

TITLE VII: TRAFFIC CODE

Chapter

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CHAPTER 70: TRAFFIC REGULATIONS

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§ 70.01 STATE STATUTES ADOPTED BY REFERENCE.

(A) Except as otherwise provided in this title or Chapter 91, the regulatory and procedural provisions of M.S. Chapter 169, commonly referred to as the Highway Traffic Regulation Act, as amended, is hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

(B) Except as otherwise provided in this title or Chapter 91 of this Code, M.S. §§ 171.01, 171.02, 171.08, 171.22, 171.23, and 171.24, as amended, are hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

(C) The penalty for violation of the provisions of these state statutes adopted by reference in this section shall be identical with the penalty provided for in the statutes for the same offense.
(2005 Code, § 8.01)

§ 70.02 TRUCK ROUTE.

It is unlawful for any person to drive a tractor, agricultural implement, truck (other than a pickup truck of three-quarter ton capacity or less), truck-trailer, tractor-trailer or truck-tractor, automobile trailer, or automobile to which a trailer is attached, in through traffic, upon any street except those which have been designated and sign-posted as truck routes. For the purpose of this chapter, **THROUGH TRAFFIC** means originating without the city and with a destination without the city, as distinguished from **LOCAL TRAFFIC** which means traffic either originating or having a destination within the city.
(2005 Code, § 8.10) Penalty, see § 70.99

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§ 70.03 ONE-WAY STREETS.

(A) The Council may, by resolution, designate streets as one-way streets.

(B) It is a misdemeanor for any person to travel upon any one-way street in a direction opposite than designated when the same has been duly sign-posted.

(2005 Code, § 8.11) Penalty, see § 70.99

§ 70.04 DRIVING THROUGH PROPERTY TO AVOID TRAFFIC SIGNAL.

It is unlawful for any person to avoid obedience to any traffic-control device by driving upon or through any property.

(2005 Code, § 8.12) Penalty, see § 70.99

§ 70.05 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.* It is a petty 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 such operation to prevent injury to persons or damage to property; provided, that this section shall not apply to driving on a racetrack. 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 or admission.

(2005 Code, § 8.13) Penalty, see § 70.99

§ 70.06 TRAFFIC VISIBILITY.

It is unlawful to erect or maintain any fence, structure, or planting within any yard areas on a corner lot, except in the Central Business District, which shall interfere with the traffic visibility across the corner within 15 feet of the intersecting street right-of-way line.

(2005 Code, § 8.14) Penalty, see § 70.99

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§ 70.99 PENALTY.

(A) Any person, firm, or corporation who violates any provision of this code for which another penalty is not specifically provided shall, upon conviction, be guilty of a misdemeanor. The penalty which may be imposed for any crime which is a misdemeanor under this code, including state statutes specifically adopted by reference, shall be a sentence of not more than 90 days or a fine of not more than \$1,000, or both.

(B) Any person, firm, or corporation who violates any provision of this code, including state statutes specifically adopted by reference, which is designated to be a petty misdemeanor shall, upon conviction, be guilty of a petty misdemeanor. The penalty which may be imposed for any petty offense which is a petty misdemeanor shall be a sentence of a fine of not more than \$300.

(C) In either the case of a misdemeanor or a petty misdemeanor, the costs of prosecution may be added. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

(D) The failure of any officer or employee of the city to perform any official duty imposed by this code shall not subject the officer or employee to the penalty imposed for violation.
(2005 Code, § 8.99)

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CHAPTER 71: RECREATIONAL VEHICLES

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BICYCLES

§ 71.01 TRAFFIC LAWS APPLY.

Every person riding a bicycle upon a roadway or upon any path set aside for the exclusive use of bicycles shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this title, except as to special regulations in this title and except as to those provisions of this title which by their nature can have no application.

(2005 Code, § 8.30)

§ 71.02 MANNER AND NUMBER RIDING.

It is unlawful for any person propelling a bicycle to ride other than upon or astride a permanent and regular seat attached thereto. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except on a baby seat attached to the bicycle, provided that such seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel or in a seat attached to the bicycle operator.

(2005 Code, § 8.30) Penalty, see § 71.99

§ 71.03 HITCHING RIDES.

It is unlawful for any person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle to attach the same or himself or herself to any vehicle upon a roadway.

(2005 Code, § 8.30) Penalty, see § 71.99

§ 71.04 WHERE TO RIDE.

(A) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

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(B) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.
(2005 Code, § 8.30) Penalty, see § 71.99

§ 71.05 RIGHT-OF-WAY ON SIDEWALKS.

Whenever a person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to a pedestrian and shall give audible signal before overtaking and passing such pedestrian; provided, that it is unlawful for any person to ride a bicycle on a sidewalk in the Central Business District.
(2005 Code, § 8.30) Penalty, see § 71.99

§ 71.06 CARRYING ARTICLES.

It is unlawful for any person operating a bicycle to carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handlebars, or that interferes with the safe operation of the bicycle.
(2005 Code, § 8.30) Penalty, see § 71.99

§ 71.07 LIGHTING AND BRAKE EQUIPMENT.

(A) Every bicycle when in use at nighttime shall be equipped with, or its operator shall carry, a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the Department of Public Safety which is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector. No person may at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, operate a bicycle unless the bicycle or its operator is equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective materials on each side of each pedal to indicate their presence from the front or the rear and with a minimum of 20 square inches on each side of the bicycle or its operator, of white reflective material. All reflective materials used in compliance with this division (A) shall meet the requirements as prescribed by the Commissioner of Public Safety.

(B) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.
(2005 Code, § 8.30) Penalty, see § 71.99

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§ 71.08 SALE WITH REFLECTORS.

It is unlawful for any person to sell or offer for sale any new bicycle unless it is equipped with such reflectors as are prescribed in § 71.07.

(2005 Code, § 8.30) Penalty, see § 71.99

MOTORIZED GOLF CARTS

§ 71.20 AUTHORIZATION.

Motorized golf carts may be operated on streets within the city only pursuant to a permit issued under this subchapter. This subchapter does not authorize operation of motorized golf carts on state trunk highways within the city.

(2005 Code, § 8.31)

§ 71.21 MOTORIZED GOLF CART DEFINED.

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

MOTORIZED GOLF CART. A self-propelled vehicle of the type and style designated for and commonly used by patrons of golf courses, but excluding vehicles commonly known as all terrain vehicles or ATVs.

(2005 Code, § 8.31)

§ 71.22 PERMIT.

A permit issued under this subchapter by the city and allowing the operation of a motorized golf cart on designated streets in the city.

(2005 Code, § 8.31)

§ 71.23 PERMIT REQUIRED.

Motorized golf carts shall not be operated on streets in the city except by an authorized operator pursuant to a valid permit. Only those persons identified on a permit as an authorized operator may operate a motorized golf cart pursuant to that permit.

(2005 Code, § 8.31) Penalty, see § 71.99

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§ 71.24 PERMIT APPLICATION FORMS.

Application forms for permits shall be obtained from the City Office.
(2005 Code, § 8.31)

§ 71.25 APPLICATION.

All applications shall include at least the following information and documentation:

(A) Date of application;

(B) Full name and address of applicant;

(C) Full name and address of the owner of the motorized golf cart, if other than the applicant;

(D) Make, model, and identification or serial number of the motorized golf cart to be operated under the permit;

(E) A satisfactory certificate of insurance complying with M.S. § 65B.48, Subd. 5, and with any other insurance required by M.S. § 169.045;

(F) Home and work telephone numbers;

(G) Minnesota driver's license number;

(H) Date of birth; and

(I) Such additional and further information as the city may deem necessary or appropriate to process the application.

(2005 Code, § 8.31)

§ 71.26 GRANTING OR DENYING PERMITS.

(A) The City Council shall grant a permit to applicants satisfactorily providing all information required by this subchapter. The City Council may deny an application in whole or in part for any of the following reasons:

(1) The application or documentation submitted in support of the application is incomplete or contains false, fraudulent, or deceptive statements;

(2) An authorized operator for the applicant does not have a valid Minnesota driver's license;

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(3) Required information or documentation by any other applicable law has not been filed with the City Administrator; or

(4) The applicant does not qualify for a permit.

(B) The City Council may issue a permit subject to special conditions if the Council determines that the applicant does not otherwise qualify for a permit, or that such conditions are necessary to ensure public safety.

(C) For public safety considerations, a permit issued under this subchapter also may:

(1) Limit operation of the motorized golf cart to use only on specific streets within the group of designated streets; or

(2) Prohibit operation on certain designated streets during specified times, dates, or occasions. (2005 Code, § 8.31)

§ 71.27 POSSESSION OF A PERMIT.

A person operating a motorized golf cart by permit must have the permit in possession when operating the motorized golf cart and shall produce it upon demand of a peace officer. (2005 Code, § 8.31)

§ 71.28 OPERATIONS REGULATIONS.

Motorized golf carts operated pursuant to permit must follow these regulations.

(A) The operator must have and possess a current, valid Minnesota driver's license.

(B) The motorized golf cart may be operated only between sunrise and sunset.

(C) Motorized carts shall be permitted on city streets between April 1 and October 31 of each year.

(D) The motorized golf cart shall not be operated during inclement weather; nor when visibility is impaired by weather, smoke, fog, or other conditions; nor at any time when there is insufficient light to clearly see persons in vehicles on the roadway at a distance of 500 feet.

(E) The motorized golf cart must display the slow moving vehicle emblem provided by state traffic regulations.

(F) All rights and duties applicable to the driver of any other vehicle shall apply to the motorized golf cart, except those provisions that cannot reasonably be applied to the motorized golf cart.

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(G) The motorized golf cart shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of the vehicle.

(H) Motorized golf carts shall not be operated on public sidewalks.
(2005 Code, § 8.31)

§ 71.29 REVOCATION, SUSPENSION, OR MODIFICATION OF PERMITS.

(A) Permits may be revoked or temporarily suspended by the city if there is evidence that:

- (1) The application for permit contained false or misleading information or documentation;
- (2) A violation has occurred as provided in division (B) below, regardless of whether the violation resulted in a conviction; and/or
- (3) The insurance required by law for a permit is no longer in effect.

(B) The city may administratively revoke, modify, or temporarily suspend a permit if there is evidence satisfactory to the city that a permit holder or authorized operator has committed, permitted, or otherwise allowed:

- (1) A violation of any provision of this subchapter;
- (2) Conduct constituting a misdemeanor, gross misdemeanor, or felony offense involving the operation of a vehicle; and/or
- (3) A violation of any special conditions of the permit.

(C) A revocation, modification, or suspension shall be effective when notice of the same is personally delivered to the permit holder, or mailed by first class mail to the permit holder at the address stated in the permit application.

(2005 Code, § 8.31)

§ 71.30 APPEAL.

Any authorized operator or institution may appeal a revocation, modification, or suspension to the City Council by written notice of appeal submitted to the City Administrator within 15 days of the effective date of the revocation, modification, or suspension.

(2005 Code, § 8.31)

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§ 71.31 PERMIT TERM.

Permits shall be issued for a period not to exceed one year and may be annually reviewed. The Administrator may use a short form application for renewal of existing permits.
(2005 Code, § 8.31)

SNOWMOBILE AND ALL-TERRAIN VEHICLE REGULATIONS

§ 71.45 DEFINITIONS.

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

ALL-TERRAIN VEHICLE (ATV). Trail bikes, mini bikes, amphibious vehicles, and similar devices other than snowmobiles used at least partially for travel on natural terrain but not “special mobile equipment” defined in M.S. § 168.002, Subd. 31, which is hereby incorporated herein by reference.

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.

NATURAL TERRAIN. Areas other than roadways or driveways (private or public), parking lots, and other areas the surface of which has been intentionally modified for motor vehicle operation thereon.

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

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

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

SNOWMOBILE. A self-propelled vehicle designed for travel on snow or ice steered by skids or runners.
(2005 Code, § 8.40)

§ 71.46 SCOPE OF APPLICATION.

Notwithstanding provisions of this chapter to the contrary, this section shall apply to control of traffic and regulation of that certain class of vehicles falling within the definition of snowmobiles as to matters set forth herein. All provisions of this subchapter, not relating to matters herein stated, apply as equally to snowmobiles as other vehicles.
(2005 Code, § 8.40)

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§ 71.47 OPERATION.

Except as otherwise herein permitted, it is unlawful for any person to operate a snowmobile or ATV not licensed as a motor vehicles as follows:

(A) On the portion of any right-of-way of any public highway, street, road, trail, or alley used for motor vehicle travel, except upon the most right hand lane of a street or alley and may in passing or making a left hand turn, operate on other lanes which are used for vehicle traffic in the same direction. A snowmobile or ATV may also be operated upon the ditch bottom or the outside bank of trunk, county state-aid, and county highways where such highways are so configured within the corporate limits;

(B) On a public sidewalk provided for pedestrian travel;

(C) On boulevards within any public right-of-way;

(D) On private property of another without specific permission of the owner or person in control of said property;

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

(F) 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 be likely to endanger or cause injury or damage to any person or property;

(G) During the hours from 11:00 p.m. to 7:00 a.m. of any day, closer than 100 feet to any dwelling which is usually occupied by one or more persons; provided, however, that snowmobile operation shall be permitted during such hours when traveling directly to or from the residence of the operator and the nearest city limits line at a rate of speed not in excess of 15 mph;

(H) So as to tow any person or thing except through use of a rigid towbar attached to the rear of the snowmobile or ATV;

(I) At any place while under the influence of alcohol or drugs as defined in M.S. § 169.121, which is hereby incorporated herein by reference; and

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

(2005 Code, § 8.40) Penalty, see § 71.99

§ 71.48 SPECIAL ORDERS.

In addition to the regulations provided in § 71.47, it is unlawful to operate a snowmobile or ATV on any public place where prohibited by order of the City Administrator. The City Administrator shall

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have the power, by written order, to prohibit such operation whenever in his or her discretion the same would be likely to produce damage to property or endanger the safety or repose of other persons. Such areas shall be appropriately sign-posted before such order shall become effective.

(2005 Code, § 8.40) Penalty, see § 71.99

§ 71.49 DIRECT CROSSINGS.

A snowmobile may make a direct crossing of a street or highway, except at 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 on main traveled way;

(C) The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard;

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

(E) If the crossing is made after sunset and before sunrise or in conditions of reduced visibility, only if both front and rear lights are on. ATVs are not licensed as a motor vehicles and are forbidden to cross highways or streets except when they are pushed across by human power. ATVs when pushed across highways or streets shall be subject to all the regulations of this section.

(2005 Code, § 8.40) Penalty, see § 71.99

§ 71.50 YIELDING THE RIGHT-OF-WAY.

It is unlawful for any person operating a snowmobile to enter any intersection without yielding the right-of-way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard.

(2005 Code, § 8.40) Penalty, see § 71.99

§ 71.51 YOUTHFUL OPERATORS.

(A) It is unlawful for any persons under 14 years of age to make a direct crossing of a trunk, county state-aid, or county highway as the operator of a snowmobile, or operate a snowmobile upon a street or highway within the city. A person 14 years of age or older, but less than 18 years of age, may make a direct crossing of a trunk, county state-aid, or county highway only if the person has in immediate

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possession a valid motor vehicle operator's license issued by the Commissioner of Public Safety or the driver's license authority of another state. It is also unlawful for any person under the age of 14 years to operate a snowmobile on any public land, public easements, or water or grant in-aid trail unless accompanied by one of the following listed persons on the same or any accompanying snowmobile, or on a device towed by the same or any accompanying snowmobile: the person's parent; legal guardian; or other person 18 years of age or older. However, a person 12 years of age or older may operate a snowmobile on public lands, public easements, and waters or a grant in-aid trail if the person has in immediate possession a valid snowmobile safety certificate issued by the Commissioner as provided by M.S. § 84.872.

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

(2005 Code, § 8.40) Penalty, see § 71.99

§ 71.52 EQUIPMENT.

It is unlawful for any person to operate a snowmobile or ATV any place within 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 cut-out, by-pass, straight pipe, or similar device on a snowmobile or ATV motor;

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

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

(D) When operated after sunset and before sunrise or at a time 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 and under normal atmospheric conditions. Such head lamp shall be so aimed that glaring rays are not projected into the eyes of any oncoming traffic. It shall also be equipped with at least one 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

(E) Reflective material at least 16 square inches on each side, forward of the handlebars, or steering device of a snowmobile or ATV and at the highest practical point on any towed object, as to reflect light at a 90 degree angle.

(2005 Code, § 8.40) Penalty, see § 71.99

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§ 71.53 LOCKING VEHICLES.

It is unlawful for any person to leave a snowmobile or ATV on a public place unless he or she shall lock the ignition, remove the key, and take the same with him or her.

(2005 Code, § 8.40) Penalty, see § 71.99

§ 71.54 EMERGENCIES.

Notwithstanding the prohibition of operating a snowmobile upon a roadway to the contrary, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time when, at locations where, snow upon the roadway renders travel by automobile impractical.

(2005 Code, § 8.40)

§ 71.55 VEGETATION.

It is unlawful for any person to drive or operate a snowmobile or ATV in a manner which damages or destroys growing trees, shrubs, flowers, or landscaping on public or private property.

(2005 Code, § 8.40) Penalty, see § 71.99

§ 71.56 ANIMALS.

It is unlawful to intentionally drive, chase, run over, or kill any animal with a snowmobile or ATV.

(2005 Code, § 8.40) Penalty, see § 71.99

§ 71.57 SIGNAL FROM OFFICER TO STOP.

It is unlawful for a snowmobile operator, after having received a visual or audible signal from any law enforcement officer to come to a stop, to operate a snowmobile in willful or wanton disregard of such signal, or interfere with or endanger the law enforcement officer or any other person or vehicle, increase his or her speed, or attempt to flee or elude the officer.

(2005 Code, § 8.40) Penalty, see § 71.99

§ 71.99 PENALTY.

(A) (1) Any person, firm, or corporation who violates any provision of this code for which another penalty is not specifically provided shall, upon conviction, be guilty of a misdemeanor. The penalty which may be imposed for any crime which is a misdemeanor under this code, including state statutes specifically adopted by reference, shall be a sentence of not more than 90 days or a fine of not more than \$1,000, or both.

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(2) Any person, firm, or corporation who violates any provision of this code, including state statutes specifically adopted by reference, which is designated to be a petty misdemeanor shall, upon conviction, be guilty of a petty misdemeanor. The penalty which may be imposed for any petty offense which is a petty misdemeanor shall be a sentence of a fine of not more than \$300.

(3) In either the case of a misdemeanor or a petty misdemeanor, the costs of prosecution may be added. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

(4) The failure of any officer or employee of the city to perform any official duty imposed by this code shall not subject the officer or employee to the penalty imposed for violation.
(2005 Code, § 8.99)

(B) Violations of §§ 71.20 to 71.31 are a petty misdemeanor, except that violations committed under circumstances that endanger, or that are likely to endanger, persons or property are misdemeanors. A violation of §§ 71.20 to 71.31 within 12 months of a conviction for a prior violation of §§ 71.20 to 71.31 is a misdemeanor.
(2005 Code, § 8.31)

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CHAPTER 72: PARKING REGULATIONS

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§ 72.01 PRESUMPTION.

As to any vehicle parking in violation of this title or Chapter 91 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.

(2005 Code, § 9.01)

§ 72.02 GENERAL PARKING PROHIBITIONS.

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:

- (A) On a sidewalk;

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(B) In front of a public or private driveway;

(C) Within an intersection;

(D) Within 20 feet of a crosswalk at any intersection;

(E) In a sign-posted fire land;

(F) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;

(G) Within 50 feet of the nearest rail of a railroad crossing;

(H) 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 said entrance when properly sign-posted;

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

(J) On a roadway side of any vehicle stopped or parked at the edge or curb of a street;

(K) Upon any bridge or other elevated structure upon a street;

(L) At any place where official signs prohibit or restrict stopping, parking, or both;

(M) In any alley, except for loading and unloading and then only so long as reasonably necessary for such loading and unloading to or from adjacent premises; or

(N) On any boulevard within 15 feet of any intersecting street right-of-way.
(2005 Code, § 9.02) Penalty, see § 72.99

§ 72.03 UNAUTHORIZED REMOVAL.

It is unlawful for any person to move a vehicle not owned by such person into any prohibited area or away from a curb such distance as is unlawful.

(2005 Code, § 9.03) Penalty, see § 72.99

§ 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.

(2005 Code, § 9.04) Penalty, see § 72.99

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§ 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, such vehicle shall be within such 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 such one-way street; and it is unlawful to park in violation of this section.

(2005 Code, § 9.05) Penalty, see § 72.99

§ 72.06 ANGLE PARKING.

Where angle parking has been established by Council resolution, and is allowed, as shown by curb marking or sign-posting, or both, each vehicle stopped or parked shall be at an angle of approximately 45 to 60 degrees with the front wheel touching the curb and within any parking lines painted on the curb or street, provided that the front wheel not touching the curb shall be the portion of the vehicle farthest in the direction of one-way traffic; and it is unlawful to park in violation of this section.

(2005 Code, § 9.06) Penalty, see § 72.99

§ 72.07 STREETS WITHOUT CURB.

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.

(2005 Code, § 9.07) Penalty, see § 72.99

§ 72.08 PARKING HOURS.

Parking on streets shall be limited as follows.

(A) Parking is prohibited in the Central Business District, as signposted, between the hours of 12:00 midnight and 6:00 a.m., November 1 through April 1.

(B) It is unlawful for any person to stop, park, or leave standing any vehicle upon any street for a continuous period in excess of 72 hours.

(C) The Sheriff shall, when authorized by resolution of the Council, designate certain streets, blocks, or portions of streets or blocks as five minute, ten minute, 15 minute, 30 minute, one hour, two hour, four hour, six hour, eight hour limited parking zones, and the City Services Director shall make

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by appropriate signs any zones so established. Such 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 any space in violation of such limits when sign-posted.

(2005 Code, § 9.08) Penalty, see § 72.99

§ 72.09 RECREATIONAL CAMPING VEHICLE PARKING.

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

RECREATIONAL CAMPING VEHICLE. Includes any of the following:

(a) **CAMPING TRAILER.** A folding structure, mounted on wheels and designed for travel, recreation, and vacation uses.

(b) **MOTOR HOME.** A portable, temporary building to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle.

(c) **PICK-UP COACH.** A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.

(d) **TRAVEL TRAILER.** A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses, permanently identified **TRAVEL TRAILER** by the manufacturer of the trailer.

(B) *Unlawful act.* It is unlawful for any person to leave or park a recreational camping vehicle on or within the limits of any street or right-of-way for a continuous period in excess of 48 hours, except where signs are erected designating the place as a campsite or in a mobile home park; provided, however, that during such 48-hour period, such vehicle shall not be occupied as living quarters.

(2005 Code, § 9.09) Penalty, see § 72.99

§ 72.10 SNOW EMERGENCY.

In order to facilitate movement of traffic and promote public convenience in and safety, the Public Works Department, the Mayor, or his or her designated official, may declare a snow emergency.

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

SNOW EMERGENCY. A condition created on city streets because of the presence of snow, freezing rain, sleet, ice, or snow drifts thereon which create or are likely to create hazardous road

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conditions or impede or are likely to impede the free movement of fire, health, police, emergency, or other vehicular traffic when the same have been duly declared by the Public Works Department, the Mayor, or his or her designated official.

(B) *Declaration of a snow emergency.* Whenever, in the discretion of the Public Works Department, the Mayor, or his or her designated official, a snow emergency exists, the Public Works Department, the Mayor, or his or her designated official may declare the same and shall cause an announcement thereof to be made over the local news media.

(C) *Unlawful act.* During any such snow emergency declared by the Mayor or his or her designated official, no person shall park any motor vehicle or permit any such motor vehicle to remain on any street after a snow emergency has been declared; provided, that parking shall be permitted during a snow emergency on those streets that have been plowed to their full width.

(2005 Code, § 9.20) Penalty, see § 72.99

§ 72.11 TRUCK PARKING.

(A) It is unlawful to park a semi-trailer, whether or not attached to a truck-tractor, upon any street, city-owned parking lot, or other public property except designated parking lots.

(B) It is unlawful to park a semi-trailer, whether or not attached to a 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 of more than three-fourths ton capacity upon any street in the business district which has been duly sign-posted prohibiting the same, but parking of such vehicle for a period not more than 20 minutes shall be permitted in such space for the purpose of necessary access to abutting property for loading or unloading when such access cannot reasonably be secured from an alley or from an adjacent street where truck parking is not so restricted.

(D) It is unlawful to park any vehicle of greater length than 20 feet diagonally along any street except for a time sufficient to load or unload, and in such case, only parallel parking shall be permitted; provided, however, that a truck may stand backed up to the curb if the weight or bulk of the load makes parallel parking impracticable, but then only for a period of time sufficient to load or unload.

(E) Parking of commercial vehicles is permitted in duly designated and sign-posted loading zones, and in alleys, for a reasonable and necessary period, provided that such alley parking does not prevent the flow of traffic therein, all of which shall be for the purpose of access to abutting or adjacent property for loading or unloading.

(2005 Code, § 9.30) Penalty, see § 72.99

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§ 72.12 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, such officer is hereby authorized to require the driver or other person in charge of such 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, such officer is hereby authorized to impound such 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 such 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 such place of storage or safekeeping.

(2005 Code, § 9.31)

§ 72.13 VEHICLE REPAIR ON STREET.

It is unlawful for any person to service, repair, assemble, or dismantle any vehicle parked upon a street, except to provide emergency service thereon.

(2005 Code, § 9.50) Penalty, see § 72.99

§ 72.14 PARKING FOR THE PURPOSE OF ADVERTISING OR SELLING MERCHANDISE.

It is unlawful for any person to park a vehicle on any public right-of-way for the purpose of selling merchandise thereon or therein, or advertising any merchandise for sale for a forthcoming event, for a period longer than 15 minutes.

(2005 Code, § 9.51) Penalty, see § 72.99

§ 72.15 PHYSICALLY DISABLED PARKING.

(A) Statutory parking privileges for physically disabled people shall be strictly observed and enforced.

(B) It is unlawful for any person, whether or not physically disabled, to stop, park, or leave standing, a motor vehicle in a sign-posted fire lane at any time, or in lanes where, and during such hours as, parking is prohibited to accommodate heavy traffic during morning and afternoon rush hours.

(2005 Code, § 9.52) Penalty, see § 72.99

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§ 72.99 PENALTY.

(A) (1) Any person, firm, or corporation who violates any provision of this code for which another penalty is not specifically provided shall, upon conviction, be guilty of a misdemeanor. The penalty which may be imposed for any crime which is a misdemeanor under this code, including state statutes specifically adopted by reference, shall be a sentence of not more than 90 days or a fine of not more than \$1,000, or both.

(2) Any person, firm, or corporation who violates any provision of this code, including state statutes specifically adopted by reference, which is designated to be a petty misdemeanor shall, upon conviction, be guilty of a petty misdemeanor. The penalty which may be imposed for any petty offense which is a petty misdemeanor shall be a sentence of a fine of not more than \$300.

(3) In either the case of a misdemeanor or a petty misdemeanor, the costs of prosecution may be added. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

(4) The failure of any officer or employee of the city to perform any official duty imposed by this code shall not subject the officer or employee to the penalty imposed for violation.
(2005 Code, § 9.99)

(B) A violation of § 72.10 shall constitute a petty misdemeanor.
(2005 Code, § 9.20)

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