

ORDINANCE NO. 021914

AN ORDINANCE REGULATING  
THE USE OF HIGHWAYS, PARKING AND  
IMPOSING PENALTIES FOR VIOLATION

The City Council of the City of Bovey does ordain as follows:

Section 1. Definitions. Any term used in this ordinance and defined in Minnesota Statutes Section 169.01 has the meaning given by that section.

Section 2. Highway Traffic Regulation Act. The regulatory provisions of Minnesota Statute Chapter 169, as amended, are hereby adopted as a traffic ordinance regulating the use of highways, streets and alleys within the City of Bovey, and are hereby incorporated in and made a part of this ordinance as completely as if set out herein in full.

Section 3. Exhibition Driving. 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 any 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 ordinance.

Section 4. Penalty. Violation of Section 2 or Section 3 shall be a misdemeanor, except as otherwise specified by Minnesota Statutes.

Section 5. Semi-truck Parking. No semi-truck or semi-truck with trailer shall be parked upon the public streets of the City of Bovey, except in parking areas so designated by the City Council as such, or except for the purpose of receiving, buying, loading, delivering or unloading commodities in the regular course of business with the abutting property owner. That in the designated parking area so indicated by official City of Bovey signage, no semi-truck or semi-truck with trailer shall remain parked for longer than ninety six (96) consecutive hours.

Section 6. Truck Regulations. The City Council by resolution may designate streets on which travel by commercial vehicles in excess of four tons per axle gross weight is prohibited. The City Engineer or Street Commissioner shall erect appropriate signs on such streets. No person shall operate a commercial vehicle on such posted streets in violation of the restrictions stated.

Section 7. Seasonal Weight Restrictions. The City Engineer or Street Commissioner may prohibit the operation of vehicles upon any street under his jurisdiction or impose a weight restriction 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 weight 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.

Section 8. Parking Regulation

Subdivision 1. No parking, stopping or standing zones. The City Council may, by resolution, designate certain streets or portions of the streets as "No Parking or Standing" zones and may limit the hours in which the restrictions apply. The City Engineer or Street Commissioner 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 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 except that a vehicle may park temporarily in such zone for the purpose of forming a funeral procession, and a truck may be parked temporarily for the purpose of loading or unloading where access to the premises is not otherwise available.

Subdivision 2. It is unlawful for any person to stop, park or leave standing any vehicle or trailer upon any street for a continuous period in excess of seven (7) days. For the purpose of enforcement of this Section, any vehicle or trailer moved less than one block in a limited time parking zone shall be deemed to have remained stationary.

Subdivision 3. Time Limit Parking Zones. The City Council may, by resolution, designate certain areas where the right to park is limited. The City Engineer or Street Commissioner shall mark by appropriate sign 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 so specified.

Subdivision 4. Any motor vehicle parked in violation of this Ordinance may summarily be removed without notice to the owner or operator thereof. An officer of the Police Department shall first issue a ticket for any violation of this Ordinance prior to the actual removal of the motor vehicle. The motor vehicle parked in violation hereof may be removed by any person, firm or corporation employed or designated by the Police Department for the City of Bovey. Said motor vehicle may be removed to and stored in any private parking lot or garage or in any public parking lot or garage designated by the Police Department. Any charges incurred by the towing of a vehicle shall be the responsibility of the owner of the vehicle.

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

## Section 9. Winter Parking.

Subdivision 1. It shall be the duty of all citizens to park their motor vehicles as to not hinder snow removal by obeying the following orders:

- a) Calendar parking for the purpose of snow removal shall begin on November 1<sup>st</sup> thru April 30<sup>th</sup> of each year.
- b) No vehicle shall be parked or permitted to remain on Itasca County Road 61 after 2:00 am until 6:00 am every day from November 1<sup>st</sup> thru April 30<sup>th</sup> of each year.
- c) The following streets/avenues are exempt from calendar parking regulations:
  - (i) All of 4<sup>th</sup> Street.
  - (ii) All of 1<sup>st</sup> Avenue.
  - (iii) 1<sup>st</sup> Street from 6<sup>th</sup> Avenue to 8<sup>th</sup> Avenue.

Subdivision 2. Calendar parking requires parking on the even numbered side of the street on even numbered days from 12:00 am to 10:00 am and on the odd numbered side of the street on odd numbered days from 12:00 am to 10:00 am.

Subdivision 3. All vehicles are required to be properly parked on the right side of the roadway with the driver's side of the vehicle facing the inside of the street.

Subdivision 4. The registered owner of any motor vehicle parked in violation of the subdivisions of Section 9 shall be subject to a citation (administrative or state) ticket.

Subdivision 5. Any vehicle which is not properly parked per ordinance may be towed away at the expense of the owner.

Section 10. Abandoned Motor Vehicles.

Subdivision 1. Impoundment and Sale. The City Police Department shall take custody and impound any abandoned motor vehicle as defined by Minnesota Statutes, Section 168B.02, subd. 2. It shall give notice to the taking as provided by law and if the owner or any lien holder does not reclaim the vehicle within the period provided by law, it shall provide for the sale of the vehicle to the highest bidder at public auction or sale following two week published notice.

Subdivision 2. Summary Action in Certain Cases. When an abandoned motor vehicle is more than seven model years in age, is lacking vital component parts, and does not display a license plate currently valid in Minnesota or any other state or foreign county, it shall immediately be eligible for sale under Subdivision 1 and shall not be subject to the notification, reclamation or title provisions of Minnesota Statutes 168B.01 to 168.13

Subdivision 3. Disposition of Proceeds. The proceeds of the sale of an abandoned motor vehicle shall be placed in the general fund of the City. If the former owner or entitled lien holder makes application and furnishes satisfactory proof of ownership or lien interest within 90 days of the sale, he/she shall be paid the proceeds of the sale of the vehicle less the cost of towing, preserving and storing the vehicle and all administrative notice and publication costs incurred in its handling.

Section 12. Penalty

For violation of Section 8, the penalty shall be a fine not to exceed \$300.00 and will constitute a petty misdemeanor.

Section 13. Repeal

The adoption of this Ordinance repeals Ordinance(s) 7-6-80, 11-19-90, 9-19-94, 41, 09-16, 09-19-01-2 and all other City Ordinances or parts of City Ordinances inconsistent with the provisions of this Ordinance.

Section 14. Effective Date.

This Ordinance shall take effect and be in force from and after its passage and legal publication.

Adopted and passed by the City Council of the City of Bovey on the \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Michael Bibich, Mayor

ATTEST:

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Tara Deguisseppi, City Clerk