

## **Chapter 40 TRAFFIC AND VEHICLES\***

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**\*Cross reference(s)**--Any ordinance establishing traffic or parking regulations on any street or public way, including traffic schedules saved from repeal, § 1-9(10); law enforcement, ch. 26; streets, sidewalks and other public places, ch. 36; visibility at intersections, § 46-386.

**State law reference(s)**--Traffic regulations, M.S.A. ch. 169; local authority, M.S.A. § 169.04.

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## **ARTICLE I. IN GENERAL**

### **Sec. 40-1. Definitions.**

Any term used in this chapter and defined in M.S.A. § 169.01 has the meaning given it by that section.

(Code 1987, § 701.01)

**Cross reference(s)**--Definitions generally, § 1-2.

### **Sec. 40-2. Establishment of safety zones, lanes of traffic.**

To assist in the direction and control of traffic, to improve safe driving conditions at any intersection or dangerous location, and to warn pedestrians or drivers of motor vehicles of dangerous conditions or hazards, the chief of police may establish safety zones, lanes of traffic, and stop intersections, and he may order installation by the city engineer of stop signs, yield signs, warning signs, signals, pavement markings or other devices. No regulation may be established on a trunk highway unless the consent of the commissioner of transportation is secured.

(Code 1987, § 701.10)

### **Sec. 40-3. Removing keys.**

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

(Code 1987, § 701.11)

### **Sec. 40-4. Police duties.**

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

(Code 1987, § 701.13)

**Sec. 40-5. Penalty.**

Any person convicted of violating any provision of this chapter is guilty of a petty misdemeanor and upon conviction shall be punished in accordance with section 1-13.

(Code 1987, § 701.14)

**Secs. 40-6--40-40. Reserved.**

**ARTICLE II. OPERATION**

**Sec. 40-41. Turning.**

- (a) *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, 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.
- (b) *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 designated by sign as restricted.

(Code 1987, § 701.02)

**Sec. 40-42. Through streets; one-way streets.**

The council by resolution may designate any street or portion of a 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 streets. No trunk highway shall be so designated unless the consent of the commissioner of transportation to such designation is first secured.

(Code 1987, § 701.03)

**Sec. 40-43. Speed limit and school stops in school zones.**

The city council may establish a reduced speed limit for school zones, and any limits established shall be posted in accordance with state statute. The council may by motion adopted by a majority vote indicate school stops at street intersections and direct the street commissioner to place proper signs upon such streets and their character and notify the drivers of vehicles of the requirement to stop. It shall be unlawful for the driver of any vehicle to fail to bring his vehicle to a full stop before entering an intersection designated as a school stop. This provision shall be in full force and effect during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, during the school year.

(Code 1987, § 701.04)

**Sec. 40-44. Truck restrictions.**

The city council by resolution may designate streets on which travel by commercial vehicles in excess of 40,000 pounds gross weight is allowed. The city engineer shall erect appropriate signs on such streets, designating them as truck routes. No person shall operate a commercial vehicle in excess of the defined weight on any street not so designated.

(Code 1987, § 701.05)

**Sec. 40-45. Seasonal weight restrictions.**

The city may prohibit the operation of vehicles upon any street under its 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 permissible weights reduced. The city shall direct the street commissioner to erect and maintain signs plainly indicating the prohibition or restriction at each end of that portion of street affected. No person shall operate a vehicle on a posted street in violation of the prohibition or restriction.

(Code 1987, § 701.06)

**Sec. 40-46. 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 throwing of sand or gravel by the tires is prima facie evidence of a violation of this section.

(Code 1987, § 701.12)

**Secs. 40-47--40-80. Reserved.**

**ARTICLE III. PARKING\***

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\*State law reference(s)--Stopping, standing and parking, M.S.A. § 169.32 et seq.  
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**Sec. 40-81. Angle and parallel parking.**

Angle parking shall be required on the following streets:

The south half block of North Waterville Avenue between Minnesota Street and Tyrone Street on the west side only, and the north half of South Waterville Avenue between Minnesota Street and Sharon Street on the west side only, and on Sharon Street between Park Avenue and Lexington Avenue.

On any such street, every vehicle parked shall be parked with the front of the vehicle facing the curb or the edge of the traveled portion of the street at an angle of approximately 60 degrees and facing between the painted or other markings on the curb or street indicating the parking space. On all other streets, cars shall be parked parallel to the curb or edge of the roadway in accordance with law.

(Code 1987, § 701.07(1))

**Sec. 40-82. No parking, stopping or standing zones.**

The city council may, by resolution, designate certain streets or portions of streets as no parking or no 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 established of any business day for the purpose of loading or unloading where access to the premises is not otherwise available.

(Code 1987, § 701.07(2))

**Sec. 40-83. 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 in any limited parking zone for a longer period than is so specified.

(Code 1987, § 701.07(3))

**Sec. 40-84. Parking and movement of commercial vehicles.**

No truck, tractor, trailer or commercial vehicle shall be left parked on Derrynane Street (Highway No. 99) within the city between the hours of 7:00 p.m. and 6:00 a.m. other than from March 15 to May 15 or during the period of weight restrictions on state and county highways. There shall be no parking of trucks, trailers, tractors or commercial vehicles at any time on Derrynane Street (Highway No. 99) from its intersection with Lexington Avenue east to 50 feet east of driveway to Fairgrounds Park. Any signs placed or erected in the boulevards of Derrynane Street (Highway No. 99), shall be at least seven feet high, to base, and be spaced at least 25 feet apart. No truck, tractor, trailer or any type of motor vehicle which is in excess of 25 feet in length, or in excess of 7,000 pounds in weight, or requires a class B or higher license to operate in the state, shall be parked on any city street, in a residential area, for a period longer than four hours, nor any city street, in a commercial zone, between the hours of 6:00 p.m. and 7:00 a.m. All through trucks, tractors, trailers or commercial vehicles of all kinds are to use designated truck routes only

(Code 1987, § 701.07(4))

**Sec. 40-85. Specific no parking zones and regulations.**

- (a) It is unlawful for any vehicle to park on the east side of Cordova Avenue from Spors Street to Bowler Street except for loading and unloading.
- (b) No motor vehicle or trailer of any kind shall be parked on Minnesota Street between Montgomery Avenue and Lexington Avenue; on Park Avenue between Sharon Street and Tyrone Street; Sharon Street between Park Avenue and Lexington Avenue; Lexington Avenue between Minnesota Street and Ottawa Street; Waterville Avenue one-half block north of Minnesota Street and one-half block south of Minnesota Street between the hours of 2:00 a.m. and 7:00 a.m.
- (c) No motor vehicle or trailer of any kind may be parked on any public city street in a residential area for a period of more than 72 hours.
- (d) No motor vehicle shall be parked for a longer continuous period than two hours between the hours of 8:00 a.m. and 6:00 p.m. except on Sundays and holidays as defined by the statutes of the state on the following streets in the city:
  - (1) Upon Park Avenue between Tyrone Street and Sharon Street.
  - (2) Upon Minnesota Street between Kilkenny Avenue and Montgomery Avenue.
- (e) No motor vehicle shall be parked on the streets of the city within 12 feet of any fire hydrant. No motor vehicle shall be parked on the streets of the city opposite any curbing marked or painted with yellow coloring.
- (f) No vehicles, trailers, machinery, watercraft or other personal property of any kind shall be parked upon the right-of-way of Highway No. 99 or any of the public property located adjacent to Highway No. 99 within the corporate limits of the city for any period of time exceeding 12 hours during any day except where specifically provided for in a designated parking area.

(Code 1987, § 701.07(5))

**Sec. 40-86. 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 article.

(Code 1987, § 701.07(6))

**Sec. 40-87. Prima facie violation.**

The presence of any motor vehicle on any street when standing or parking in violation of this article is prima facie evidence that the registered owner of the vehicle committed or

authorized the commission of the violation, this provision being in accordance with M.S.A. § 459.14, subd. 6.

(Code 1987, § 701.07(7))

**Sec. 40-88. Truck zones, loading zones.**

- (a) *Establishment.* The city council may by resolution establish spaces in streets as loading zones or truck zones. The hours, to be established by council resolution, of any day except Sundays, New Year's Day, Memorial Day, July 4, Labor Day, Thanksgiving Day and Christmas Day or such other time as the city council may specify in a resolution establishing the zone shall be the loading zone or truck zone hours. The city engineer shall mark each such zone by appropriate signs.
- (b) *Truck zone prohibitions.* During truck zone hours, no person shall stop, stand or park any vehicle except in a truck zone. No person shall stop, stand or park a truck in a truck zone during truck zone hours except to receive or discharge passengers or freight and then only for a period no longer than necessary for the purpose.
- (c) *Loading zone prohibitions.* During loading zone hours, no person shall stop, stand or park any vehicle in a loading zone except to receive or discharge passengers or freight and then only for a period no longer than is necessary for the purpose. No person shall occupy a loading zone with a vehicle other than a truck for more than five minutes during such hours.
- (d) *Property owner initiative.* Any person desiring the establishment of a loading zone or truck zone abutting premises occupied by him shall make written application 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 administrative clerk-treasurer, the chief of police shall order installation of necessary signs and painting of the curb.
- (e) *Semitrailer parking.* No person shall allow a semitrailer to stand or be parked unattached from a trailer unit for any length of time on any street in the city except in an emergency in order to change tractors, or in a designated area along a truck route.

(Code 1987, § 701.08)

**Sec. 40-89. Winter parking.**

No motor vehicle or recreational vehicle or trailer of any kind shall be parked on any public street of any residential or business district following a one (1) inch or more snow fall accumulation and the continuation thereafter until such time the streets of the City of Le Center have been plowed open from curb to curb. Any motor or recreational vehicle or trailer shall be cited by the City of Le Center Police Department and / or towed at the expense of the owner of any motor or recreational vehicle or trailer found to be in violation of this ordinance.

(Revised 02/2007)

**Secs. 40-90--40-120. Reserved.**



## **ARTICLE IV. SNOWMOBILES, ATVs**

### **Sec. 40-121. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Operate* means to ride in or on and control the operation of a snowmobile/ATV.

*Operator* means every person who operates or is in actual physical control of a snowmobile/ATV.

*Owner* means a person other than a lienholder having the property in or title to a snowmobile/ATV or entitled to its use or possession.

*Recreational motor vehicle, all-terrain vehicle or ATV* means any self-propelled vehicle used for recreational purposes, including but not limited to trail bikes or other all-terrain vehicles, or motor vehicles licensed for highway operation which are being used for off-road recreational purposes.

*Roadway* means that portion of a highway, street or alley improved, designed or ordinarily used for vehicle travel.

*Snowmobile* means a self-propelled vehicle designed for travel on snow, ice or the natural terrain, steered by wheels, skis or runners.

*Street* means a public thoroughfare, roadway, alley used for vehicular traffic which is not an interstate, trunk, county state aid highway or county highway.

(Ord. No. 702.01, § 1, 10-1-1997)

**Cross reference(s)**--Definitions generally, § 1-2.

### **Sec. 40-122. Scope of application.**

Notwithstanding provisions of this chapter to the contrary, this article shall apply to control of traffic and regulation of that certain class of vehicles falling within the definition of snowmobile/ATV as to matters set forth herein. All provisions of this chapter not relating to matters stated in this article apply as equally to snowmobiles/ATVs as other vehicles.

(Ord. No. 702.01, § 2(1), 10-1-1997)

### **Sec. 40-123. Private property.**

It is a misdemeanor to operate a snowmobile/ATV on private property without the permission or consent of the owner or occupant.

(Ord. No. 702.01, § 2(2), 10-1-1997)

**Sec. 40-124. Sidewalks and boulevards.**

It is a misdemeanor to operate a snowmobile/ATV on a sidewalk or boulevard, except that a direct crossing may be made in the same manner as provided for direct crossing of a city street.

(Ord. No. 702.01, § 2(3), 10-1-1997)

**Sec. 40-125. Operation on roadways and public lands.**

Snowmobiles/ATVs may be operated on roadways and public lands only as specified in this section. It is a misdemeanor to operate a snowmobile upon roadways or public lands, as follows:

- (1) At a rate of speed in excess of 15 miles per hour.
- (2) Other than single file on a roadway.
- (3) Other than at the extreme right-hand side of a roadway.
- (4) On publicly owned land, including schoolland, park property, playgrounds and recreational areas.
- (5) In the business district, which shall be all of Park Avenue from Derrynane Street (Highway No. 99) to Tyrone Street or Minnesota Street from Cordova Avenue to Maple Avenue.
- (6) On streets also designated as county state aid highways or highways which include Cordova Avenue, Maple Avenue, Derrynane Street, Minnesota Street and Park Avenue.

(Ord. No. 702.01, § 2(4), 10-1-1997)

**Sec. 40-126. Exceptions.**

Notwithstanding the prohibitions to operating a snowmobile or ATV upon a roadway to the contrary, such operation is permitted but limited as follows:

- (1) From the owner's residence or place the snowmobile/ATV is generally stored, in a direct route to and from a place of destination, provided such place is a place that such snowmobile/ATV operation may be lawfully operated.
- (2) In an emergency during the period of time when and at locations where snow (ten or more inches) upon the roadway renders travel by automobile impractical.
- (3) In any event only when such snowmobile or ATV is legally equipped and licensed by the state to operate as such on public roadways and highways.

(Ord. No. 702.01, § 2(5), 10-1-1997)

**Sec. 40-127. Direct crossings.**

It is a misdemeanor to operate a snowmobile or ATV upon a state highway or county state aid highway except to make direct crossing, and only as follows:

- (1) The crossing is made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.
- (2) The snowmobile/ATV is brought to a complete stop before crossing the shoulder or main-traveled way of the highway.
- (3) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.
- (4) In crossing a highway, the crossing is made only at an intersection of such highway with another public street.
- (5) When there is no other means to accomplish a direct crossing from a residence located on a prohibited street, travel of no more than one city block or to the closest intersection may be made.

(Ord. No. 702.01, § 2(6), 10-1-1997)

**Sec. 40-128. Hours of operation.**

It is a misdemeanor to operate a snowmobile/ATV within the city from 11:00 p.m. to 7:00 a.m. for any purpose other than returning from a ride from outside the city limits, except in an emergency as defined in section 40-126.

(Ord. No. 702.01, § 2(7), 10-1-1997)

**Sec. 40-129. Prohibited acts.**

It is a misdemeanor for any person to operate a snowmobile in the following ways:

- (1) At a rate of speed greater than reasonable or proper under all the surrounding circumstances, but in no event in excess of 15 miles per hour.
- (2) In a careless, reckless or negligent manner so as to endanger or cause injury or damage to the person or property of another.
- (3) While under the influence of an alcoholic beverage or controlled substance.
- (4) To tow any person or object except through use of a rigid tow bar attached to the rear of the snowmobile.
- (5) To intentionally drive, chase, run over or kill any animal with a snowmobile.

- (6) In any tree nursery or planting in a manner which damages or destroys growing stock.

(Ord. No. 702.01, § 2(8), 10-1-1997)

**Sec. 40-130. Equipment.**

It is a misdemeanor for any person to operate a snowmobile unless it is equipped with the following:

- (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, bypass, straight pipe or similar device on a snowmobile motor.
- (2) Brakes adequate to control the movement of and stop and hold the snowmobile under any condition of operation.
- (3) A safety or so-called deadman throttle in operating condition. A safety or so-called deadman throttle is defined as a device which when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving track.
- (4) When operated between the hours of one-half hour after sunset to one-half hour before sunrise or at times 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 under normal atmospheric conditions. Such headlight shall be so aimed that glaring rays are not projected into the eyes of on-coming vehicles. It shall also be equipped with at least one red taillamp 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.
- (5) Reflective materials at least 16 square inches on each side, forward of the handlebars, so as to reflect light at a 90-degree angle.

(Ord. No. 702.01, § 2(9), 10-1-1997)

**Sec. 40-131. Unattended snowmobile.**

Every person leaving a snowmobile unattended shall lock the ignition and remove the key from the ignition and from the snowmobile.

(Ord. No. 702.01, § 2(10), 10-1-1997)

**Sec. 40-132. Minimum age of operation.**

No person under the age of 14 years shall operate a snowmobile on any public roadway in the city. A person 14 years of age or older, but less than 18 years of age, may operate a

snowmobile on those public roadways as permitted under this article and make a direct crossing of such streets and highways only if he has in his immediate possession a valid snowmobile safety certificate issued by the commissioner of natural resources or valid driver's license, and then only for purposes of travel between his home (or home location of the snowmobile) and a point outside the city, or to an area within the city designated as a snowmobile area. Such travel must be accomplished by the shortest distance, taking the most direct route while complying with applicable laws. No one under the age of 16 years shall operate an ATV on any public roadway in the city.

(Ord. No. 702.01, § 2(11), 10-1-1997)

**Sec. 40-133. Other operator requirements.**

Persons age 18 years and over shall only operate a snowmobile on those public roadways as permitted under this article and by state statute and/or make a direct crossing of such streets and highways if he has in his possession a valid driver's license.

(Ord. No. 702.01, § 2(12), 10-1-1997)

**Sec. 40-134. Owner's duties.**

It is unlawful for any person who is the owner or in lawful control of a snowmobile/ATV to permit the snowmobile/ATV to be operated contrary to the provisions of this article and M.S.A. § 169.01 et seq., referred to as the Minnesota Traffic Law, except for those provisions which by their nature have no application.

(Ord. No. 702.01, § 2(13), 10-1-1997)

**Secs. 40-135--40-165. Reserved.**

**ARTICLE V. ABANDONED VEHICLES\***

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\***Cross reference(s)**--Environment, ch. 22.

**State law reference(s)**--Abandoned motor vehicles, M.S.A. § 168B.01 et seq.

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**Sec. 40-166. Impoundment and sale.**

The city police department shall take into custody and impound any abandoned motor vehicle as defined by M.S.A. § 168B.02, subd. 2. It shall give notice of the taking as provided by law; and if the owner or any lienholder 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 weeks' published notice.

(Code 1987, § 208.01(1))

**Sec. 40-167. Summary action in certain cases.**

When an abandoned motor vehicle is more than seven model years of age, is lacking vital component parts, and does not display a license plate currently valid in this state or any other state or foreign country, it shall immediately be eligible for sale under section 40-166 and shall not be subject to the notification, reclamation or title provisions of M.S.A. §§ 168B.01--168B.13.

(Code 1987, § 208.01(2))

**Sec. 40-168. 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 lienholder makes application and furnishes satisfactory proof of ownership or lien interest within 90 days of the sale, he 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.

(Code 1987, § 208.01(3))