer;
- (e) Temporarily in order to gain access to a motor vehicle; and
- (f) As provided in division (6) below by Council resolution.

(4) An electric personal assistive mobility device may not be operated at any time on a roadway with a speed limit of more than 35 miles per hour except to make a direct crossing of the roadway in a marked crosswalk.

(5) An electric personal assistive mobility device may not be operated at any time while carrying more than one person.

(6) *Designated exclusive city streets.* The City Council may, by resolution, designate exclusive city streets within its jurisdiction where the operation of electric personal assistive mobility devices is not permitted, provided that any street so designated has a speed limit of more than 35 miles per hour.

(7) A person operating an electric personal assistive mobility device on a sidewalk must yield the right-of-way to pedestrians at all times. A person operating an electric personal assistive mobility device on a bicycle path must yield the right-of-way to bicycles at all times.

(8) An electric personal assistive mobility device may not be operated unless the device bears reflectorized material on the front, back, and wheels, visible at night from 600 feet when illuminated by the lower beams of headlamps of a motor vehicle.

(Ord. 146, 2nd Series, passed 7-1-2014)

***ROLLER SKATES/BLADES, SKATEBOARDS AND OTHER NON-MOTORIZED
TOY VEHICLES***

§ 72.100 DEFINITIONS.

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

CENTRAL BUSINESS DISTRICT. The area of the city bound by the following lines;

- (1) 10th Street from 5th Avenue to 2nd Avenue;
- (2) 9th Street from 5th Avenue to 2nd Avenue;

(3) 3rd Avenue from 8th Street to 11th Street; and

(4) 4th Avenue from 8th Street to 11th Street.

OPERATE. To ride on or control the operation of a skateboard, roller skates/blades or scooter.

OPERATOR. Every person who operates or is in actual physical control of a skateboard, roller skates/blades or scooter.

ROLLER SKATES/BLADES. A shoe with wheels attached or a device with wheels which is designated to be attached to a shoe.

SCOOTER. A foot-operated vehicle consisting of a narrow board mounted between two wheels, tandem, with an upright steering handle attached to the front wheel.

SKATEBOARDS. A wheeled device designed to transport a rider in a standing position, which device is not otherwise secured to the rider's feet or shoes.

(Ord. 146, 2nd Series, passed 7-1-2014)

§ 72.101 UNLAWFUL OPERATION.

It is unlawful for any person to ride or use a skateboard, roller skates/blades or scooter:

(A) On any public sidewalk, street or other public parking lot situated in the central business district;

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

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

(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.102 YIELDING THE RIGHT-OF-WAY.

The operator of a skateboard, roller skates/blades or scooter emerging from any alley, driveway or building upon approaching a sidewalk or the sidewalk area extending across any alleyway shall yield the right-of-way to all pedestrians approaching the sidewalk or sidewalk area upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.

(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.103 ATTACHING TO MOVING VEHICLE.

It is unlawful for any person operating a skateboard, roller skates/blades or scooter to attach the same or the person of the operator to any vehicle upon a roadway.
(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.104 RIDING AS CLOSE AS POSSIBLE TO RIGHT-HAND CURB.

Every person operating a skateboard, roller skates/blades or scooter upon a roadway shall ride as close as possible to the right-hand curb or edge of the roadway.
(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.105 HOURS OF OPERATION.

It is unlawful for any person to use a skateboard, roller skates/blades or scooter upon a public street, sidewalk or other roadway after sunset and before sunrise.
(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.106 OPERATION ON STATE HIGHWAYS.

It is unlawful for any person to use a skateboard, roller skates/blades or scooter upon a state highway in the city.
(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.107 VIOLATION.

It is unlawful for any person to violate any provision of this subchapter. In addition, any peace officer who observes any person violating any provisions of this subchapter is authorized to seize the offender's roller skates, skateboard or scooter and to hold same at the Police Department. In the event of the seizure, the offender, if an adult, may secure the return of this article seized after 24 hours have elapsed since the seizure. In the case of a minor, the article seized shall be returned only to the parent or guardian of the minor offender after 24 hours have elapsed since the seizure.
(Ord. 146, 2nd Series, passed 7-1-2014) Penalty, see § 72.999

§ 72.999 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.
(Ord. 146, 2nd Series, passed 7-1-2014)

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Windom - Traffic Code

CHAPTER 73: PARKING RULES

Section

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GENERAL PROVISIONS**§ 73.01 PRESUMPTION.**

As to any vehicle parking in violation of this traffic code and Ch. 95 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)

§ 73.02 GENERAL PARKING PROHIBITIONS.

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

- (A) On a sidewalk;
- (B) In front of a public or private driveway;
- (C) Within an intersection;
- (D) Within ten feet of a fire hydrant;
- (E) On a crosswalk;
- (F) Within 20 feet of a crosswalk at any intersection;
- (G) In a sign-posted fire lane;

(H) Within 30 feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;

(I) Within 50 feet of the nearest rail of a railroad crossing;

(J) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly sign-posted;

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

(L) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(M) Upon any bridge or other elevated structure upon a street;

(N) At any place where official signs prohibit or restrict stopping, parking or both;

(O) In any alley, except for loading or unloading and then only so long as reasonably necessary for the loading and unloading to or from adjacent premises; or

(P) On any boulevard which has been curbed.

(Prior Code, § 9.02) Penalty, see § 73.99

§ 73.03 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, § 9.03) Penalty, see § 73.99

§ 73.04 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, § 9.04) Penalty, see § 73.99

§ 73.05 PARALLEL PARKING.

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

(Prior Code, § 9.05) Penalty, see § 73.99

§ 73.06 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, § 9.06) Penalty, see § 73.99

§ 73.07 PARKING HOURS.

Parking on streets shall be limited as follows.

(A) It is unlawful for any person to stop, park or leave standing any vehicle upon any street for a continuous period in excess of 36 hours.

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

(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, § 9.20) Penalty, see § 73.99

§ 73.08 TRUCK PARKING.

(A) It is unlawful to park a detached semi-trailer upon any street, city-owned parking lot or other public property.

(B) It is unlawful to park a semi-trailer, truck-tractor or a combination thereof within an area zoned as a residential district, except for the purpose of loading or unloading the same.

(C) It is unlawful to park a commercial vehicle of more than one-ton capacity upon any street in the business district which has been duly sign-posted prohibiting the same, but parking of the vehicle for a period of not more than 20 minutes shall be permitted in the space for the purpose of necessary access to abutting property for 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 that 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 for loading or unloading.
(Prior Code, § 9.21) Penalty, see § 73.99

§ 73.09 PARKING RULES IN CITY PARKING LOTS AND RAMPS.

(A) In city-owned parking lots and ramps, 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 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 or ramp contrary to the restrictions or limitations sign-posted therein.
(Prior Code, § 9.22) Penalty, see § 73.99

§ 73.10 IMPOUNDING OR REMOVING VEHICLES.

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

(B) When any police officer finds a vehicle unattended upon any street or city-owned parking lot in violation of any parking regulation, the officer is hereby authorized to impound the unlawfully parked vehicle and to provide for the removal thereof and to remove the same to a convenient garage or other facility or place of safety; provided that, if any charge shall be placed against the vehicle for cost of removal or storage, or both, by anyone called upon to assist therewith the same shall be paid prior to removal from the place of storage or safekeeping.
(Prior Code, § 9.23)

§ 73.11 UNATTENDED VEHICLE.

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

(B) It is unlawful for any person to leave a motor vehicle unattended with the key in the ignition.
(Prior Code, § 9.24) Penalty, see § 73.99

§ 73.12 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.

(Prior Code, § 9.25) Penalty, see § 73.99

§ 73.13 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 selling merchandise thereon or therein, or advertising any merchandise for sale or a forthcoming event, for a period longer than 15 minutes.

(Prior Code, § 9.26) Penalty, see § 73.99

§ 73.14 PHYSICALLY DISABLED PARKING.

(A) Statutory parking privileges for physically disabled shall be strictly observed and enforced.

(B) It is unlawful for any person, whether or not physically disabled, to stop, park or leave standing a motor vehicle:

(1) In a sign-posted fire lane at any time; or

(2) In lanes where, and during such hours as, parking is prohibited to accommodate heavy traffic during morning and afternoon rush hours.

(Prior Code, § 9.31) Penalty, see § 73.99

PARKING METERS**§ 73.25 INSTALLATION AND USE.**

To control motor vehicle parking upon certain streets and public parking lots, mechanical devices commonly known as parking meters shall be installed on or near the curb or parking space and at locations as the Council may designate.

(Prior Code, § 9.40)

§ 73.26 PARKING SPACES.

Lines or markings painted upon the curb or street or public parking lot adjacent to each parking meter shall indicate the parking space and it is unlawful to park any vehicle unless the same shall be wholly contained within a single parking space.

(Prior Code, § 9.40)

§ 73.27 DAYS AND HOURS OF METERED PARKING.

It is unlawful for any person to cause, allow, permit or suffer any vehicle registered in his or her name or operated or controlled by him or her to be upon any street within a metered parking space at any time during which the meter is showing a signal indicating that the space is illegally in use between the hours of 9:00 a.m. and 5:00 p.m., Mondays through Saturdays, inclusive, excepting therefrom Sundays and days as are legal holidays designated by state statutes.

(Prior Code, § 9.40) Penalty, see § 73.99

§ 73.28 CHARGES.

(A) Parking meter charges may vary with the location of the on-street or public parking lot upon or along which metered parking has been established. Charges shall be prescribed by resolution of the Council at the time of establishment of metered parking within a specified area or upon a specified street. Changes in the charges shall be made by resolution of the Council. Parking meter charges and coin denominations shall be clearly stated upon each meter including the time covered by each denomination.

(B) Also, time limitations for parking in any metered space shall be clearly set forth upon each meter.

(Prior Code, § 9.40)

§ 73.29 SLUGS.

It is unlawful to deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for legal coins.

(Prior Code, § 9.40) Penalty, see § 73.99

§ 73.30 DAMAGING METERS.

It is unlawful for any person to tamper with, open, willfully break, damage, deface, destroy or otherwise interfere with any parking meter.

(Prior Code, § 9.40) Penalty, see § 73.99

SNOW EMERGENCIES**§ 73.45 DEFINITIONS.**

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

BUSINESS DISTRICT. The streets in the business district of the city, as used in this subchapter, are hereby defined as follows:

- (1) 10th Street from 5th Avenue east to 1st Avenue;
- (2) 9th Street from 5th Avenue east to 1st Avenue;
- (3) 4th Avenue from 8th Street north to 11th Street; and
- (4) 3rd Avenue from 8th Street north to 11th Street.

SNOW EMERGENCY. A condition created on city streets because of the presence of snow, freezing rain, sleet, ice or snowdrifts thereon, or other natural phenomenon which create or are likely to create hazardous road conditions or impede or likely to impede the free movement of fire, health, police, emergency or other vehicular traffic when the same have been duly declared by the Mayor, City Administrator or Chief of Police.

SNOW EMERGENCY ROUTES. The City Council may from time to time designate by resolution certain snow emergency routes upon which no parking shall be permitted during a snow emergency as set forth elsewhere herein. Upon designation of ***SNOW EMERGENCY ROUTES*** by the Council, a public notice shall be published in the official newspaper identifying the routes. The notice shall be posted in City Hall, 444 9th Street, Windom, Minnesota.

STREET. Includes all streets, avenues, alleys or other public ways in the city.

VEHICLE. Includes all motor vehicles, trailers of all kinds and contrivances of any kind being moved on wheels.

(Ord. 134, 2nd Series, passed 2-16-2010)

§ 73.46 RULES AND REGULATIONS.

Rules and regulations relating to snow removal shall be in accordance with the uniform policy promulgated by the city. The regulations shall be posted in the office of the City Administrator and further notice may otherwise be given as the Council may direct.

(Ord. 134, 2nd Series, passed 2-16-2010)

§ 73.47 UNLAWFUL ACTS.

During a snow emergency, it is unlawful to park or leave standing any vehicle upon any street until the street is plowed from curb to curb (from edge to edge on alleys) and is completely cleared of snow. (Ord. 134, 2nd Series, passed 2-16-2010; Ord. 180, 2nd Series, passed 9-17-2019) Penalty, see § 73.99

§ 73.48 PARKING VEHICLES TO FACILITATE SNOW REMOVAL.

(A) No vehicle shall be parked upon any street, alley, publicly-owned parking facility or right-of-way outside of the designated parking lanes so as to block the removal of snow from any street, alley, publicly-owned parking facility or right-of-way.

(B) On the day of a declared snow emergency, parking of vehicles will not be allowed upon any street including designated parking lanes between the hours of 12:01 a.m. and 8:00 a.m. or until the street is plowed from curb to curb (from edge to edge on alleys) and is completely cleared of snow. (Ord. 134, 2nd Series, passed 2-16-2010; Ord. 180, 2nd Series, passed 9-17-2019) Penalty, see § 73.99

§ 73.99 PENALTY.

(A) 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.

(1) If a specific section, division, or paragraph makes violation of its provisions a misdemeanor, the violator shall be punished for a misdemeanor; if a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, the violator shall be punished as for a misdemeanor when he or she is convicted of violation of any provision of this chapter. Exclusive of violations relating to the standing or parking of an unattended vehicle, violations of this chapter for the third time or more within the immediately preceding 12-month period shall be punished as a misdemeanor.

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

(B) Violation of §§ 73.45 through 73.48 shall be a petty misdemeanor and shall be grounds for any police officer to order the removal of a vehicle as authorized by § 73.10. Beginning at 12:01 a.m. on the day of the declared snow emergency, vehicles in violation of §§ 73.45 through 73.48 may be ticketed and towed at the owner's expense.

(Ord. 134, 2nd Series, passed 2-16-2010; Ord. 180, 2nd Series, passed 9-17-2019)

CHAPTER 74: PARADES AND DEMONSTRATIONS

Section

- 74.01 Definition
- 74.02 Permit required
- 74.03 Procedure and granting

- 74.99 Penalty

§ 74.01 DEFINITION.

The term *PARADE* means any movement of vehicles, persons or animals, or any combination thereof, which either moves together and as a body so as to, in some way, impede or affect the free and unobstructed flow of traffic, or which moves so that some part thereof is in violation of one or more traffic laws or regulations, if the movement is without a permit hereunder. It shall also mean gatherings of persons for purposes such as rallies and block parties.

(Prior Code, § 7.40)

§ 74.02 PERMIT REQUIRED.

It is unlawful to sponsor or participate in a parade for which no permit has been obtained from the city, and it is also unlawful to obtain a parade permit and not conduct the same in accordance with a permit granted by the city. Application for the permit shall be made to the City Administrator at least ten days in advance of the date on which it is to occur, and shall state the sponsoring organization or individuals, the route, the length, the estimated time of commencement and termination, the general composition and the application shall be executed by the individuals applying therefor or the duly authorized agent or representative of the sponsoring organization. No fee shall be charged for the permit.

(Prior Code, § 7.40) Penalty, see § 74.99

§ 74.03 PROCEDURE AND GRANTING.

The City Administrator shall forthwith refer all applications for parades to the Chief of Police for his or her consideration, which shall take no longer than seven days. If any state trunk highways are in

the route, the Chief of Police shall make all necessary arrangements with the State Department of Highways for alternate routes or whatever may be necessary. If the Chief of Police finds that a parade will not cause a hazard to persons or property, and will cause no great inconvenience to the public, and if he or she is able to make arrangements for necessary direction and control of traffic, he or she shall endorse his or her acceptance and return the application to the City Administrator who shall then issue the permit. If the Chief of Police finds the parade described in the application to be a hazard, a substantial inconvenience or if he or she is unable to make adequate arrangements for direction or control of traffic, he or she shall return the same to the City Administrator with his or her reasons for denial, and the permit shall not be granted unless all conditions and objections of the city are met or removed by the applicant.

(Prior Code, § 7.40)

§ 74.99 PENALTY.

Every person violates 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 of this chapter 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 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, § 7.99)

CHAPTER 75: PARKING SCHEDULES

Schedule

I. Parking restrictions

SCHEDULE I. PARKING RESTRICTIONS.

<i>Parking Restrictions</i>	<i>Prior Code</i>	<i>Ord. No.</i>	<i>Date Passed/ Effective</i>
Highway #13, 13th Street	§ 9.27	31, 2nd Series	4-4-1985
(A) <i>Purpose.</i> The county will be improving County State Aid Highway #13, 13th Street, between River Road and 4th Avenue, and the width of the improved portion of 13th Street between 4th Avenue and River Road will be 36 feet.			
(B) <i>Unlawful acts.</i> Notwithstanding the provisions of § 95.03 of this code of ordinances, it is unlawful for any person to park a motor vehicle on the south side of Highway #13, 13th Street, between River Road and 4th Avenue at any time. Parallel parking is permitted on the north side of 13th Street between River Road and 4th Avenue.			

