

**TITLE VII: TRAFFIC CODE**

Chapter

**70. GENERAL PROVISIONS**

**71. TRAFFIC REGULATIONS**

**72. PARKING REGULATIONS**

**73. RECREATIONAL AND TOY VEHICLES**

**Litchfield –Traffic Code**

## CHAPTER 70: GENERAL PROVISIONS

### Section

#### *General Provisions*

- 70.01 Highway Traffic Regulation Act adopted
- 70.02 Refuse on highways
- 70.03 Approach to railroad crossing
- 70.04 Accidents; reports
- 70.05 Street vacations

#### *Licenses*

- 70.15 Licenses required
- 70.16 Violation; suspension of license
- 70.17 Driving with revoked license
  
- 70.99 Penalty

### **GENERAL PROVISIONS**

#### **§ 70.01 HIGHWAY TRAFFIC REGULATION ACT ADOPTED.**

The regulatory provision of M.S. Chapters 169 and 169(A), as amended by Laws 1969 and 1971, and special sessions thereof are hereby adopted as traffic ordinance regulating the use of highways, streets and alleys within the city, and are hereby incorporated in and made a part of this title as completely as if set out here in full.

(Prior Code, § 8-5-1) (Ord. 364, passed 10-13-1971)

#### **§ 70.02 REFUSE ON HIGHWAYS.**

(A) No person shall throw or deposit any glass, metal, garbage, tin cans or other similar substance upon any highway, and anyone who drops or throws, or permits to be dropped or thrown any such destructive or injurious substance shall immediately cause the same to be removed.

(B) Any wrecked or damaged vehicle on a street or roadway shall be removed therefrom without unreasonable delay and pending removal shall be guarded with proper lights, equal in intensity to ordinary parking lights or red flares; and when removed, no glass or injurious substance shall be left upon the street or roadway by the person removing the vehicle.  
(Prior Code, § 8-1-5)

### **§ 70.03 APPROACH TO RAILROAD CROSSING.**

(A) When any person driving a vehicle approaches a railroad grade crossing and a clearly visible electric or mechanical signal device gives warning of the immediate approach of a train, the driver of the vehicle shall stop not less than 10 feet from the nearest track of the railroad protected by the signal device and shall not proceed until he or she can do so safely.

(B) The driver of a vehicle shall stop and remain standing and not traverse a railroad grade crossing when a human flagperson gives or continues to give a signal of the approach or passage of a train.  
(Prior Code, § 8-1-19) (Ord. 214, passed 12-7-1944)

### **§ 70.04 ACCIDENTS; REPORTS.**

(A) *Stop at scene.* The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop the vehicle at the scene of the accident, or as close thereto as possible, but shall then return to and in every event shall remain at the scene of the accident until he or she has fulfilled the requirements as defined in M.S. Chapter 169, as it may be amended from time to time, as to the giving of information.

(B) *Driver to report collision with vehicle not attended.* The driver of any vehicle which collides with and damages any vehicle which is unattended shall immediately stop and locate and notify the driver or owner of the vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle, shall report the same to a police officer, or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking.  
(Prior Code, § 8-1-16) Penalty, see § 70.99

### **§ 70.05 STREET VACATIONS.**

Vacations shall be done in accordance with M.S. §§ 412.851 and 440.13, as they may be amended from time to time, and City Charter § 3.04. Streets so vacated are listed in Table of Special Ordinances No. II.  
(Ord. 607, passed 6-3-1996)

*LICENSES*

**§ 70.15 LICENSES REQUIRED.**

No person shall operate or drive any motor vehicle upon any street or highway in the city, unless he or she has a valid license as a driver in his or her possession as provided in M.S. Chapter 171, as it may be amended from time to time, and shall display the same to any police officer upon request of the officer.

(Prior Code, § 8-1-20) Penalty, see § 70.99

**§ 70.16 VIOLATION; SUSPENSION OF LICENSE.**

For any violation of this chapter, except §§ 70.01 and 70.05, and Chapter 71, except §§ 71.18, 71.19 and 71.45, the District Court, upon a conviction or plea of guilty or the forfeiture of bail, may recommend to the Commissioner of Highways of the State of Minnesota the suspension of the driver's license of the person so convicted as provided in M.S. § 171.16, as it may be amended from time to time.

(Prior Code, § 8-1-21)

**§ 70.17 DRIVING WITH REVOKED LICENSE.**

Any person whose driver's license or driving privilege has been cancelled, suspended or revoked who operates any motor vehicle, the operation of which requires a driver's license, upon the streets or highways in the city while the license or privilege is cancelled, suspended or revoked is guilty of a misdemeanor and shall be subject to the provisions of § 70.99.

(Prior Code, § 8-1-22) (Ord. 233, passed 12-1-1947) Penalty, see § 70.99

**§ 70.99 PENALTY.**

(A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § 10.99.

(B) Any violation of the statutes adopted by reference in § 70.01 is a violation of that section when it occurs within the city. Any person thus violating any provision of § 70.01 shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed \$300 or imprisonment in the County Jail for a period not to exceed 90 days, or both; but if a minimum fine or imprisonment is prescribed by the State Highway Traffic Act for an offense, that penalty shall apply to a person convicted of the same offense under this section.

(Prior Code, § 8-5-2) (Ord. 364, passed 10-13-1971)

**Litchfield –Traffic Code**

(C) Any person failing to stop or to comply with the requirements of § 70.04(A) under such circumstances shall, upon conviction, be punished by imprisonment for not less than 10 nor more than 90 days, or by a fine of not less than \$10 nor more than \$100.

(Prior Code, § 8-1-16)

(D) Any person violating § 70.17, upon conviction, shall be punished as follows:

(1) For a first offense he or she shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not less than 10 days, nor more than 90 days; and

(2) For a second and each subsequent offense shall be punished by a fine of not less than \$50, nor more than \$100, or by imprisonment for not less than 30 days, nor more than 90 days.

(Prior Code, § 8-1-22) (Ord. 233, passed 12-1-1947)

## CHAPTER 71: TRAFFIC REGULATIONS

### Section

#### *General Provisions*

- 71.01 Speed regulations
- 71.02 Reckless driving
- 71.03 Driving under influence
- 71.04 Operating and turning
- 71.05 Emergency vehicles
- 71.06 Miscellaneous regulations

#### *Signs and Signals*

- 71.15 Stop signs
- 71.16 U-Turns
- 71.17 Pedestrians
- 71.19 Stop intersections

#### *Prohibitions*

- 71.30 Bicycles and scooters
- 71.31 Exhibition driving

#### *Load Weight*

- 71.45 Weight restrictions on public streets
- 71.46 Restriction on loads
- 71.47 Weight of loads

#### *Condition of Vehicle Equipment*

- 71.55 Equipment
- 71.56 Windshields
- 71.57 Damage; tampering with vehicle
  
- 71.99 Penalty

**GENERAL PROVISIONS****§ 71.01 SPEED REGULATIONS.**

(A) No person shall drive a vehicle on any street within the city at greater speed than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event the speed shall be so restricted as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care. Where no special hazards exist, no vehicle shall be driven thereon at a speed in excess of 30 miles per hour. Where a street has been zoned and a different speed zone established, and signs posted thereon, no vehicle shall be driven upon any such street at a speed greater than indicated on the sign, and driving at a speed greater shall be prima facie evidence that the speed is neither reasonable nor prudent and that it is unlawful.

(B) No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law.

(Prior Code, § 8-1-1) Penalty, see § 71.99

**§ 71.02 RECKLESS DRIVING.**

(A) Any person who drives any vehicle in such a manner as to indicate either a wilful or wanton disregard for the safety of persons or property is guilty of reckless driving.

(B) Any person who shall operate or halt any vehicle upon any street or highway carelessly or heedlessly in disregard of the rights or the safety of others, or in a manner so as to endanger or be liable to endanger any person or property, is guilty of careless driving.

(Prior Code, § 8-1-2) Penalty, see § 71.99

**§ 71.03 DRIVING UNDER INFLUENCE.**

(A) Persons under the influence of drugs or liquor are prohibited from driving. It is unlawful and punishable as provided in this chapter for any person who is a habitual user of narcotic drugs or any person who is under the influence of intoxicating liquor or narcotic drugs to drive or operate any vehicle upon any street within the city.

(B) Every person who is convicted of a violation of this section shall be punished as provided in § 71.99 hereof.

(Prior Code, § 8-1-3) Penalty, see § 71.99



**§ 71.04 OPERATING AND TURNING.**

(A) Upon all streets within the city of sufficient width, the driver of a vehicle shall drive upon the right half of the traveled portion of the highway and shall drive slow-moving vehicles as closely as practicable to the right-hand side of the highway, except when overtaking and passing another vehicle.

(B) No person shall stop, slow down or turn a vehicle or change from one traffic lane to another unless the same can be done with safety and without interfering with the normal flow of pedestrians and vehicle traffic, and this stop, change of speed or position or turn shall be indicated by the driver by hand signals or approved signal devices and by giving warnings, by sounding the horn if the same is necessary, to warn pedestrians at crossings as required by M.S. Chapter 169, as it may be amended from time to time.

(Prior Code, § 8-1-4) Penalty, see § 71.99

**§ 71.05 EMERGENCY VEHICLES.**

(A) The provisions of this chapter shall not apply to authorized emergency vehicles when responding to emergency calls, but the driver thereof shall sound audible signal by siren, and display at least one lighted red light to the front. This provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, and it shall not protect the driver of the vehicle from the consequences of a reckless disregard of the safety of others. When the warning device of an emergency vehicle shall be sounded, all vehicles upon the streets of the city shall draw to the right side of the street and permit the vehicle to pass.

(B) No vehicle of any kind shall precede fire apparatus to a fire using the same street that it is using. No vehicle shall follow any fire apparatus at less than 500 feet nor be parked within the block where the fire apparatus has stopped in answer to a fire alarm.

(C) No vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street, private driveway or alley, to be used at any fire or alarm of fire without the consent of the Fire Department official in command.

(Prior Code, § 8-1-14) Penalty, see § 71.99

**§ 71.06 MISCELLANEOUS REGULATIONS.**

(A) No person shall hitch a toboggan, hand sled, bicycle or other similar device onto any motor vehicle while being driven upon any street in the city.

(B) No person shall leave a motor vehicle unattended on any street within the city with the engine of the vehicle running.

(C) No person shall ride or jump on any vehicle without the consent of the driver, nor shall any person hang onto or ride on the outside of any vehicle.

(D) When any funeral procession identifies itself by using regular lights on all cars and by keeping all cars in close formation, the driver of every other vehicle, except an emergency vehicle, shall yield the right-of-way.

(E) No person shall burn leaves or rubbish along any curb or gutter, or upon the paved or oiled portion of any street in the city.

(Ord. 233, passed 12-1-1947)

(F) No stand, automobile, truck, trailer or vehicle of any kind shall be placed or parked on any of the paved streets of the city, for the purpose of vending goods or other merchandise therefrom; nor shall the streets be encumbered with any goods or merchandise for the purpose of vending the same.

(Ord. 152, passed 10-3-1927)

(Prior Code, § 8-1-17) Penalty, see § 71.99

### ***SIGNS AND SIGNALS***

#### **§ 71.15 STOP SIGNS.**

It shall be unlawful for the driver of any vehicle to fail to bring the vehicle to a full stop before entering any through street properly designated as such by the action of the city or its duly authorized representatives, or at any intersection with a state highway where a stop sign is erected at the entrance thereto.

(Prior Code, § 8-1-6) Penalty, see § 71.99

#### **§ 71.16 U-TURNS.**

No vehicle shall be turned so as to proceed in the opposite direction upon any portion of U.S. Highway No. 12 passing through the city nor upon any curve, nor upon the approach to or near the crest of a grade, where the vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 1,000 feet.

(Prior Code, § 8-1-7) Penalty, see § 71.99

**§ 71.17 PEDESTRIANS.**

(A) Pedestrians shall cross streets to signals at controlled intersections. When traffic at intersections is not controlled, motor vehicles shall yield the right-of-way to pedestrians by changing their rate of speed or stopping if necessary when pedestrians are in the intersection, but no vehicle shall pass another vehicle that has slowed down or stopped at a crosswalk to permit a pedestrian to cross. At any other point than a crosswalk, pedestrians shall yield the right-of-way to motor vehicles. This shall not relieve the driver of any motor vehicle of the obligation to use due care.

(B) No person shall stand on a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

(C) It shall be unlawful for any person to drive a motor vehicle through a column of school children crossing a street or highway or pass a member of a school safety patrol, while the member of the school safety patrol is directing the movement of children across a street or highway and while the school safety patrol member is holding his or her official signal in the “stop” position.

(D) Pedestrians when walking along a street within the city shall walk near the left side of the roadway, giving way to oncoming traffic. Where sidewalks are provided and usable, it shall be unlawful for any pedestrian to walk along and upon any adjacent roadway.

(Prior Code, § 8-1-12) (Ord. 233, passed 12-1-1947) Penalty, see § 71.99

**§ 71.19 STOP INTERSECTIONS.**

All vehicles approaching stop signs shall come to a full stop before entering into the intersections.

(Prior Code, § 8-3-2) Penalty, see § 71.99

***PROHIBITIONS***

**§ 71.30 BICYCLES AND SCOOTERS.**

(A) Every bicycle and every scooter with motor attached, used upon any street in the city at any time from 1/2 hour after sunset to 1/2 hour before sunrise, shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of 500 feet to the rear, except that an approved reflector meeting the minimum requirements of M.S. Chapter 169, as it may be amended from time to time, may be used in lieu of a rear light.

(B) No bicycle or scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.

(C) Every person operating a bicycle or scooter upon any street shall ride as near to the right side of the highway as practicable and shall not ride more than 2 abreast.

(Prior Code, § 8-1-8) Penalty, see § 71.99

***Cross-reference:***

*Bicycles and recreational vehicles, see Chapter 73 of this code of ordinances*

**§ 71.31 EXHIBITION DRIVING.**

(A) Exhibition driving of any motor vehicle upon any public street, alley, sidewalk, parking lot or other public right-of-way or public property within the city is prohibited.

(B) Exhibition driving is defined as driving which is not the result of an emergency and which involves any of the following:

(1) Driving of a motor vehicle in such a manner as to cause acceleration of the vehicle which causes the squealing or screeching sounds to be made by the tires of the vehicle;

(2) Driving of a motor vehicle in such a manner as to cause the throwing of sand, gravel or any other material upon the surface of the road, street, alley, sidewalk, parking lot or public right-of-way or public property by the tires of the vehicle;

(3) Driving of a motor vehicle in such a manner as to cause the rapid, heavy or unreasonable acceleration of a motor vehicle which causes loud, prolonged or disturbing engine or muffler noise to emit from the vehicle;

(4) Driving of a motor vehicle in such a manner as to cause rubber marks to be left upon the pavement of the road, street, alley, sidewalk, parking lot or other public right-of-way or public property by the tires of the vehicle regardless of whether or not the driving also causes squealing or screeching sounds to be made by the tires, and regardless of whether the driving causes loud, prolonged or disturbing engine or muffler noise to emit from the vehicle;

(5) Driving of a motor vehicle in such a manner as to cause the sudden and unreasonable braking of the vehicle which causes squealing or screeching or other sound by the tires of the vehicle except in case of emergency;

(6) Driving of a motor vehicle in such a manner as to cause the sudden and unreasonable braking of the vehicle which causes the throwing or displacement of sand, gravel or other material upon the road, street, alley, sidewalk, parking lot or other public right-of-way or public property by the tires of the vehicle;

(7) Driving of a motor vehicle in such a manner as to cause the fishtailing of the vehicle, regardless of whether the driving causes squealing or screeching sounds made by the tires; regardless of whether the driving causes the throwing of sand, gravel or other materials by the tires; and

regardless of whether the driving causes loud, prolonged or disturbing engine or muffler noise; and

(8) It is unlawful to drive through public or private property to avoid a traffic-control device in order to gain access to a street or highway.

(C) Effective date of this section is November 1, 1988.

(Prior Code, § 8-1-24) (Ord. 530, passed 10-17-1988) Penalty, see § 71.99

***LOAD WEIGHT***

**§ 71.45 WEIGHT RESTRICTIONS ON PUBLIC STREETS.**

(A) The City Council may, by resolution, establish and impose restrictions as to the weight of vehicles to be operated upon any street or highway or portion thereof within the corporate limits of the city which is not under the jurisdiction of the Commissioner of Highways of the State of Minnesota, whenever any such street or highway or portion thereof, by reason of deterioration, rain, snow, other climatic conditions or design strength will be injured, damaged or destroyed, unless the use of vehicles therein is prohibited on the weights thereof permissible under state law are reduced.

(B) Whenever the City Council shall, by resolution, make any prohibition or regulation, it shall direct and cause the erection and maintenance of signs plainly indicating the prohibition or restriction at each end of any street or highway, or at each end of that portion of the street or highway affected thereby, and the prohibition or restriction shall not be effective unless or until the signs are erected and maintained.

(C) Any person who shall drive or operate a motor vehicle upon any street, a highway or portion thereof in violation of any sign so erected as aforesaid shall be guilty of a misdemeanor. (Ord. 610, passed 7-15-1996) Penalty, see § 71.99

**§ 71.46 RESTRICTION ON LOADS.**

No person shall drive a vehicle when it is so loaded, or when there are in the front seat a number of persons, exceeding 3, as to obstruct the view of the driver to the front or sides of the vehicle, or as to interfere with the driver's control over the driving mechanism of the vehicle. (Prior Code, § 8-1-9) Penalty, see § 71.99

**§ 71.47 WEIGHT OF LOADS.**

No person shall operate any vehicle or combination of vehicles upon any of the posted paved streets in the city where the gross weight of the vehicle or combination of vehicles exceeds the restrictions imposed on the streets. (Prior Code, § 8-1-10) Penalty, see § 71.99

***CONDITION OF VEHICLE EQUIPMENT*****§ 71.55 EQUIPMENT.**

(A) No person shall drive a motor vehicle on any highway within the city unless the motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive and unusual noise. It shall be unlawful to use a muffler cutout on any motor vehicle upon any such highway.

(B) No vehicle shall be used upon any street in the city without lighting equipment, a windshield wiper, a rear vision mirror, a horn or warning device and front and rear bumpers as required by M.S. Chapter 169, as it may be amended from time to time. Lamps shall be lighted at all times when the vehicle is operated upon the streets of the city from 1/2 hour after sunset to 1/2 hour before sunrise, and at any other time when there is no sufficient light to render persons and vehicles clearly discernible 500 feet ahead upon the highway.

(C) (1) Every motor vehicle, other than a motorcycle, when operated upon the streets of the city shall be equipped with brakes adequate to control the movement of and to stop and hold the vehicle, including 2 separate means of applying brakes, each of which means shall be effective to apply the brakes to at least 2 wheels.

(2) Every motorcycle, bicycle and scooter with motor attached, shall be equipped with at least one brake which may be operated by hand or foot.

(3) The brakes shall be maintained in good working order adequate to stop the vehicle as required in M.S. Chapter 169, as it may be amended from time to time.

(Prior Code, § 8-1-11) Penalty, see § 71.99

**§ 71.56 WINDSHIELDS.**

(A) No person shall drive or operate any motor vehicle with a windshield cracked or discolored to an extent to limit or obstruct proper vision, or with any signs, posters or other nontransparent material upon the front windshield, side or rear windows of the vehicle, other than a certificate or other paper required to be so displayed by law.

(B) No person shall drive any motor vehicle with the windshield covered with steam or frost to such an extent as to prevent proper vision.

(Prior Code, § 8-1-15) Penalty, see § 71.99

**§ 71.57 DAMAGE; TAMPERING WITH VEHICLE.**

Any person who shall tamper with a motor vehicle without the permission of the owner, or who shall, without authority of the person in charge, climb upon or into any automobile, whether the same is in motion or at rest; hurl stones or any other missiles at the same, or the occupant thereof; shall, while the motor vehicle is at rest and unattended, attempt to manipulate any of the levers, starting devices, brakes or machinery thereof, or set the vehicle in motion; otherwise damage or interfere with the same; or shall place upon any street or highway any glass, tacks, nails or other articles tending to injure automobile tires, shall be guilty of a misdemeanor.

(Prior Code, § 8-1-18) (Ord. 233, passed 12-1-1947) Penalty, see § 71.99

**§ 71.99 PENALTY.**

(A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § 10.99.

(B) Every person convicted of reckless driving pursuant to § 71.02 or 71.03 shall be punished, upon a first conviction, by imprisonment for a period of not less than 10 nor more than 90 days, or by a fine of not less than \$10 nor more than \$100; and, on a second or subsequent conviction, shall be punished by imprisonment for not less than 30 nor more than 90 days, or by a fine of not less than \$25 nor more than \$100.

(Prior Code, § 8-1-2)

(C) Any person violating any provisions of § 71.31 shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed \$700 or by imprisonment in the County Jail for a period not to exceed 90 days or both.

(Prior Code, § 8-1-24) (Ord. 530, passed 10-17-1988)





## CHAPTER 72: PARKING REGULATIONS

### Section

#### *General Provisions*

- 72.01 Parking regulations
- 72.02 No On-street parking for more than 24 hours
- 72.03 No commercial vehicle parking
- 72.04 Presumption

#### *Impoundment of Vehicles*

- 72.15 Street cleaning and winter parking ban
- 72.16 Moving vehicles
- 72.17 Signs erected
- 72.18 Impounding
- 72.19 Notice of impoundment; sale
- 72.20 Record kept
  
- 72.99 Penalty

### **GENERAL PROVISIONS**

#### **§ 72.01 PARKING REGULATIONS.**

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

**OPERATOR.** Includes every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner.

**PERSON.** Includes any individual, firm, copartnership or corporation.

**STREET.** Any public street, avenue, road, boulevard, highway or other public place located in the city and established for the use of vehicle

**VEHICLE.** Any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

(B) The city may have lines or markers painted or placed upon the curb and/or upon the street for the purpose of designating the parking space in which each vehicle shall park within lines or markings so established. It shall be unlawful to park any vehicle across any such line or marking, or to park the vehicle in a position that the same shall not be entirely within the area so designated by the lines or markings.

(C) It shall be unlawful and a violation of the provisions of this section for any person to permit any vehicle to remain in any parking space beyond the period of time prescribed for the parking space.

(D) It shall be the duty of the police to attach to any vehicle violating any of the provisions of this section a notice stating that it has been parked in violation of this section, and instructing the owner or operator to report to the Assistant City Administrator or the police in regard to the violation. The owner or operator may within 48 hours after the time when the notice was attached to the vehicle pay the specified fine to the Assistant City Administrator or police, or deposit the fine in a yellow courtesy box in full satisfaction of the violation.

(E) It shall be unlawful to double-park any vehicle on any street.

(F) The City Council shall, from time to time by resolution, designate certain areas within the parking zone for bus stops, unloading zones, fire hydrant zones, hotel and theater entrances and other similar purposes, and may make any and all changes with regard thereto as it may deem necessary from time to time by resolution without the necessity of amending this section.

(Ord. 402, passed 7-5-1979)

(Prior Code, § 8-1-13) Penalty, see § 72.99

## **§ 72.02 NO ON-STREET PARKING FOR MORE THAN 24 HOURS.**

No vehicle shall be parked or allowed to stand for more than 24 hours on any of the public streets or alleys in the City. For purposes of this section, vehicle shall include every device in, upon, or which any person or property is, or may be transported, or may be upon any roadway, included but not limited to any type of trailer, and campers whether self-propelled, or pulled behind. A vehicle moved a distance of not more than one block during the limited parking shall be deemed to have remained stationary. It shall be unlawful, for any reason, to obliterate, erase or remove any mark or sign placed on a vehicle by a Police Officer for the purpose of measuring the length of time such vehicle

has been parked.  
(Ord 781, 6-20-16)

**§ 72.03 NO COMMERCIAL VEHICLE PARKING.**

No person shall park a semi-tractor or trailer, or any truck rated with a gross vehicle weight in excess of 15,000 pounds, in any area of the city zoned for residential use or other area designated by City Council resolution, except when the vehicle is parked in a completely enclosed garage.  
(Ord 781, 6-20-16)

**§ 72.04 PRESUMPTION.**

As to any vehicle parking in violation when the driver is not present, it shall be presumed that the owner parked the same, or that the driver was acting as an agent of the owner.  
(Ord 781, 6-20-16)

***IMPOUNDMENT OF VEHICLES***

**§ 72.15 STREET CLEANING AND WINTER PARKING BAN**

No motor vehicle shall be parked upon any street, avenue or alley in the city which obstructs traffic thereon, or the entrance to any private driveway, or interferes with the maintenance, cleaning, or repair at any time during the year, or snow removal in the event of one inch of snow fall or more.  
(Prior Code, § 5-6-1) (Ord. 285, passed 12-8-1953) Penalty, see § 72.99  
(Ord 781, 6-20-16)

**§ 72.16 MOVING VEHICLES.**

Whenever the Street Foreman or person acting in that capacity, or any of his or her assistants shall find it necessary, for the purpose of facilitating street maintenance operations such as removal of snow or street wastes, to move any vehicle standing on any street in the city, the Street Foreman or person acting in that capacity, or assistant is hereby authorized to move the vehicle to the extent necessary for that purpose.  
(Prior Code, § 5-6-2) (Ord. 285, passed 12-8-1953)

**§ 72.17 SIGNS ERECTED.**

The Street Foreman or person acting in that capacity, may place or cause to be placed and maintained signs reading “No Parking–Snow Removal” on such streets and avenues in the city and at times as he or she may deem necessary for the purpose of facilitating the removal and disposition of snow, and no person shall park any vehicle on any street or avenue when these signs are in place, notwithstanding any other provision in this subchapter.  
(Prior Code, § 5-6-3) (Ord. 285, passed 12-8-1953)

**§ 72.18 IMPOUNDING.**

Any unoccupied motor vehicle thus found violating any of the provisions of this subchapter may be immediately removed and impounded by any police officer or duly authorized person in the manner hereinafter provided and shall only be surrendered to the duly identified owner thereof upon the payment of the cost of towing and storage. Any damage occasioned to the vehicle by the towing operations shall be assumed by the owner or operator thereof, and no liability for damage shall be assumed by the city.  
(Prior Code, § 5-6-5)

**§ 72.19 NOTICE OF IMPOUNDMENT; SALE.**

(A) Within 48 hours after the vehicle has been impounded, written notice shall be sent by the Chief of Police to the owner thereof at his or her last known address, as shown by the records of the Secretary of State; and if the owner be unknown, the Chief of Police shall publish at least once in the official newspaper notice of the impounding, the license number of the vehicle, the motor number thereof, and the name and type of car.

(B) If, at the expiration of 60 days after mailing or publishing of the notice, the vehicle is not redeemed by the owner or his or her agent, the city shall proceed to sell the same at public auction, after first giving at least 20 days’ notice of the sale by publication in the official newspaper of the city of the time and place of the sale. This notice shall describe the vehicle to be sold, with reasonable certainty, by manufacturer’s trade name or make, motor number and license number, and shall state to whom, if anyone, the records of the office of the Secretary of State show the same to belong, and if the name of the owner be unknown, that fact shall be stated. If the name of the owner be known, the city shall send him or her a copy of the published notice immediately after the publication of same.

(C) (1) The money received by the city shall be credited to the city’s General Fund.

(2) At any time within one year from and after the sale, the former owner of the vehicle sold, upon application to the Council and upon presentation of satisfactory proof that he or she was the owner of the vehicle sold, shall be paid the proceeds of the sale, less the necessary expenses thereof, less the towing, impounding and storage charges provided for herein.

(Prior Code, § 5-6-6)

**§ 72.20 RECORD KEPT.**

The Chief of Police shall keep a record of all vehicles impounded by manufacturer's trade name or make, motor and license numbers, the names of the owners of the vehicles, and of all persons claiming the same, and any other descriptive matter as may identify the vehicles, the nature and circumstances of the impounding thereof, and the violation on account of which the vehicles were impounded.

(Prior Code, § 5-6-7) (Ord. 285, passed 12-8-1953)

**§ 72.99 PENALTY.**

(A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § 10.99.

(B) Any person who shall violate any of the provisions of § 72.01 and any person who aids, assists or abets therein shall, upon conviction thereof, be subject to a misdemeanor fine in accordance with state statutes for each offense, or imprisonment in the County Jail for not more than 90 days.

(Prior Code, § 8-1-13)

(C) Any person guilty of violating any of the provisions of §§ 72.15 through 72.20 for improper parking during snow removal, shall be punished by a fine of \$50.00 for the first offense, a fine of \$100 for the second offense, and a fine of \$100 and/or the vehicle will be subject to towing and impoundment on the third offense or more in the previous 12 months.

(Prior Code, § 5-6-4) (Ord. 510 passed 11-17-1986) (Ord 781, 6-20-16)

## CHAPTER 73: RECREATIONAL AND TOY VEHICLES

### Section

#### *Snowmobiles*

- 73.01 Intent
- 73.02 Definitions
- 73.03 Application of traffic ordinances
- 73.04 Restrictions
- 73.05 Stopping and yielding
- 73.06 Persons under 18
- 73.07 Equipment
- 73.08 Unattended snowmobiles
- 73.09 Emergency operation permitted

#### *Bicycles, Skateboards or Scooters*

- 73.15 License required
- 73.17 Restrictions on riding
- 73.18 Restrictions on riding bicycles
- 73.19 Speed
- 73.20 Conformance to traffic laws

73.21 Impoundment

*Skateboards, Rollerskates or Rollerblades*

73.30 Definitions

73.31 Regulations

73.32 Impoundment

73.99 Penalty

**SNOWMOBILES**

**§ 73.01 INTENT.**

It is the intent of this chapter to supplement M.S. §§ 84.81 to 84.91, and M.S. Ch. 169, as these statutes may be amended from time to time and Minn. Rules parts 6100.5000 through 6100.6000, as these rules may be amended from time to time, with respect to the operation of snowmobiles. These statutes and rules are incorporated herein by reference. This section is not intended to allow what the state statutes and rules prohibit, nor to prohibit what the state statutes and rules allow.

Penalty, see § 73.99

**§ 73.02 DEFINITIONS.**

For the purpose of this chapter, 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.

**OPERATE.** To ride in or on and control the operation of a snowmobile.

**OPERATOR.** Every person who operates or is in actual physical control of a snowmobile.

**OWNER.** A person, other than a lien holder having the property in or title to a snowmobile, or entitled to the use or possession thereof.

**PERSON.** Includes an individual, partnership, corporation, the state and its agencies and subdivision, and any body of persons, whether incorporated or not.

***RIGHT-OF-WAY.*** The entire strip of land traversed by a highway or street in which the public owns the fee or an easement for roadway purposes.

***ROADWAY.*** That portion of a highway or street improved, designed or ordinarily used for vehicular travel.

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

***STREET.*** A public thoroughfare, roadway, alley or trail used for motor vehicular traffic which is not an interstate, trunk, county-state aid, or county highway.

#### **§ 73.03 APPLICATION OF TRAFFIC ORDINANCES.**

The provisions of Ch. 70 of this code shall apply to the operation of snowmobiles upon streets and highways, except for those relating to required equipment, and except those which by their nature have no application.

Penalty, see § 73.99

#### **§ 73.04 RESTRICTIONS.**

(A) It is unlawful for any person to enter, operate or stop a snowmobile within the limits of the city:

(1) On the roadway of any street, except the most right hand lane then available for traffic or as close as practicable to right hand curb or edge of the roadway, except when overtaking and passing another vehicle stopped in the lane or proceeding in the same direction, or in making a left turn. Snowmobiles may also be operated upon the outside slope of trunk, county-state aid and county highways where the highways are so configured within the corporate limits.

(2) On a public sidewalk provided for pedestrian travel.

(3) On boulevards within any public right-of-way.

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

(5) Upon any school grounds, except as permission is expressly obtained from responsible school authorities.

(6) On public property, playgrounds and recreation areas, except areas previously listed or authorized for the use by resolution of the City Council, in which case the use shall be lawful, and



snowmobiles may be driven in and out of those areas by the shortest route.

(7) On streets as permitted by this chapter at a speed exceeding 10 miles per hour.

(8) During the hours of 10:00 p.m. to 7:00 a.m., Sunday through Thursday, and 12:01 a.m. to 8:00 a.m. on other days closer than 100 feet from any residence. This provision is not intended to prohibit snowmobiles from operating on city streets during the hours specified herein.

(B) It is unlawful for any person to operate a snowmobile within the limits of the city:

(1) So as to tow any person or thing in a public street or highway except through use of a rigid tow bar attached to the rear of the snowmobile; provided, that a disabled snowmobile may be towed to a private residence or a place of business where snowmobiles are repaired without the use of a rigid tow bar.

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

(3) To intentionally drive, chase, run over or kill any animal.

Penalty, see § 73.99

#### **§ 73.05 STOPPING AND YIELDING.**

No snowmobile shall enter any uncontrolled intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard.

Penalty, see § 73.99

#### **§ 73.06 PERSONS UNDER 18.**

(A) No person under 14 years of age shall operate on streets or make a direct crossing of a city street as the operator of a snowmobile. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile on streets as permitted under this chapter and make a direct crossing of those streets only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued pursuant to M.S. § 84.872, as it may be amended from time to time.

(B) It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provision of this section.

Penalty, see § 73.99

**§ 73.07 EQUIPMENT.**

It is unlawful for any person to operate a snowmobile any place within the limits of the city unless it is equipped with the following:

(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 on a snowmobile motor.

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

(C) A safety or so called deadman throttle in operating condition.

(D) When operated between the hours of one-half hour after sunset to one-half hour before sunrise, or at times 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 under normal atmospheric conditions. The head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile operator. It shall also be equipped with at least one red light plainly visible from a distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions.

(E) Snowmobiles shall fly a pennant flag or red or blaze material, of a size not less than 12 inches by 9 inches, at a height of not less than six feet from ground level at any time when the vehicle is operated on public streets.

(F) Reflective material at least 16 square inches on each side, forward of the handlebars and at the highest practical point on any towed object, so as to reflect lights at a 90 degree angle.

Penalty, see § 73.99

**§ 73.08 UNATTENDED SNOWMOBILES.**

Every person leaving a snowmobile on a public place shall lock the ignition, remove the key and take the same with him or her.

Penalty, see § 73.99

**§ 73.09 EMERGENCY OPERATION PROHIBITED.**

Notwithstanding any prohibitions in this chapter, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time and at locations where snow upon the roadway renders travel by automobile impractical.

Penalty, see 73.99

### ***BICYCLES, SKATEBOARDS OR SCOOTERS***

#### **§ 73.15 LICENSE REQUIRED.**

No person shall operate a bicycle within the limits of the city without first obtaining a license therefor. The license fee shall be fixed by the Council.

(Prior Code, § 8-4-1) Penalty, see § 73.99

***Statutory reference:***

*Similar provisions, see M.S.A. § 169.222*

#### **§ 73.17 RESTRICTIONS ON RIDING.**

No bicycle, roller skates, skateboard or scooter, whether motorized or not, or other similar methods of transportation, shall be driven, ridden or used on the sidewalks adjacent to Sibley Avenue between Fourth Street and the railroad tracks.

(Prior Code, § 8-4-3) (Ord. 522, passed 12-7-1987) Penalty, see § 73.99

#### **§ 73.18 RESTRICTIONS ON RIDING BICYCLES.**

No more than one person shall be permitted on a bicycle. Every person operating a bicycle shall do so in a careful and prudent manner and no stunt riding shall be permitted. The operating of more than 2 abreast is hereby prohibited.

(Prior Code, § 8-4-4) Penalty, see § 73.99

#### **§ 73.19 SPEED.**

Bicycles may be operated at a slow rate of speed on all sidewalks except those abutting on Blocks 58, 59, 64 and 65 of the city. Prior to passing a pedestrian on a sidewalk, the operator of a bicycle shall give an audible warning signal.

(Prior Code, § 8-4-5) Penalty, see § 73.99

#### **§ 73.20 CONFORMANCE TO TRAFFIC LAWS.**

Except as herein provided and where applicable, the traffic provisions of this code shall govern the operation of bicycles within the city.

(Prior Code, § 8-4-6)

### **§ 73.21 IMPOUNDMENT.**

There is hereby conferred upon the police officers of the city the authority to impound any bicycle being operated contrary to the provisions of this subchapter, and any person violating the provisions of this chapter shall be deprived of the bicycle being unlawfully operated for a period of not less than one day nor more than 5 days.

(Prior Code, § 8-4-7) (Ord. 189, passed 5-10-1939)

## ***SKATEBOARDS, ROLLERSKATES OR ROLLERBLADES***

### **§ 73.30 DEFINITIONS.**

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

***OPERATE.*** To ride on or upon or control the operation of a skateboard, rollerskates or rollerblades.

***OPERATOR.*** Every person who operates or is in actual physical control of a skateboard, rollerskates or rollerblades.

***PERSON.*** Includes an individual, partnership, corporation, the state and its agencies and subdivisions, and any body of person, whether incorporated or not.

***ROLLERSKATES or ROLLERBLADES.*** A form of skate with small wheels or rollers instead of a runner.

***SKATEBOARD.*** A device for riding upon, usually while standing, consisting of an oblong piece of wood or of other composition mounted on skate wheels.

(Prior Code, § 8-6-1)

### **§ 73.31 REGULATIONS.**

It shall be unlawful for any person to operate a skateboard, rollerskates or rollerblades under the circumstances set forth in the divisions which follow:

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

(B) In a 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;

(C) Upon any public street or upon any public sidewalk within the downtown area designated as an area bounded on the south by the railroad tracks, on the west by Ramsey Street, on the north by Fourth Street and on the east by Marshall Avenue, and including the area of the sidewalks parallel thereto on both sides of the street;

(D) The operator of a skateboard, rollerskates or rollerblades emerging from an 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 and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway;

(E) No person operating a skateboard, rollerskates or rollerblades shall attach the same or the person of the operator to any vehicle upon a roadway;

(F) Every person operating a skateboard, rollerskates or rollerblades upon a roadway shall ride as close as possible to the right-hand curb or edge of the roadway;

(G) No person shall skateboard, rollerskate or rollerblade upon a public street, sidewalk or other roadway after sunset and before sunrise; and  
(Ord. 526, passed 3-21-1988)

(H) No person shall skateboard, rollerskate or rollerblade upon a public street, sidewalk or other roadway after sunset and before sunrise without being equipped with the following:

(1) A 3-inch wide reflectorized armband which encircles the arm, worn on both arms midway between the shoulder and the elbow of the right and left arm; and

(2) Reflectorized material affixed to the entire rear portion of the rear track of the skateboard.

(Ord. 536, passed 3-6-1989)

Penalty, see § 73.99

### **§ 73.32 IMPOUNDMENT.**

(A) A person apprehended by a police officer in violation of the provisions of this chapter does by his or her use of the public streets and sidewalks consent to the impoundment by a police officer of the skateboards, rollerskates and rollerblades for a period of 3 days upon a first offense, 7 days upon the second offense and 30 days upon a third offense.

(B) Effective date of this section is April 5, 1988.  
(Ord. 526, passed 3-21-1988)

**§ 73.99 PENALTY.**

(A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § 10.99.

(B) The fourth or any subsequent violation of any provision of §§ 73.30 through 73.32 shall be a petty misdemeanor as defined in M.S. § 169.89, subd. 1, as it may be amended from time to time. Effective date of this penalty is March 21, 1989.  
(Prior Code, § 8-6-4) (Ord. 536, passed 3-6-1989)