

SUB-ANALYSIS

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CHAPTER 9

PARKING REGULATIONS

(SEE CHAPTER 7 FOR DEFINITIONS, SCOPE AND APPLICATION RELATING TO THIS CHAPTER)

SECTION 9.01. PRESUMPTION. As to any vehicle parking in violation of Chapters 7, 8 and 9 when the driver thereof is not present, it shall be presumed that the owner or lessee of such vehicle parked the same, or that the driver was acting as the agent of the owner or lessee.

SEC. 9.02. 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: (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 twenty feet of a crosswalk at any intersection; (7) in a sign-posted fire lane; (8) within thirty feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway; (9) within fifty feet of the nearest rail of a railroad crossing; (10) within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance when properly sign-posted; (11) alongside or opposite any street excavation or obstruction when such 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; (15) in any alley, except for loading or unloading and then only so long as reasonably necessary for such loading and unloading to or from adjacent premises; or, (16) on any boulevard which has been curbed, any vehicle parked in violation of this Section for more than seventy-two (72) hours shall be towed at the owner's expense.

Source: Ordinance No. 17
Effective Date: 02-11-2004

Source: Ordinance No. 31
Effective Date: 02-22-2006

Source: Ordinance No. 61
Effective Date: 07-14-2011

SEC. 9.03. RECREATIONAL CAMPING VEHICLE PARKING.

Subd. 1. Definition. The term "recreational camping vehicle" means any of the following:

A. "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. "Pick-up Coach" - A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.

C. "Motor Home" - A portable, temporary building to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.

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D. "Camping Trailer" - A folding structure, mounted on wheels and designed for travel, recreation and vacation uses.

Subd. 2. 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 72 hours, except where signs are erected designating the place as a campsite or in a mobile home park. Provided, however, that during such 72-hour period, such vehicle shall not be occupied as living quarters.

SEC. 9.04. UNAUTHORIZED REMOVAL. It is unlawful for any person to move a vehicle not owned, leased or under the control of such person into any prohibited area or away from a curb such distance as is unlawful.

SEC. 9.05. 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.

SEC. 9.06. PARALLEL PARKING. Except where angle parking is specifically allowed and indicated by curb or street marking or sign-posting, or all or any of them, 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 twelve 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 twelve 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.

SEC. 9.07. ANGLE PARKING. Where angle parking has been established by Council resolution, and is allowed, as shown by curb or street marking or sign-posting, or all or any of them, 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 furthest in the direction of one-way traffic; and it is unlawful to park in violation of this Section.

SEC. 9.08. 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.

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SEC. 9.09. PARKING HOURS. Parking on streets shall be limited as follows:

Subd. 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 24 hours.

Subd. 2. The Chief of Police 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, fifteen-minute, thirty-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. 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 a prohibited parking zone, for a period of time in excess of the sign-posted limitation, or during sign-posted hours of prohibited parking.

Subd. 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 such vehicle has been parked.

Subd. 4. For the purpose of enforcement of this Section, any vehicle moved to a location less than one block from the previous location in any limited time parking zone shall be deemed to have remained stationary.

SEC. 9.10. RESIDENT PERMIT PARKING ZONES.

Subd. 1. Purpose and Intent. The purpose of the Resident Permit Parking Zones is to promote the public health, safety, prosperity, good order and general welfare by efficiently regulating parking within the designated areas stated herein.

Subd. 2. Parking Prohibited in Resident Permit Parking Zones; Exceptions. It is unlawful for any person to park a motor vehicle in any area designated as a resident permit parking zone, while such zone is limited to parking by permit only, unless:

A. A valid resident's permit, issued pursuant to this Section, is displayed in or on the vehicle as required by this Section; or

B. The vehicle is a commercial service or commercial delivery vehicle which is then being used for service or delivery to a residence which abuts the zone and the exterior of the vehicle displays painted or embossed lettering or insignia which identifies the commercial person by whom or which the vehicle is being used for such service or delivery; or

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C. A valid visitor's permit, issued pursuant to this Section, is displayed in or on the vehicle as required by this Section, but only while the person who parked the vehicle is visiting the resident in the zone from whom the visitor's permit was assigned.

Subd. 3. Designation of Resident Permit Parking Zones; Preliminary Resolution and Hearing; Signing.

A. Designated resident permit parking zones are the 500 Block of Third Avenue; 300, 400 and 500 Blocks of Fourth Avenue; 400 and 500 Blocks of Fifth Avenue; and the 300 Block of Fifth Street.

B. Only the Council may further designate any other area of any street or highway as a resident permit parking zone, which it may do by resolution, and by such resolution it may specify the time during which any such designation shall be effective. Any resolution to so designate shall be effective

only if prior to such resolution the Council has held a public hearing regarding whether to so designate with the date, time and place of such hearing to be upon the City Administrator's published notice which shall be published at least 10 days in advance of such hearing.

C. The Director of Public Works shall place appropriate signs in any area so designated, which signs shall indicate that such area is a resident permit parking zone and shall indicate the time during which such designation is effective.

Subd. 4. Types and Numbers of Permits Available; Eligibility Criteria; Fees.

A. Any resident of any property which abuts any portion of any street or highway which portion is included in any resident permit parking zone, who is not less than 16 years old, may apply to the City Administrator for resident's permits and/or visitor's permits for such zone. For any such resident to be eligible for such permits such resident must specify the address at which such resident is residing and must verify that such residence is the resident's permanent or usual place of abode. Any such eligible resident may obtain two regular visitor's permits, provided that a total of no more than four regular visitor's permits shall be issued to the inhabitants of any one "dwelling unit" and may obtain any number of special visitor's permits. Notwithstanding the provisions above, the City Administrator may issue regular visitor's permits in excess of two per occupant or four per building unit, and may issue regular visitor's permits to non-residential building occupants in the zone, but only upon the recommendation of the Police Department. The Police Department shall fully investigate any application for additional regular visitor's permits before making a positive or negative recommendation to the City Administrator.

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B. Any such eligible resident may obtain a replacement for any resident's permit or regular visitor's permit obtained by such resident and verified by such resident as having been lost or destroyed; and permit so replaced shall then be invalid.

C. The Council may, by resolution, prescribe a fee for any permit issue pursuant to this Section.

Subd. 5. Periods and Conditions of Validity for Permits.

A. Any resident's permit and any regular visitor's permit issued pursuant to this Section shall be valid only for the two permit years for which it is issued; such permit years begin with the beginning of July 1 and end with the beginning of the second following July 1. Any special visitor's permit issued pursuant to this Section shall be valid only for the time requested by the applicant and so specified on such permit by the Chief of Police; however, any such special visitor's permit shall be valid only for seven days from the time that it is issued by the Chief of Police. Any permit issued pursuant to this Section shall be valid only while the property of the address of the resident to whom the permit is assigned is the permanent or usual place of abode of such resident. Any resident's permit issued pursuant to this Section shall be valid only for the vehicle for which it was obtained and only while the resident who obtained the permit maintains a bona fide possessory interest in the vehicle as an owner, purchaser, or lessee.

Subd. 6. Information Required on Permits.

information: A. Each resident's permit issued pursuant to this Section shall manifest the following

1. It is a City resident's parking zone permit;
2. The permit year;
3. A permit number assigned by the Chief of Police.

following information: B. Each regular visitor's permit issued pursuant to this Section shall manifest the

1. That it is a City resident's parking zone regular visitor's parking permit;
2. The permit year;
3. The address of the eligible resident to whom the permit is assigned;
4. A permit number assigned by the Chief of Police;

5. A replacement permit shall also manifest that it is a replacement.

C. Each special visitor's permit issued pursuant to this Section shall manifest the following information:

1. The time for which the permit is valid;
2. The address of the eligible resident to whom the permit is assigned;
3. A permit number assigned by the Chief of Police;

Subd. 7. Vicinity of Effectiveness of Permits; Required Location of Display on Vehicle.

Any permit issued pursuant to this Section shall be valid only within 1,000 feet of the address of the property of the resident to which the permit is assigned. For any such permit to be effective, such permit must be displayed on or immediately behind the lower left corner of either the windshield or the rear window of the vehicle for which the permit is being used, and the permit must be readily visible from the exterior of the vehicle at the location where the permit is so displayed. If the vehicle has no windshield or rear window, the permit must be otherwise displayed on the vehicle so as to be readily visible.

Subd. 8. Behavior Prohibited in Connection With Obtaining or Using Permits.

A. It is unlawful for any person to:

1. Make any false statement in connection with his or her application for any permit authorized by this Section.
2. Sell or rent any permit issued pursuant to this Section.
3. Park in the areas designated by this Section or subsequent resolution of the Council as provided herein without the requisite permit as required by this Section.

B. Anyone found guilty of violating the terms of this Section shall be guilty of a misdemeanor and shall be subject to a fine of up to \$700.00 and/or 90 days incarceration.

Source: City Code
Effective Date: 06-01-2000

(Sections 9.11 through 9.19, inclusive, reserved for future expansion.)

(Pages 345 through 348 reserved)

SEC. 9.20. SNOW REMOVAL. Notwithstanding the provisions of Section 9.02 hereof, it is unlawful to park or leave any vehicle on any street between the hours of 2:00 a.m. and 6:00 a.m. every day from November 1 of each year to April 30 of the year next following. If snow has fallen, the prohibited hours on any street shall be from 2:00 a.m. to such time as snow plowing curb-to-curb has been completed on such street, unless otherwise directed by resolution of the Council.

Source: Ordinance No. 61
Effective Date: 07-14-2011

SEC. 9.21. TRUCK PARKING.

Subd. 1. Definitions. For the purpose of this Section, definitions contained in Minnesota Statutes, Section 168.011 shall be adopted by reference.

Subd. 2. Prohibited Parking. No trucks, farm trucks, semi-trailers, fifth wheel trailers, special mobile equipment, truck tractors, buses, or other vehicles exceeding a gross vehicle capacity of 9,000 pounds shall be parked on any City street in any residential district except as further provided in this Section. Pickup trucks and vans rated under 9,000 gross vehicle capacity are exempt from the provisions of this Section.

Subd. 3. Recreational Vehicles. This shall not prohibit recreational vehicles from parking, provided the recreational vehicle is not used to display advertising or services, or parked at the same general location for more than three consecutive days.

Subd. 4. Exceptions. This Section shall not prohibit vehicles, as described above, from short-term parking while actively loading, unloading, or performing a service in a residential district and associated with specific property in such district so long as the short-term parking shall not exceed two hours in length. In addition, there shall be excepted from the requirements of this Section, trucks, tractors and semi-trailers which are in use pursuant to bona fide construction projects on the site, which are moving occupants into or out of a home, or engaged in the performance of services at a residence which would require the presence of such vehicles for more than two consecutive hours. Further, vehicles being used by a public utility to service public utilities in the residential district shall also be exempted.

Subd. 5. Penalty. Every person who violates this Section shall be guilty of a misdemeanor and be punished accordingly. Any violation of this Section shall be deemed continuing in nature and may be treated as a new and separate offense on each day during which such violation occurs.

Source: City Code
Effective Date: 06-01-2000

(Sections 9.22 through 9.29, inclusive, reserved for future expansion.)

(Pages 350 through 353 reserved)

§ 9.30

SEC. 9.30. **LOADING ZONES.** The Council may, by resolution, establish loading zones to be used for the specific purpose of loading or unloading merchandise from a commercial vehicle or vehicle temporarily being utilized in the transport of merchandise. Such loading zones shall be installed by order of the City Administrator where in the judgment of the Council a commercial loading zone is justified, and duly sign-posted.

SEC. 9.31. **UNATTENDED VEHICLE.** It is unlawful for any person to stop, leave standing, or park a motor vehicle with the motor running, within the City limits, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, and except in such areas as may be designated by resolution of the Council.

SEC. 9.32. **VEHICLE REPAIR ON STREET.** It is unlawful for any person to service, repair, assemble or dismantle any vehicle parked upon a street, or attempt to do so, except to service such vehicle with gasoline or oil or to provide emergency repairs thereon, but in no event for more than 24 hours.

SEC. 9.33. **PARKING FOR THE PURPOSE OF ADVERTISING OR SELLING MERCHANDISE.** It is unlawful for any person to park a vehicle on any street for the purpose of advertising such vehicle for sale, for the purpose of advertising for sale or selling merchandise thereon or therein, or advertising any merchandise for sale or a forthcoming event.

Source: City Code
Effective Date: 06-01-2000

(Sections 9.34 through 9.39, inclusive, reserved for future expansion.)

(Pages 355 through 358 reserved)

§ 9.40

SEC. 9.40. PHYSICALLY HANDICAPPED PARKING.

Subd. 1. Statutory parking privileges for physically handicapped shall be strictly observed and enforced. Police officers [and trained citizen volunteers] are authorized to tag vehicles on either private or public property in violation of such statutory privileges.

Subd. 2. 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.

Source: City Code

Effective Date: 06-01-2000

(Sections 9.41 through 9.98, inclusive, reserved for future expansion.)

(Pages 360 through 363 reserved)

§ 9.99

SEC. 9.99. VIOLATION A MISDEMEANOR OR PETTY MISDEMEANOR. Every person violates a section, subdivision, paragraph or provision of this Chapter when he/she performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as follows:

Subd. 1. Where the specific section, subdivision, paragraph or provision specifically makes violation a misdemeanor, he/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/she shall be punished as for a misdemeanor; where he/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/she shall be punished as for a misdemeanor.

Subd. 2. As to any violation not constituting a misdemeanor under the provisions of Subdivision 1 hereof, he/she shall be punished as for a petty misdemeanor.

Source: City Code

Effective Date: 06-01-2000