

CHAPTER XIII

TRAFFIC, MOTOR VEHICLES AND OTHER VEHICLES

Section 1300 - Highway Traffic Regulation

1300.01. State highway traffic regulation act. Subdivision 1. Adopted by reference. Minnesota Statutes, chapter 169, "The Highway Traffic Regulation Act", is adopted by reference and is as much a part of this code as if fully set forth herein. A violation of the statutes adopted by reference is a violation of this code.

Subd. 2. Definitions. For purposes of this chapter, the terms defined in Minnesota Statutes, section 169.01, have the meanings given by that section.

Subd. 3. Application to private streets and roads. This chapter applies to private streets and roads freely used by the general public.

Subd. 4. Penalty. A violation of the provisions of this chapter is a petty misdemeanor except where otherwise provided by statute.

1300.03. Motor vehicle registration act. Subdivision 1. Adoption by reference. Minnesota Statutes, sections 168.011, 168.055, 168.056, 168.09, 168.10, 168.11, 168.27, 168.36, 168.39, 168.41, 168.44 and 168.43 are adopted by reference and are as much a part of this Code as if fully set forth herein.

Subd. 2. Driver's license law. Minnesota Statutes, sections 171.01, 171.02, 171.03, 171.05, 171.08, 171.10, 171.11, 171.17, 171.18, 171.20, 171.22, 171.23 and 171.24 are adopted by reference and are as much a part of this code as if fully set forth herein.

1300.05. Unreasonable acceleration. Subdivision 1. Prohibition. Unreasonable acceleration of a motor vehicle on any public or private road or way or street or highway within the city is declared to be a public nuisance and is prohibited.

Subd. 2. Definition. Unreasonable acceleration of a motor vehicle means acceleration without apparent reason, and accomplished in such a manner as to cause squealing or screeching sounds by the tires or the throwing of sand or gravel by tires of the vehicle or both.

Subd. 3. Evidence. Prima facie evidence of such unnecessary and unreasonable acceleration is the squealing or screeching sounds emitted by the tires or the throwing of sand or gravel by the tires of the vehicle or both.

Subd. 4. Penalty. A person violating any provision of this subsection is guilty of a petty misdemeanor.

Section 1305 - Parking Regulations

1305.01. Scope. The provisions of this section apply to drivers of vehicles and owners of vehicles operated in the city.

1305.03. Prohibitions. Subdivision 1. General. It is unlawful to stop, stand or park a vehicle 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) in a public park, except upon designated roadways and in designated parking areas;
- (f) upon a street, highway, or road boulevard or in an area between a sidewalk and a street, highway or road;
- (g) upon a median or divider strip in a street, highway or road;
- (h) within 15 feet of the driveway entrance to a fire station and on the side of the street opposite the entrance to a fire station within 75 feet of said entrance when properly sign posted;
- (i) within 25 feet of the intersection of curb lines or, if none, then within 15 feet of the intersection of property lines at an intersection of a highway or road or street;
- (j) within 30 feet of any thru street stop sign or thru highway stop sign or at any other stop sign placed on the side or a roadway or street or highway on the approaching side;
- (k) within 20 feet of a point opposite the nearest end of a designated safety zone;
- (l) within five feet of the intersection of a public highway with any alley;
- (m) at any other place prohibited by law.

Subd. 2. Exceptions. The prohibitions of subdivision 1 do not apply to vehicles parked to:

- (a) avoid conflict with other traffic;
- (b) comply with a traffic control device;
- (c) comply with the directions of a peace officer.

This subsection does not apply to city vehicles parked in connection with official city business.

1305.05. Special loading zones. There is reserved for loading and unloading of passengers or commodities, during the hours between 8:00 o'clock a.m. and 6:00 o'clock p.m. except on Sundays and legal holidays, spaces of proper and adequate length wherever the city council directs the police department to establish and mark a loading zone, and when and to the extent so marked.

1305.07. Parking in congested zones. Subdivision 1. General rule. It is unlawful to park a vehicle or permit it to stand upon a street in a congested zone for a period of time longer than one hour during the hours between 8:00 o'clock a.m. and 6:00 o'clock p.m.

Subd. 2. Congested zones. It is unlawful to park a vehicle or permit it to stand upon a street which has been designated a one hour zone for more than one hour. When a one hour zone is in an area in which parking by resident permit pursuant to subsection 1305.15, the one hour restriction does not apply to vehicles bearing resident permits, but allows non-permitted vehicles to remain on the street for not more than one hour.

1305.09. Restricted parking. Subdivision 1. Four hour rule. Except as otherwise provided in this code, no person in charge of a vehicle may park or permit the vehicle to stand upon a highway, street or alley in the city or on property owned or leased by the city, for more than four consecutive hours between the hours of 12 o'clock a.m. and 8 o'clock a.m. nor for more than six consecutive hours at any time.

Subd. 2. Trucks. In an industrial, commercial, or multiple dwelling area where off-street parking area or truck standing spaces are provided, those vehicles must use the designated area for parking, loading or unloading.

Subd. 3. Snow. After a snowfall of at least two inches, parking is prohibited on public streets, highways, and alleys in the city and on property owned or leased by the city. Parking may not resume on a street, highway or alley until it has been plowed and the snow removed to the curb line. Parking may not be resumed on any individual property owned or leased by the city until the property has been plowed to the perimeters thereof. (Amended, Ord. No. 91-14, Sec. 1)

Subd. 4. Declaration of emergency. Whenever in the opinion of the director of public works or his or her designated representative an emergency exists in the city or in a section or sections thereof because of snow, rain, freezing rain, sleet, ice, snowdrifts or other natural phenomena which create or are likely to create hazardous road conditions or impede the free movement of fire, health, police, emergency or other vehicular traffic, or otherwise endanger the safety and welfare of the community, the director of public works or his or her designated representative may declare an emergency to exist for up to six weeks, but such emergency may be sooner terminated if conditions permit. While emergency conditions exist, the director of public works or his or her designated representative may restrict parking on public streets in a section or sections of the city. Notice of such emergency and termination thereof shall be given by press, City website, radio and television and the news media shall be requested to cooperate with city officials and, when such notice is given, it shall constitute due and proper notice. Where, in the opinion of the director of the department of public works or his or her designated representative, such emergency continues to exist for a period in excess of the aforesaid emergency period, he or she is hereby authorized to declare successive emergency periods. (Added, Ord. No. 14-05)

1305.10. (Added, Ord. No. 96-10) Prohibited parking. Subdivision 1. Notwithstanding any provision in this section to the contrary, the parking of any truck-tractor, semi-trailer, truck tractor and semi-trailer combination on commercially zoned private property is prohibited except in the following circumstances:

- (a) where such parking is necessary in connection with construction activity which is actually occurring on the property pursuant to a valid and current building permit;
- (b) for a period of up to 12 hours, or such longer time as permitted in writing by the police chief, where such parking is for the purpose of unloading or loading materials, supplies or inventory to be used in connection with the business activity occurring on the property; but not for the purpose of storage of such materials, or inventory pending sale;
- (c) where such vehicles are actually being offered for sale or lease by the business located on the property, but only if such sale or lease activity is permitted by this code;
- (d) where such parking is in connection with paper recycling, clothing donations, or other similar activity conducted by non-profit organizations; not to exceed 20 calendar days or such longer time as permitted in writing by the police chief; or
- (e) a vehicle customarily used in connection with a business which is the principal use of the property on which it is parked, provided that truck parking shall occur only in approved truck parking areas. This approval shall be granted in writing after review and comment from the planning and police departments. The approved area shall be identified and posted on the property with permanent signage.

Subd. 2. Nothing in this subsection shall be deemed to permit the parking of such vehicle at a location on the property which:

- (a) is within any public right-of-way, or
- (b) would obstruct the visibility of vehicle traffic or pedestrian movement, or
- (c) would interfere with access by emergency vehicles or equipment, or
- (d) is within 150 feet of any residentially zoned property, or
- (e) is otherwise in violation of any ordinance, rule or regulation of the city.

1305.11. Taxicabs and common carriers. Taxicabs or other vehicles having a capacity for and engaged in the business of carrying less than seven passengers for hire, or in carrying baggage, property or material for hire, may not stand on a highway in the congested zone except at stands plainly indicated by markings or signs placed and maintained by the police department, at locations designated and authorized by the council, and only to the extent and for the period of time indicated by the markings and signs.

1305.13. Parking by permit only parking. Subdivision 1. Purpose: policy. The council has found that in certain areas of the city, and in particular in the vicinity of North Memorial Hospital, streets in residential areas are congested because of heavy residential and non-residential traffic and parking. It is the purpose of this subsection to stem the flow of commuter traffic from institutional, commercial and industrial districts into an adjoining residential neighborhood; to reduce air pollution and other environmental effects of automobile emissions, and to enhance the quality of life in the residential area by reducing noise, traffic hazards and litter; to protect the residents from unreasonable burdens in gaining access to their residences; to preserve the character of the residential district as such; to promote efficiency in the maintenance of these streets in a clean and safe condition; to preserve the value of property; to preserve the safety of children and other pedestrians and traffic safety, and to promote the peace, good order, comfort, convenience and welfare of the inhabitants of the city. The provisions of this subsection, providing the parking by permit only, are in furtherance of those objectives.

Subd. 2. Definition. The term “household” means a house or apartment bearing a street address in a “parking by permit only” parking zone. (Amended, Ord. 04-11)

Subd. 3. General rule. The council may from time to time by resolution designate certain streets as “parking by permit only” parking zones, and cause them to be so posted. Thereafter, no person in charge of a vehicle may park or permit the vehicle to be parked on posted streets unless the vehicle bears a permit as provided in this subsection.

Subd. 4. Permits. The city will make available the following types of permits at the city police department offices:

- (a) Resident household permits. Households on streets designated by resolution pursuant to subdivision 2, may request a household permit for each vehicle owned or leased by a member of the household; for vehicles which are currently licensed, in operating condition and current use. (Amended, Ord. 04-11)
- (b) Visitor permits. Each household may obtain a visitor permit or permits subject to restrictions set forth in subdivision 4c. (Amended, Ord. 04-11)
- (c) Limits on permits per household. The number of permits issued to each household shall not exceed a total of four permits of which no more than three may be “residential household permits.” The chief of police has the authority to issue additional temporary permits if warranted by extraordinary circumstances.

Subd. 5. Display. Resident household and visitor permits must bear an identifying serial number for the household obtaining the permit. A record of households who have permits is kept by the city. Resident household permits must be displayed in the lower rear corner of the left side window closest to the rear of the vehicle. Visitor permits must be placed on the dashboard or other conspicuous place to be easily seen by law enforcement personnel through the windshield. (Amended, Ord. 04-11)

Subd. 6. Costs: fees. To cover the costs of administering the permit system, a fee may be charged for each permit. The amount of the fee is set by city council at Appendix B. (Amended, Ord. 04-11)

Subd. 7. Transfer. A resident household parking permit may not be used by, sold, or transferred to a person not living at the address for which the permit was issued. A visitor permit may not be given or sold for any purpose other than to permit parking by a visitor while actually visiting the household. (Amended, Ord. 04-11)

Subd. 8. Exception. This subsection does not apply to persons who perform, or vehicles used in the performance of, commercial services, repairs, or emergency assistance for a resident, provided that such persons are then performing, or the vehicles are in fact being used, in such services or assistance. The exception terminates immediately upon completion of the service or assistance.

Subd. 9. General parking rules apply. Except to the extent otherwise specifically provided in this subsection, the general parking regulations of the city are applicable within the areas designated "parking by permit only".

1305.15. Additional restrictions. In addition to the other provisions of this section, parking vehicles on the public streets, highways, alleys, and property owned or leased by the city is governed by signs established by the public works department at the direction of the city council and in accordance with verbal directions given by a police officer or member of the fire department.

1305.17. Parked vehicles impounded. A vehicle in violation of the traffic and parking regulations of the city may be ordered removed from a public street, highway, alley, or property owned or leased by the city by a police officer. The vehicle may be towed away to a garage, service station or other place of safekeeping as authorized by the city council as soon as possible to facilitate snow removal, street maintenance, the orderly flow of traffic, fire fighting or other lawful purpose. The vehicle will be surrendered to the duly identified owner thereof upon payment of the required fees for such towing and storage. Removal of a vehicle does not bar prosecution for a violation of traffic or parking regulations.

1305.19. Parking monitors. Subdivision 1. General rule. Under the direction of the police department parking monitors and animal control officers are empowered, authorized and directed to issue traffic tags for parking violations. The tags have the same force and effect as though issued by a duly appointed, qualified and acting police officer or other peace officer.

Subd. 2. Interference. It is unlawful to resist, delay or obstruct a parking monitor or animal control officer engaged in the discharge of official duties. It is unlawful to interfere with or obstruct the issuance of traffic tags by parking monitors or animal control officers. It is unlawful to intentionally obliterate, remove or destroy identification marks or signals placed upon tires or motor vehicles by parking monitors or animal control officers in connection with the enforcement of parking regulations.

1305.21. Trucks and semi-tractors and trailers. Commercial vehicles, semi-tractors, trailers or trucks exceeding a gross vehicle capacity of 9,000 pounds or an overall length of 25 feet may not be parked or stored on streets or highway in the city.

1305.23. Truck routes. There are established within the corporate limits of the city "truck traffic routes" identified by signs and markings erected and maintained by the police department as directed by the council. When a "truck traffic route" has been established and identified, a person driving a truck having a capacity of two tons or more must drive the truck on the route or routes and none other, except when it is impracticable to do so or where necessary to traverse another street or streets to a destination for the purpose of loading or unloading commodities and then only by such deviation from the nearest "truck traffic route" as is reasonably necessary.

1305.25. Materials on streets or alleys. Subdivision 1. General rule. It is unlawful to throw or place in a street or alley any glass, nails or other materials likely to puncture or injure rubber tires or any vehicle. A person involved in an accident in which injurious materials are caused to be thrown or placed in a street or alley must immediately remove such injurious materials or cause them to be removed.

Subd. 2. Snow. No person may by pushing, shoveling or by any mechanical means cause snow or ice to be placed in or on any street or alley.

Subd. 3. Debris. A person hauling debris or construction materials and dropping it on city streets must remove such materials or debris immediately. Persons causing damage to streets by trucks must repair same to the satisfaction of the city. In the event either of the above provisions are not complied with the person will be charged by the city for time and materials required to clean or repair said street.

1305.27. Keys in parked vehicles. It is unlawful to allow keys to a vehicle to remain in the ignition lock while the vehicle is parked and unattended on any street, alley or public property in the city.

1305.29. Parking for park patrons only signage. The city council may, when deemed necessary, designate by resolution, "parking for park patrons only" parking areas on city streets or rights-of-way, near city parks. This signage will only be considered for parks that do not have adequate, designated parking lots for patron use. Thereafter, no person in charge of a vehicle may park or permit the vehicle to be parked on posted streets unless the vehicle owner is using park facilities or is on park grounds. (Added, Ord. No. 98-12)

Section 1310 - Recreational Vehicles

1310.01. Statutes. The regulatory provisions of Minnesota Statutes, section 84.81 to 84.929 inclusive, regulating snowmobiles and recreational off-road vehicles in the city are adopted by reference.

1310.03. Prohibitions. Subdivision 1. General. Except as provided in this section it is unlawful to operate a snowmobile or recreation off-road vehicle:

- (a) upon a city street or alley in the city;
- (b) upon private property of another except upon written permission;
- (c) upon publicly owned areas and easements, including school property, park property, playgrounds, recreational areas, public lakes or lake surfaces, waters public boulevards or sidewalks, or land designed for the use thereof;

Subd. 2. Time. A snowmobile or recreational off-road vehicle may not be operated after the hour of 9:30 p.m. nor prior to 8:00 a.m. in the city.

1310.05. Permitted areas. The city council may, by resolution, designate public areas that may be used by the public for the operation of snowmobiles or recreational off-road vehicles, provided that in designated areas snowmobile or recreational off-road vehicle may not be operated:

- (a) after the hour of 9:30 p.m. nor prior to 8:00 a.m.;
- (b) within 50 yards of:
 - (1) a fisherman engaged in fishing;
 - (2) a skating rink;
 - (3) a sliding area.
- (c) within 250 feet of lake shore except for designated park entrance and exit areas;
- (d) unless the snowmobile or recreational vehicle complies with the state statute on noise;
- (e) unless a required safety certificate has been obtained.

A person under 18 years of age may not operate a snowmobile unless the operator has a valid snowmobile safety certificate in the person's immediate possession issued pursuant to Minnesota Statutes, section 84.872 or is under the supervision of an adult.

Section 1315 - Bicycles
(Added, Ord. No. 98-01)

1315.01. Statutes. The regulatory provisions of Minnesota Statutes, sections 169.222 and 168C, regulating bicycles in the city are adopted by reference.

1315.03. Definitions. Bicycle: In this section the term bicycle shall mean every device propelled solely by human power upon which any person may ride, having two tandem wheels except scooters and similar devices and including any device generally recognized as a bicycle though equipped with two front or rear wheels. (Minnesota Statutes, section 169.01, subd. 51)

1315.05. [Repealed; Ord. No. 16-08].

1315.07. Impoundment of bicycles. Any bicycle found unattended on any public street, highway, boulevard, sidewalk, alley or any other public property without a currently valid license sticker, or which has a mutilated frame number or license sticker may be immediately removed and impounded by any officer or authorized employee of the department. The bicycle shall be returned to the owner upon proof of ownership and display of a currently valid State of Minnesota registration covering the bicycle.

1315.09. Careful operation/reasonable speeds. No person shall operate or use a bicycle upon any public street, highway, boulevard, sidewalk, alley or any other public property except in a careful and prudent manner, or at a speed faster than is reasonable and proper under traffic conditions at the time. Every bicycle shall be operated with due regard for the safety of the operator and other persons upon the public streets, highways, boulevards, sidewalks, alleys or any other public property.

1315.11. Bicycle rentals. A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed by the State of Minnesota and a license sticker is attached and the bicycle is in good mechanical condition and is equipped with lights and other equipment as required by Minnesota Statutes, section 169.222 and this section.

1315.13. Penalty. Any person who shall operate or use a bicycle in violation of the provisions of this section shall be guilty of a petty misdemeanor.

Section 1320 – Idling – Diesel Engine Powered Commercial Motor Vehicles
(Added, Ord. No. 09-09)

1320.01. Purpose. The purpose of this section is to protect the public health and the environment by reducing vehicular emissions in and adjacent to parks and conserving fuel while enhancing the rest and safety of all drivers of diesel vehicles.

1320.03. Applicability. This chapter applies to diesel engine powered commercial motor vehicles (as that term is defined in 49 Code of Federal Regulations (CFR) Part 390.5) which are designed to operate on highways, and to locations within and adjacent to park property including Victory Memorial Parkway.

1320.05. General requirement for vehicles. No owner or operator of a vehicle shall cause or permit vehicles covered by this chapter to idle in any park, or on any roadway or parking area adjacent to park property, including Victory Memorial Parkway, except as noted in section 1320.07.

1320.07. Exemptions.

- (a) Section 1320.05 does not apply for the period or periods where:
 - (1) A vehicle idles while forced to remain motionless because of on-street traffic, an official traffic control device or signal, or at the direction of a law enforcement official.
 - (2) The ambient outside air temperature is less than 36 degrees or more than 80 degrees Fahrenheit.
 - (3) Idling of the primary propulsion engine is necessary to power work-related mechanical or electrical operations other than propulsion (e.g., mixing or processing cargo or straight truck refrigeration). This exemption does not apply when idling for cabin comfort or to operate non-essential on-board equipment.
 - (4) A vehicle idles due to mechanical difficulties over which the driver has no control; an officer or inspector enforcing this chapter may require that the owner or operator of the vehicle submit repair documentation or receipt within a specified number of days in order for this conditional exemption to apply.
- (b) Section 1320.05 does not apply to a police, fire, ambulance, public safety, military, or other emergency or law enforcement vehicle, or any vehicle being used in an emergency capacity, idles while in an emergency or training mode and not for the convenience of the vehicle operator.

1320.09. Auxiliary power units. Operating an auxiliary power unit, generator set, or other mobile idle reduction technology as a means to heat, air condition, or provide electrical power as an alternative to idling the main engine shall not be precluded under this chapter.

1320.11. Penalties. Violations of the provisions of this chapter may be enforced by any one, all, or any combination of the following penalties and remedies:

- (a) Violations shall be punishable in accordance with section 115 of this code.
- (b) This chapter may also be enforced by injunction, abatement, mandamus, or any other appropriate remedy in any court of competent jurisdiction.