

CHAPTER 6

TRAFFIC, VEHICLE AND PARKING REGULATIONS

Section 600 - General Provisions

600.01. Application.

Subd. 1. Motorized Vehicles. The provisions of this Chapter applicable to the drivers of vehicles upon the streets shall apply to the drivers of all vehicles including, but not limited to, those owned or operated by the United States, this State, or any county, city, town, district or any other political subdivision of the State, subject to such specific exemptions as may be set forth in this Chapter.

Subd. 2. Other Transportation. Every person riding a bicycle or an animal, or driving any animal drawing a vehicle upon a roadway shall be subject to the provisions of this Chapter applicable to the driver of a vehicle, except those provisions which by their nature can have no application. Provisions specifically referring to bicycles shall be in addition to other provisions of this Chapter applying to vehicles.

600.02. Scope and Orders of Peace Officer.

Subd. 1. Scope. The provisions of this Chapter relate exclusively to the streets, alleys and private roads in the City, and the operation and parking of vehicles refer exclusively to the operation and parking of vehicles upon such streets, alleys and private roads.

Subd. 2. Orders of a Peace Officer. It is a misdemeanor for any person to willfully fail or refuse to comply with any lawful order or direction of any peace officer invested by law with authority to direct, control or regulate traffic.

600.03. Traffic and Parking Control.

Subd. 1. Council Action. No device, sign or signal shall be erected or maintained for traffic or parking control unless the Council shall first have approved and directed the same, except as otherwise provided in this Chapter; provided, that when traffic and parking control is marked or sign-posted, such marking or sign-posting shall attest to Council action thereon.

Subd. 2. Temporarily Restricting or Directing Traffic and Parking; Curb Painting.

A. When clearly marked, barricaded or signposted, traffic and parking may be temporarily restricted for any public or private use. All such restrictions shall be in accordance with the uniform policy promulgated by the Clerk-Administrator who may act through the Chief of Police, but who shall be ultimately responsible to the Council for the proper enforcement thereof.

B. Restricted or prohibited use of parking and traffic lanes may be designated by painting the same upon streets and curbs. Such work shall be done under the direction of the Clerk-Administrator and in compliance with the provisions of this Chapter.

C. It is unlawful to use traffic or parking lanes contrary to sign-posting or marking authorized and described in this Chapter.

D. Experimental restrictions and directions may be placed on traffic and parking by the Clerk-Administrator, and it shall be his or her duty to do so when an extra hazardous condition is observed or arises. It is unlawful to violate any restriction or direction when the same has been duly marked, barricaded or sign-posted.

600.04. Minnesota Statutes Chapters 168, 169 and 171 Adopted By Reference. Except as otherwise provided in this Chapter, the regulatory and procedural provisions of Minnesota Statutes, Chapter 168, Chapter 169 (commonly referred to as the Highway Traffic Regulation Act), and Chapter 171, as amended, are hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

600.05. Presumption. As to any vehicle parking in violation of this Chapter when the driver thereof is not present, it shall be presumed that the owner parked the same, or that the driver was acting as the agent of the owner. This presumption shall be rebuttable by a preponderance of the evidence.

Section 610 - Traffic Regulations

610.01. Truck Route. It is unlawful for any person to drive a tractor, agricultural implement, truck (other than a pick-up truck of one ton capacity or less), truck-trailer, tractor-trailer or truck-tractor, automobile trailer, or automobile to which a trailer is attached, in through traffic, upon any street except those which have been designated and sign-posted as truck routes. For the purpose of this Chapter, “through traffic” means originating out of the City and with a destination out of the City, as distinguished from “local traffic” which means traffic either originating or having a destination within the City.

610.02. Load Limits.

Subd. 1. Creation. The Clerk-Administrator, upon the recommendation of the City Engineer, may from time to time impose upon vehicular traffic on any part or all of the streets such load limits as may be necessary or desirable. Such limits, and the specific extent or weight to which loads are limited, shall be clearly and legibly signposted thereon. It is a misdemeanor for any person to operate a vehicle on any street in violation of the limitation so posted.

Subd. 2. School Bus Exemption. Weight restrictions imposed pursuant subdivision 1 of this Subsection do not apply to a school bus transporting students when the gross weight on a single axle of the school bus does not exceed fourteen thousand (14,000) pounds; provided that, road authorities may restrict any street under their jurisdiction to a lesser school bus axle weight by written order to the school board twenty-four (24) hours in advance of required compliance with such reduced axle weight.

Subd. 3. City Vehicle Exemption. All City vehicles are exempted from the weight restrictions in this Subsection.

Subd. 4. Exemption By Permit. Overweight vehicle users including but not limited to moving trucks, bulk fuel trucks, cement trucks, house-moving trucks, construction trucks, wrecker trucks, delivery trucks, and garbage trucks may apply to the city police department for a permit waiving the weight restrictions for isolated uses that cause undue hardship. When issuing the permit, the police department shall designate the route the permittee shall use. The fee for such a permit shall be the amount listed on the City’s fee schedule as periodically set by resolution of the Council. (*Section 610.02, Subd. 4 amended per Ordinance 99-08 on 9-21-99.*)

610.03. U-Turns. It is unlawful for any person to operate a vehicle by turning so as to proceed in the opposite direction upon any street except at a street intersection, and then only if the street intersection is not signposted prohibiting a U-turn or otherwise controlled by a traffic signal, provided, that any person making a permitted U-turn shall yield the right-of-way to all other vehicles. It is a petty misdemeanor to make a U-turn contrary to the provisions of this Subsection.

610.04. Driving Through Private Property to Avoid Traffic Signal. It is unlawful for any person to avoid obedience to any traffic control device by driving upon or through any private property. No driver of a motor vehicle shall be guilty of violating this Subsection if he or she is then a business invitee or transacting business on said private property.

610.05. Exhibition Driving.

Subd. 1. Prima Facie Evidence. It is prima facie evidence of exhibition driving when a motor vehicle stops, starts, accelerates, decelerates, or turns at an unnecessary rate of speed so as to cause tires to squeal, gears to grind, soil to be thrown, engine backfire, fishtailing or skidding, or, as to two-wheeled or three-wheeled motor vehicles, the front wheel to lose contact with the ground or roadway surface.

Subd. 2. Unlawful Act. It is unlawful for any person to do any exhibition driving on any street, parking lot, or other public or private property, except when an emergency creates necessity for such operation to prevent injury to persons or damage to property; provided, that this Subsection shall not apply to driving on a licensed racetrack with the permission and under the auspices and direction of the licensee.

610.06. Regulation of Traffic on School Property. All lawfully posted traffic regulations in the parking lots of the Blue Earth Area School System including the High School, the Junior High School, the Elementary School and Wilson Field, shall be enforced by the City of Blue Earth Police Department, and any such violation shall be punished as a misdemeanor.

610.07. Regulation of Traffic on Fairgrounds Property. All lawfully posted traffic regulations in the roads and parking areas of the fairgrounds shall be enforced by the City of Blue Earth Police Department, and any such violation shall be punished as a misdemeanor. *(Section 610.07 added per Ordinance 98-07 dated 12-17-98.)*

Section 620 - Vehicle Regulations

620.01. Bicycles.

Subd. 1. Traffic Laws Apply. Every person riding a bicycle upon a roadway or upon any path set aside for the exclusive use of bicycles shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Chapter, except as to special regulations in this Chapter and except as to those provisions of this Chapter which by their nature can have no application.

Subd. 2. Manner and Number Riding.

A. It is unlawful for any person propelling a bicycle to ride other than upon or astride a permanent and regular seat attached thereto.

B. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except in a baby seat attached to the Bicycle, provided that such seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel or in a seat attached to the bicycle operator.

Subd. 3. Hitching Rides. It is unlawful for any person riding upon any bicycle, coaster, roller skates, sled or toy vehicle to attach the same or himself or herself to any vehicle upon a roadway.

Subd. 4. Where to Ride.

A. Every person operating a bicycle upon a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

1. When overtaking and passing another vehicle proceeding in the same direction.
2. When preparing for a left turn at an intersection or into a private road or driveway.
3. When reasonably necessary to avoid conditions, including fixed or moving objects, vehicles, pedestrians, animals, surface hazards or narrow width lanes, that make it unsafe to continue along the right-hand curb or edge.

B. Persons riding bicycles upon a roadway shall not ride more than two (2) abreast and shall not impede the normal and reasonable movement of traffic.

C. Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

Subd. 5. Right of Way - Sidewalks. Whenever a person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

Subd. 6. Use in Business District. It is unlawful for any person to ride a Bicycle on a sidewalk in a Business District, Business District being defined by the City Zoning Map, between the hours of 8:00 A.M. and 6:00 P.M. Monday through Saturday and 8:00 A.M. and 9:00 P.M. on Thursdays.

Subd. 7. Carrying Articles. It is unlawful for any person operating a bicycle to carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.

Subd. 8. Lighting and Brake Equipment.

A. Every bicycle when in use at nighttime shall be equipped with, or its operator shall carry, a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the Department of Public Safety which is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector. No person may, at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, operate a bicycle unless the bicycle or its operator is equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective materials on each side of each pedal to indicate their presence from the front or the rear and with a minimum of twenty (20) square inches on each side of the bicycle or its operator, of white reflective material. All reflective materials used in compliance with this subdivision shall meet the requirements as prescribed by the commissioner of Public Safety.

B. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

C. No person shall operate upon a highway any bicycle equipped with handlebars so raised that the operator must elevate his or her hands above the level of his or her shoulders in order to grasp the normal steering grip area.

D. No person shall operate upon a highway any bicycle equipped which is of such a size as to prevent the operator from stopping the bicycle, supporting it with at least one foot on the highway surface and restarting in a safe manner.

Subd. 9. Sale With Reflectors. It is unlawful for any person to sell or offer for sale any new bicycle unless it is equipped with such reflectors as are prescribed in subdivision 7 of this Subsection and by the regulations for new bicycles prescribed by the United States consumer product safety commission.

Subd. 10. Turning and Lane Changes. An arm signal to turn right or left shall be given continuously during the last 100 feet traveled by the bicycle before turning, unless the arm is needed to control the bicycle, and shall be given while the bicycle is stopped, waiting to turn.

Subd. 11. Bicycle Parking. A bicycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.

Subd. 12. Penalty. Any person who violates a provision, subpart or subdivision of this Subsection shall be cited and punished as a petty misdemeanor.

620.02. Skateboards.

Subd. 1. Traffic Laws Apply. Every person riding a skateboard upon a roadway, sidewalk or upon any path set aside for the use of skateboards shall be subject to all of the duties, rules and regulations applicable to the driver of a motor vehicle by this Chapter, except as to special regulations in this Subsection and except as to those provisions of this Chapter which by their nature can have no application.

Subd. 2. Manner and Number Riding. No skateboard shall be used to carry more persons at one time than the number for which it was designed and equipped.

Subd. 3. Hitching Rides. It is unlawful for any person riding upon any skateboard,

coaster, roller skates, sled or toy vehicle to attach the same or his or her self to any vehicle upon a roadway.

Subd. 4. Where to Ride.

A. Every person operating a skateboard upon a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway.

B. Persons riding on skateboards upon a roadway shall not ride more than two (2) abreast and shall not impede the normal and reasonable movements of traffic.

C. Whenever a usable path for skateboards has been provided adjacent to a roadway, skateboard drivers shall use such path.

Subd. 5. Right of Way - Sidewalks. Whenever a person is riding a skateboard upon a sidewalk, such a person shall yield the right of way to any pedestrian and shall give a signal before overtaking and passing such pedestrian.

Subd. 6. Use in Business District. It is unlawful for any person to ride a Skateboard on a sidewalk in a Business District, Business District being defined by the City Zoning Map, between the hours of 8:00 A.M. and 6:00 P.M. Monday through Saturday and 8:00 A.M. and 9:00 P.M. on Thursdays.

Subd. 7. Penalty. Any person who violates a paragraph, provision or subdivision of this Subsection shall be cited and punished as a petty misdemeanor.

620.03. In-Line Skating (Rollerblading).

Subd. 1. Traffic Laws Apply. Every person in-line skating upon a roadway, sidewalk or upon any path set aside for the use by in-line skaters shall be subject to all of the duties, rules and regulations applicable to the driver of a motor vehicle by this Chapter, except as to special regulations in this Chapter which by their nature can have no application.

Subd. 2. Hitching Rides. It is unlawful for any person using in-line skates or roller skates, to attach the same or him or her self to any vehicle upon a roadway.

Subd. 3. Where to Ride.

A. Every person in-line skating, roller blading or roller skating upon a roadway shall ride as close a practicable to the right-hand curb or edge of the roadway.

B. Persons skating upon a roadway shall not ride more than two (2) abreast and shall not impede the normal and reasonable movements of traffic.

C. Whenever a usable path for skating has been provided adjacent to a roadway, skaters shall use such path.

Subd. 4. Right of Way - Sidewalks. Whenever a person is skating upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give a signal before overtaking and passing such pedestrian.

Subd. 5. Skating in Business District. It is unlawful for any person to skate within the Business district, Business district being defined on the City Zoning Map, between the hours of 8:00 A.M. and 6:00 P.M. Monday through Saturday and from 8:00 A.M. to 9:00 P.M. on Thursdays. It is unlawful for any person to skate Northbound or Southbound on Highway 169 within the City limits at any time; skaters are allowed to cross Highway 169 to go East or West.

Subd. 6. Penalty. Any person who violates a paragraph, provision, or subdivision of this Subsection shall be cited and punished as a petty misdemeanor.

620.04. All Terrain Vehicles.

Subd. 1. Definition. Four-wheel all terrain vehicle means a motorized flotation-tired vehicle of not less than three (3) low pressure tires, but not more than six (6) tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight of less than 900 pounds.

Subd. 2. Operation Within City Limits. Any person, qualified for operation under Subd. 8 herein, may operate a four-wheel all terrain vehicle upon any city streets within the city limits, excepting those specifically listed herein, provided that the registered owner of the all terrain vehicle has obtained from the City a commercial, recreational, or temporary 7 day use permit allowing such operation. The operation of four-wheel all terrain vehicles on city streets within the city limits without a valid permit issued by the City is prohibited.

Subd. 3. Commercial Use Permits. Four-wheel all terrain vehicles may be operated upon any public streets and rights-of-way within the City of Blue Earth, except those listed herein, provided such operation is for commercial purposes or recreational purposes as allowed under Subd. 4 herein, and the registered owner of the vehicle possesses a commercial use permit granted by the City. Recreational use shall be permitted for all Four-wheel all terrain vehicles possessing a commercial use permit on City streets only and not in public rights-of-way without the vehicle's owner having to obtain a separate recreational use permit.

Subd. 4. Recreational Use Permits. Four-wheel all terrain vehicles used for recreational purposes may be operated upon any public streets only within the City of Blue Earth, except those prohibited herein, provided the registered owner of the vehicle possesses a commercial or recreational use permit granted by the City. Said recreational operation shall be limited in use for purposes of entrance to the City and exit from the City by the shortest direct route from the permit holder's residence only. Recreational use permits are not intended for purposes of intra-city travel. No individual shall be allowed to operate a Four-wheel all terrain vehicle upon sidewalks or boulevards for purposes of recreational use.

Subd. 5. Temporary 7 Day Use Permit. Issuance of a temporary 7 day use permit is authorized by this subdivision. The holder of said temporary 7 day use permit may operate an All Terrain Vehicle for recreational purposes only and only in compliance with all provisions of this subsection of the Blue Earth City Code. Display of a permit and a flag during operation is not required, but the owner/operated shall have the temporary permit on his or her person while using the authorized and permitted All Terrain Vehicle within the City during the authorized permit period.

Subd. 6. Zones of Operation. The operation of Four-wheel all terrain vehicles for recreational or commercial use upon the following public streets and upon the following areas within the corporate limits of the City of Blue Earth is prohibited:

1. County Highway 16.
2. U.S. Highway 169.
3. County Highway 6.
4. Main Street from the intersection of Main and 14th Street north to Fairgrounds Road.
5. 7th Street from the intersection of 7th Street and Nicollet east to East Street.
6. 5th Street and 6th Street from the intersection of said streets with Moore Street east to Gorman Street.
7. Fairgrounds Road from the intersection of Main Street and Fairgrounds

- Road east to East Street.
8. Rice Street from the intersection of Rice Street and 14th Street north to 7th Street.
 9. Industrial Drive from the intersection of Industrial Drive and Welk Drive east to Commerce Drive.
 10. Welk Drive from the intersection of Welk Drive and County Highway 16 north to Industrial Drive.
 11. Commerce Drive from the intersection of Commerce Drive and County Highway 16 north to Industrial Drive.
 12. All land owned by the City of Blue Earth except that portion of the Fairgrounds lying within the Race Track area.

Four-wheel all terrain vehicles used for recreational purposes may be operated upon all other public streets within the City of Blue Earth not listed herein. Four-wheel all terrain vehicles being operated for commercial purposes with a valid permit may be operated in public rights-of-way within the City only if a commercial need for said use of the right-of-way is necessary with no alternative route possible.

Subd. 7. Times of Operation. Four-wheel all terrain vehicles may only be operated on designated city streets and rights-of-way from dawn to dusk.

Subd. 8. Crossing Non-permitted Streets & Highways. The operator, under permit, of a four-wheel all terrain vehicle may cross any highway intersecting a designated roadway.

Subd. 9. Application and Traffic Laws. Every person operating a four-wheel all terrain vehicle under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of this chapter, except when those provisions cannot reasonably be applied to four-wheel all terrain vehicles and except as otherwise specifically provided for in Minnesota Statutes Chapter 171, and those provisions of Minnesota Statutes Chapter 169.70, relating to equipment on vehicles.

Subd. 10. Insurance. Any registered owner of a four-wheel all terrain vehicle applying for and maintaining a commercial or recreational operational permit from the City must obtain liability insurance in accordance with all relevant state laws. The failure to maintain said insurance will be an automatic void upon the all terrain vehicle's operational permit granted by the City.

Subd. 11. Drivers. All drivers of Four-wheel all terrain vehicles upon the public streets and rights-of-way within the City of Blue Earth must possess a valid drivers license issued by the State of Minnesota or other governmental agency. All drivers under the age of 18 operating a Four-wheel all terrain vehicle upon public streets and rights-of-way must wear a protective helmet at the time of operation pursuant to State law.

Subd. 12. Permit-Specific Regulations. Every person operating a four-wheel all terrain vehicle within the City of Blue Earth shall make a complete stop at all intersections of public streets and rights-of-way prior to entering the intersection, and shall not permit a traveling speed upon designated roadways in excess of fifteen miles per hour (15 mph). All vehicles registered for a permit with the City shall visibly display the permit issued by the City at all times in which the vehicle is in operation upon public streets and rights-of-way and other public properties. All vehicles operating under permit of this Section shall be operated in single file and not beside any other vehicle. No vehicle operating under permit of this Section shall tow another vehicle or conveyance unless it is attached with a trailer-hitch assembly. The City, after consulting with local law enforcement agents, may add permit-specific regulations upon any four-wheel all

terrain vehicle permit issued as necessary on a case-by-case basis. Such restrictions may be requested by any individual, but may only be implemented upon approval by the acting City Administrator.

Subd. 13. Permit Use. All terrain vehicle permits may be obtained from City Hall. Fees for said permits will be determined as defined in the City's fee schedule. Permits may be granted for a period of time not to exceed one year in duration and may be annually renewed. All permits must be approved by the City Administrator. A permit may be revoked at any time if there is evidence that the permittee, or individual operating a permitted vehicle, has violated the provisions of the subdivisions herein or cannot safely operate the four-wheel all terrain vehicle on the designated roadways. Revoked permits are appealable before the City Council by the permittee pursuant to Section 230 of the City Code for the City of Blue Earth.

Subd. 14. Enforcement. The operator of any four-wheel all terrain vehicle on the City streets or rights-of-way within the City limits and operating under the permit granted by this section shall be subject to the enforcement of all provisions of the subdivisions herein, and any relevant state laws. Enforcement shall be permitted by any City official or licensed law enforcement officer. Violation of the requirements stated in this section by any individual in operation of a vehicle under permit issued by the City shall be considered unlawful and punishable as a misdemeanor and may subject the permittee to revocation of the vehicle's issued permit.

(Section 620.04. Repealed per Ordinance 00-07 dated 5-2-00) (Motorized Golf Carts and 4 Wheel All-Terrain Vehicles.) (Section 620.04 amended per Ordinance 05-04 dated 5-16-05.) (Section 620.04 amended and added a new subdivision 5 and renumbered subsequent subdivisions per Ordinance 08-07 dated 9-2-08.)

620.05. Snowmobiles.

Subd. 1. Purpose. It is hereby determined that it is in the best interest of the City of Blue Earth and the residents thereof that the use and operation of Snowmobiles, as defined by the laws of the State of Minnesota, be regulated within the corporate limits of the City of Blue Earth.

Subd. 2. Adoption of Minnesota Statutes By Reference. The City of Blue Earth does hereby adopt by reference as part of this Section all the laws of the State of Minnesota pertaining to the ownership and operation of Snowmobiles.

Subd. 3. Definitions. The following terms, as used in this Section, shall have the meanings stated:

A. The term "snowmobile" means a self-propelled vehicle designed for travel on snow or ice steered by skis or runners.

B. The term "owner" means a person, other than a lienholder, having the property in or title to snowmobile entitled to the use and possession thereof.

C. The term "operate" means to ride in or on and control the operation of a snowmobile.

D. The term "operator" means every person who operates or is in actual physical control of a snowmobile.

E. The term "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 for the driving mechanism.

F. The term “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.

Subd. 4. Zones of Operation. The operation of Snowmobiles upon the following public streets and rights-of-way and upon the following areas within the corporate limits of the City of Blue Earth is prohibited:

1. County Highway 16.
2. U.S. Highway 169.
3. County Highway 6.
4. Main Street from the intersection of Main and 14th Street north to Fairgrounds Road.
5. 7th Street from the intersection of 7th Street and Nicollet east to East Street.
6. 5th Street and 6th Street from the intersection of said streets with Moore Street east to Gorman Street.
7. Fairgrounds Road from the intersection of Main Street and Fairgrounds Road east to East Street.
8. Rice Street from the intersection of Rice Street and 14th Street north to 7th Street.
9. Industrial Drive from the intersection of Industrial Drive and Welk Drive east to Commerce Drive.
10. Welk Drive from the intersection of Welk Drive and County Highway 16 north to Industrial Drive.
11. Commerce Drive from the intersection of Commerce Drive and County.
12. Highway 16 north to Industrial Drive.
13. All land owned by the City of Blue Earth except routes designated by the City.

Snowmobiles may be operated upon all other public streets and rights-of-way within the City of Blue Earth not listed herein. (620.05, Subd. 4 amended per Ordinance 05-17 dated 8-1-05.)

Subd. 5. Time of Operation. No Snowmobile shall be operated on any streets, public parks, or public lands within the City limits of Blue Earth between the hours of 1:30 A.M. and 6:00 A.M.

Subd. 6. Safety Certificate Required. No Minnesota resident whose date of birth is after December 31, 1976, shall operate a Snowmobile on either public or private property within the City limits of Blue Earth unless the individual has a valid snowmobile safety certificate and a drivers license or identification card that has a valid snowmobile qualification indicator. Said requirements are pursuant to Minnesota State Statute §84.862. (620.05, Subd. 6 amended per Ordinance 05-17 dated 8-1-05.)

Subd. 7. No Intra-City Travel. Streets allowed by the City for travel are to be used only for entrance to the City and exit from the City and are not intended for intra-city travel. (620.05, Subd. 7 removed and subsequent subparts renumbered per Ordinance 05-17 dated 8-1-05.)

Subd. 8. Sidewalks. No person shall operate a Snowmobile upon any sidewalk, Pedestrian Pathway or Boulevard except the sidewalk across the bridge over the Blue Earth River on Highway 169.

Subd. 9. Speed. No Snowmobile shall be operated on any public street at a rate of speed in excess of fifteen (15) miles per hour. (*Section 620.05, Subd. 9 amended per Ordinance 05-17 dated 8-1-05.*)

Subd. 10. Stopping. All Snowmobiles shall stop at every intersection before proceeding therein.

Subd. 11. Riding Abreast. All Snowmobiles shall be operated in single file and not beside any other vehicle.

Subd. 12. Towing. No Snowmobile shall tow another conveyance unless it is attached with a rigid hitch and equipped with reflectors. (*Section 620.05, Subd. 12 amended per Ordinance 99-08 dated 9-21-99.*)

Subd. 13. Equipment Required. It shall be unlawful for any person to operate a snowmobile any place within the City limits unless it is equipped with the following:

A. 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.

B. Brakes adequate to control movement of and to stop and hold the snowmobile under any condition or operation.

C. A safety or so-called "deadman throttle" on operating condition.

D. When operated between the hours of one-half (½) hour after sunset and one-half (½) 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 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.

(*Original Section 620.05, Subd 14(E) removed and subsequent subparts renumbered per Ordinance 99-08 dated 9-21-99.*)

E. Reflective material at least sixteen (16) inches square on each side, forward of the handlebars or steering device of a snowmobile and at the highest practical point on any towed object, as to reflect light at a ninety (90) degree angle.

Section 630 - Parking Regulations

630.01. Parking Presumption. As to any vehicle parking in violation of any provision of this Chapter, when the driver thereof is not present, it shall be presumed that the owner parked the same, or that the driver was acting as the agent of the owner.

630.02. General Parking Prohibitions. It is unlawful for any person to stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the specific 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 ten feet of a fire hydrant; (5) on a crosswalk; (6) within twenty (20) feet of a crosswalk at any intersection; (7) within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway; (8) within fifty (50) feet of the nearest rail of a railroad crossing; (9) 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 seventy-five (75) feet of said entrance when properly sign-posted; (10) alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic; (11) on the roadway side of any vehicle stopped or parked at the edge or curb of a street; (12) upon any bridge or other elevated structure upon a street; (13) at any place where official signs prohibit or restrict stopping, parking or both; (14) in any alley, except for loading and unloading and then only so long as reasonably necessary for such loading and unloading to or from adjacent premises; or, (15) on any boulevard which has been curbed.

630.03. Boat, Trailer and Recreational Vehicle Parking.

Subd. 1. Definitions. For the purposes of this Subsection, the following definitions are hereby adopted:

A. The term "Boat" means any device used or capable of being used for navigation on water.

B. The term "Trailer" shall include every vehicle designated or utilized for the transportation of any boat, auto, hauling trailer, utility trailer, snowmobile, and the like, which does not have motive power but is designed to be drawn by another vehicle.

C. The term "Recreational Vehicle" means a vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreation and vacation uses and/or vehicles with travel, recreation and vacation uses and/or vehicles with "RV" license plates. A recreational vehicle shall include, but not be limited to, the following: travel trailers, pickup campers, motorized homes and camping trailers.

D. The term "Owner" means a person other than a lienholder having a property interest in or title to a boat, trailer, or recreational vehicle. The term includes a person entitled to the use or possession of a boat trailer, or recreational vehicle, subject to an interest in another person, reserved or created by agreement and securing payment or performance of an obligation.

E. The term "Camper" means a separate vehicle designed for human habitation and which can be attached directly onto or attached with a fifth wheel or other towing mechanism or detached from a light truck. When removed from the truck, campers are called unmounted campers. These campers are sometimes called truck campers.

F. The term “Camping Trailer” means a type of trailer or trailer coach, the walls of which are so constructed as to be collapsible and made out of either canvas or similar cloth, or some form of rigid material such as fiberglass, plastic, or metal. The walls are collapsed while the recreational vehicle is being towed or stored and are raised or unfolded when the vehicle becomes temporary living quarters and is not being moved.

G. The term “ Motor Home” means a structure constructed integrally with a truck or motor van chassis designed for human habitation and incapable of being separated therefrom. The truck or motor van chassis may have single or double rear wheels.

H. The term “ Boat Trailer” or “Snowmobile Trailer” means the vehicle on which a boat or snowmobile may be transported and which is towable by a passenger car, station wagon, pickup truck or a recreational vehicle as defined above. A private boat or private snowmobile when removed from the trailer is termed an unmounted boat or snowmobile.

Subd. 2. General Conditions.

A. Dwelling Use. No boat, trailer, recreational vehicle, camper, camper trailer or motor home shall be used as a permanent dwelling, storage, or other accessory building.

B. Flammable Liquids. The owner of a boat, trailer or recreational vehicle shall not park, let stand, or store such vehicle when the propane tank valve has not been closed. The owner of a boat, trailer or recreational vehicle shall also not park, let stand or store such vehicle when it contains fuel used for propulsion or heating which are stored in tanks other than permanent mounted tanks.

C. Dangerous or Unsafe Storage or Parking. The owner of a boat, trailer, or recreational vehicle shall not park, let stand, or store such vehicle in such a manner as to create a dangerous or unsafe condition on the street or property where parked, permitted to stand, or stored.

D. Street Parking. No boat, trailer, utility trailer or recreational vehicle shall be permitted to park on any City street or parking lot for more than forty-eight (48) continuous hours. At no time shall a trailer be left upon a City street or parking lot unattached to a motorized vehicle for more than forty-eight (48) continuous hours.

E. Proof of Ownership. A legal or beneficial owner of, or lessee of the property shall have, and display upon, request to authorized City officials, proof of ownership of a parked, standing, or stored boat, trailer, or recreational vehicle.

F. License Required. All boats, trailers, or recreational vehicles shall display current State license plates or other registration certificates.

G. Waste Dumping. Boats or recreational vehicles shall dump sewage only into approved sanitary facilities.

630.04. 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.

630.05. Direction to Proceed. It is unlawful for any person to stop or park a vehicle on a street when directed or ordered to proceed by any police officer invested by law with authority to direct, control or regulate traffic.

630.06. Parallel Parking. Except where angle parking is specifically allowed and indicated by curb marking or sign-posting, or both, each vehicle stopped or parked upon a two-way road where there is an adjacent curb shall be stopped or parked with the right-hand wheels of the

vehicle parallel with, and within twelve (12) inches of, the right-hand curb, and, where painted markings appear on the curb or the street, such vehicle shall be within such markings, front and rear, provided that upon a one-way roadway all vehicles shall be so parked, except that the left-hand wheels of the vehicle may be parallel with and within twelve (12) inches from the left-hand curb, but the front of the vehicle in any event and with respect to the remainder of the vehicle, shall be in the direction of the flow of traffic upon such one-way street; and it is unlawful to park in violation of this Subsection.

630.07. Angle Parking. Where angle parking has been established by Council resolution, and is allowed, as shown by curb marking or sign-posting, or both, each vehicle stopped or parked shall be at an angle of approximately forty-five (45) to sixty (60) degrees with the front wheel touching the curb and within any parking lines painted on the curb or street, provided that the front wheels not touching the curb shall be the portion of the vehicle furthest in the direction of one-way traffic; and it is unlawful to park in violation of this Subsection.

630.08. Streets Without Curb. Upon streets not having a curb each vehicle shall be stopped or parked parallel and to the right of the paving, improved or main traveled part of the street; and it is unlawful to park in violation of this Subsection.

630.09. Parking Hours.

Subd. 1. Time Limitation. No vehicle may be parked in one spot on City streets for a period in excess of seventy-two (72) hours.

Subd. 2. Parking Zones. The Chief of Police may, when authorized by resolution of the Council, designate certain streets, blocks or portions of streets or blocks as five (5) minute, ten (10) minute, fifteen (15) minute, thirty (30) minute, one (1) hour, two (2) hour, four (4) hour, six (6) hour, eight (8) hour limited parking zones and shall mark by appropriate signs any zones so established. Such zones shall be established whenever necessary for the convenience of the public or to minimize traffic hazards and preserve a free flow of traffic. It is unlawful for any person to stop, park or leave standing any vehicle in any space so limited when sign-posted.

630.10. Emergency. In order to facilitate movement of traffic and promote public convenience in times of emergency, the following additional parking restrictions shall be in effect.

Subd. 1. "Emergency" defined. An emergency means a condition created on City streets because of the presence of snow, freezing rain, sleet, ice or snow drifts thereon, or other natural phenomenon which create or are likely to create hazardous road conditions or impede or likely to impede the free movement of fire, health, police, emergency or other vehicular traffic when the same have been duly declared by the City Clerk/Administrator or his/her designee.

Subd. 2. Declaration of an Emergency. Whenever in the discretion of the Clerk/Administrator, or his or her designated agent, an emergency exists, he or she may declare the same and shall cause an announcement thereof to be made over the local news media. Snow emergencies shall be governed by the provisions of Section 640.

Subd. 3. Unlawful Acts. During an emergency, it is unlawful:

A. To park or leave a vehicle standing on streets running in a northerly or southerly direction (including Royal Acres and Tanglewood) on an even-numbered day.

B. To park or leave a vehicle standing on streets running in an easterly or westerly direction (including Fairview & Childs Addition) on an odd-numbered day. (Section 630.10, Subd. 1, 2 and 3 amended per Ordinance 99-12 dated 10-5-99.)

630.11. Truck Parking.

Subd. 1. Detached Trailers. It is unlawful to park a detached semitrailer upon any street, City-owned parking lot, or other public property.

Subd. 2 Semi-Tractor Rig Cabs. It is unlawful to park a semi-tractor rig cab upon any street, city-owned parking lot, or other public property located within the City of Blue Earth. Semi-tractor rigs cabs may be parked on private property in accordance with the requirements of the City Code concerning the parking of private vehicles on private property. Semi-tractor rig cabs may also be parked on city streets or city-owned parking lot for reasonable periods of time necessary for the loading or unloading of their cargos. (Section 630.11, Subd. 2 amended per Ordinance 99-09 dated 10-5-99.)

Subd. 3. Other Zoning Districts. It is unlawful to park a semi-trailer, whether or not attached to a truck-tractor, upon a city street within the zoned areas of the City for a period greater than what is necessary for the loading or unloading of the vehicle. Semi-trailer rigs may be parked on private property within the Business and Industrial zones of the City as long as there is an improved parking area for such vehicles.

Subd. 4. Other Commercial Vehicles. It is unlawful to park a commercial vehicle of more than one (1) ton capacity upon any street in the business district which has been duly sign-posted prohibiting the same, but parking of such vehicle for a period of not more than twenty (20) minutes shall be permitted in such space for the purpose of necessary access to abutting property for loading or unloading when such access cannot reasonably be secured from an alley or from an adjacent street where truck parking is not so restricted.

Subd. 5. Loading/Unloading. It is unlawful to park a truck or other vehicle using or equipped with a trailer, or extended body or other extension or projection beyond the original length of such vehicle, or any passenger bus, diagonally along any street except for a time sufficient to load or unload, and parallel parking shall be permitted.

Subd. 6. Alley Parking Zones. Parking of commercial vehicles is permitted in duly designated and sign-posted loading zones, and in alleys, for a period of up to twenty (20) minutes, provided that such alley parking does not prevent the flow of traffic therein, all of which shall be for the purpose of access to abutting or adjacent property for loading or unloading.

630.12. Parking Rules in Municipal Parking Lots. In municipally-owned parking lots, the Council may limit the sizes and types of motor vehicles to be parked thereon, hours of parking, and prescribed method of parking, provided that such limitations and restrictions are signposted thereon. It is unlawful to park or leave standing any vehicle backed into a parking place, to drive in a direction opposite the flow of traffic marked by "one-way" signs or arrows, or to park any vehicle in any municipally owned parking lot contrary to the restrictions or limitations signposted therein.

630.13. Impounding and Removing Vehicles. When any police officer finds a vehicle standing upon a street or municipally-owned parking lot in violation of any parking regulation, such

officer is hereby authorized to require the driver or other person in charge of such vehicle to remove the same to a position in compliance with this Chapter. When any police officer finds a vehicle unattended upon any street or municipally-owned parking lot in violation of any parking regulation, such officer is hereby authorized to impound such unlawfully parked vehicle in accordance with Subsection 520.05 of this Code.

630.14. Loading Zones. The Council may, by resolution, establish loading zones to be used for the specific purpose of loading or unloading merchandise from a commercial vehicle or vehicle temporarily being utilized in the transport of merchandise. Such loading zones shall be installed by order of the City Administrator where in the judgment of the Council a commercial loading zone is justified, and duly sign-posted.

630.15. Unattended Vehicle.

Subd.1. Running Vehicles. It is unlawful for any person to leave a motor vehicle unattended while the engine is running.

Subd. 2. Keys in Vehicle. It is unlawful for any person to leave a motor vehicle unattended with the key in the ignition.

630.16. Parking for the Purpose of Advertising or Selling Merchandise. It is unlawful for any person to park a vehicle on any street for the purpose of selling merchandise thereon or therein, or advertising any merchandise for sale or a forthcoming event, for a period longer than fifteen (15) minutes.

630.17. Physically Handicapped Parking. It is unlawful for any person to park in any stall which has been sign-posted for handicapped parking unless such person is transporting physically handicapped persons, or such other persons as are physically handicapped by reason of sight disabilities, hearing disabilities, disabilities of incoordination, disabilities of aging and other disabilities that significantly reduce mobility, flexibility, coordination or perceptiveness.

630.18. Winter Parking Ban. Parking shall be prohibited upon City streets in accordance with Section 640. (*Section 630.18, previously 630.19, amended per Ordinance 99-12 dated 10-5-99.*)

630.19. Parking Penalties. Every person violates a section, subdivision, paragraph or provision of this Chapter when he performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as follows:

Subd. 1. Misdemeanors. Where the specific Subsection, subdivision, subpart or provision specifically makes violation a misdemeanor, he or she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he or she shall be punished as for a misdemeanor where he or she stands convicted of violation of any provision of this Chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding twelve (12) month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

Subd. 2. Petty Misdemeanors. As to any violation not constituting a misdemeanor

under the provisions of subdivision 1 hereof, he or she shall be punished as for a petty misdemeanor.

Subd. 3. Parking Bans. The penalties for violations of snow emergency parking bans shall be governed by Section 640. (*Section 630.20, Subd. 3 is added per Ordinance 99-12 dated 10-5-99.*)

630.20. Parking Permits. Any person desiring to park in an area of the City of Blue Earth in which parking is prohibited, may apply for a permit to allow that person to park in a designated "no parking" zone.

- A. Application shall be made in a form prescribed by the City Clerk/Administrator at City Hall located at 125 West 6th Street, Blue Earth, Minnesota.
- B. The permit application shall state a time period for which the permit is requested, the make, model and license number of the vehicle to be parked in the designated no parking zone, the reasons for requesting the permit, the specific designated no parking area in which the applicant wishes to park, and any and all other information the City Clerk/Administrator determines is appropriate for deciding whether the permit should be issued.
- C. The City Clerk/Administrator shall review each application giving due consideration to the impact that parking in the designated no parking zone would have on traffic flow, public safety, snow removal and travel of emergency vehicles. If, after review of the application, the City Clerk/Administrator concludes that parking in the designated no parking zone by the individual during the time stated in the application for the reasons stated in the application is consistent with public safety, the free flow of traffic, and state law, the City Clerk/Administrator may issue a permit to park in the designated no parking zone. The permit shall be effective for the period designated on the permit, which shall not exceed one year. (*Section 630.20 added per Ordinance 00-14 dated 10-17-00.*)

Section 640 - Snow Removal/Ice Control

(Section 640 added per Ordinance 99-13 dated 10-5-99.)

640.01. Policy Statement. The City of Blue Earth believes that it is in the best interest of the residents for the city to assume basic responsibility for control of snow and ice on city streets. Reasonable ice and snow control is necessary for routine travel and emergency service. The city will provide such control in a safe and cost effective manner, keeping in mind safety, budget, personnel and environmental concerns. The city will use city employees, equipment and/or private contractors to provide this service.

640.02. Snow Removal and Ice Control Operations.

Subd. 1. The Public Works Supervisor will decide when to begin snow removal or ice control operations. The criteria for that decision are:

- A. Snow accumulation of 2 inches or more; with some consideration given to total accumulations expected per snowfall. For example if 3 to 5 inches of total accumulation are expected the decision may be to wait until snow has stopped.
- B. Drifting of snow that causes problems for travel.
- C. Icy conditions, which seriously affect travel.
- D. Time of snowfall in relationship to heavy use of streets.

Subd. 2. Plowing Procedures. The snow will be plowed in a manner so as to minimize any traffic obstruction. The center of the roadway is normally plowed first. The snow shall then be pushed outward to the curb and onto the boulevard. When a plow goes on a bridge, the driver shall slow down so that snow does not go over the bridge if possible. In times of extreme snowfall, streets may not always immediately be completely cleared of snow.

640.03. Priorities and Schedule for Which Streets Will be Plowed.

Subd. 1. Initial Plowing. The city has classified city streets based on the street function, traffic volume, and importance to the welfare of the community. Those streets classified, as “Snow Emergency routes” will be plowed first. These are main roadways, which connect major sections of the city and provide access for emergency fire, police and medical services.

Subd. 2. The second priority streets are those providing access throughout the residential area including schools, commercial businesses and churches.

Subd. 3. The third priority is outlying areas such as the Industrial Park, Fairgrounds, etc.

Subd. 4. Designated Emergency Routes.

West 1 st Street	from Main to County Road 16/Leland Parkway
West 2 nd Street.....	from Main to Nicollet
7 th Street.....	from East Street to Holland
East 10 th Street.....	from Rice to Main
West 10 th Street.....	from Main to Nicollet
East 11 th Street.....	from Rice to Main
14 th Street.....	from Hwy 169 to River Road./ Valley Highland

South Rice Street.....	from 7 th to 17 th Street
South Ramsey Street....	from 7 th Street to 21 st Street
Main Street.....	from Fairground Road to 14 th Street
Nicollet Street.....	from 1 st Street to 10 th Street

640.04. Snow Removal. The Public Works Supervisor will determine when snow will be removed by truck from areas where there is no room for snow storage such as the downtown business area and in areas where accumulated piles of snow create a hazardous condition. Snow removal operations normally will not commence until the initial plowing operation has been completed. The City will refrain from snow removal on windrowed streets around churches during church services, and other church function such as funerals, etc. Snow removal operations may be delayed depending on weather conditions, personnel and budget availability and other factors. The snow will be removed and hauled to a snow storage area. The snow storage area will be located so as to minimize environmental problems.

640.05. Snow Emergency.

Subd. 1. After the initial plowing of the city and the snow removal operation has been completed the City Clerk/Administrator or his/her designee will declare a snow emergency.

Subd. 2. Parking Prohibited. During a snow emergency, parking is prohibited on north and south streets (including Royal Acres and Tanglewood) on even numbered days and east west streets (including Fairview & Childs Addition) on odd numbered days.

Subd. 3. Exempt Areas. Church parking areas during church services and central business district parking areas during normal business hours will not be affected by snow emergency parking regulations. A snow emergency will remain in effect until such time as the emergency has been lifted.

Subd. 4. Notice. The City Clerk/Administrator or his/her designee shall give reasonable notice to the public that a Snow Emergency is declared. Notice may be given by posting notice on the community bulletin board, by announcing on the radio, and by whatever means the council or the Clerk/Administrator or his/her designee determines to be reasonable. Notice that the Snow Emergency was lifted shall be similarly given.

640.06. Work Schedule for Snowplow Operators. Snowplow operators will be expected to work 8 to 12 hour shifts. In severe snow emergencies, operators sometimes have to work in excess of 8 to 12 hour shifts. However, because of safety concerns, no operator shall work more than a 16-hour shift in any 24-hour period. Operators will take a 15-minute break every 2 hours with a half-hour meal break after 4 hours.

640.07. 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 include severe cold, significant winds and limited visibility.

640.08. Use of Sand, Salt and Other Chemicals. The City will use sand, salt and other chemicals when there are hazardous ice or slippery conditions. The City is concerned about the effect of such chemicals on the environment and may limit its use for that reason.

640.09. Sidewalks. The City will maintain some of the sidewalks in the city. As there are a limited number of personnel available, the City will only maintain these sidewalks after the streets have been plowed or the City may choose to contract out the snow removal of city sidewalks. Sidewalks within the City that have not been cleared of snow 24 hours after a snowfall will be cleared of snow by the City at the resident's expense. Saturdays, Sundays and legal holidays shall not be included in calculating the 24 hour time period. *(Section 640.09 amended per Ordinance 00-06 passed 4-18-00.)*

640.10. Mailboxes. In those instances in which the U.S. Postal Service does not provide door to door delivery, it is necessary for property owners to install mail boxes on city owned right-of-way immediately adjacent to the street curb. While the installation of mailboxes on city owned right-of-way is permitted, the mailbox owner assumes all risk of damage except where a mailbox is damaged through contact by snow removal vehicles. If a mailbox is damaged due to direct contact by a snow removal vehicle, the City, at its option, will repair or replace at a cost not to exceed \$30.00. Also, additional cleaning around mailboxes is the resident's responsibility.

640.11. Responsibility. The Police Department will monitor the street conditions and inform the Public Works Department of hazardous street conditions after normal work hours. Also will assist the Public Works Department by enforcing parking regulations during snow plowing and snow emergency periods.

640.12. Penalties.

Subd. 1. The penalty for the first violation of the on-street snow emergency parking ban is a written warning.

Subd. 2. The penalty for the second violation of the on-street snow emergency parking ban is a \$25 ticket.

Subd. 3. The penalty for the third and each subsequent violation of the on-street snow emergency parking ban is a \$25 ticket and towing the vehicle. The owner is responsible for towing costs.