

CHAPTER 7**TRAFFIC AND VEHICLES**Highway Traffic Regulation Act**7.101. Highway Traffic Regulation Act Incorporated by Reference.**

The regulatory provisions of Minnesota Statutes 1974, Chapter 169 (as amended from time to time), one copy of which is on file in the office of the Clerk-Administrator, are hereby adopted as a traffic ordinance regulating the use of highways, streets and alleys within the City insofar as such provisions are applicable thereto. Except as otherwise provided by this, code said statutes are hereby adopted and made a part of this code as completely as if set out here in full.

7.102. Penalty.

Any person violating any provision of the statutes incorporated by section 7.101 shall be guilty of such an offense and shall be subject to such penalty as is prescribed by such statute. Any penalty prescribed by such statute shall contract over any other penalty that may otherwise be provided in this code.

General Traffic Regulations**7.201. Definitions.**

Any term used in this Chapter and defined in Minnesota Statutes, Section 169.01 as amended from time to time, has the meaning given it by that section.

7.202. Turning and Restriction on Turns.

The city council, by resolution may, whenever necessary to preserve a free flow of traffic or to prevent accidents, designate any intersection as one where the turning of vehicles to the left or to the right, or both, is to be restricted at all times or during specified hours. The City Maintenance Supervisor shall mark by appropriate signs any intersection so designated until the consent of the Commissioner of Highways to such designation is first obtained. No person shall turn a vehicle at any such intersection contrary to the directions on such signs.

7.203. Through Streets and One-Way Streets.

The council by resolution may designate any street or portion of street as a through highway or a one-way roadway where necessary to preserve the free flow of traffic or to prevent accidents. The City Maintenance Supervisor shall post appropriate signs at the entrance to such street. No trunk highway shall be so designated unless the consent of the Commissioner of Highways to such designation is first secured.

7.204. Truck Restrictions.

The City council by resolution may designate streets on which travel by commercial vehicles in excess of gross weight fixed by the City Maintenance Supervisor is prohibited. The City Maintenance Supervisor shall erect appropriate signs on such streets. No person shall operate a commercial vehicle on such posted streets in violation of the restrictions stated.

7.205. Seasonal Weight Restrictions.

The City Maintenance Supervisor may prohibit the operation of vehicles upon any street under his jurisdiction or impose weight restrictions on vehicles to be operated on such street whenever the street, by reason of deterioration, rain, snow or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles on the street is prohibited or the permissible weights thereof reduced. He shall erect and maintain signs plainly indicating the prohibition or restriction at each end of that portion of the street affected. No person shall operate a vehicle on a posted street in violation of the prohibition or restriction.

7.206. Parking Regulations.

Subdivision 1. Angle and parallel parking. Angle parking shall be required unless otherwise designated on the following streets: Main Street from Railroad Street to Henderson Street; Hobart Street from Oak Street to Prairie Street; Lincoln Street from Division Street to Prairie Street; Park Street from Hobard Street to Garfield Street; Cottage Avenue from Cedar Street to Elm Street; and Cedar Street from Poole Street to Cottage Avenue. On any such street every vehicle parked shall be parked with the front of the vehicle facing the curb or the edge of the traveled portion of the street at an angle of approximately 45 degrees and facing between the painted or other markings on the curb or street indicating the parking space. On all other streets, cars shall be parked parallel to the curb or edge of the roadway in accordance with the law.

Subdivision 2. No parking, stopping or standing zones. The City council may, by resolution, designate certain streets or portions of streets as no parking or no stopping or standing zones and may limit the hours in which the restrictions apply. The City Maintenance Supervisor shall mark by appropriate signs each zone so designated. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no-parking zone during hours when parking is prohibited except that a vehicle may be parked temporarily in such zone for the purpose of forming a funeral procession and a truck may be parked temporarily between the hours of 6:00 a.m. and 6:00 p.m. of any business day for the purpose of loading or unloading where access to the premises is not otherwise available.

Subdivision 3. Time limit parking zones. The City council may, by resolution, designate certain areas where the right to park is limited during hours specified. The City Maintenance Supervisor shall mark by appropriate signs each zone so designated. During the hours specified on the sign, no person shall park a vehicle in any limited parking zone for a longer period than is so specified.

Subdivision 4. Impoundment. Any police officer may remove a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic or hinders snow removal or street improvement or maintenance operations. Such vehicle shall not be released

until the fees for towing and storage are paid in addition to any fine imposed for violation of this chapter.

Subdivision 5. Prima Facie Violation. The presence of any motor vehicle on any street when standing or parked in violation of this Chapter is prima-facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

7.207. Truck Zones, Loading Zones, Etc.

Subdivision 1. The City council may by resolution establish spaces in streets as loading zones or truck zones. The hours of 6:00 a.m. and 6:00 p.m. of any day except Sundays, New Year's Day, Memorial Day, July 4, Labor Day, Thanksgiving Day, and Christmas Day or such other time as the City council may specify in the loading zone or truck zone hours. The City Maintenance Supervisor shall mark each such zone by appropriate signs.

Subdivision 2. During truck zone hours, no person shall stop, stand, or park any vehicle except a truck in a truck zone. No person shall stop, stand or park a truck in a truck zone during truck zone hours except to receive or discharge passengers or freight and then only for a period no longer than is necessary for the purpose.

Subdivision 3. During loading zone hours, no person shall stop, stand or park any vehicle in a loading zone except to receive or discharge passengers or freight and then only for a period no longer than is necessary for the purpose. No person shall occupy a loading zone with a vehicle other than a truck for more than five minutes during such hours.

Subdivision 4. Any person desiring the establishment of a loading zone or truck zone abutting premises occupied by him shall make written application therefore to the City council. If the council grants the request, the proper City officer shall bill the applicant for the estimated cost of placing signs and painting the curb. When the amount is paid to the City treasurer, the chief of police shall install the necessary signs and paint the curb.

Subdivision 5. The council may by resolution establish "No Truck Parking" zones in the business district and the City Maintenance Supervisor shall mark by appropriate signs any zones so established. Such zones shall be established in the business district where heavy traffic by trucks or other traffic congestion makes parking by trucks a hazard to the safety of vehicles or pedestrians. No person shall park a truck of more than one-ton capacity between 6:00 a.m. and 6:00 p.m. on any week day upon any street in any such zone, but parking of such vehicle for a period of not more than 30 minutes shall be permitted in such zone for the purpose of having access to abutting property when such access cannot conveniently be secured otherwise.

7.208. Snow Emergency.

Subdivision 1. No person shall stop, stand or park any vehicle or permit it to stand on any street in any of the following places during a snow emergency as declared by the City Maintenance Supervisor:

(1) On Main Street between the hours of 2:00 a.m. to 6:00 a.m.

(2) On any other street or alley at any time.

Subdivision 2. After a snowfall of two inches or more, all motor vehicles and parts thereof shall be removed from all streets and alleys in the city for the purpose of facilitating snow plowing and/or snow removal, until the streets are cleared of snow. Any motor vehicle, or part thereof, left on any street or alley in the city in such a way as to impede the performance of city, county or state snow plows shall be in violation of this ordinance.

If any motor vehicle, or part thereof, is parked, abandoned or left standing in violation of the provisions of this section, the vehicle shall be ticketed and the owner of such vehicle shall be subject to a fine of \$25.00 to be paid to the city and such motor vehicle shall be removed by the owner within twenty-four (24) hours of ticketing the vehicle. Failure to pay the fine within five (5) working days shall be a misdemeanor and subject to an additional fine of \$100.00.

If any vehicle ticketed is not removed by the owner within twenty-four (24) hours of ticketing, the same may be summarily removed, without notice to the owner, at the direction of the city through its officers, agents or employees. The city officer, agent or employee directing such removal shall note the date of removal in a record maintained for such purposes. Such summary removal shall be to a place designated by the city and such removed vehicles shall be stored at such designated place until released to the owner or the owner's agent upon the following conditions: the owner or agent shall pay to the city all costs and expenses incident to the removal, including costs of towing and storage of such vehicle, the costs and expenses to be paid to the city clerk/administrator. Amounts paid by the owner under this section shall not be deemed to be a penalty or fine.

Vehicles which are not redeemed within thirty (30) days of removal and impoundment are subject to sale by the city or its agent without further notice to the owner.

Establishment of Safety Zones, Lanes of Traffic, Etc.

To assist in the direction and control of traffic, to improve safe driving conditions at any intersection or dangerous location, and to warn pedestrians or drivers of motor vehicles of dangerous conditions or hazards, the chief of police may establish safety zones, lanes of traffic, and stop intersections, and he may order installation by the City Maintenance Supervisor of stop

signs, yield signs, warning signs, signals, pavement markings, or other devices. No regulation may be established on a trunk highway unless the consent of the Commissioner of Highways is first secured.

7.209. Removing Keys.

No person shall leave a motor vehicle, except a truck which is engaged in loading or unloading, unattended on any street, used cat lot, or unattended parking lot without first stopping the engine, locking the ignition, and removing all ignition keys from the vehicle. Whenever any police officer finds any motor vehicle standing in violation of this provision, he shall remove the keys from the vehicle and deliver them to police headquarters.

7.210. Exhibition Driving Prohibited.

No person shall turn, accelerate, decelerate or otherwise operate a motor vehicle within the City in a manner, which causes unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing of sand or gravel, or in a manner simulating a race. Squealing or screeching sounds emitted by tires, or the throwing of sand or gravel by the tires is prima facie evidence of a violation of this section. Any person violating any provision of section 7.210 shall be guilty of a misdemeanor and subject to an administrative fine of \$125.00.

7.212. Police Duties.

The police department shall enforce the provisions of this code and the state traffic laws. Police officers are authorized to direct all traffic within the City, either in person or by means of visible or audible signal, in conformity with this code and the state traffic laws. During a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the police department may direct traffic as conditions require notwithstanding the provisions of this code and the state traffic laws. Officers of the fire department may direct or assist the police in directing traffic at the scene of a fire or in the immediate vicinity.

7.213. Penalty.

Any person violating any provision of sections 7.201. to 7.209. and 7.212. shall be guilty of a misdemeanor.

Motorized Golf Carts

7.301. Definitions.

Except as otherwise defined in the City Code, words and terms defined in Minnesota Statutes, Chapter 169 shall be applicable to this chapter.

7.302. Driving, Operating or Control of Motorized Golf Carts.

Motorized golf carts may be driven, operated or controlled on the roadways or shoulders of roadways under the jurisdiction of the City of Hendricks, except such roadways prohibited by resolution of the City Council and only in strict compliance with this section.

7.303. Permits.

No motorized golf cart shall be driven, operated or controlled on the roadways or shoulders of roadways under the jurisdiction of the City of Hendricks unless the owner of said golf cart has purchased a current year permit and sticker and clearly displayed the sticker on the golf cart.

7.304. Permit Issuance.

Permits shall be issued by the City Clerk/Administrator, or authorized designee, upon compliance with this section (7.304.):

- Subdivision 1. Individual Permit. Application for an individual permit shall include the full name and address of the applicant; the applicant's date of birth; the state of issuance of the applicant's current driver's license, if any; the number of such driver's license; the date of application and applicant's signature; the name of applicant's insurance company; the number of applicant's insurance policy; and the date of expiration of insurance coverage for such vehicle. As a condition to obtaining an individual permit, the City Clerk/Administrator may require an applicant to submit a certificate signed by a physician to the effect that the applicant is able to safely operate a motorized golf cart on the roadways or shoulders under the jurisdiction of the City of Hendricks.
- Subdivision 2. Revocation of Permit. An individual permit may be revoked by the City Clerk/Administrator if there is any material misrepresentation made in the permit application, liability insurance is no longer in effect, or if there is evidence that the permit holder cannot safely operate the motorized golf cart. The City Clerk/Administrator shall issue a notice of revocation of a permit in writing and either hand deliver the notice to the permit holder or send the notice by certified mail to the address on the application. The revocation shall be in effect immediately after personal service or three days after the mailing.
- Subdivision 3. Permit Expiration. Permits shall expire on the 1st of May following issuance.
- Subdivision 4. Dealer's Permit. Any individual or entity which has a Minnesota sales tax license and which sells more than five motorized golf carts during a calendar year and repairs and/or services motorized golf carts may apply for and receive a dealer's permit authorizing the dealer, its officers, agents, employees and customers to operate motorized golf carts owned or being repaired by the dealers for the purposes of demonstrating its motorized golf carts to customers and for diagnosing and repairing motorized golf carts of the dealer or its customers.

Application for a dealer's permit shall include the full name and address of the applicant; the date of application and applicant's signature; the name of applicant's insurance company; the number of applicant's insurance policy; and the date of expiration of insurance coverage.

7.305. Fees.

An individual or dealer permit applicant shall pay a fee of fifteen dollars (\$15.00), which fee shall be refunded if the permit applied for is not granted.

7.306. Unlawful acts.

The following are to be considered unlawful acts when operating a motorized golf cart:

- 1) Between sunset and sunrise;
- 2) In inclement weather, when visibility is reduced or impaired by weather, smoke, fog or other conditions or at any time when there is insufficient light clearly to see a person or vehicle on a roadway at a distance of 500 feet;
- 3) Without prominent display of a slow-moving vehicle emblem provided in Minnesota Statutes, Section 169.522, on the rear of such vehicle;
- 4) Without a mirror so located as to reflect to the driver, operator or controller, a view of the roadway for a distance of at least 200 feet to the rear of the such vehicle;
- 5) Without liability insurance coverage;
- 6) Contrary to any traffic law of the City of Hendricks or the State of Minnesota, except those which cannot reasonably be applied to motorized golf carts, or are not applied, by reason of Minnesota Statutes Section 169.04S. Subdivision 7;
- 7) Contrary to any provisions of the City Code;
- 8) By any person under age sixteen (16).

7.307. Designated Cart ways.

Motorized golf carts may be operated on all streets and roads within the limits of the City of Hendricks except State Highway 271.

7.308. Penalty.

Any person violating any provisions of this chapter shall be guilty of a petty misdemeanor and subject to an administrative fine of \$25.00.