

TITLE VII: TRAFFIC CODE

Chapter

- 70. GENERAL PROVISIONS**
- 71. TRAFFIC REGULATIONS**
- 72. PARKING REGULATIONS**
- 73. PARKING SCHEDULES**

CHAPTER 70: GENERAL PROVISIONS

Section

- 70.01 Definitions
- 70.02 Application
- 70.03 Scope and orders of officers
- 70.04 Traffic and parking control
- 70.05 Street openings or excavations
- 70.06 Requirement of sewer and water main service lateral installation
- 70.07 Violations
- 70.08 All-terrain vehicles
- 70.09 Snowmobiles

§ 70.01 DEFINITIONS.

Except as otherwise defined in this code, or where the context clearly indicates a contrary intent, the words and terms defined in M.S. Ch. 169, as it may be amended from time to time, shall be applicable to this title.

(1985 Code, § 7.01)

§ 70.02 APPLICATION.

The provisions of this title are applicable to the drivers of all vehicles and animals upon streets, including, but not limited to, those owned or operated by the United States, the state, or any county, town, city, district, or other political subdivision.

(1985 Code, § 7.02)

§ 70.03 SCOPE AND ORDERS OF OFFICERS.

(A) *Scope.* The provisions of this title relate exclusively to the streets, alleys, and private roads in the city, and the operation and parking of vehicles refer exclusively to the operation and parking of vehicles upon the streets, alleys, and private roads.

(B) *Orders of an officer.* It is a misdemeanor for any person to willfully fail or refuse to comply with any lawful order or direction of any police or peace officer invested by law with authority to direct, control, or regulate traffic.

(1985 Code, § 7.03) Penalty, see § 10.99

§ 70.04 TRAFFIC AND PARKING CONTROL.

(A) *Council action.* No device, sign, or signal shall be erected or maintained for traffic or parking control unless the Council shall first have approved and directed the same, except as otherwise provided in this section; provided, that when traffic and parking control is marked or sign-posted, the marking or sign-posting shall attest to Council action thereon.

(B) *Temporary restrictions.* The city, acting through the Police Chief, may temporarily restrict traffic or parking for any private, public, or experimental purpose. It is the duty of the Police Chief to so restrict traffic or parking where a hazardous condition arises or is observed.

(C) *Traffic restrictions and prohibitions.* It is a misdemeanor for any person to drive a vehicle contrary to lane restrictions or prohibitions painted on any street, or contrary to sign-posted, fenced, or barricaded restrictions or prohibitions.

(D) *Parking restrictions and prohibitions.* It is unlawful for any person to park a vehicle, except an emergency vehicle, contrary to lane restrictions or prohibitions painted on any curb, or contrary to sign-posted, fenced, or barricaded restrictions or prohibitions.

(E) *Damaging or moving markings.* It is a misdemeanor for any person to deface, mar, damage, move, remove, or in any way tamper with any structure, work, material, equipment, tools, sign, signal, barricade, fence, painting, or appurtenance in any street unless the person has written permission from the city or is an agent, employee, or contractor for the city, or other authority having jurisdiction over a particular street, and acting within the authority or scope of a contract with the city or any other authority.

(1985 Code, § 7.04) Penalty, see § 10.99

§ 70.05 STREET OPENINGS OR EXCAVATIONS.

(A) *Generally.* It is a misdemeanor for any person, except a city employee acting within the course and scope of his or her employment or a contractor acting within the course and scope of a contract with the city, to make any excavation, opening, or tunnel in, over, across, or upon a street or other public property without first having obtained a written permit from the Director of Public Works as herein provided.

(B) *Application.* Application for a permit to make a street excavation shall describe with reasonable particularity the name and address of the applicant, the place, purpose and size of the excavation, and any other information as may be necessary or desirable to facilitate the investigation hereinafter provided for, and shall be filed with the Director of Public Works.

(C) *Investigation and payment of estimated costs.* Upon receipt of the application, the Director of Public Works shall cause any investigation to be made as he or she may deem necessary to determine estimated cost of repair, such as backfilling, compacting, resurfacing, and replacement, and the conditions as to the time of commencement of work, manner of procedure, and time limitation upon the excavation. The foregoing estimated costs shall include permanent and temporary repairs due to weather or other conditions, and the cost of the investigation shall be included in the estimate.

(D) *Protection of the city and the public.*

(1) *Non-completion or abandonment.* Work shall progress expeditiously to completion in accordance with any time limitation placed thereon so as to avoid unnecessary inconvenience to the public. In the event that work is not performed in accordance therewith, or shall cease or be abandoned without due cause, the city may, after six-hours' notice in writing to the holder of the permit of its intention to do so, correct the work, fill the excavation, and repair the public property, and the cost thereof shall be paid by the person holding the permit.

(2) *Insurance.* Prior to commencement of the work described in the application, the applicant shall furnish the city satisfactory evidence in writing that the applicant will keep in effect public liability insurance of not less than \$100,000 for any person, \$300,000 for any occurrence and property damage insurance of not less than \$25,000, issued by an insurance company authorized to do business in the state on which the city is named as a co-insured.

(3) *Indemnification.* Before issuance of a permit, the applicant shall, in writing, agree to indemnify and hold the city harmless from any liability for injury or damage arising out of the action of the applicant in performance of the work, or any expense whatsoever incurred by the city incident to a claim or action brought or commenced by any person arising therefrom.

(E) *Issuance of permit.* The Director of Public Works shall issue the permit after:

- (1) Completion of the investigation;
- (2) Payment by the applicant in advance of all estimated costs as aforesaid;
- (3) Agreement by the applicant to the conditions of time and manner as aforesaid;
- (4) Agreement in writing by the applicant to pay all actual cost of repairs over and above the estimate, including cost of the investigation; and
- (5) Agreement in writing by the applicant to be bound by all of the provisions of this section.

(F) *Repairs.* All temporary and permanent repairs, including backfilling, compacting, and resurfacing shall be made, or contracted for, by the city in a manner prescribed by the Director of Public Works and an accurate account of costs thereof shall be kept.

(G) *Cost adjustment.* Within 60 days following completion of the permanent repairs the City Clerk-Treasurer shall determine actual costs of repairs, including cost of investigation, and prepare and furnish to the permit holder an itemized statement thereof and claim additional payment from, or make refund (without interest) to, the permit holder, as the case may be.

(H) *Alternate method of charging.* In lieu of the above provisions relating to cost and cost adjustment for street openings, the city may charge on the basis of surface square feet removed, excavated cubic feet, or a combination of surface square feet and excavated cubic feet, on an established unit price uniformly charged.

(1985 Code, § 7.07) Penalty, see § 10.99

§ 70.06 REQUIREMENT OF SEWER AND WATER MAIN SERVICE LATERAL INSTALLATION.

(A) *Requirement of sewer and water laterals.* No petition for the improvement of a street shall be considered by the Council if the petition contemplates constructing therein any part of a pavement or stabilized base, or curb and gutter, unless all sewer and water main installations shall have been made therein, including the installation of service laterals to the curb, if the area along the street will be served by the utilities installed in the street.

(B) *Sewer system service and water main service laterals.* No sewer system shall be hereafter constructed or extended unless service laterals to platted lots and frontage facing thereon shall be extended simultaneously with construction of mains.

(C) *Waiver.* The Council may waive the requirements of this section only if it finds the effects thereof are burdensome and upon the notice and hearing as the Council may deem necessary or proper. (1985 Code, § 7.09)

§ 70.07 VIOLATIONS.

(A) *Generally.* Every person violates a section, division, or provision of this chapter when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful, and, upon conviction thereof, shall be punished as follows.

(B) *Specifically.*

(1) Where the specific section, division, or provision specifically makes violation a misdemeanor, he or she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he or she shall be punished as for a misdemeanor; where he or she stands convicted of violation of any provision of this chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(2) As to any violation not constituting a misdemeanor under the provisions of division (B)(1) above, he or she shall be punished as for a petty misdemeanor.
(1985 Code, § 7.99) Penalty, see § 10.99

§ 70.08 ALL-TERRAIN VEHICLES.

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

ALL-TERRAIN VEHICLE or ***VEHICLE***. A motorized flotation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 960 cubic centimeters and includes a class 1 all-terrain vehicle and a class 2 all-terrain vehicle.

CLASS 1 ALL-TERRAIN VEHICLE. An all-terrain vehicle that has a total dry weight of less than 900 pounds.

CLASS 2 ALL-TERRAIN VEHICLE. An all-terrain vehicle that has a total dry weight of 900 to 1,500 pounds.

DESIGNATED ALL-TERRAIN VEHICLE ROUTE. The route established by resolution of the City Council from time to time, which route shall be authorized for the operation of all-terrain vehicles which otherwise comply with the provisions of M.S. §§ 84.92 through 84.928, as they may be amended from time to time.

OWNER. A person, other than a person with a security interest, having a property interest or title to an all-terrain vehicle and entitled to the use and possession of the vehicle.

PERSON. Any individual or organization as defined in M.S. § 336.1-201, Paragraph 30, as it may be amended from time to time.

(B) No all-terrain vehicle as described in this section may be driven or operated upon any highway, public thoroughfare, alleyway, or any other public property within the city limits, including any operation of the vehicle which is used to make a crossing of the highway, public thoroughfare, alleyway, or other public property in order to make a crossing from one parcel of private property to another parcel of private property, except operation upon a designated all-terrain vehicle route within the city limits.

(C) A route map indicating designated all-terrain vehicle routes within the city limits shall be prepared, maintained, and posted at the office of the City Clerk-Treasurer and the office of the City Police Department.

(D) Any person who violates any provision of this section, and the owner of any all-terrain vehicle operated by a person who violates any provision of this section, shall be guilty of a petty misdemeanor, as defined by state statute.

(Ord. passed - -) Penalty, see § 10.99

§ 70.09 SNOWMOBILES.

(A) No snowmobiles as described in this section may be driven or operated upon any highway, public thoroughfare, alleyway, or any other public property within the city limits, including any operation of the vehicle which is used to make a crossing of the highway, public thoroughfare, alleyway, or other public property in order to make a crossing from one parcel of private property to another parcel of private property, except operation upon a designated snowmobile route within the city limits.

(B) A route map indicating designated snowmobile routes within the city limits shall be prepared, maintained, and posted at the office of the City Clerk-Treasurer and the office of the City Police Department.

(C) Any person who violates any provision of this section, and the owner of any snowmobile operated by a person who violates any provision of this section, shall be guilty of a petty misdemeanor, as defined by state statute.

Penalty, see § 10.99

CHAPTER 71: TRAFFIC REGULATIONS

Section

- 71.01 State statutes adopted by reference
- 71.02 Exhibition driving
- 71.03 Recreational motor vehicles, including snowmobiles
- 71.04 Operation or parking on public sidewalks or walkways
- 71.05 Violations

§ 71.01 STATE STATUTES ADOPTED BY REFERENCE.

Except as otherwise provided in this title, the regulatory and procedural provisions of M.S. Ch. 168, M.S. Ch. 169 (commonly referred to as the Highway Traffic Regulation Act), and M.S. Ch. 171, as they may be amended from time to time, are hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

(1985 Code, § 8.01) (Ord. 1-85, passed 6-4-1985; Ord. 5, passed 5-11-1999)

§ 71.02 EXHIBITION DRIVING.

(A) *Prima facie evidence.* It is prima facie evidence of exhibition driving when a motor vehicle stops, starts, accelerates, decelerates, or turns at an unnecessary rate of speed so as to cause tires to squeal, gears to grind, soil to be thrown, engine backfire, fishtailing or skidding, or, as to two-wheeled or three-wheeled motor vehicles, the front wheel to lose contact with the ground or roadway surface.

(B) *Unlawful act.*

(1) It is a misdemeanor for any person to do any exhibition driving on any street, parking lot, or other public or private property, except when an emergency creates necessity for the operation to prevent injury to persons or damage to property; provided, that this section shall not apply to driving on a racetrack.

(2) For purposes of this section, a **RACETRACK** means any track or premises whereon motorized vehicles, horses, dogs, or other animals or fowl legally compete in a race or timed contest for an audience, the members of which have directly or indirectly paid a consideration for admission.

(1985 Code, § 8.02) Penalty, see § 10.99

§ 71.03 RECREATIONAL MOTOR VEHICLES, INCLUDING SNOWMOBILES.

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

ALL-TERRAIN VEHICLE or ***ATV.*** Trail bikes, amphibious vehicles, and similar devices, other than snowmobiles, used at least partially for travel on natural terrain, but not “special mobile equipment” as defined in M.S.A. 168.002, Subd. 31, as it may be amended from time to time, which is hereby incorporated herein by reference.

MOTORCYCLE. Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, whether or not designed for use on streets and highways, including motor scooters, bicycles with motor attached other than those herein defined as motorized bicycles, and mini-bikes.

MOTORIZED BICYCLE. A bicycle with fully operable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two-break horsepower, which is capable of a maximum speed of not more than 30 mph on a flat surface with not more than one percent grade in any direction when the motor is engaged.

OPERATE. To ride in or on and have control of a recreational motor vehicle.

OPERATOR. The person who operates or is in actual physical control of a recreational motor vehicle.

OWNER. A person, other than a lien holder, having a property interest in, or title to, a recreational motor vehicle, who is entitled to the use or possession thereof.

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, a motorcycle, motorized bicycle, all-terrain vehicle, snowmobile, hovercraft, or motor vehicle licensed for highway operation which is being used for off-road recreational purposes.

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

(B) *Recreational motor vehicle operating restrictions.* It is unlawful for any person to operate a recreational motor vehicle as follows:

- (1) On a public sidewalk or walkway provided or used for pedestrian travel;
- (2) On private property of another without lawful authority or permission of the owner or occupant;

(3) On any lands owned or occupied by a public body or on frozen waters, including, but not limited to, school grounds, park property, playgrounds, recreational areas, private roads, platted but unimproved roads, utility easements, public trails, and golf courses; provided, however, that the Council may, by resolution, specifically permit use on city property, in which event the shortest route to and from areas so permitted shall be used;

(4) While the operator is under the influence of liquor or narcotics, or habit-forming drugs;

(5) At a rate of speed greater than ten mph under all of the surrounding circumstances;

(6) In a careless, reckless, or negligent manner so as to endanger the person or property of another or cause injury or damage there to;

(7) Towing any person or thing on a public street or highway, except through the use of a rigid tow bar attached to the rear of an automobile;

(8) At a speed greater than ten mph when, within 100 feet of any lakeshore, except in channels, or of a fisherman, ice house, skating rink, or sliding area, nor where the operation would conflict with the lawful use of property or would endanger other persons or property;

(9) 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;

(10) Chasing, running over, or killing any animal, wild or domestic; and

(11) During the hours between 11:00 p.m. of one day and 7:00 a.m. of the day next following, except that during those hours a motorcycle or motorized bicycle, if otherwise lawfully operated, may be operated on a public street.

(C) *Owner responsibility.*

(1) It is unlawful for the owner of any recreational motor vehicle to permit its operation on private property without permission of the owner or occupant, on city property without the permission of the Council, or on other public property without permission of the body in charge thereof. For purposes of this section, the owner shall be conclusively presumed to have given the permission unless the recreational motor vehicle so operated shall have been reported stolen to a law enforcement agency.

(2) Every person leaving a recreational motor vehicle in a public place shall lock the ignition, remove the key, and take the same with him or her.

(D) *Additional snowmobile operating regulations.*

(1) It is unlawful for any person to operate a snowmobile upon the roadway, shoulder, or inside bank or slope of any street or highway. Operation in the ditch or on the outside bank within the right-of-way of any street or highway except interstate highways or freeways is permitted in conformance with state law and this code, unless the roadway directly abuts a public sidewalk or walkway or property used for private purposes. Between the hours of one-half hour after sunset to one-half hour before sunrise, any operation may only be on the right-hand side of the street or highway and in the same direction as the highway traffic on the nearest lane of the roadway adjacent there to.

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

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

(b) The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way of the highway;

(c) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard;

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

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

(3) 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 which constitute an immediate hazard.

(4) Notwithstanding any prohibition in this section, a snowmobile may be operated on a public thoroughfare in an emergency during the period or time when, and at locations where, snow upon the roadway renders travel by automobile impractical.

(5) No person under 14 years of age shall operate on streets or highways or make a direct crossing of a street or highway 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 or highways as permitted under this section and make a direct crossing thereof only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued by the Commissioner of Conservation 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 the provisions of this division (D)(5).

(E) *Snowmobile equipment.* It is unlawful for any person to operate a snowmobile unless it is equipped with the following:

(1) Standard mufflers which are properly attached and in constant operation, and which reduce the noise of operation of the motor to the minimum necessary for operation. Mufflers shall comply with Regulation CONS. 55 which is hereby adopted by reference as it existed on 9-1-1970. No person shall use a muffler cut-out, bypass, straight pipe, or similar device on a snowmobile motor, and the exhaust system shall not emit or produce a sharp popping or crackling sound;

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

(3) A safety or so-called “deadman” throttle in operating condition, so that when pressure is removed from the accelerator or throttle, the motor is disengaged from the driving track;

(4) 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 vehicle operator. It shall also be equipped with at least one red tail lamp having a minimum candle power 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. The equipment to be in operating condition when the vehicle is operated between the hours of one-half hour after sunset to one-half hour before sunrise or at times of reduced visibility; and

(5) Reflective material at least 16 inches on each side, forward of the handlebars, so as to reflect or beam light at a 90-degree angle.
(1985 Code, § 8.03) Penalty, see § 10.99

§ 71.04 OPERATION OR PARKING ON PUBLIC SIDEWALKS OR WALKWAYS.

It is unlawful for any person to operate or park any motor vehicle as defined in M.S. § 169.011, as it may be amended from time to time, on a public sidewalk or walkway provided or used for pedestrian travel.

(Ord. passed 3-24-1998) Penalty, see § 10.99

§ 71.05 VIOLATIONS.

(A) *Generally.* Every person violates a section, division, or provision of this chapter when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful, and, upon conviction thereof, shall be punished as follows.

(B) *Specifically.*

(1) Where the specific section, division, or provision specifically makes violation a misdemeanor, he or she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he or she shall be punished as for a misdemeanor; where he or she stands convicted of violation of any provision of this chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(2) As to any violations not constituting a misdemeanor under the provisions of division (B)(1) above, he or she shall be punished as for a petty misdemeanor.

(3) As to any violation of a provision adopted by reference, he or she shall be punished as specified in the provision so adopted.

(1985 Code, § 8.99) Penalty, see § 10.99

CHAPTER 72: PARKING REGULATIONS

Section

- 72.01 Presumption
- 72.02 General parking prohibitions
- 72.03 Unauthorized removal
- 72.04 Direction to proceed
- 72.05 Parallel parking
- 72.06 Streets without curbs
- 72.07 Parking hours
- 72.08 Impounding and removing vehicles
- 72.09 Unattended vehicle
- 72.10 Parking for the physically handicapped
- 72.11 Violations

§ 72.01 PRESUMPTION.

As to any vehicle parking in violation of this title when the driver thereof is not present, it shall be presumed that the owner parked the same, or that the driver was acting as the agent of the owner.
(1985 Code, § 9.01)

§ 72.02 GENERAL PARKING PROHIBITIONS.

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

(B) *Specifically.*

- (1) On a sidewalk;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within ten feet of a fire hydrant;

- (5) On a crosswalk;
 - (6) Within 20 feet of a crosswalk at any intersection;
 - (7) In a sign-posted fire lane;
 - (8) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
 - (9) Within 50 feet of the nearest rail of a railroad crossing;
 - (10) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly sign-posted;
 - (11) Alongside or opposite any street excavation or obstruction when the stopping, standing, or parking would obstruct traffic;
 - (12) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - (13) Upon any bridge or other elevated structure upon a street;
 - (14) At any place where official signs prohibit or restrict stopping, parking, or both; or
 - (15) In any alley, except for loading or unloading and then only so long as reasonably necessary for the loading and unloading to or from adjacent premises, and in such a manner as to not restrict emergency vehicle traffic.
- (1985 Code, § 9.02) Penalty, see § 10.99

§ 72.03 UNAUTHORIZED REMOVAL.

It is unlawful for any person to move a vehicle not owned by that person into any prohibited area or away from a curb any distance as is unlawful.
(1985 Code, § 9.03) Penalty, see § 10.99

§ 72.04 DIRECTION TO PROCEED.

It is unlawful for any person to stop or park a vehicle on a street when directed or ordered to proceed by any police officer invested by law with authority to direct, control, or regulate traffic.
(1985 Code, § 9.04) Penalty, see § 10.99

§ 72.05 PARALLEL PARKING.

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

(1985 Code, § 9.05) Penalty, see § 10.99

§ 72.06 STREETS WITHOUT CURBS.

Upon streets not having a curb, each vehicle shall be stopped or parked parallel and to the right of the paving, improved or main-traveled part of the street; and it is unlawful to park in violation of this section.

(1985 Code, § 9.06) Penalty, see § 10.99

§ 72.07 PARKING HOURS.

(A) *Generally.* Parking on streets shall be limited as follows.

(B) *Specifically.*

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

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

(3) It is unlawful for any person to remove, erase, or otherwise obliterate any mark or sign placed upon a tire or other part of a vehicle by a police officer for the purpose of measuring the length of time the vehicle has been parked.

(4) For the purpose of enforcement of this section, any vehicle moved less than one block in a limited time parking zone shall be deemed to have remained stationary.
(1985 Code, § 9.07) Penalty, see § 10.99

§ 72.08 IMPOUNDING AND REMOVING VEHICLES.

When any police officer finds a vehicle standing upon a street or city-owned parking lot in violation of any parking regulation, the officer is hereby authorized to require the driver or other person in charge of the vehicle to remove the same to a position in compliance with this chapter. When any police officer finds a vehicle unattended upon any street or city-owned parking lot in violation of any parking regulation, the officer is hereby authorized to impound the unlawfully parked vehicle and to provide for the removal thereof and to remove the same to a convenient garage or other facility or place of safety; provided, that if any charge shall be placed against the vehicle for cost of removal or storage, or both, by anyone called upon to assist therewith the same shall be paid prior to removal from the place of storage or safekeeping.
(1985 Code, § 9.10)

§ 72.09 UNATTENDED VEHICLE.

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

(B) It is unlawful for any person to leave a motor vehicle unattended and unlocked with the key in the ignition.
(1985 Code, § 9.11) Penalty, see § 10.99

§ 72.10 PARKING FOR THE PHYSICALLY HANDICAPPED.

(A) Statutory parking privileges for physically handicapped shall be strictly observed and enforced. Police officers are authorized to tag vehicles on either private or public property in violation of the statutory privileges.

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

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

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

(1985 Code, § 9.12) Penalty, see § 10.99

§ 72.11 VIOLATIONS.

(A) *Generally.* Every person violates a section, division, or provision of this chapter when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful, and, upon conviction thereof, shall be punished as follows.

(B) *Specifically.*

(1) Where the specific section, division, or provision specifically makes violation a misdemeanor, he or she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he or she shall be punished as for a misdemeanor; where he or she stands convicted of violation of any provision of this chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(2) As to any violation not constituting a misdemeanor under the provisions of division (B)(1) above, he or she shall be punished as for a petty misdemeanor.
(1985 Code, § 9.99) Penalty, see § 10.99

CHAPTER 73: PARKING SCHEDULES

Schedule

- I. Truck parking
- II. Calendar parking

SCHEDULE I. TRUCK PARKING.

(A) It is unlawful to park a detached semi-trailer upon any street, city-owned parking lot, or other public property, except streets as specifically designated by the Council by resolution and sign-posted.

(B) It is unlawful to park a truck (other than a truck of 12,000-pounds' gross vehicle weight, or less), truck-trailer, tractor-trailer, or truck-tractor within an area zoned as a residential district, except for the purpose of loading or unloading the same.

(C) It is unlawful to park a commercial vehicle on Broadway Street for longer than two hours. (1985 Code, § 9.09) (Ord. passed 11-12-2002) Penalty, see § 10.99

SCHEDULE II. CALENDAR PARKING.

(A) The calendar system of parking is hereby adopted which means that all parking from 12:00 p.m. midnight to 12:00 p.m. midnight on even days of the month shall be allowed only on the even side of the street or avenue and on the odd days of the month on the odd side of the street or avenue commencing November 1 and continuing until May 1 of each year. The allowed changeover period during each day shall be from 6:00 p.m. to 12:00 p.m.

(B) During calendar parking, any police officer may remove a vehicle from a street to a garage or other place of safety when the vehicle is left unattended for a period of 48 hours and constitutes an obstruction to traffic or hinders snow removal or street improvement or maintenance operations. The vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for a violation of this schedule. Violation of this schedule shall result in fines to be established by Council resolution from time to time.

(C) On Broadway Avenue, there shall be no parking between the hours of 2:00 a.m. and 6:00 a.m. on any day.

(D) The use of extension cords over or across sidewalks within the city is prohibited.
(1985 Code, § 9.08) (Ord. 1995-1, passed 12-12-1995) Penalty, see § 10.99

