

ORDINANCE NO 11.01A

ORDINANCE ESTABLISHING PARKING/WINTER REGULATIONS WITHIN THE CITY LIMITS OF ROTHSAY, MINNESOTA.

An Ordinance Repealing Ordinance 11.01 and Adopting Ordinance No. 11.01A.

BE IT HEREBY ORDAINED by the City Council of the City of Rothsay, Minnesota as follows:

SECTION 1. PRESUMPTION:

As to any vehicle parking in violation when the driver is not present, it shall be presumed that the owner parked the same, or that the driver was acting as an agent of the owner.

SECTION 2. GENERAL PARKING PROHIBITIONS:

No Person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the 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 10 feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within 20 feet of a crosswalk at an intersection;
- (7) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
- (8) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
- (9) Within 50 feet of the nearest rail of 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 said entrance when properly signposted;
- (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, i.e. double parking;
- (13) Upon any bridge or other elevated structure upon a highway or within a highway tunnel, except as otherwise provided by ordinance;
- (14) Within a bicycle lane, except when posted signs permit parking; or
- (15) At any place where official signs prohibit stopping.

This section shall not apply to the driver of a school bus stopped for the purpose of receiving or discharging any school child or school children provided the school bus is equipped and identified, and is displaying the flashing red lamps and stop arm required therein.

SECTION 3. WINTER PARKING/SNOW REMOVAL REGULATIONS:

Subdivision 1. Winter Parking. No vehicles shall be parked on public streets for a continuous period in excess of twelve (12) hours from November 1st through March 31st of the following year. The City can at any time upon notice require vehicles to be moved in the event of snow removal. Any vehicle found violating this Ordinance shall be towed by a commercial towing service at the owner's expense and shall be surrendered only to the duly identified owner thereof upon payment of the cost of towing and storage. Any damage occurred to any such vehicles by such towing operations shall be the responsibility of the owner or operator thereof, and no liability for damages shall be imposed against, nor shall any damage be assumed by the City of Rothsay.

Subdivision 2. Mailboxes. Coming into contact with a mailbox is a common obstacle snowplow operators face during storm activities. The City will not be responsible for damage to mailboxes or support posts caused by snow removal. Property owners are responsible for clearing the snow and ice away from mailbox (es) to insure delivery of the mail.

Subdivision 3. Sidewalks. The City will maintain sidewalks abutting city property only. All snow and ice remaining on a public sidewalk more than twelve (12) hours after its deposit thereon is considered a public nuisance. The owner and the occupant of any property adjacent to a public sidewalk shall use diligence to keep such walk safe for pedestrians.

Subdivision 4. Weather Conditions. Snow and ice control operations will be conducted only when weather conditions do not endanger the safety of city employees and equipment. Factors that may delay snow and ice control operations included: severe cold, significant winds, and limited visibility. Fire and medical emergencies will take precedence over all snow removal operations and schedules.

SECTION 4. 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.

SECTION 5. RECREATIONAL VEHICLE PARKING:

Subdivision 1. Definition. For the purpose of this ordinance a "recreational vehicle" is defined as follows: travel trailers, including those that telescope or fold down, chassis mounted campers, house cars, motor homes, tent trailers, slip in campers, non-motorized trailers intended and generally used for transporting boats, utility trailers, snowmobiles, all-terrain vehicles, boats, or other watercraft.

Subdivision 2. Unlawful Act. It is unlawful for any person to leave or park a "recreational vehicle" on or within the limits of any street or right-of-way for a continuous period in excess of twenty-four (24) hours.

SECTION 6. TRUCK PARKING:

Subdivision 1. Detached Trailer. It is unlawful for any person, as driver or operator of a semi-trailer, or as the registered owner of a semi-trailer, to park, stop or leave standing, or cause, allow or permit to be parked, stopped or left standing, whether knowingly or unknowingly, a semi-trailer, not attached to a truck or truck tractor upon any public street, municipally owned parking lot or parking facility, or other public property.

Subdivision 2. Residential District. It is unlawful for any person, as driver or operator of a semi-trailer or as the registered owner of a semi-trailer, to park stop or leave standing, or cause, allow or permit to be parked, stopped or left standing, whether knowingly or unknowingly, and such semi-trailer, whether or not attached to a truck tractor, within any area zoned as a residential district, except for the purpose of, and while engaged in, the loading and unloading of such semi-trailer. The truck with attached semi-trailer may only be

parked in a residential district during the time it is actually engaged in continuous actual acts of loading or unloading such a semi-trailer, otherwise parking shall not be allowed in a residential district. It shall be unlawful for any truck-tractor to be left idling in a residential district at any time.

Subdivision 3. Business District. It is unlawful to park a semi-trailer, whether or not attached to a truck-tractor except in the business district and for the period from midnight to 6:00 a.m. No parking of any semi-trailer, whether attached or not to a truck-tractor, shall be permitted within the City except in those areas or zones specifically marked or authorized by the City as areas where such parking is permitted and allowed.

SECTION 7. PENALTY:

Any person violating the provisions of this Ordinance shall be guilty of a petty misdemeanor and upon conviction thereof, subject to fine as afforded under law.

Violations of this ordinance may be charged, at the option of the City, as misdemeanor offenses if the following conditions or situations are proven to exist: (a) the person with a violation of this ordinance has been convicted of this ordinance at least twice within the preceding 12-month period of time; (b) the violation of this ordinance was committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property.

SECTION 8. EFFECTIVE DATE:

The ordinance shall take effect and be in force after its passage and publication according to law.

Adopted by the City Council of the City of Rothsay,

this 7th day of May, 2018.

SIGNED:

Eric Larson, Mayor

ATTESTED:

Lisa Zimmerman, City Clerk/Treasurer