

**Chapter 7. Traffic and Vehicles**

**Section 700 - General**

**700.01 Adoption of State Traffic Regulations.**

A. The regulatory provisions of Minnesota Statutes Chapter 169, as amended, shall be hereby adopted as a traffic ordinance regulating the use of highways, streets and alleys within the City and shall be hereby incorporated in and made a part of this Code as completely as if fully set out in this Section.

B. Any violation of the statutes adopted by this Section shall be a violation of this Code when it occurs within the City. Any person violating any provision shall be guilty of a misdemeanor.

**700.02 Removal of Violating Vehicles; Authority to Provide Removal Service.** Any vehicle parked in violation of this Chapter may be removed by the Public Works Director or other authorized City employees, including the Sheriff, and towed away and stored at the expense of the owner. The City Council may make reasonable agreements with persons, firms or corporations who have garages in regard to the towing and storage of vehicles. The firms may be authorized by City representatives to tow and store vehicles located on any streets, alley or municipal parking lot in violation of this Section. The storage fee for vehicles stored on City property shall be as set in the fee schedule adopted from time to time by the Council.

(Am. Ord. 2009-2, passed 2-24-09)

**700.03 Duty to Post Signs Restricting, Prohibiting Parking.** The chief of the city’s designated law enforcement provider or any other person authorized by the Council shall cause signs to be posted in all areas where parking shall be limited or prohibited, indicating the limitations or prohibitions.

**700.04 Authority to Place Temporary “No Parking” Signs; Obedience Required.** Temporary “No Parking” signs may be placed by City employees on any street of the City to permit construction, repair, snow removal, street cleaning or similar temporary activities. While the signs are in place, it shall be unlawful to park any vehicle on the streets or portion thereof so posted.

**700.05 Parking During Certain Hours on Particular Streets/Parking Lots Prohibited.**

A. No parking shall be allowed on Main Street.

B. No parking shall be allowed on 20th Street NW, on both sides of the street, from 200 feet west of Second Avenue NW to T.H. 63.

- C. No parking shall be allowed on the south side of C.S.A.H. 6 from Second Avenue to T.H. 63.
  
- D. No parking shall be allowed on 6th Avenue SW from 6th Street SW (C.S.A.H. 6) to 1,070 feet south of 3rd St. SW and on the west side of 6th Avenue SW from 1,070 feet south of 3rd St. SW to 620 ft south of 3rd St. SW.
  
- E. No parking shall be allowed on the north side of 4th St. NE from Main Street (Hwy 63) to 2nd Avenue NE.
  
- F. Parking in the Fire Department parking lot is reserved for authorized parking only. (Am. Ord. 2001-06, passed 7-10-01; Am. Ord. 2003-13, passed 9-9-03; Am. Ord. 2004-15, passed 12-14-04; Am. Ord. 2016-7, passed 7-26-16)

**700.06 Unlawful to Park for a Longer Consecutive Time Than Designated.** It shall be unlawful to park any vehicle for a longer consecutive period of time than that designated in any area designated as a limited parking area and so marked.

**700.07 Unlawful to Abandon Vehicles.** It shall be unlawful to abandon any vehicle or place any abandoned vehicle on any public street, alley, public parking lot or other public place in the City.

**700.08 Vehicle Parking.** The term "recreational vehicle" shall mean a vehicle designed and used for recreational purposes and enjoyment including, but not limited to, self-propelled motor homes, truck campers, camping trailers, all terrain vehicles, boats, race cars and race car trailers, snowmobiles, construction trailers, all other trailers, vehicles used to transport goods, refuse or merchandise, semi-tractors and trailers and vehicles converted into storage or camping vehicles.

**Subd. 1 Residential Areas.**

A. With the exception of construction trailers, the vehicles described above shall not be allowed to park on any public street, for longer than 24 hours to load/unload and to perform maintenance on the vehicle. Construction trailers may be parked on City streets only when they are being used in conjunction with an adjacent construction project and only while attended.

B. The parking and storage of the above-described vehicles on a lot is permitted subject to the following restrictions:

- 1. Parking and storage is permitted at all times within an enclosed building or within the rear yard.
  
- 2. The above-described vehicles must have affixed thereto current registration or license plates as required by law.

- 3. All permitted recreational vehicle storage must be on an established driveway and must be set back at least 15 feet from the back of the curb, where present, or 15 feet from the paved area of the street if no curb is present.
- 4. Recreational vehicle parking is allowed on a sideyard. The term "sideyard" shall mean the yard between the nearest point of the building and the sideline of the lot and extending from the front yard to the rear yard.
- 5. All recreational vehicles parked in accordance with this Section must not be missing "major parts", which would, without these parts, constitute junk.

**Subd. 2 Unlawful Overtime Parking.** It shall be unlawful to park a vehicle on any City street, alley or public parking lot for longer than:

- A. 12 consecutive hours from the period of November 1st to April 30th.
- B. 48 consecutive hours from the period of May 1st to October 31st.

Any person in violation of Subd. 2A. and B. shall receive a citation from Olmsted County Sheriff's Department. If after twenty-four (24) hours the violation continues the vehicle may be towed.

(Am. Ord. 2004-15, passed 12-14-04; Am. Ord. 2005-7, passed 6-25-05; Am. Ord. 2009-2, passed 2-24-09; Am. Ord. 2011-1, passed 2-8-11)

**700.09 Unnecessary Speed.** No person shall start or accelerate any motor vehicle with an unnecessary exhibition of speed on any public or private way. Prima facie evidence of the unnecessary exhibition of speed shall be unreasonable squealing or screeching sounds emitted by the tires or the throwing of sand and gravel by the tires of the vehicle or both.

**700.10 Unlawful to Park on City Streets During Snow Removal.** It shall be unlawful to park a vehicle or trailer on any street or roadway during declared snow emergencies. A snow emergency is defined as any time the quantity of snow warrants the deployment of snow plows. During the snow emergencies, no parking shall be allowed on the public streets until the snow or ice plowing has been completed on the street over the full width thereof. The City may issue a citation for the parking violation. If after twelve (12) hours of the first ticket, the vehicle hasn't been moved a second citation may be issued and after twenty-four (24) hours the vehicle may be towed. Nothing in this section shall limit, prohibit, or restrict the duty and authority of the persons mentioned in Section 700.03 from posting more limited or restrictive parking designations.

(Am. Ord. 2002-01, passed 2-26-02; Am. Ord. 2003-20, passed 12-23-03; Am. Ord. 2009-2, passed 2-24-09; Am. Ord. 2011-1, passed 2-8-11; Am. Ord. 2015-1, passed 8-25-15)

**700.11 Unlawful Parking in City Center Parking Lot.****Subd. 1 Definitions:**

- A. City Center Parking Lot. "City Center Parking Lot" shall mean that Municipal Lot located at the SE corner of Main Street (Hwy. 63) and County Hwy. 30.
- B. Van. "Van" shall mean any vehicle of box-like design with no barrier or separation between the operator's area and the remainder of the passenger carrying or cargo-carrying area, and with a manufacturer's nominal rated carrying capacity of 3/4 ton or less.
- C. Pick Up Truck. "Pick Up Truck" shall mean any truck with a manufacturer's nominal rated carrying capacity of 3/4 ton or less.
- D. Passenger Automobile. "Passenger Automobile" shall mean any motor vehicle designed and used for carrying of not more than 15 persons, including the driver.

**Subd. 2 Prohibitions.** It shall be unlawful to park any vehicle other than a passenger automobile, pick-up truck, van, motorcycle or motorized bicycle on the City Center Parking Lot within the City. It shall also be unlawful to park any of the authorized vehicles in the City Center Parking Lot when the authorized vehicle is towing a trailer or other device used for the transportation of persons, goods, refuse, boats, motors, or other merchandise if as a result the vehicle cannot be parked within the marked confines of a single parking space; it shall also be unlawful for any recreational vehicle, mobile home or similar type of vehicle to park in the City Center Parking Lot in the City limits if the vehicle cannot be parked within the marked confines of a single parking space. No permitted vehicle shall be allowed to park in the City Center Parking lot for longer than two (2) consecutive hours.

**700.12 Other Prohibited Parking.**

**Subd. 1 Multiple Spaces.** It shall be unlawful to park any vehicle or vehicle and trailer combination in any parking lot so as to take space in more than one designated or clearly implied parking stall.

**Subd. 2 Setbacks.** It shall be unlawful to park any vehicle or vehicle and trailer combination in such a manner so that any part of the vehicle or trailer totally or partially blocks any public or private driveway or alley. It shall also be unlawful to park any vehicle or vehicle and trailer combination in such a manner so that any part of the vehicle or trailer is located within five (5) feet of the intersection of any street or alley and a public or private driveway, or within thirty-five (35) feet of any intersection governed by Minn. Stat. § 169.01, Subd.36.

**700.13 Violations.** Unless otherwise indicated, any person who violates any of the provisions of this Section shall be guilty of a petty misdemeanor.

**Section 710 - Truck Routes**

**710.01 Definitions.** The following terms shall have the meaning given:

- A. Truck. “Truck” shall mean any vehicle designed or operated for the transportation of property and whose total weight loaded or unloaded exceeds 10,000 pounds.
- B. Truck Route. “Truck Route” shall mean any street, as designated in this Section, over and along which trucks shall operate.

**710.02 Travel Restricted.** All trucks operating within the City shall be operated only over and along the truck routes established in this Section, except that this Section shall not prohibit:

- A. The operation of trucks upon any street where necessary to the conduct of business at a destination point; provided, that streets upon which the traffic is permitted shall be used until reaching the intersection nearest the destination point.
- B. The operation of emergency vehicles upon any street.
- C. The operation of trucks owned or operated by the City, public utilities, any contractor or material person, while engaged in the repair, maintenance or construction of streets, street improvements or street utilities within the City.
- D. The operation of trucks upon any officially established detour in any case where the truck could be lawfully operated on the street for which the detour is established.

**710.021 Truck/Semi-Trailer Parking Restricted.**

- A. It is unlawful to park a truck/semi-trailer in any Residential Zoning District. Exceptions to this would be: for the purpose of and while engaged in the loading and unloading of such truck.
- B. It is unlawful for a semi-trailer to detach the trailer and leave it parked on any street within the City limits.

(Ord. 2007-2, passed 7-10-07)

**710.03 Truck Routes Established.** The following streets for truck routes shall be hereby established:

Truck Route	From	To
Trunk Highway 63 (Main St)	City Limits	City Limits
Trunk Highway 30 (1st St. East)	Trunk Highway 63 (Main St)	City Limits
County Road No. 106 (6th St. SE)	Trunk Highway 63 (Main St. South)	City Limits
County State Aid Rd No. 6 Including 6th Ave. SW Including 2nd St. SW	City Limits 6th St. SW 6th Ave. SW	City Limits 2nd St. SW Trunk Highway 63 (Main St. South)
4th St. SE	Trunk Highway 63 (Main St. South)	5th Ave. SE
5th Ave. SE	6th St. SE	Trunk Highway 63 (1st St. East)
2nd Ave. SE	4th St. SE	Trunk Highway 30 (1st St. East)
2nd St. SE	Trunk Highway 63 (Main St. South)	2nd Ave. SE
County Road No. 35 (10th St. NW)	City Limits	Trunk Highway 63 (Main St. North)
1st Ave. SE	4th St. SE	6th St. SE
2nd Ave NW	20th St. NW	10th St. NW
Rochester Medical Dr. NW	20th St. East	20th St. West

(Am. Ord. 2007-2, passed 7-10-07)

**710.04 Maps; Signs; Weighing of Vehicles; Liability of Vehicle Owner.**

- A. The Clerk-Administrator shall keep and maintain accurate maps setting out the truck routes or streets upon which truck traffic shall be permitted and the maps shall be available to the public.
- B. The street department of the City shall cause all truck routes and streets upon which traffic is permitted to be clearly sign-posted.
- C. Any officer of the City's designated law enforcement provider shall have the authority to require any person driving or in control of any truck not proceeding over a truck route or street upon which truck traffic is permitted to proceed to any public or private scale available for the purpose of weighing and determining whether this Section as been complied with.
- D. In addition to the driver or operator, the owner of any truck being operated with his or her permission and consent shall be liable for any violation of the provisions of this Section.

**710.05 Criminal Penalties.** Every person who violates any provision of this Section shall be guilty of a misdemeanor and shall, upon conviction, be subject to a fine or imprisonment or both, not to exceed the maximum penalty authorized by State law for a misdemeanor, plus, in either case, the costs of prosecution. Each act of violation and each day a violation occurs or continues shall constitute a separate offense.

**Section 720 - Snowmobiles**

**720.01 Definitions.** For the purposes of this Section the terms defined in this Section shall have the meaning ascribed to them.

**Subd. 1 Person.** “Person” shall include an individual, partnership, corporation, the State and its agencies, subdivisions and any body of persons, whether incorporated or not

**Subd. 2 Snowmobile.** “Snowmobile” shall mean a self-propelled vehicle designed for travel on snow or ice or natural terrain steered by wheels, skis or runners.

**Subd. 3 Owner.** “Owner” shall mean a person, other than a lien holder having the property in or title to snowmobile entitled to the use or possession thereof.

**Subd. 4 Operate.** “Operate” shall mean to ride in or on and control the operation of a snowmobile.

**Subd. 5 Operator.** “Operator” shall mean every person who operates or is in actual physical control of a snowmobile.

**720.02 Use Restricted.** Except as specifically permitted and authorized in this Section it shall be unlawful for any person to operate a snowmobile within the limits of the City:

- A. On the portion of any right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel, except the most right hand lane (except in passing) which is used for vehicle traffic in the same direction, other than on freeways, interstate, trunk, county, State-aid or county highways. Snowmobile may also be operated upon the ditch bottom where lawfully so posted or the outside bank of trunk, county, state-aid and county highways where the 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 the property.

**720.03 Highway Crossings.** 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 shall be brought to a complete stop before crossing the shoulder or main traveled way.



- 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 shall be made only at an intersection of the street, or highway with another public street or highway.
- E. If the crossing shall be 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 shall be on.

**720.04 Traffic Regulations.** City traffic regulations shall apply to the operation of snowmobiles upon streets and highways, except for those relating to required equipment, and except those which by their nature have no application.

**720.05 Intersections.** No snowmobile shall 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.

**720.06 Persons under 18.**

**Subd. 1 Under 14.** No person under 14 years of age shall operate on streets or the roadway surface of highways or make a direct crossing of a trunk, county, state-aid, county highway or City street as the operator of a snowmobile.

**Subd. 2 14 - 18 Year Olds.** A person 14 years or age or older, but less than 18 years of age may operate a snowmobile on streets and highways as shall be permitted under this Section and make a direct crossing of the streets and highways only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued by the commissioner, as provided by Minn. Stat. §84.872.

**Subd. 3 Compliance.** It shall be unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this Section.

**720.07 Unlawful Operations.** It shall be unlawful for any person to operate a snowmobile within the limits of the City:

- A. At any place, while under the influence of alcohol or drugs as defined in Minn. Stat. §169.121, which shall be hereby incorporated in this Section by reference.
- B. At a rate of speed greater than reasonable or proper under all surrounding circumstances.
- C. At a speed exceeding ten (10) miles per hour on any public street or right-of-way .

D. 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.

E. During the hours from 10:00 P.M. to 8:00 A.M. of any day except when returning to operator, residence from outside of or en route to, the limits of the City, when most direct route should be used.

F. So as to tow any person or thing in a public street or highway except through use of a rigid tow bar attached to the rear of the snowmobile;

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

**720.08 Equipment.** It shall be unlawful for any person to operate a snowmobile any place within the limits of the City unless it shall be equipped with the following:

A. Standard mufflers which shall be properly attached and which shall reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass, straight pipe or similar device on a snowmobile motor.

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

C. A safety or so called “deadman” throttle in operating condition. A safety or “deadman” throttle shall be defined as a device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving track.

D. When operated between the hours of one-half hour after sunset to one-half hour before sunrise or at times of reduced visibility at least one clear lamp attached to the front with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead, during the hours of darkness under normal atmospheric conditions. The head lamp shall be so aimed that glaring rays shall not be projected into the eyes of an oncoming snowmobile operator. 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 hours of darkness under normal atmospheric conditions.

E. Reflective material at least 16 square inches on each side, forward of the handlebars, so as to reflect light at a ninety degree angle.

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

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

**720.11 Animals.** It shall be unlawful to intentionally drive, chase, run over or kill any animal with a snowmobile.

**720.12 Penalty.** Every person convicted of a violation of any of the provisions of this Section shall be punished by a fine or imprisonment or both, not to exceed the maximum penalty authorized by State law for a misdemeanor, but in either case the cost of prosecution may be added.

### **Section 730 - Skateboards, In-line Skates, etc.**

**730.01 Definitions.** The following words and terms, whenever they occur in this Section, shall be defined as follows:

**Subd. 1 Prohibited Area.** “Prohibited Area” shall mean that portion of the central business district from which skateboards, in-line skates, roller skates, scooters, and comparable equipment shall be banned from use. This area shall be the area between 4th St. N and 4th St. S as shown on the City’s Zoning Map.

**Subd. 2 Roller Skates and In-line skates.** “Roller Skates” and “In-line Skates” shall mean a shoe, boot, or similar footwear which has wheels attached or a device with wheels which is designated to be attached to a shoe, boot, or similar footwear.

**Subd. 3 Skateboard.** “Skateboard” shall mean a wheeled device designed to transport a rider in a standing position but which device is not otherwise intended to be secured to the rider’s feet or shoes.

**Subd. 4 Scooter.** “Scooter” shall mean a foot operated vehicle consisting of a narrow board mounted between two wheels, tandem, with an upright steering handle attached to the front wheel.

**Subd. 5 Operate.** “Operate” shall mean to ride on or control the operation of a skateboard, roller skates, in-line skates, scooter, or similar device.

**Subd. 6 Operator.** “Operator” shall mean any person who operates or is in actual physical control of a skateboard, roller skates, in-line skates, scooter, or similar device.

**730.02 Restricted Use.** No person shall ride or, use, or otherwise operate a skateboard, roller skates, in-line skates, scooter, or similar device in any of the following places:

- A. On any public sidewalk, street, or parking lot situated in the described portion of the Central Business District;
- B. On private property without the express permission to do so by the owner or occupant of the property;
- C. In any place if in a careless, reckless, or negligent manner so as to endanger or be likely to endanger the safety of any other person or property of any other person.

**730.03 Pedestrians.** The operator of a skateboard, roller skates, in-line skates, scooter, or similar device emerging from any alley, driveway, or building, upon approaching a sidewalk area extending across any alleyway shall yield the right-of-way to all pedestrians approaching the sidewalk or sidewalk area, and upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway.

**730.04 Attachments.** No person operating a skateboard, roller skates, in-line skates, scooter, or similar device shall attach the device or his or her person to any vehicle upon a roadway.

**730.05 Use in Street.** Any person operating a skateboard, roller skates, in-line skates, scooter, or similar device upon a roadway shall ride as close as possible to the right hand curb of the roadway.

**730.06 Hours.** No person shall use a skateboard, roller skates, in-line skates, scooter, or similar device upon a public street, sidewalk, or other roadway after sunset and before sunrise.

**730.07 Violations.** Any person who violates any provision of this Section shall be guilty of a petty misdemeanor as defined by Minn. Stat. §609.02. In addition, any peace officer who observes any person violating any provision of this Section shall be authorized to seize the offender's skateboard, roller skates, in-line skates, scooter, or similar device. In the event of such seizure, the offender, if at least eighteen (18) years of age may request the return of the article seized after twenty-four hours have elapsed since the time of seizure. In the case of a person under the age of eighteen (18) years, the article seized shall be returned only to the parent or guardian of the minor offender and only after twenty-four hours have elapsed since the time of the seizure.