

## CHAPTER VII - TRAFFIC AND MOTOR VEHICLES

### Part 1. Highways and Highway Vehicles

#### Sec. 701.01. DEFINITIONS

Any term used in this chapter and defined in Minn. Stat. 169.01 has the meaning given it by that section.

#### Sec. 701.02. 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 transportation to such designation is first obtained. No person shall turn a vehicle at any such intersection contrary to the directions 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 traffic control sign.

#### Sec. 701.03. THROUGH STREETS; 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 chief of police shall cause appropriate signs to be posted at the entrance to such street. No trunk highway shall be so designated unless the consent of the commissioner of transportation to such designation is first secured.

#### Sec. 701.04. TRUCK RESTRICTIONS

~~The city council by resolution may designate streets on which travel by commercial vehicles in excess of 10,000 pounds axle weight is prohibited. The city chief of police shall cause appropriate signs to be erected on such streets. No person shall operate a commercial vehicle on such posted streets in violation of the restrictions stated.~~

Subd. 1. Truck Routes. Trucks, semi-tractors, semi-trailers, or tractor-trailer combinations will be allowed only on designed truck routes. The City shall post signs designating the truck routes.

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Exceptions will be made for delivery and service vehicles such as moving vans, garbage trucks, power company vehicles, etc. when in the normal course of business within the city limits. They shall remain on the nearest truck route to their destination as long as possible and return to the nearest truck route after the performance of their duty.

Subd. 2. Truck Parking. Trucks, semi-tractors, semi-trailers, or tractor-trailer combinations will not be allowed to park on city streets within the City of Sherburn with the following exceptions:

a. In an emergency in order to change tractors.

b. When the vehicle is actually engaged in the loading or unloading of passengers or materials, or for a period of not more than thirty (30) minutes.

Subd. 3. Repair of Vehicles on Streets. No person shall repair any motor vehicle on any highway, street, or alley of the City, except to make such emergency repairs as are necessary to enable removal of the vehicle off the street, highway, or alley.

Subd. 4. Penalty. Any person violating any provision of Subd. 1 to Subd. 3 shall be guilty of a petty misdemeanor of the two offenses and a misdemeanor on further offenses.

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Sec. 701.05. SEASONAL WEIGHT RESTRICTIONS

The city engineer may prohibit the operation of vehicles upon any street at the engineer's 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. The engineer 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.

Sec. 701.06. PARKING REGULATIONS

- Subd. 1. Angle and Parallel Parking - Angle parking shall be required on streets as designated by the council by resolution. 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 and facing between the painted or other markings on the curb or street indicating the parking. On all other streets, cars shall be parked parallel to the curb or edge of the roadway in accordance with law. Every vehicle when parked where parking spaces are marked shall be parked in a single space marked for vehicle parking by painted lines on the street or curb, and no part of the vehicle shall extend into any other marked space.
- Subd. 2. No Parking, Stopping, or Standing Zones - The 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 engineer 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 5:00 a.m. and 7:00 p.m. of any business day for the purpose of loading or unloading where access to the premises is not otherwise available.
- Subd. 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 engineer shall mark by appropriate signs each zone so designated. During the hours specified on the sign,

no person shall park a vehicle on any limited parking zone for a longer period than is so specified.

Subd. 4. Time Limit and Winter Parking

- (a) It shall be unlawful for anyone to park motor vehicles, equipment or structures on a residential street or alley in the city for more than 24 consecutive hours, without a special written permit from the clerk.
- (b) It shall be unlawful for anyone to park motor vehicles, equipment, or structures on a street or alley in the city between the hours of 2:00 a.m. and 6:00 a.m. between November 15 and April 1 of the following year, those dates inclusive.
- (c) It shall be unlawful for anyone to park, keep, place, store, or permit the parking or storing of racing cars, stock cars, or junk cars on a public parking lot, street or alley in the city.
- (d) Following the accumulation of two (2) inches or more of snowfall in the city, it shall be unlawful for the driver or owner of any motor vehicles, trailer, or implement to park or leave standing such vehicle, trailer, or implement on any street or alley within the corporate limits of the City of Sherburn. Parking may not be resumed on any streets or alleys until snow removal has been completed on said streets, curb to curb.

Subd. 5. 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:

- (a) On a sidewalk
- (b) In front of a public or private driveway
- (c) Within an intersection
- (d) Within 10 feet of a fire hydrant
- (e) On a crosswalk
- (f) Within 20 feet of a crosswalk at any intersection

- (g) Within 30 feet upon the approach of any flashing beacon, stop sign or traffic control signal located at the side of a roadway
- (h) Within 50 feet of the nearest rail of a railroad crossing
- (i) Within 20 feet of the distance of any fire station and the side of the street opposite the entrance to any fire station within 75 feet of said entrance when properly sign posted
- (j) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic
- (k) On the roadway side of any vehicle stopped or parked at the edge or curve of a street
- (l) Upon any bridge or other elevated structure upon any street
- (m) Upon any place where official signs prohibit stopping
- (n) Upon the left half of any roadway

Subd. 6. 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 ordinance.

Subd. 7. 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.

Sec. 701.07. TRUCK ZONES, LOADING ZONES, ETC.

Subd. 1. Establishment - The city council may by resolution establish spaces in streets as loading zones or truck zones. The city council may specify in the resolution establishing the zone such times as shall be the loading zone or truck zone hours. The chief of police shall mark each such zone by appropriate signs.

Subd. 2. Truck Zone Prohibitions - 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 except to receive or discharge passengers or freight and then only for a period no longer than is necessary for the purpose.

Subd. 3. Loading Zone Prohibitions - No person shall stop, stand, or park any vehicle in a loading zone except to receive or discharge passengers for the purpose. No person shall occupy a loading zone with a vehicle other than a truck for more than five minutes.

Subd. 4. Property Owner Initiative - Any person desiring the establishment of a loading zone or truck zone abutting a premise the person occupies 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 of 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.

Subd. 5. Semi-Trailer Parking - No person shall allow a semi-trailer to stand or be parked attached or unattached from a tractor for any length of time on any street in the city except in an emergency in order to change tractors.

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Subd. 6. No Truck Parking Zones - The council may by resolution establish "No Truck Parking" zones in the business district and the city engineer 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 make parking by trucks a hazard to safety of vehicles or pedestrians. No person shall park a truck with more than two-ton capacity between 8:00 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. No vehicle over 9,000 pounds gross weight shall park on Main Street in the city.

Sec. 701.08. CERTAIN VEHICLES, EQUIPMENT, AND ANIMALS PROHIBITED ON STREETS

It is unlawful to operate any vehicle or equipment of any type whatsoever not equipped with pneumatic tires, a pneumatic tire being a tire in which compressed air is designed to support the load, or to ride or otherwise permit an animal with shod hooves upon any street or alley in the city. A violation of this section shall constitute a misdemeanor.

Sec. 701.09. 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 may order installation of stop signs, yield signs, and warning signs, signals, pavement markings, or other devices with the approval of the city council. No regulation may be established on a trunk highway unless the consent of the commissioner of transportation is first secured.

Sec. 701.10. 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. Unreasonable squealing or screeching sounds emitted by tires, or the unreasonable throwing of sand or gravel by the tires is prima facie evidence of a violation of this section.

Sec. 701.11. POLICE DUTIES

During a fire or other emergency or to expedite traffic or safeguard pedestrians, 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.

Sec. 701.12. PENALTY

Any person convicted of violating any provision of this ordinance is guilty of a petty misdemeanor.

**Part 2. Snowmobiles and All Terrain Vehicles**

Sec. 702.01. DEFINITIONS

For the purpose of this part, the terms defined herein shall have the following meaning ascribed to them.

- Subd. 1. Snowmobile - Means a self-propelled vehicle designed for travel on snow or ice steered by skis or runners.
- Subd. 2. All terrain vehicles (ATV) - Refers to trail bikes, mini bikes, and amphibious vehicles and similar devices other than snowmobiles used at least partially for travel on natural terrain but not special

mobile equipment defined in Minn. Stat. 168.011, Subd. 22.

- Subd. 3. Owner - Means a person, other than a lien holder having the property in or title to snowmobile or ATV entitled to the use or possession thereof.
- Subd. 4. Operate - Means to ride in or on and control the operation of a snowmobile or ATV.
- Subd. 5. Operator - Means every person who operates or is in actual physical control of a snowmobile or ATV.
- Subd. 6. Deadman Throttle or Safety Throttle - Means a device which when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.
- Subd. 7. Natural terrain - Means areas other than roadways or driveways (private or public), parking lots, and other areas the surface of which has been intentionally modified for motor vehicle operation thereon.

Sec. 702.02. USES OF SNOWMOBILES AND ATV'S PERMITTED

Except as herein specifically permitted and authorized, it is unlawful for any person to operate a snowmobile or ATV not licensed as a motor vehicle within the limits of the city:

- Subd 1. On the portion of any right of way of any public highway, street, road, trail, or alley used for motor vehicle travel, except that a snowmobile may operate upon the most right hand lane of a municipal street or alley and may in passing or making a left turn operate on other lands which are used for vehicle traffic in the same direction, for the purposes of going to or returning from a non-highway area of permissible operation, by the most direct route. Snowmobiles may also be operated upon the ditch bottom or the outside bank of trunk, county state-aid, and county highways where such highways are so configured within the corporate limits.
- Subd. 2. On a public sidewalk provided for pedestrian travel.
- Subd. 3. On boulevards within any public right of way.
- Subd. 4. On private property of another without specific permission of the owner or person in control of said property.
- Subd. 5. On any other public place except as may be specifically permitted by other provisions of the city.



Subd. 6. At a speed in excess of 15 miles per hour.

Sec. 702.03. CROSSING OF STREETS OR HIGHWAYS

A snowmobile or ATV not licensed as a motor vehicle may not make a direct crossing of a street or highway, except an interstate highway or freeway provided:

- Subd. 1. 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.
- Subd. 2. The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way.
- Subd. 3. The driver yields the right of way to all on-coming traffic which constitutes an immediate hazard.
- Subd. 4. In crossing a divided street or highway, the crossing is made only at an intersection of such street or highway with another public street or highway.
- Subd. 5. If the crossing made between the hours of one-half hour before sunrise to one-half hour after sunset or, in conditions of reduced visibility, only if both front and rear lights are on.

Sec. 702.04. TRAFFIC ORDINANCES APPLICABLE

City traffic regulation shall apply to the operation of the snowmobiles or ATV not licensed as a motor vehicle upon streets and highways, except for those relating to required equipment, those which by their nature have no application, and those inconsistent with the provisions herein.

Sec. 702.05. YIELDING RIGHT OF WAY

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.

Sec. 702.06. OPERATION: PERSONS UNDER 18

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 streets as the operator of a snowmobile. A person 14 years or older, but less than 18 of age may operate a snowmobile on

streets and highways as permitted under this ordinance and make a direct crossing of such streets and highways only if the person has in his or her immediate possession a valid snowmobile safety certificate issued pursuant to Minn. Stat. 84.872.

Sec. 702.07. USES SPECIFICALLY PROHIBITED

It is unlawful for any person to operate a snowmobile, ATV not licensed for highway use, or ATV licensed for highway use when operating on natural terrain with the limits of the city:

- Subd. 1. At any place while under the influence of alcohol or drugs as defined in Minn. Stat. 169.121 which is hereby incorporated herein by reference.
- Subd. 2. At a rate of speed greater than reasonable or proper under all surrounding circumstances.
- Subd. 3. 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.
- Subd. 4. During the hours from 12:01 a.m. to 7:00 a.m. of any day.
- Subd. 5. So as to tow any person or thing except through use of a rigid tow bar attached to the rear of the snowmobile or ATV.
- Subd. 6. 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.

Sec. 702.08. EQUIPMENT REQUIRED

It is unlawful for any person to operate a snowmobile or ATV any place within the limits of the city unless it is equipped with the following:

- Subd. 1. Standard mufflers which are properly attached and which 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 or ATV motor.
- Subd. 2. Brakes adequate to control the movement of and to stop and hold the snowmobile or ATV under any condition of operation.
- Subd. 3. When operated between the hours of one-half hour after sunset and

one-half hour before sunrise or at time 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 and under normal atmospheric conditions. Such headlamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile or ATV 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.

- Subd. 4. Reflective material at least 16 inches square on each side, forward of the handlebars or steering device of a snowmobile or ATV and at the highest practical point on any towed object, as to reflect light at a 90 degree angle.

Sec. 702.09. IGNITION LOCK

Every person leaving a snowmobile or ATV on a public place or way shall lock the ignition, remove the key, and take the same.

Sec. 702.10. EMERGENCIES, OPERATION PERMITTED

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

Sec. 702.11. USES PROHIBITED: ANIMALS

It is unlawful to intentionally drive, chase, run over, or kill any animal with a snowmobile or ATV.

Sec. 702.12. USE OF SNOWMOBILES LIMITED

Operation of a snowmobile in the city is permitted only as follows:

- Subd. 1. From the owner's residence, place of business or place where the snowmobile is generally stored, in a direct route to and from a place of destination outside the city.

**Part 3. Bicycles**

Sec. 703.01. OPERATING ON SIDEWALKS PROHIBITED

No person shall operate a bicycle on any sidewalk within the city in a

district zoned for business.

**Part 4. Junk Vehicles**

Sec. 704.01. VEHICLE RESTRICTION

It is unlawful for any person to park or store any unlicensed, unregistered, or inoperable vehicle in private or public property, unless housed within a lawfully erected building, or in a junkyard specifically authorized and permitted by action of the council.

Subd. 1. Penalty - Any person violating Section 704.01 or who refuses or neglects to comply with any notice shall be guilty of a misdemeanor.

Subd. 2. Any police officer may issue directions to have any vehicle in violation Section 704.01 removed if no response is made within seven (7) days of receiving notification. The vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for violation of this ordinance.

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