

CHAPTER XXII

TRAFFIC, MOTOR VEHICLES, OTHER VEHICLES, AND MISDEMEANORS

Section 2200 - Highway Traffic Regulations

2200.01 State Highway Traffic Regulation Act Adopted by Reference. Minnesota Statutes, Chapter 169, "The Highway Traffic Regulation Act," is adopted by reference and is as much a part of this code as if fully set forth herein. Any violation of the statutes herein adopted by reference is a violation of this Ordinance.

2200.03 Definitions. For purposes of this Ordinance, the terms defined in Minnesota Statutes 169.01, as adopted herein, have the meanings given by that section.

2200.05 Application to Private Streets and Roads. This Ordinance applies to private streets and roads freely used by the general public.

2200.07 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 within the City in a manner which causes unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing sand or gravel, or in a manner simulating a race. Squealing or screeching sounds emitted by tires is prima facie evidence of a violation of this subsection.

2200.09 Penalty. A violation of any provision of this Ordinance is a petty misdemeanor, except where otherwise provided by Statute or Ordinance.

Section 2205 - Streets: Traffic

2205.01 Turning. Subd. 1. Restriction on Turns. The 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 Engineer shall mark by appropriate signs any intersection so designated. No intersection on a trunk highway shall be 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 direction on such signs.

Subd. 2 U-turns. No person shall turn a vehicle so as to reverse its direction on any street in the business district or at any intersection where traffic is regulated by a traffic control signal.

2205.03 Limited Travel on Posted Streets. It is unlawful for the driver of a motor vehicle to travel through or past a barricade or sign forbidding passage along any street or alley in the City. The City Council may by resolution designate such limited travel on streets as it deems necessary to promote safety and preserve the free flow of traffic. The City Engineer or other person authorized by the Council shall cause signs to be posted or barricades to be placed on streets designated as limited travel.

2205.05 Trunk Restrictions. The Council by resolution may designate streets on which travel by commercial vehicles in excess of 9000 pounds gross weight and/or agricultural

equipment are prohibited. The City Engineer shall erect appropriate signs on such streets. No person shall operate a commercial vehicle and/or agricultural equipment on such posted streets in violation of the restrictions stated except as needed to make deliveries to residences located on such streets.

2205.07 Through Streets; One Way Streets; Stop and Yield Intersections. Subd. 1. General Rule. The City Council by resolution may designate stop and yield intersections and 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 Engineer shall post appropriate signs at the entrance to such intersections and streets. No trunk highway shall be so designated unless consent of the Commissioner of Highways to such designation is first secured.

Subd. 2 Resolutions in Appendix. The City Council resolutions adopted pursuant to this section may be maintained by the Clerk in Appendix to this code.

Section 2210 - Parking Regulations

2210.01 Definitions. Subd. 1. Terms. For the purpose of this Ordinance, the terms defined in this Section shall have the meanings ascribed to them in the following Subds..

Subd. 2 Alley or Alleyway. Alley or alleyway means every travel way which is used primarily for vehicle service access to the back or the side of properties abutting on a street.

Subd. 3 Curb Loading Zone. Curb Loading Zone means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Subd. 4 Fire Lane. Fire Lane means any roadway and lands adjacent thereto, necessarily required to be kept clear to permit unimpeded access by Fire Department Personnel, equipment and vehicles to exits, entrances, hydrants, stand pipes and other facilities, when duly designated and signs posted.

Subd. 5 Operator. Operator shall mean every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner.

Subd. 6 Park or Parking. Park or Parking means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of or while actually engaged in loading or unloading merchandise or passengers.

Subd. 7 Person. Person shall mean and include any individual, firm, co-partnership or corporation.

Subd. 8 Street. Street shall mean any public street, alley, road, boulevard, highway or other public place located in the City of Rice and established for use of vehicles.

2210.03 Prohibited Parking and Stopping. No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with directions of a Police Officer or Traffic Control Device, in any of the following places:

Subd. 1 Sidewalk. No person shall park any vehicle on a sidewalk.

Subd. 2 Driveway. No person shall park any vehicle in front of a public or private driveway.

Subd. 3 Intersection. No person shall park any vehicle within an intersection.

Subd. 4 Fire Hydrant. No person shall park any vehicle within ten (10) feet of a fire hydrant.

Subd. 5 Crosswalk. No person shall park any vehicle on a crosswalk or within twenty (20) feet of a crosswalk.

Subd. 6 Signs. No person shall park any vehicle within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway.

Subd. 7 Railroad Crossing. No person shall park any vehicle within fifty (50) feet of the nearest rail of a railroad crossing.

Subd. 8 Fire Station. No person shall park any vehicle within twenty (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.

Subd. 9 Street Obstruction. No person shall park any vehicle alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic.

Subd. 10 Parked Vehicle. No person shall park any vehicle on the roadway side of any vehicle stopped or parked at the edge or curb of a street.

Subd. 11 Stopping Prohibited. No person shall park any vehicle at any place where official signs prohibit stopping.

Sub. 12 Fire Escape. No person shall park a vehicle so as to block a fire escape or the exit from any building, whether on public or private property.

Subd. 13 Police Order. No person shall park any vehicle where temporary signs are posted reading "No Parking - Police Order", as long as such signs are in place.

Subd. 14 Fire Lane. No person shall park in any area designated as a fire lane.

Subd. 15 Alley or Alleyway. No person shall park any vehicle in an alley or alleyway means every travel way which is used primarily for vehicle service access to the back or the side of properties abutting on a street.

Subd. 16 Recreational Vehicles Parked in Commerical Zones. No person shall park and/or stay in any camper, or sleeping unit in any Business/Industrial or Commerical lot/property.

2210.05 Parking More Than 24 Hours. No person shall leave parked any vehicle of any kind upon any street or Municipal parking lot for periods of more than 24 consecutive hours.

2210.07 Trucks and Delivery Vehicles. Subd. 1. Residential Truck Parking. No person shall park a bus, truck-tractor, farm tractor, road tractor, trailer, semi-trailer, truck, commercial or industrial vehicle of any type on a street, highway, or on public property in an area zoned R-1, R1-A, R-2, R-3, or R-5 by Ordinance: "The Zoning Ordinance of the City of Rice, Minnesota, as amended.

(a) The provisions of Subd. 1 of this section shall not apply to those light trucks classified as 1/2 ton and 3/4 ton pickups, panels and sedan deliveries, or to those vehicles temporarily parked by the driver thereof, while said driver is engaged in the performance of his usual trade or occupation within a residentially zoned area.

2210.09 Manner of Parking and Stopping. Subd. 1. Parallel to Curb. Each vehicle stopped or parked upon a two-way roadway where there is an adjacent curb shall be so stopped or parked with the right hand wheels of the vehicle parallel with and within 12 inches of the right-hand curb of the roadway, except where angle parking has been established by resolution of the Rice City Council.

Subd. 2 Where No Curb. Upon streets and highways not having a curb, each vehicle stopped or parked shall be stopped or parked parallel with and to the right of the paved or improved or main traveled part of the street or highway.

Subd. 3 One-Way Roadway. Upon One-Way Roadways, so designated by the City Council, or other local authority having jurisdiction, and upon State trunk highways, so designated by the Commissioner, vehicles may be parked with the left-hand wheels adjacent to and within twelve (12) inches of the left-hand curb of a one-way roadway, except where angle parking has been established by resolution of the City Council.

Sub. 4 Traffic Officer Directions. No person shall stop or park a vehicle on a street or highway when directed or ordered to proceed by any Peace Officer invested by law with authority to direct, control or regulate traffic.

Subd. 5 Display for Sale. No vehicle shall be parked on any street for the purpose of displaying it for sale.

2210.11 Parking, Night Time Parking, and Snow Emergencies. Subd. 1. No motor vehicles shall be parked upon any street, avenue, or alley in the City of Rice between the hours of 2:00am and 7:00am from Nov. 1st through March 31st of each year. Signs will be posted at the entrances of town notifying residents that there is no parking upon any street, avenue, or alley in the City of Rice between the hours of 2:00am and 7:00am from Nov. 1st through March 31st of each year.

Subd. 2 A violation of any provision of this chapter shall be subject to a fine in accordance with the fine schedules adopted from time to time by the district court in and for Benton County. Payment of the scheduled fine indicated on the violation notice and received by the City Clerk shall satisfy the violation.

Subd. 3 It shall be unlawful to park a motor vehicle contrary to the provisions of this ordinance. Any vehicle so parked is the act of the registered owner as well as the act of the person actually parking the vehicle. For the purposes of this section, "registered owner" is defined to include motor vehicle renewal or leasing agencies or corporate owners. It shall be a defense to any violation that the registered owner shows that on the date of the offense, the title had been transferred to another.

Subd. 4. The City may tow, or cause to be towed, by its own employees or by some other person, any vehicle found parked in violation of this ordinance and the vehicle may be impounded by such entity until the same is redeemed as hereinafter provided. Any impounded vehicle may be redeemed by the owner or by the person parking the same in violation of this ordinance by paying to the entity which towed and/or impounded the vehicle the applicable towing charge and, the storage fee and the fine as heretofore specified. Said fine shall be delivered to the City Clerk immediately following its receipt.

2210.13 Parking Violations Bureau. The City Clerk shall be responsible for collection of the parking use fee herein provided for overtime parking and illegal parking.

Subd. 1 Enforcement. It shall be the duty of the Police Officers of the City to report to the Parking Violations Bureau that information required in this Subd..

- (a) The license number of a vehicle parked in violation of this Ordinance.
- (b) The date and hour at which such violation was found to exist.
- (c) The nature of the violation.
- (d) Any other necessary facts relating to such violation.

Subd. 2 Tags. The Police Officer or parking office shall attach to a vehicle referred to in this Subsection a notice to the owner or operator thereof that such vehicle has been parked in violation of the provisions of this Section and directing such owner or operator to make payment as required by this Subsection.

2210.15 Fines for Violation. The City Clerk will collect fines for violations of this Ordinance, in accordance with the following schedule:

Wrong Side of	\$10.00
Fire Hydrant	\$25.00
Handicapped Parking	\$25.00
Snow Emergency	\$25.00
Driveway	\$15.00
Other	\$5.00

AFTER 72 HOURS ALL FINES DOUBLE!

Payment of the scheduled fine indicated on the violation notice, enclosed in said notice and deposited in the manner described thereon and received by the City Clerk, shall satisfy the violation.

2210.17 Penalty for Parking Violations. It shall be unlawful to park a motor vehicle contrary to the provisions of Ordinance Number 22. Any vehicle so parked is the act of the registered owner as well as the act of the person actually parking the vehicle. For the purposes of this Section, registered owner is defined to include motor vehicle renewal or

leasing agencies or corporate owners.

It shall be a defense to any violation that the registered owner shows that on the date of the offense the title has been transferred to another.

A violation of this Section is a petty misdemeanor as defined by Minnesota Statute 609.02, Subd. 4(a), and shall be punished by a fine not to exceed \$200.00.

2210.19 Impounding Vehicle. Subd. 1. The City may tow, or cause to be towed, by its own employees or by some other person, any vehicle found parked in violation of this Ordinance, and the vehicle may be impounded by such entity until the same shall be redeemed as provided in Subd. 2 hereof.

Subd. 2 Any impounded vehicle may be redeemed by the owner or by the person parking the same in violation of this Ordinance, by paying to the entity which towed and/or impounded the vehicle, the applicable towing charge and/or storage fee.

Section 2215 - Sale of Unclaimed Motor Vehicles

2215.01 Abandoned Motor Vehicle Law Adopted by Reference. Minnesota Statutes, Sections 168B.01 through 168B.10, is hereby adopted by reference and is as much a part of this Ordinance as if fully set forth herein. a violation of the Statutes adopted herein by reference is a violation of this Ordinance.

Section 2220 - Driver's Licenses and Registration of Motor Vehicles

2220.01 Adoption by Reference. Subd. 1. Motor Vehicle Registration Act. Minnesota Statutes Sections 168.011, 168.055, 168.056, 168.09, 168.10, 168.11, 168.28, and 168.36, are adopted by reference and are as much a part of this Ordinance as if fully set forth herein.

Subd. 2 Driver's License Law. Minnesota Statutes Section 171.01, 171.02, 171.03, 171.05, 171.08, 171.10, 171.11, 171.17, 171.18, 171.182, 171.20, 171.22, 171.23, 171.24, 171.322, are adopted by reference and are as much a part of this code as if fully set forth herein.

Subd. 3 Violations. A violation of the statutes adopted herein by reference is a violation of this Ordinance.

Section 2225 - Snowmobile and All Terrain Vehicle Regulations

2225.01 State Laws Adopted. Subd. 1. Snowmobile Law. Minnesota Statutes , Section 84.81, 84.82, 84.87, 84.871, 84.872, 84.873, 84.88, 84.89, and 100.29, Subd. 29, are hereby adopted by reference and are as much a part of this Ordinance as if fully set forth herein.

Subd. 2 Department of Natural Resources Rules. The rules and regulations of the Commissioner of Natural Resources applying to snowmobiles, 6 Minnesota Code of agency Rules, Sections 1.0051 through 1.0059, are adopted by reference and are as much a part of this code as if fully set forth herein.

Subd. 3 Violation. A violation of the Statutes herein adopted by reference is a violation of this Ordinance.

2225.03 Additional Regulations. Subd. 1. The City does enact the additional regulations contained within this Subsection.

Subd. 2 Operation Prohibited. It is unlawful for any person to operate, control, or direct the cause of travel of any snowmobile or all terrain vehicle:

- (a) Upon private property without permission of the owner or person entitled to possession of such property;
- (b) Upon public sidewalks in the City except to cross such sidewalks to gain access to a street;
- (c) Within 75 feet of any skating rink, sliding area, Children playing or in any other manner where the operation would likely endanger person or property;
- (d) Upon City streets in groups exceeding six snowmobiles or all terrain vehicles or combination thereof;
- (e) Upon City streets at speeds exceeding (15) mph after sunset, (25) mph between sunrise and sunset. Under no circumstances shall any person operate a snowmobile or all terrain vehicles at a rate of speed greater than is reasonable or proper under the circumstances.
- (f) Upon the streets of the City after 11:00 p.m. unless heading directly out of the City or directly to a specific destination within the City.

Subd. 3 Operation Permitted. Snowmobiles and all terrain vehicles may travel on the City streets within the City. All provisions of Minnesota Statutes, Chapter 169 and this Ordinance shall apply to such operation, except those relating to required equipment and those which by their nature have no application.

Subd. 4 Youthful Operators. No person under the age of (14) shall operate a snowmobile or all terrain vehicles upon the City streets. No person under the age of (16) may operate a snowmobile or all terrain vehicles after 6:00 p.m. on any street within the City. No person under the age of (18) may operate a snowmobile or all terrain vehicles after 11:00 p.m. on any street within the City. It shall be unlawful for the owner of any snowmobile or all terrain vehicles to permit the snowmobile or all terrain vehicles to be operated contrary to the provisions of this Ordinance.

Section 2230 - Certain Conduct and Misdemeanors

2230.01 General Provisions. Subd. 1. Conduct Prohibited. It is unlawful for any person to engage in an act or in the conduct prohibited by this Ordinance. Violation of any provision of this Ordinance is a misdemeanor and may be punished as provided under Minnesota Law.

2230.03 Provisions of Criminal Code Adopted by Reference. Subd. 1. The provisions of Minnesota Statutes, Chapter 609, as set forth in this Subd., are hereby adopted by reference and are as much a part of this code as if fully set forth herein.

Subd. 2 Section 609.17, "Attempts".

- Subd. 3 Section 609.175, "Conspiracy".
- Subd. 4 Section 609.224, "Assault in the Fourth Degree".
- Subd. 5 Section 609.224, "Assault in the Fifth Degree".
- Subd. 6 Section 609.27, "Coercion".
- Subd. 7 Section 609.50, "Obstructing Legal Process or Arrest".
- Subd. 8 Section 609.505, "Falsely Reporting a Crime".
- Subd. 9 Section 609.52, "Theft".
- Subd. 10 Section 609.535, "Issuance of Worthless Check".
- Subd. 11 Section 609.605, "Trespasses and Other Acts".
- Subd. 12 Section 609.66, "Dangerous Weapons".
- Subd. 13 Section 609.705, "Unlawful Assembly".
- Subd. 14 Section 609.715, "Presence at Unlawful Assembly".
- Subd. 15 Section 609.72, "Disorderly Conduct".
- Subd. 16 Section 609.725, "Vagrancy".
- Subd. 17 Section 609.755, "Acts of or Relating to Gambling".

2230.05 Violations. A violation of the Statutes adopted by reference herein are a violation of this Ordinance.

Section 2235 - Misdemeanors; Special Provisions

2235.01 Junk Vehicles. Subd. 1. Definition. For purposes of this Subsection, the term "Junk Vehicle" means any motor vehicle which is not in operable condition; is partially dismantled; is used for sale of parts, or as a source of repair or replacement parts for other vehicles; is kept for scrapping, dismantling, or salvage of any kind; or which is not properly licensed for operation within the State of Minnesota for a period in excess of ninety (90) days.

Subd. 2 Parking and Storage. No person shall park, keep, place, or store, or permit the parking or storage of a junk vehicle on a public street, alley, or on any private lands or premises which he or she owns, occupies, or controls unless it shall be within a building on such private premises.

Subd. 3 Repairs, Service, or Maintaining. No person shall service, repair, replace parts or do maintenance work on a junk vehicle neither on a public street nor on any private lands or premises unless it shall be within a building on such private premises.

2235.03 Radio and Television Interference. Subd. 1. Prohibition. No person shall maintain, use or operate any apparatus or device of any sort in such a way as to interfere with radio or television reception within the City.

The prohibition shall include, but not be limited to, interference caused by radio receiving equipment, battery chargers, electric machines, high tension ignition systems, electric transmission lines, power plants, defective insulators or transformers.

Subd. 2 Exceptions. The prohibition of Subd. 1 of this Section shall not apply:

- (a) To wave lengths of more than 300 meters;
- (b) To interference caused by electro-medical devices between seven (7) a.m. and six (6) p.m., provided such interference is reduced as much as reasonable possible.

Subd. 3 Penalty. Any person violating the Subsection shall be guilty of a misdemeanor, provided such person has been given notice of such interference and fails thereafter to correct the situation within a reasonable time not to exceed ten (10) days.

2235.05 Adoption and Effectiveness. This Ordinance becomes effective upon its passage and publication according to law. Passed by the Rice City Council this Second day of October, 1989. Published in the Benton County News on October 6, 1989.