

CHAPTER 71: PARKING REGULATIONS

Section

Parking During Snow Removal Operations

- 71.01 Definitions
- 71.02 Commencement of removal operations
- 71.03 Parking during snow removal period prohibited
- 71.04 Exemptions from parking prohibition
- 71.05 Towing of vehicles or trailers
- 71.06 Towing of vehicles or trailers violating this subchapter; piling of snow
- 71.07 Violations
- 71.08 Effective date

General Parking Regulations

- 71.20 Definitions
- 71.21 Prohibited stops
- 71.22 Parking prohibited
- 71.23 Double parking
- 71.24 Parking of certain vehicles restricted
- 71.25 Parking zones; general limitation
- 71.26 Disabled vehicles
- 71.27 Prima facie evidence of violation
- 71.28 Violations
- 71.29 Impounding
- 71.30 Effective date

PARKING DURING SNOW REMOVAL OPERATIONS

' 71.01 DEFINITIONS.

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

OWNER. Either a person who holds the legal title to real property or a person who holds the legal title of a vehicle, trailer, machinery, or equipment, or in the event a vehicle or trailer is subject to a conditional sale or lease agreement, the vendee or lessee of the vehicle or trailer shall be deemed the owner for the purpose of this subchapter.

PARKED. The stopping, standing, or parking of vehicles, trailers, machinery, equipment, or other device or property of any nature upon a street or alley whether accompanied or unaccompanied by the operator thereof.

SNOW REMOVAL PERIOD. The period of time commencing at the beginning of each snowfall and continuing until snow or ice plowing has been completed on the street or alley over the full width of the street or alley.

STREET or *ALLEY.* The entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic. The term *STREET* specifically includes highway.

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

VEHICLE. Every device in, upon, or by which any person or property is or may be transported or drawn upon a street or alley, except devices moved by human power or used exclusively upon stationary rails or tracks.

(Ord. 135, passed 12-19-1996)

' 71.02 COMMENCEMENT OF REMOVAL OPERATIONS.

The City Street Supervisor, within 12 hours following the termination of snow, freezing rain, sleet, ice, snowdrifts, or other natural phenomena, which create or are likely to create hazardous road conditions impeding or likely to impede the free movement of fire, health, police, emergency, or other vehicular traffic or the safety and welfare of the community, shall commence the removal of the conditions from the

streets, alleys, and highways within the city.
(Ord. 135, passed 12-19-1996)

' 71.03 PARKING DURING SNOW REMOVAL PERIOD PROHIBITED.

No vehicle, trailer, machinery, equipment, or other device or property of any nature shall be parked, abandoned, or left unattended on any city street or alley in the city between the hours of 4:00 a.m. and noon during a snow removal period. (Ord. 135, passed 12-19-1996) Penalty, see '10.99

' 71.04 EXEMPTIONS FROM PARKING PROHIBITION.

The foregoing provisions of '71.03 shall not prohibit passenger vehicles from stopping for periods sufficient to load or discharge passengers from the vehicles. Commercial vehicles may stop for periods sufficient to load and unload cargo when special permission is obtained from the City Street Supervisor or the Police Department or Sheriff=s Department provided the commercial vehicle is not left unattended. (Ord. 135, passed 12-19-1996) Penalty, see '10.99

' 71.05 TOWING OF VEHICLES OR TRAILERS.

Any vehicle or trailer parked in or upon any street or alley in violation of this subchapter may be towed at the owner=s expense. (Ord. 135, passed 12-19-1996)

' 71.06 TOWING OF VEHICLES OR TRAILERS VIOLATING THIS SUBCHAPTER; PILING OF SNOW.

(A) *Towing of vehicles.* Any vehicle, trailer, machinery, equipment, or other device or property of any nature which shall be left parked or standing in violation of this subchapter may be summarily removed without notice to the owner or operator by officers of the Police Department of the city or persons employed or designated by them and stored in any appropriate place. All necessary costs and expenses of towing, removing, and storage of the vehicles, trailers, machinery, equipment, or other device or property of any nature, shall be paid to the person doing the towing, by the person claiming the vehicles, trailers, or other property before release of the vehicles, trailers, or other property. The city shall not be responsible for any damage to the vehicles, trailers, or other property removed in accordance with the provisions of this subchapter.

(B) *Piling of snow.* No owner or occupant of real property abutting upon a public street or alley nor any person on behalf of any such owner or occupant shall:

(1) Push into or deposit upon the paved or improved roadway of any public street or alley, any snow or ice from the private property or from public boulevards adjoining the property;

(2) Pile snow at the heights and at the locations as to interfere with the view of the traveling public at public street and alley intersections and at private drives onto public streets and alleys; and/or

(3) A violation of the provisions of this division (B) shall not only subject the violator to petty misdemeanor penalties but shall also obligate the abutting owner or occupant and any agent of the owner or occupant, to reimburse the city for any expense incurred by it in removing snow unlawfully deposited or piled.

(Ord. 135, passed 12-19-1996) Penalty, see '10.99

' 71.07 VIOLATIONS.

Any person who violates any of the provisions of this subchapter shall be guilty of a petty misdemeanor and upon conviction thereof shall be punished by a fine in an amount not to exceed the amount permitted by Minnesota law.

(Ord. 135, passed 12-19-1996) Penalty, see '10.99

' 71.08 EFFECTIVE DATE.

This subchapter becomes effective from and after its passage and publication.

(Ord. 135, passed 12-19-1996)

GENERAL PARKING REGULATIONS

' 71.20 DEFINITIONS.

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

CROSSWALK. The portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections.

CURB. The lateral boundaries of a roadway, whether or not marked by curbing.

DOUBLE PARKING. The parking of a vehicle on the roadway side of any vehicle stopped or parked at the edge or curb of a roadway.

DRIVER. Every person who drives or is in actual physical control of a vehicle.

INTERSECTION. The area embraced within the prolongation or connection of the lateral curbing lines, or if none, then the lateral boundary lines of the roadway of 2 streets which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict.

MOTOR VEHICLE. Every vehicle which is self-propelled.

OWNER. A person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditions vendee or lessee or in the event a mortgagor of a vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this subchapter.

PARK or *PARKING.* The stopping, standing, or parking of vehicles upon a street or alley whether accompanied or unaccompanied by the operator thereof, except temporary stops for the purpose of loading and unloading passengers.

PRIVATE ROAD OR DRIVEWAY. Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

RIGHT-OF-WAY. The privilege of the immediate use of the street or alley.

ROADWAY. The portion of a street or alley improved, designed, or ordinarily used for vehicular travel.

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

SIDEWALK. The portion of a street between the curbing or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians.

STREET or *ALLEY.* The entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic. The term *STREET* specifically includes highway.

TRAFFIC-CONTROL DEVICES. All signs, signals, markings, and devices not inconsistent with this subchapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

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

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

VEHICLE. Every device in, upon, or by which any person or property is or may be transported or drawn upon a street or alley, except devices moved by human power or used exclusively upon stationary rails or tracks.

(Ord. 130, passed 4-27-1992)

' 71.21 PROHIBITED STOPS.

No person shall park a vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

(A) On a sidewalk or on an improved boulevard between a sidewalk and a roadway;

(B) In front of a public or private driveway or alley or within 5 feet of the intersection of any public or private driveway or alley with any street;

(C) Within an intersection;

(D) Within 10 feet of a fire hydrant;

(E) On a crosswalk;

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

(G) At any place where temporary signs prohibit parking, stopping, or standing as long as the signs are in place;

(H) At any place where official signs or markings prohibit stopping, standing, or parking; and/or

(I) On a street or alley when directed or ordered to proceed by any person or police officer invested by law with authority to direct, control, or regulate traffic.
(Ord. 130, passed 4-27-1992) Penalty, see ' 10.99

' 71.22 PARKING PROHIBITED.

(A) *Private property.* No person shall park a vehicle or leave a vehicle parked on private property without consent of the owner or person in lawful possession of the property; provided, however, that enforcement of this division (A) on property the principal use of which is for other than single-family and duplex purposes is subject to the condition that there be a sign at each entrance to the parking lot stating: ARestricted Parking. For Use Only By _____,@ followed by a description of the type of parking permitted.

(B) *No parking zones.* No person shall park a vehicle, except as otherwise provided or unless directed to do so by a police officer, on any street or alley where the Council or the City Engineer has established a no parking zone and the zone is marked by a sign or yellow curbing.

(Ord. 130, passed 4-27-1992) Penalty, see ' 10.99

' 71.23 DOUBLE PARKING.

No person shall double park a vehicle, other than a truck, on any public street at any time, except as otherwise hereinafter provided. Trucks may be double parked not to exceed 15 minutes for the purpose of loading and unloading commodities under the following conditions:

(A) Alley access to the place of pickup or delivery does not exist; and

(B) Access to the curbing at or immediately adjacent to the place of pickup or delivery is blocked by other vehicles.

(Ord. 130, passed 4-27-1992) Penalty, see ' 10.99

' 71.24 PARKING OF CERTAIN VEHICLES RESTRICTED.

No person shall park any of the following described vehicles on any street or alley for more than 1 hour:

(A) Trucks of a capacity of more than 3/4 ton, according to manufacturer=s rating;

(B) Trucks having an overall length of more than 20 feet, or width at any point of more than 6 feet; and

(C) Dump trucks, tractors, truck-tractors, trailers, boats and boat trailers, semi-trailers, or any heavy machinery.

(Ord. 130, passed 4-27-1992) Penalty, see '10.99

' 71.25 PARKING ZONES; GENERAL LIMITATION.

No person shall park any vehicle in any parking zone for a longer consecutive period of time than is designated on the signs erected in the zone. In those zones or areas where no signs are erected, no person shall park any vehicle for more than 24 consecutive hours.

(Ord. 130, passed 4-27-1992) Penalty, see '10.99

' 71.26 DISABLED VEHICLES.

The provisions of this subchapter relating to stopping, standing, and parking of vehicles shall not apply to the owner or driver of any vehicle which is disabled while on the roadway of any street or alley in the manner and to the extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in an illegal position.

(Ord. 130, passed 4-27-1992)

' 71.27 PRIMA FACIE EVIDENCE OF VIOLATION.

The presence of a vehicle in or upon any street or alley in the city, stopped, standing, or parked in violation of this subchapter, shall be prima facie evidence that the person in whose name the vehicle is registered as owner committed or authorized the commission of the violation.

(Ord. 130, passed 4-27-1992)

' 71.28 VIOLATIONS.

Any person who violates any of the provisions of this subchapter shall be guilty of a petty misdemeanor.

(Ord. 130, passed 4-27-1992) Penalty, see '10.99

' 71.29 IMPOUNDING.

Any unoccupied vehicle found parked in violation of the provisions of this subchapter may be immediately removed and impounded by any police officer or person duly authorized by the police officer. The cost of removing and impounding the vehicle shall be borne by the owner thereof.

(Ord. 130, passed 4-27-1992)

'71.30 EFFECTIVE DATE.

This subchapter becomes effective from and after its passage and publication.
(Ord. 130, passed 4-27-1992)