

TITLE VII: TRAFFIC CODE

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CHAPTER 70: TRAFFIC REGULATIONS

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§ 70.01 STATE STATUTES ADOPTED BY REFERENCE.

(A) *State Highway Traffic Regulation Act adopted by reference.*

(1) *Adoption.* M.S. Ch. 169, the Highway Traffic Regulation Act, as it may be amended from time to time, is adopted by reference and is as much a part of this code as if fully set forth herein. A violation of the statutes herein adopted by reference is a violation of this code.

(2) *Definitions.* For purposes of this title, the terms defined in M.S. § 169.01, as it may be amended from time to time, and as adopted herein, have the meanings given by that statute.

(3) *Application to private streets and roads.* This title applies to private streets and roads freely used by the general public.

(B) *Additional statutes adopted by reference.*

(1) *Motor Vehicle Registration Act.* M.S. Ch. 168, as it may be amended from time to time, is adopted by reference and are as much a part of this code as if fully set forth herein.

(2) *Driver's license law.* M.S. §§ 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, as they may be amended from time to time, are adopted by reference and are as much a part of this code as if fully set forth herein.

§ 70.02 ESTABLISHMENT OF SAFETY ZONES, TRAFFIC LANES, STOP INTERSECTIONS, AND THE LIKE.

To assist in the direction and control of traffic, to improve safe driving conditions at any intersection or dangerous location, and to warn pedestrians or drivers of motor vehicles of dangerous conditions or hazards, the Chief of Police may recommend to the City Council establishment of safety zones, lanes of traffic, and stop intersections. The City Council may order installation by the Public Works Department of stop signs, yield signs, warning signs, signals, pavement markings, or other devices. A regulation may not be established on a trunk highway unless the consent of the Commissioner of Transportation is first obtained.

§ 70.03 TURNING RESTRICTIONS.

(A) *Restriction on turns.* The City Council by resolution may, whenever necessary to preserve a free flow of traffic or to prevent accidents, designate any intersection as one where the turning of vehicles to the left or to the right, or both, is to be restricted at all times or during specified hours. The Public Works Department must mark by appropriate signs any intersection so designated. An intersection on a trunk highway may not be so designated until the consent of the Commissioner of Highways to that designation is first obtained. A person may not turn a vehicle at any intersection contrary to the directions on the signs.

(B) *U-turns.* A person may not turn a vehicle so as to reverse its direction on a street in the Downtown Business District or at an intersection where traffic is regulated by a traffic-control signal, which is established by City Council resolution.

Penalty, see § 10.99

§ 70.04 DESIGNATION OF THROUGH STREETS; 1-WAY STREETS.

(A) The City Council may by resolution designate a street or portion of street as a through highway or a 1-way roadway where necessary to preserve the free flow of traffic or to prevent accidents. The Public Works Department must post appropriate signs at the entrance and exit to the street. A trunk highway may not be so designated unless the consent of the Commissioner of Highways to that designation is first secured.

(B) Streets so designated as 1-way streets are listed in Chapter 73, Schedule II. The restriction on travel on the street so designated in Chapter 73, Schedule II shall not apply to emergency vehicles responding to an emergency.

(Am. Ord. 8-03-2006-1, passed 8-3-2006)

§ 70.05 DESIGNATION OF WEIGHT RESTRICTIONS.

The City Council may by resolution designate streets on which travel by commercial vehicles in excess of 10,000 pounds gross weight is prohibited. The Public Works Department must erect appropriate signs on these streets. A person may not operate a commercial vehicle on the posted streets in violation of the restrictions stated.

Penalty, see § 10.99

Cross-reference:

Weight limitations, see Ch. 73, Sch. I

§ 70.06 SEASONAL WEIGHT RESTRICTIONS.

The City Council, by resolution, may prohibit the operation of vehicles upon any street or impose weight restrictions on vehicles to be operated on a street whenever the street, by reason of deterioration, rain, snow, or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles on the street is prohibited or the permissible weights thereof reduced. The Public Works Department must erect and maintain signs plainly indicating the prohibition or restriction at each end of that portion of the street affected. A person may not operate a vehicle on a posted street in violation of the prohibition or restriction.

Penalty, see § 10.99

§ 70.07 EXHIBITION DRIVING PROHIBITED.

A person may not turn, accelerate, decelerate, or otherwise operate a motor vehicle within the city in a manner which causes unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing of sand or gravel, or in a manner simulating a race. Squealing or screeching sounds emitted by tires, or the throwing of sand or gravel by the tires, are prima facie evidence of a violation of this section.

Penalty, see § 10.99

§ 70.08 POLICE DUTIES; ENFORCEMENT; DIRECTING TRAFFIC.

The Police Department must enforce the provisions of this title and the state traffic laws. Police officers are authorized to direct traffic within the city, either in person or by means of visible or audible signal, in conformity with this chapter and the state traffic laws. During a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the Police Department may direct traffic as conditions require notwithstanding the provisions of this chapter and the state traffic laws. Members of the Fire Department may direct or assist the police in directing traffic at the scene of a fire or in the immediate vicinity.

§ 70.09 VIOLATIONS.

(A) A violation of any provision of this chapter is a petty misdemeanor, except as otherwise provided by statute.

(B) A violation of §§ 70.03 and 70.05 through 70.07 is subject to administrative fines established by City Council resolution pursuant to § 10.98.

Penalty, see § 10.99

CHAPTER 71: PARKING REGULATIONS

Section

General Provisions

- 71.01 Statutes adopted by reference

Parking Regulations and Restrictions

- 71.15 Angle parking
71.16 General parking regulations
71.17 Downtown Business District regulations
71.18 Trucks, recreational vehicles, and the like
71.19 Time limitations
71.20 Snow emergency and maintenance parking restrictions
71.21 Limited parking during periods of restriction

Administration and Enforcement

- 71.35 Violations; procedures
71.36 Authority to remove vehicles
71.37 Impoundment; report by police officer
71.38 Parking for special purposes

71.99 Penalty

GENERAL PROVISIONS

§ 71.01 STATUTES ADOPTED BY REFERENCE.

M.S. §§ 169.34 through 169.35, as they may be amended from time to time, are adopted by reference.

(Ord. 2001-A, passed 2-24-2001)

PARKING REGULATIONS AND RESTRICTIONS**§ 71.15 ANGLE PARKING.**

The City Council shall, by resolution, determine upon which streets angle parking shall be permitted and shall mark or sign those streets, but angle parking shall not be indicated upon any federal-aid, state, or county highways within the city unless the appropriate highway authority has determined that the roadway is of sufficient width to permit angle parking without interference with the free movement of traffic. Upon those streets which have been signed or marked by the City Council for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by the signs or markings.

(Ord. 2001-A, passed 2-24-2001) Penalty, see § 71.99

§ 71.16 GENERAL PARKING REGULATIONS.

(A) *Parking not to obstruct traffic.* No person shall park a vehicle upon a street or alley in a manner or under conditions so as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic.

(B) *Parking spaces.* White lines or markings may be painted upon the curb or streets designating the parking spaces. Drivers should attempt to stay within the markings when visible.

(C) *No parking zone.* Yellow markings may be painted upon the curb or street designating a no parking zone. No person shall park a vehicle within the painted area, except for designated loading and unloading zones.

(D) *Parking for physically disabled.* No vehicle shall park or obstruct access to a parking space designated and reserved for the physically disabled. This area will be marked with paint, handicap symbol, and posted sign reserved for physically disabled persons. Vehicles parked in a space designated and reserved for the physically disabled will have to display the required certificate, license plate, or temporary permit.

(Ord. 2001-A, passed 2-24-2001) Penalty, see § 71.99

§ 71.17 DOWNTOWN BUSINESS DISTRICT REGULATIONS.

(A) *Designation.* The area described in Ch. 74, Sch. I is designated as the Downtown Business District.

(B) *Truck parking.* No commercial vehicle of more than 1-ton capacity shall be parked in the Downtown Business District except during the time necessary to continuously load or unload goods, articles, or produce to or from the premises abutting on the District and at those places where loading or unloading is otherwise permitted by this chapter.

(C) *Loading.* No commercial vehicle and no vehicle designed and used for the delivery of goods, articles, or produce shall be loaded or unloaded in whole or in part in the Downtown Business District where access to the premises is available from or by any other street or alley than those so designated as the District. At places where access by other streets or alleys is not available, these vehicles may stop or park during the time necessary to continuously load or unload goods, articles, or produce to or from the premises abutting on the District.

(D) *Parking.* Except as otherwise provided in this chapter or by City Council resolution, no vehicle shall be parked or stopped in the Downtown Business District on any day, except Sunday, for a continuous period of more than 3 hours between the hours of 8:00 a.m. and 6:00 p.m. Exceptions to this provision are First Street North from Riverside Avenue to Fifth Avenue East and First Street South from Second Avenue East to Fourth Avenue East.

(E) *Narrow streets.* Parking shall only be allowed on 1 side on any street in the Downtown Business District which is 36 feet or less in width and so marked by appropriate signs.

(F) *Parking prohibited.* Parking is prohibited in the Downtown Business District from 3:00 a.m. to 6:00 a.m. daily from November 1 to April 1.
(Ord. 2001-A, passed 2-24-2001; Am. Ord. 2004-H, passed 7-15-2004) Penalty, see § 71.99

§ 71.18 TRUCKS, RECREATIONAL VEHICLES, AND THE LIKE.

(A) *Truck, truck-tractor, or semi-trailer parking.* No truck, truck-tractor, or semi-trailer shall park on a city street, except when loading or unloading.

(B) *Travel trailer, recreational vehicle, and trailer parking.* It shall be unlawful for any person to leave or park a travel trailer, pick-up coach, motor home, camping trailer, recreational vehicle, or other trailer on any street, right-of-way, or in a city-owned parking lot in the city for a continuous period in excess of 24 hours, except where signs are erected designating the place as a camp site or in a mobile home park.
(Ord. 2001-A, passed 2-24-2001; Am. Ord. 2004-H, passed 7-15-2004) Penalty, see § 71.99

§ 71.19 TIME LIMITATIONS.

(A) The City Council may designate certain blocks or alleys or portions thereof that are in the city as limited parking zones, and shall mark by appropriate signs any zones so established.

(B) 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.

(C) A vehicle moved a distance of not more than 1 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 the vehicle has parked.

(D) In city-owned parking lots, the City Council may limit the size and types of vehicles to be parked, hours of parking, and prescribed method of parking, provided that the limitations and restrictions are marked or sign-posted. It shall be unlawful to park a vehicle in any city-owned parking lot contrary to the restrictions or limitations marked or sign-posted.

(E) It shall be unlawful for any person to service, repair, assemble, or disassemble a vehicle parked upon a street, alley, or city-owned parking lot, or attempt to do so, except to service the vehicle with gas or oil, or to provide emergency repairs, but in no event for more than 24 hours.
(Ord. 2001-A, passed 2-24-2001) Penalty, see § 71.99

§ 71.20 SNOW EMERGENCY AND MAINTENANCE PARKING RESTRICTIONS.

(A) *Emergency declared.* Whenever, in the opinion of the Streets/Parks Supervisor, an emergency exists because of snow, freezing rain, sleet, ice, drifts, or other natural phenomena, or whenever it becomes necessary for snow removal or maintenance work on any streets in the city, the Streets/Parks Supervisor may declare an emergency to exist and restrict parking for a period of 24 hours. The Streets/Parks Supervisor may lift the restrictions sooner if conditions permit. If the Supervisor is absent from the city or is unable to act, the emergency may be declared by the Supervisor's designee.

(B) *Notice.* Notice of the declaration of emergency and parking restrictions shall be given by local radio, television, or press, which news media shall be requested to cooperate with the city. When given, this notice shall constitute due and proper notice. The notice shall specify the hour that the emergency commences. There will be an interval of at least 6 hours between the first time that the notice is given and the commencement of the emergency.

(C) *Parking prohibited.* Beginning 6 hours after the first notice of the emergency has been given, no vehicle shall be parked or left standing on any portion of a street so restricted, except as provided in § 71.21.
(Ord. 2001-A, passed 2-24-2001) Penalty, see § 71.99

§ 71.21 LIMITED PARKING DURING PERIODS OF RESTRICTION.

(A) The parking of vehicles directly in front of business establishments during restricted periods shall be permitted if the owner or operator of the vehicle is inside the business establishment in front of which it is parked, and is available to move the vehicle upon the request of a police officer or a city employee engaged in snow removal or maintenance operations. If the owner or operator cannot be located in the establishment, or fails to remove their vehicle when requested to do so by a police officer or a city employee engaged in snow removal or maintenance operations, the vehicle may be removed as provided in § 71.36.

(B) Where parking has been restricted for snow removal purposes, parking may be resumed on individual streets as soon as snow has been removed, where parking will not interfere with remaining snow removal work.

(Ord. 2001-A, passed 2-24-2001) Penalty, see § 71.99

ADMINISTRATION AND ENFORCEMENT

§ 71.35 VIOLATIONS; PROCEDURES.

(A) *Violations.* Violations of these parking regulations will result in a penalty to the owner or operator of the vehicle parked in violation. The penalty shall be an administrative fine established by Council resolution.

(B) *Notice.* Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail, a citation that sets forth the alleged violation and which shall inform the alleged violator of the right to be heard on the accusation.

(C) *Hearings.* If a person accused of violating these parking regulations so requests, a hearing shall be scheduled, the time and place of which shall be provided to the accused violator.

(D) *Hearing Officer.* The City Council shall serve as the Hearing Officer.

(E) *Decision.* If the Hearing Officer determines that a violation of these parking regulations did occur, that decision, along with the Hearing Officer's reasons for finding a violation and the penalty to be imposed, shall be recorded in writing, a copy of which shall be provided to the accused violator. If the Hearing Officer finds that no violation occurred or finds grounds for not imposing any penalty, those findings shall be recorded and a copy provided to the acquitted accused violator.

(F) *Appeals.* Appeals of any decision made by the Hearing Officer shall be filed in the district court for the jurisdiction of the city in which the alleged violation occurred.

(G) *Misdemeanor.* Nothing in this section shall prohibit the city from seeking prosecution as a misdemeanor for any violation of this chapter.

(H) *Continued violation.* Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

(Ord. 2001-A, passed 2-24-2001) Penalty, see § 71.99

§ 71.36 AUTHORITY TO REMOVE VEHICLES.

(A) Any vehicle, wherever found, in violation of this code or the laws of the state, is declared to be a nuisance.

(1) A police officer may summarily abate a nuisance vehicle by:

(a) Removing the vehicle and storing the same in an appropriate place; or

(b) Directing or requesting another person to remove the vehicle and store it in an appropriate place.

(2) Before the registered owner of a vehicle shall be permitted to recover the vehicle, they shall furnish a registration ownership title, proof of insurance, current registration on the vehicle, and a valid driver's license. The registered owner shall pay all the administrative, towing, and storage fees of the vehicle to the person storing the vehicle. It shall be unlawful for any person to reclaim a vehicle without first paying all of the administrative, towing, and storage fees.

(B) The impounding of a vehicle shall not prevent or preclude the institution and prosecution of proceedings for violation of the law against the owner or operator of the impounded vehicle.

(C) The presence of a vehicle on any street, alley, or city-owned parking lot, when standing or parked in violation of this chapter, is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

(Ord. 2001-A, passed 2-24-2001) Penalty, see § 71.99

§ 71.37 IMPOUNDMENT; REPORT BY POLICE OFFICER.

Any police officer directing the impounding of a vehicle shall prepare a written report of the description of the vehicle and include a written statement describing the circumstances involved.

(Ord. 2001-A, passed 2-24-2001)

§ 71.38 PARKING FOR SPECIAL PURPOSES.

Whenever a person, firm, or corporation is in need of a special parking privilege for loading, commercial, or any other purposes, written application shall be made to the city requesting that privilege. The privilege may be granted by the City Council.
(Ord. 2001-A, passed 2-24-2001)

§ 71.99 PENALTY.

Violation of any provisions of this chapter will result in administrative fines/penalties to the owner or operator on a per calendar year basis as follows:

(A) First violation - administrative fee of \$10;

(B) Second violation - administrative fee of \$20; and

(C) Third violation - administrative fee of \$30, impoundment, towing and storage fees.

(Res. 04-029, passed 7-15-2004)

CHAPTER 72: SNOWMOBILES

Section

72.01	Intent
72.02	Definitions
72.03	General provisions
72.04	Operation; prohibited places
72.05	Emergency conditions
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72.07	Intersections
72.08	Equipment
72.09	Ignition key
72.10	Operating restrictions
72.11	Speed on streets
72.12	Reporting accidents
72.99	Penalty

§ 72.01 INTENT.

It is the intent of this section to supplement M.S. §§ 84.81 through 84.88, and M.S. Ch. 169, as they may be amended from time to time, with respect to the operation of snowmobiles. Those statutes are incorporated herein by reference.

§ 72.02 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. A person who operates or is in actual physical control of a snowmobile.

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

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. The 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.

§ 72.03 GENERAL PROVISIONS.

(A) *Hours of operation.* Except as provided in division (B), a snowmobile may be operated within the city during the following times:

- (1) 7:00 a.m. through 10:00 p.m. on Sundays through Thursdays; or
- (2) 7:00 a.m. through 1:00 a.m. on Fridays and Saturdays and on any day preceding a state holiday.

(B) *Exception.* A snowmobile may be operated during times other than those permitted under division (A) for the purpose of returning to the residence of the operator by the most direct route from areas where snowmobiling is permitted.

Penalty, see § 72.99

§ 72.04 OPERATION; PROHIBITED PLACES.

It is unlawful to operate a snowmobile within the city in any of the following places:

(A) Upon private property without written permission of the owner or persons entitled to possession and use of the property;

(B) Upon school grounds, park property, playgrounds, or recreational areas except as established by City Council policy and at those times as the proper authorities may authorize or designate;

(C) Upon those streets within the city as set forth in Ch. 73, Sch. I, except a crossing of these streets may be made at a 90-degree angle for the purpose of going to and from designated snowmobile areas, entering or leaving the city, or going to and from a repair shop;

(D) Upon any other street, roadway, or right-of-way in the city, except as established by City Council policy and for the purpose of going to and from authorized snowmobile areas and to and from repair shops. When a group of 2 or more snowmobiles are operating on any city street they must proceed in single file while maintaining a reasonable distance between each other; or

(E) Upon a public sidewalk, walkway, or trail except as established by City Council policy.
Penalty, see § 72.99

§ 72.05 EMERGENCY CONDITIONS.

If a heavy snowfall that makes it impractical to travel with motor vehicles, snowmobiles may be permitted on city streets, but subject to the provisions of this chapter.

§ 72.06 OPERATORS; AGE RESTRICTIONS.

A person under 14 years of age may not operate a snowmobile on any streets, roadways, or rights-of-way in the city or make a direct crossing of any 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 the operator has in his or her immediate possession a valid snowmobile safety certificate issued by the Commissioner of Natural Resources as provided by M.S. § 84.86, as it may be amended from time to time. It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to provisions of this section.
Penalty, see § 72.99

§ 72.07 INTERSECTIONS.

A snowmobile may not enter an uncontrolled intersection without making a complete stop. The operator must 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 § 72.99

§ 72.08 EQUIPMENT.

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

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

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

(C) When operated between the hours of 1/2 hour after sunset to 1/2 hour before sunrise or at times of reduced visibility, at least 1 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. The head lamps must be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile operator. The snowmobile must also be equipped with at least 1 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; and

(D) Standard mufflers that are properly attached and that reduce the noise of operation of the motor to the minimum necessary for operation. A person may not use a muffler cutout, bypass, straight pipe, or similar device on a snowmobile.

Penalty, see § 72.99

§ 72.09 IGNITION KEY.

A person leaving a snowmobile on a public place must lock the ignition, remove the key, and keep the key or remove it to some other place.

Penalty, see § 72.99

§ 72.10 OPERATING RESTRICTIONS.

It is unlawful for a person to operate a snowmobile within the city under the following conditions:

(A) While under the influence of alcohol or drugs as defined in M.S. Ch. 169A, as it may be amended from time to time, which is hereby incorporated by reference;

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

(C) 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 likely to endanger or cause injury or damage to any personal property; or

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

Penalty, see § 72.99

§ 72.11 SPEED ON STREETS.

Snowmobiles being operated on the city streets shall not travel in excess of 15 miles per hour. (Am. Ord. 2001-C, passed 12-10-2001) Penalty, see § 72.99

§ 72.12 REPORTING ACCIDENTS.

Snowmobile accidents resulting in personal injury, death, or property damage of \$100 or more must be reported to the Police Department.

Penalty, see § 72.99

§ 72.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no other penalty is provided shall, upon conviction, be subject to penalties as set forth in § 10.99 of this code.

(B) (1) *Owner responsibility.* A person violating a provision of this chapter is guilty of a misdemeanor. A person registered as owner of a snowmobile may be fined an amount not to exceed \$300 if a snowmobile bearing the owner's registration number is operated contrary to the provisions of M.S. §§ 84.81 through 84.88, as they may be amended from time to time.

(2) *Exceptions.* The registered owner may not be so fined if:

(a) The snowmobile was reported as stolen to the Commissioner of Natural Resources or a law enforcement agency at the time of the alleged unlawful act;

(b) The registered owner demonstrates that the snowmobile either was stolen or was not in use at the time of the alleged unlawful act; or

(c) The registered owner furnishes to law enforcement officers upon request the identity of the person in actual physical control of the snowmobile at the time of the violation.

(3) *Leased snowmobiles; records.* The provisions of this section do not apply to a person who rents or leases a snowmobile if that person keeps a record of the name and address of the person or persons renting or leasing that snowmobile, the registration number thereof, the departure date and time, and expected time of return thereof. The record must be preserved for at least 6 months and is prima facie evidence that the person named therein was the operator thereof at the time it was operated contrary to M.S. §§ 84.81 through 84.88, as they may be amended from time to time. The provisions of this division do not prohibit or limit the prosecution of a snowmobile operator for violating the statutes adopted by reference herein.

CHAPTER 73: TRAFFIC SCHEDULES

Schedule

- I. Weight limitations
- II. One-way streets

SCHEDULE I. WEIGHT LIMITATIONS.

(A) A person may not operate any motor vehicle or combination of vehicles upon any street or roadway in the city having an axle weight in excess of 5 tons except on the following described streets.

<i>Street</i>	<i>Location</i>
CR #168	From Fifth Avenue East (CSAH #13) to East city limits
CR #173	From Second Avenue East (CSAH #13) to South city limits
County Club Road	From Second Avenue East (CSAH #13) to County Club Drive
Eighth Avenue West	From Main Street (CR #186) to Railroad Avenue
Fifth Avenue East	From Kraft Drive to Main Street (CSAH #65)
Fifth Avenue East (CSAH #13)	From Main Street (CSAH #65) to North city limits
Fifth Street North	From Fifth Avenue East (CSAH #13) to Third Avenue West
First Street South	From Second Avenue East (CSAH #13) to Fourth Avenue East
First Avenue West	From Main Street (CR #186) to First Street North
First Street North	Between Riverside Avenue and Fifth Avenue East (CSAH # 13)
Fourth Avenue East	From First Street South to First Street North
Industry Parkway	In Melrose I-94 Industrial Park
Interstate Drive	In Melrose I-94 Industrial Park

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<i>Street</i>	<i>Location</i>
Kraft Drive	From Twelfth Avenue to West Main Street (CR #186)
Main Street (CSAH #65)	From Second Avenue East (CSAH #13) to Twelfth Avenue East
Main Street (CR #186)	From Second Avenue East (CSAH #13) to West city limits
Ninth Street North	From Fifth Avenue East (CSAH # 13) to Third Avenue West (CR #170)
Ninth Street North	From Third Avenue West (CR #170) to West city limits
Railroad Avenue	From Third Avenue West to Ninth Avenue West
Riverside Avenue (CSAH #65)	From First Street North to West City limits
Second Avenue East (CSAH #13)	From Main Street to South City limit
Second Avenue East (CSAH #65)	From Main Street to First Street North
Third Avenue East	From First Street South to First Street North
Third Avenue West	From I-94 right-of-way to Riverside Avenue (CSAH #65)
Third Avenue West (CR #64 & CR #170)	From Riverside Avenue (CSAH #65) to Ninth Street North
Twelfth Avenue East	From Kraft Drive to East Main Street (CSAH #65)
West Park Drive	In Melrose I-94 Industrial Park

(B) The maximum weight limitations on the streets enumerated above is 10 tons per axle, with gross weight not to exceed 80,000 pounds.

Penalty, see § 10.99

Cross-reference:

Designation of weight restrictions, see § 70.05

SCHEDULE II. ONE-WAY STREETS.

The following streets, alleys and the like are designated as 1-way streets:

<i>Street</i>	<i>Location/Direction</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Alleyway located in Block 16, Original Plat	All vehicles traveling on this alley shall enter from Main Street at the north end and exit onto Turkey Lane, formerly First Street South, at the south end	8-03-2006-1	8-3-2006

Penalty, see § 10.99

CHAPTER 74: PARKING SCHEDULES

Schedule

- I. Downtown Business District
- II. Angle Parking
- III. Loading/Unloading Zones
- IV. Handicapped Parking Zones
- V. No Parking Zones
- VI. Limited Parking Zones

SCHEDULE I. DOWNTOWN BUSINESS DISTRICT.

The following area is designated as the Downtown Business District.

<i>Street</i>	<i>Location</i>
Fifth Avenue East	From Second Street South to First Street North
First Street North	From Riverside Avenue to Fifth Avenue East
First Street South	From Second Avenue East to Fourth Avenue East
Fourth Avenue East	From First Street South to First Street North
Main Street	From First Avenue East to Fifth Avenue East
Second Avenue East	From First Street South to First Street North
Third Avenue East	From First Street South to First Street North

(Ord. 2001-A, passed 2-24-2001; Am. Ord. 2004-H, passed 7-24-2004)

Cross-reference:

Downtown Business District regulations, see § 71.17

SCHEDULE II. ANGLE PARKING.

Angle parking shall be permitted at the following locations at an angle of 60 degrees:

<i>Street</i>	<i>Side</i>	<i>From</i>	<i>To</i>
Fourth Avenue East	East	First Street South	First Street North
South Fifth Avenue East	West	First Street South	Main Street

(Res. 04-029, passed 7-15-2004)

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SCHEDULE III. LOADING/UNLOADING ZONES.

The following loading/unloading zones are established:

<i>Street</i>	<i>Side</i>	<i>Location</i>	<i>Number and Type of Spaces</i>
Fifth Avenue East	West	Jennie-O Turkey Store	1
First Street South	South	Jennie-O Turkey Store	2 truck
First Street South	South	Rose View Manor	2 truck
Fourth Avenue East	East	Joyce's Café (from 5:00 a.m. to 8:00 p.m.)	1

(Res. 04-029, passed 7-15-2004)

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SCHEDULE IV: HANDICAPPED PARKING ZONES.

The following handicapped parking zones are established:

<i>Street</i>	<i>Side</i>	<i>Location</i>	<i>Number of Spaces</i>
Fifth Avenue East	West	Jennie-O Turkey Store north of loading dock	3
First Street South	South	Rose View Manor	1
Fourth Avenue East	East	Rondezvous Grille	1
Main Street	North	Melrose Eye/Dental Clinic	1
Second Street South	South	St. Mary's Church	2

(Res. 04-029, passed 7-15-2004; Am. Ord. 11-19-2009, passed 11-19-2009)

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Parking Schedules

SCHEDULE V. NO PARKING ZONES.

No parking zones are established as follows:

<i>Street</i>	<i>Side</i>	<i>Location</i>
First Street North	South	From Second Avenue East to Fifth Avenue East
First Street South	South	From Second Avenue East to Fourth Avenue East
CSAH 13	Both	Between the southwesterly city limits to County Road 173

(Res. 04-029, passed 7-15-2004; Am. Res. 10-11, passed 2-18-2010)

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SCHEDULE VI. LIMITED PARKING ZONES.

Limited parking zones are established as follows:

<i>Street</i>	<i>Side</i>	<i>Location</i>	<i>Limitation</i>
Fifth Avenue East	East	Jennie-O Turkey Store parking lot	1, 5-minute parking space
Fifth Avenue East	East	St. Mary's School	No parking between signs from 8:00 a.m. to 4:00 p.m. on school days
First Avenue West	West	Melrose Chiropractic Clinic	1 parking space for patients only
Ninth Avenue East	East	Oak Ridge Manor	No parking between signs on Saturdays from 4:00 p.m to 6:30 p.m.

(Res. 04-029, passed 7-15-2004)

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CHAPTER 75: RECREATIONAL VEHICLES

Section

75.01	Purpose and intent
75.02	Definition
75.03	Operation requirements
75.04	Street crossings
75.05	Hours of operation
75.06	Minimum equipment requirements
75.07	Designation of public areas for use

§ 75.01 PURPOSE AND INTENT.

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

(2) This chapter is not intended to allow what Minnesota Statutes prohibit nor to prohibit what Minnesota Statutes expressly allow.

(B) It is intended to ensure the public safety and prevent a public nuisance.

§ 75.02 DEFINITION.

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

RECREATIONAL MOTOR VEHICLE. Any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes including, but not limited to trail bike, off-highway motorcycle, as defined by M.S. § 84.787, subd. 7, as it may be amended from time to time, or other all-terrain vehicle as defined by M.S. § 84.92, subd. 8, as it may be amended from time to time, motorized go-carts, hovercraft or motor vehicle licensed for highway operation which is being used for off-road recreational purposes.

§ 75.03 OPERATION REQUIREMENTS.

It is unlawful for any person to operate a recreational motor vehicle:

(A) On private property of another without specific written permission of the owner of the property; (Written permission may be given by a posted notice of any kind or description, so long as it specifies the kind of vehicles allowed, that the owner, occupant or lessee prefers, such as by saying Recreational Vehicles Allowed, Trail Bikes Allowed, All-Terrain Vehicles Allowed or words substantially similar.)

(B) On publicly-owned land, including school, park property, playgrounds, recreation areas and golf courses, except where permitted by this chapter;

(C) 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;

(D) On a public sidewalk or walkway provided or used for pedestrian travel;

(E) While under the influence of intoxicating liquor or narcotics or habit-forming drugs;

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

(G) At any place in a careless, reckless or negligent manner so as to endanger or be likely to endanger any person or property or to cause injury or damage thereto;

(H) On any public street, highway or right-of-way unless licensed pursuant to Minnesota law;

(I) To intentionally drive, chase, run over or kill any animal, wild or domestic;

(J) By halting any recreational motor vehicle carelessly or heedlessly in disregard of the rights or the safety of others or in a manner so as to endanger or be likely to endanger any person or property or in excess of 15 miles per hour on publicly-owned lands; and/or

(K) Within 150 yards of any public recreational area or gathering of people. This provision does not apply to the occasional use of recreational motor vehicles on private property for the purpose of loading or unloading it from a trailer or for mechanically checking it.

Penalty, see § 10.99

§ 75.04 STREET CROSSINGS.

No person under 14 years of age operating the vehicles regulated herein shall make a direct crossing of any street, highway or public right-of-way.

Penalty, see § 10.99

§ 75.05 HOURS OF OPERATION.

Hours for use are 8:00 a.m. to 10:00 p.m.

Penalty, see § 10.99

§ 75.06 MINIMUM EQUIPMENT REQUIREMENTS.

(A) Standard mufflers shall be properly attached and in constant operation to 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 recreational motor vehicle motor. The exhaust system shall not emit or produce a sharp popping or crackling sound.

(B) Brakes shall be adequate to control the movement of and to stop and hold under any conditions of operation.

(C) At least one clear lamp shall be 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 that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least 1 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. This equipment shall be required and shall be in operating condition when the vehicle is operated between the hours of 1/2 hour after sunset and 1/2 hour before sunrise, or at times of reduced visibility.

Penalty, see § 10.99

§ 75.07 DESIGNATION OF PUBLIC AREAS FOR USE.

(A) The City Council may designate, by City policy, areas for use of recreational motor vehicles. Any area designated shall be published in the official newspaper of the city in a conspicuous place after the approval. If an area is changed, the change shall be published in like manner in the official newspaper of the city. An up-to-date map of any designated areas open for recreational motor vehicle use shall be kept on file in the City Administration office. This office shall provide on request a copy of the map together with the applicable rules, regulations and this chapter to each person requesting the information from the city.

(B) Unless designated by the City Council as an area for recreational motor vehicles, the use on city property shall be unlawful. Further, the use of city areas designated by the City Council shall be in accordance with all of the applicable provisions of this chapter.
Penalty, see § 10.99

CHAPTER 76: MOTORIZED GOLF CARTS AND ALL-TERRAIN VEHICLES

Section

76.01	Purpose
76.02	Definitions
76.03	Required permit
76.04	Conditions
76.05	Revocation or denial of permit
76.06	Limitation of liability
76.99	Penalty

§ 76.01 PURPOSE.

The purpose of this chapter is to authorize the operation of motorized golf carts or all-terrain vehicles on designated roadways in the city, pursuant to authority given to the city by M.S. § 169.045. (Ord. 6-28-2012-3, passed 6-28-2012)

§ 76.02 DEFINITIONS.

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

ALL-TERRAIN VEHICLE or ***ATV***. A motorized flotation-tired vehicle with at least 3 but no more than 6 low pressure tires having an engine displacement of less than 1,000 cubic centimeters and a total dry weight of less than 1,000 pounds.

MOTORIZED GOLF CART. Vehicle commonly known as a golf cart, having at least 4 wheels, and either an electric or gas motor.

DESIGNATED ROADWAYS. Streets and avenues under the jurisdiction of the city not specifically excluded in this chapter. It does not include federal, Minnesota or county highways or roads.

EXCLUDED AREAS are designated as:

(1) Any private property the operator does not have written permission from the owner to drive on.

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- (2) Any sidewalk, paved walkway, Wobegon Trail, or other area designated as a pedestrian path.
- (3) No grass areas within any of the city's designated parks.
- (4) Designated snowmobile trails.

EXCLUDED STREETS are as follows:

- (1) All of Main Street from 12th Avenue SE to 8th Avenue NW.
 - (2) All of 5th Avenue NE from Main Street E to the northern city limits with the exception from 9th Avenue NE to the entrance of Melrose Mobile Home Park.
 - (3) All of 2nd Avenue SE from Main Street E to Country Club Drive SW with the exception of that portion that runs from Kraft Drive SE to Country Club Road SW to cross the I-94 overpass.
 - (4) All of Turkey Lane SE from 2nd Avenue SE to 4th Avenue SE.
 - (5) All of 5th Avenue SE from Main Street E to Kraft Drive SE.
- (Ord. 6-28-2012-3, passed 6-28-2012)

§ 76.03 REQUIRED PERMIT.

(A) No person may operate a motorized golf cart or ATV on streets and avenues under the jurisdiction of the city without a valid permit from the city.

(B) Permit applications shall be available at the City Office and shall be in the form approved by resolution of the City Council.

(C) Only persons at least 18 years of age and holding a driver's license recognized by the state as permitting the operation of motor vehicles in the state are eligible for a permit. A permit issued under this section shall only be valid during the times and under the circumstances that holding a driver's license would allow operation of a motor vehicle in the state.

(D) At the time of application the applicant shall:

- (1) Provide proof of insurance complying with the requirements of M.S. § 65B.48 subd. 5, as the same may be amended from time to time.
- (2) Provide all other information as may be required by resolution of the City Council.
- (3) Submit payment in full of the permit fee.

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(E) Permit applications shall be reviewed and approved by the Chief of Police or designee.

(F) All permits granted pursuant to this section shall expire on December 31 of the year following the year the permit was issued. Permits may be renewed by complying with the requirements of this section.

(G) The City Council shall from time to time set fees for the permits by resolution.
(Ord. 6-28-2012-3, passed 6-28-2012)

§ 76.04 CONDITIONS.

(A) No person shall operate a motorized golf cart or ATV under this chapter:

(1) Except under permit on designated roadways from sunrise to sunset;

(2) In inclement weather, or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons in vehicles on the roadway at a distance of 500 feet;

(3) Without displaying the slow-moving vehicle emblem provided for in M.S. § 169.522;

(4) Unless the vehicle is equipped with a rear-view mirror as provided for in M.S. § 169.70;

(5) With a passenger or passengers unless each passenger is seated on a seat specifically designed for the transport of passengers;

(6) On excluded streets or on excluded areas.

(B) The operator of a motorized golf cart or ATV under permit on designated roadways shall have all the rights and duties applicable to the driver of any other vehicle under the provisions of M.S. Chapter 169 or other applicable statute or ordinance, except when those provisions cannot reasonably be applied to motorized golf carts or ATVs, and except as otherwise specifically provided in M.S. § 169.045.

(C) A permit holder whose motorized golf cart or ATV is garaged or stored on property abutting an alley may operate the vehicle in that alley along the most direct route to and from a designated roadway.

(Ord. 6-28-2012-3, passed 6-28-2012)

§ 76.05 REVOCATION OR DENIAL OF PERMIT.

(A) A permit may be revoked or denied at any time by the Chief of Police:

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(1) If it is shown that the permit holder cannot safely or legally operate, or has not safely or legally operated, the motorized golf cart or ATV within the city; or

(2) If it is shown that the permit holder has operated the motorized golf cart or ATV on excluded streets or on excluded areas; or

(3) If the permit holder's driver's license is no longer recognized as valid in the state.

(B) A permit holder may appeal any revocation or denial to the City Council by filing notice of appeal at the City Office not later than 14 days after the date of notice of the action to be appealed from.

(Ord. 6-28-2012-3, passed 6-28-2012)

§ 76.06 LIMITATION OF LIABILITY.

Nothing in this chapter shall be construed as an assumption of liability by the city for any injuries to persons or property which may result from the operation of a motorized golf cart or ATV by a permit holder, the grant of the permit, or the failure by the city to revoke the permit.

(Ord. 6-28-2012-3, passed 6-28-2012)

§ 76.99 PENALTY.

Any person violating any provision of this chapter shall be guilty of a petty misdemeanor and is subject to having his or her permit under this chapter revoked.

(Ord. 6-28-2012-3, passed 6-28-2012)

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