TITLE VII:
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701.01 ADOPTION OF STATE LAWS.

The regulatory provisions of M.S. Chapters 168, 169, 169A and 171, as amended from time to time, are hereby adopted as a traffic ordinance regulating the use of highways, streets and alleys within the city and are hereby incorporated in and made a part of this chapter as completely as if set out here in full.

701.02 WEIGHT LIMITATIONS.

No vehicle or combination of vehicles equipped with pneumatic tires shall be operated on the city streets where the gross weight on any wheel exceeds 5,000 pounds or where the gross weight on any single axle exceeds 10,000 pounds, except that this restriction shall not apply on any state highway or on any street posted and designated as permitting greater weights than herein specified.

701.03 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 a 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 section.

701.99 PENALTY.

Any violation of the statutes adopted by reference in § 70.01 is a violation of this chapter when it occurs within the city. Any person thus violating any provision of this chapter shall be guilty of such an offense and shall be punished by the penalty as is prescribed by the statutes.

CHAPTER 702: PARKING REGULATIONS

Section

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GENERAL REGULATIONS

702.01 PARALLEL PARKING.

Every vehicle parked upon any street with a curb except as herein provided, shall be parked parallel thereto and with the right hand wheels of the vehicle within 12 inches of the curb and between the painted markings upon the street and curb, if any. On all other streets, a vehicle shall be parked to the right of the main traveled portion thereof and parallel thereto and in the manner as it shall not interfere with the free flow of traffic. This shall not apply, however, to any vehicle disabled upon any street, but every police officer of the city is authorized to require the person in charge thereof to move it to a place of safety and upon neglect or failure to do so or in the case of any motor vehicle being left alone or abandoned in any such position, the officer is authorized to provide for the removal of the vehicle to the nearest convenient garage or other place of safekeeping.

Penalty, see City Code 100.06

702.02 DIAGONAL PARKING.

Diagonal parking shall be permitted upon the following streets only:in the business district only.. The diagonal parking shall be at an angle up to 45 degrees or shall be between the painted markings on the street or curb, if any. All vehicles must be facing forward in diagonal parking stalls.

Penalty, see City Code 100.06

702.03 NO PARKING LOCATIONS.

(A) No person shall park a vehicle or permit it to stand, whether attended or unattended, upon any street or highway within the city 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 20 feet of a crosswalk at an intersection;

(7) Within 30 feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of the roadway;

(8) In an alley;

(9) Within 50 feet of the nearest rail or a railroad crossing;

(10) Within 20 feet of a driveway entrance to a fire station and on the side of the street opposite the entrance of the fire station, within 75 feet of the entrance when properly sign-posted;

(11) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;

(12) On roadway side of any vehicle stopped or parked at the edge or curb of a street or on the traveled portion of any street; and

(13) At any place where official signs prohibit stopping or parking.

(14) At any place where the curb is painted yellow to signify a no parking area.

(15) Parking in properly marked and posted handicapped parking spots without proper permit from the State of Minnesota.

(B) No person shall, for camping purposes, leave or park a house-trailer on any street or the right-of-way thereof. It is unlawful for any person to leave or park a house-trailer, mobile home, camping trailer, bus or other similar recreational vehicle, or trailer or other device that is pulled behind a vehicle, on or within the limits of any street or right-of-way, for more than 12 consecutive hours.

(C) No person shall park a semi-tractor, trailer, attached or detached or commercial vehicle of more than one-ton capacity upon any of the following streets: considered the Residential District and Business District ; provided that, this shall not prohibit the parking of the vehicles for a period of not more than 15 minutes along any such streets for the purpose of having access to any property abutting thereon when the access cannot conveniently be secured from an alley or other side street.

(D) 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 that violations.

(E) The City Parking Lot: No trailers may be parked in the City Parking Lots *one at the intersection of Carver and 2nd Street, the other at 108 N. Main Street.* Only passenger cars, pick-ups or vans maybe use the lot, and only if it is currently licensed and registered, and is in a fully operable condition.

Penalty, see City Code 100.06

702.04 TOWING OF VIOLATORS.

(A) Any vehicle parked in violation of the foregoing provisions of this chapter, and the removal of which is deemed necessary by the Police Department, City Administration or Public Works to the furtherance of the public safety or hinderance of public works, shall be towed away and stored; the expense of the towing and storage shall be paid by the owner of the vehicle.

(B) Any persons or corporation, including the city, storing the vehicle shall be required to hold the same, if so ordered by the city, and otherwise, if not so ordered, shall be entitled to hold the same in possession until the towing and storage charges have been paid in full.

(C) After the vehicle has been held for not less than 30 days pursuant to the provisions hereof, the person or corporation holding the same shall be authorized to sell or junk the vehicle; provided, however, that, notice of the action shall be given in writing by registered mail, mailed to the last determinable owner of the vehicle, at least ten days prior to the sale or junking of the vehicle. If within the ten-day period, the owner shall fail to appear and claim the vehicle and to pay the towing and storage charges against the vehicle, then the vehicle shall be sold in accordance with the provisions of M.S. Chapter 168B, as amended from time to time, or junked as the situation may require, and the proceeds thereof shall be applied to the payment of sale expenses and to the payment of existing storage and towing charges, upon the vehicle. The remainder of the proceeds, if any, to be paid over to the Administrator of the city by him or her to be held for the owner for a period of six months; if not then claimed by the owner, the same shall be forfeited to the city.

702.05 RESPONSIBILITY OF REGISTERED OWNER.

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

702.06 VIOLATIONS, FINES.

(A) The registered owner of any vehicle or any other person or entity violating this chapter shall be charged with the violation by means of a parking ticket.

(B) The fine for the violation shall be set from time to time by resolution of the City Council. Violators shall pay the fine within ten days of issuance of the ticket, to be paid personally or at the city hall. A drop box will be provided at the city hall for this purpose. Any violators failing to pay the fine within the ten-day period shall be subject to an additional fine equal to the original parking violation fine, which shall be paid in addition to the original fine. Further non-payment of the fine within the ten-day period shall cause any violator to be subject to a complaint or citation issued against him or her to be issued a state citation.

TRUCK AND VEHICLE PARKING

702.15 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUSINESS DISTRICT. The business district consists of the following streets:

- N Main Street from the Railroad Tracks to 4th Street.
- N Carver Street from 1st Street to 4th Street.
- N Renville Street from Railroad Tracks to W 2nd Street.
- N Nicollet Street from Railroad Tracks to W 2nd Street.
- E 3rd Street from N Main Street to N Hennepin Street.
- W and E 2nd Street from County Road 33 (N Redwood Street) to N Hennepin Street.
- 1st Street from N Nicollet Street to N Hennepin Street.

RESIDENTIAL DISTRICT. All the area within the city limits in the city not defined as "business district" above.

702.16 LEGAL AREAS POSTED.

It is unlawful to park a detached semi-trailer upon any street, city-owned parking lot or other public property except such as specifically designated by the Council by resolution and sign-posted.

Penalty, see City Code 100.06

702.17 WEIGHT RESTRICTION; RESIDENTIAL DISTRICT.

It is unlawful to park a truck (other than a truck of 10,000 pounds gross vehicle weight or less), truck-trailer, tractor-trailer or truck-tractor within an area zoned as a residential district except for the purpose of loading or unloading the same, and then only during the time as is reasonably necessary for the activity.

Penalty, see City Code 100.06

702.18 WEIGHT RESTRICTION; BUSINESS DISTRICT.

It is unlawful to park a commercial vehicle of more than 12,000 pounds gross vehicle weight upon any street in the business district, except streets as specifically designated by the Council by resolution and sign-posted, but parking of the vehicle for a period of not more than 30 minutes shall be permitted in the space for the purpose of necessary access to abutting property while actively loading or unloading when the access cannot reasonably be secured from an alley or from an adjacent street where truck parking is not so restricted.

Penalty, see City Code 100.06

702.19 LENGTH OF VEHICLE.

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 the vehicle, or any passenger bus, diagonally along any street except for a time sufficient to load or unload, and in such case, only parallel parking shall be permitted. Provided, however, that a truck may stand backed up to the curb if the weight or bulk of the load makes parallel parking impracticable, but then only for a period of time sufficient to load or unload.

Penalty, see City Code 100.06

702.20 TIME LIMITED.

Parking of commercial vehicles is permitted in duly-designated and sign-posted loading zones, and in alleys, for a period of up to 20 minutes; provided that, the 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 while actively loading or unloading.

PARKING ON STREETS DURING SNOW REMOVAL

702.35 APPLICATION.

The owner, driver, operator, or person in charge of any motor vehicle within the city limits of the city shall conform to and observe the regulations set forth in this chapter.

702.36 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

MOTOR VEHICLE. Any self-propelled motor vehicle or other vehicle on wheels which would ordinarily travel on city streets.

PARKED or PARKING. Stopping or allowing any motor vehicle to stand upon any public street.

PUBLIC STREET. The entire width between boundary lines of any way or piece within the city limits when any part thereof is open to public use for vehicular traffic and shall include public ways commonly referred to as ALLEYS, AVENUES or BOULEVARDS.

SNOW EMERGENCY. A snow emergency will be declared by the Director of Public Works or City Administrator. A snow emergency will be declared after 1 inch of continuous snow fall or as needed for public safety and regular flow of traffic.

702.37 GENERAL PARKING PROHIBITION.

No motor vehicle shall be parked on any public street or municipal parking facility for more than 24 continuous hours.

Penalty, see City Code 100.06

702.38 WINTER PARKING RESTRICTIONS.

Beginning November 1st and ending April 30th parking will not be allowed on any street or alley in the City of Winthrop from the hours of 10PM to 7AM during a snow emergency. The snow emergency will be determined by City Administration and/or Public Works by no later than 4PM on a given day. Notice will be made to the public via the City of Winthrop Website, social media and City of Winthrop's text and/or email notification system. Violators of this provision will be ticketed and/or towed as provided in the city's fee schedule.

A snow emergency will be declared after 1 inch of snow or as it is necessary for public safety and flow of traffic.

Penalty, see City Code 100.06

702.39 IMPOUNDMENT.

At the direction of the police authority, a citation may be issued in connection with any motor vehicle parked in violation of this chapter and, if the vehicle is unoccupied, it shall be towed away to a place of safekeeping for impoundment. The police authority is hereby empowered to request any private garage or towing service to tow away and impound any vehicles in violation thereof.

702.40 RECOVERY OF IMPOUNDED VEHICLES.

Any motor vehicle towed away and impounded under this chapter may be claimed and recovered from the city after payment to the city of all towing and storing charges. The city does not assume any responsibility for any damage done during the towing and impoundment under this chapter.

702.41 PROHIBITION ON SNOW REMOVAL FROM PRIVATE PROPERTY.

No person shall remove snow from private property and deposit the same on any public street or parking lot. Any snow so deposited may be removed by the city and the cost of the removal shall be assessed and charged to the person in violation thereof.

702.42 PROHIBITION OF PILING OF SNOW AT STREET INTERSECTIONS.

No person shall pile snow on a boulevard in a quantity sufficient to interfere with the vision of motor vehicles or pedestrians. Public Works and the police officer on duty will determine if vision is obstructed. Any snow so deposited shall be removed by the city and the cost of the removal shall be assessed and charged to the person in violation thereof.

Penalty, see § 100.06

702.43 SIDEWALK, MAILBOX, FIRE HYDRANT

(A) **Sidewalks**: The city will maintain the sidewalks owned by the City, EDA and Winthrop Historical Society. As there are a limited number of personnel available, the city will only maintain these sidewalks. It is the responsibility of the resident and/or property owner to remove all accumulated snow from all other sidewalks along public streets adjoining the
property. This includes any snow plowed from public streets on to the sidewalk. All snow blown into city streets after the snowplows have already cleaned, will need to be removed by the property owner. Snow blown into the streets and left there after snowplows have cleaned the streets may be subject to fines from the City. Snow should be removed from sidewalks before 24 hours after snow accumulation is done.

(B) **Mailboxes**: Snowplow operators make every effort to remove snow as close to the curb line as practical to provide access to mailboxes for USPS and other carriers. However, it is not possible to provide perfect conditions while also attempting to minimize damage to mailboxes from indirect contact given the size of equipment and amount of snow pushed into the boulevard. Thus, the final clearing adjacent to mailboxes is the responsibility of each resident and subject to the delivery requirements of USPS and other carriers. The City does not possess the resources to respond to and plow in front of individual mailboxes.

Damage to a mailbox is a risk that snowplow operators face during their winter plowing requirements. The city will conduct a review of each mailbox damage claim to determine whether the city has any legal responsibility for the damage and, if so, to provide reimbursement for the mailbox. If the city, in its discretion, determines that reimbursement is appropriate the city may provide reimbursement in a reasonable amount for the mailbox and support posts that meet the city's standards, as well as state and federal requirements for mailbox size, support and placement.

(C) **Fire Hydrants**: The City Council of the City of Winthrop has declared as a matter of public policy that property owners shall be responsible to remove snow, from a three (3) foot radius, around fire hydrants near their property. The hydrants need to be cleared for use of the hydrants by proper emergency personnel. If a resident is unable to remove the snow, City Hall should be notified to make other arrangements.

702.44 STORAGE OF VEHICLES

No person shall store or keep on the premises located within the corporate limits of the City of Winthrop, for more than 30 days, any vehicle requiring a license to operate on a public highway, unless it is stored or kept in an enclosed building on said premises; provided that the foregoing shall not apply to a vehicle bearing current license plate regularly issued for such vehicle. Any police officer is authorized to remove, or cause to be removed, such a vehicle and to charge the owner or operator for the actual charges incurred for removal, plus storage of any such vehicle, and such owner or operator shall be indebted to the City of Winthrop for such removal and storage charges made pursuant to police department authorizations therefor.

702.45 VIOLATIONS; PENALTY.

Vehicles violating the winter parking restrictions in § 71.38 shall be ticketed and/or towed at the owner's expense. The fine for the violation shall be set from time to time by resolution of the City Council. Violators shall pay the fine within ten days of issuance of ticket, to be paid personally or at City Hall. A drop box will be provided at the City Hall for this purpose. Any violators failing to pay the fine within the ten-day period shall be subject to an additional fine equal to the original parking violation fine, which shall be paid in addition to the original fine. Further non-payment of the fine within the ten-day period shall cause any violator to be subject to a complaint or state citation issued against them in Traffic Court. Penalty for the violation shall be the same for the Traffic Court proceedings for the parking ticket, to include any late penalty imposed.

CHAPTER 703: RECREATIONAL AND OTHER VEHICLES

Section

703.01 Golf carts and all-terrain vehicles used on designated roadways.

703.01 GOLF CARTS AND ALL-TERRAIN VEHICLES USED ON DESIGNATED ROADWAYS.

(A) Definitions. For the purpose of this code of ordinances, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

MOTORIZED GOLF CART and FOUR-WHEEL ALL-TERRAIN VEHICLE. As construed or defined in M.S. § 169.045 Subd. 1.

(B) Permit required. Only duly permitted operators may operate motorized golf carts and four-wheel all-terrain vehicles on designated roadways. Permits shall be granted for a term not to exceed one year, and may be annually renewed. As part of issuing a permit, the city shall issue the permit holder a decal that must be placed on the vehicle for which the permit is issued.

(C) Form of permit application. Permit applications shall require that the applicant: either (1) currently hold a valid driver's license; or (2) submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart or four-wheel all-terrain vehicle on the roadways designated. Permit applications shall include full name, home address, driver's license number or copy of physician's certificate, and a copy of proof of required insurance.

(D) Revocation. Permits may be revoked at any time if there is evidence that the permittee cannot safely operate the motorized golf cart or four-wheel all-terrain vehicle on designated roadways.

(F) Designated roadways. Operators of motorized golf carts and four-wheel all- terrain vehicles shall be limited to city streets and alleys. Motorized golf carts and four-wheel all-terrain vehicles are not permitted on county and state roads and highways or on city sidewalks, except that any intersecting street or highway may be crossed. No automobile, motorcycle, snowmobile, moped, or other motorized vehicle shall be driven or operated in the City Park.

(G) Times of operations. Motorized golf carts and four-wheel all-terrain vehicles may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

(H) Applicability of traffic laws. Every operator of a motorized golf cart or four-wheel all-terrain vehicle on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of state M.S. Chapter 169, except when those

provisions cannot reasonably be applied to motorized golf carts or four-wheel all-terrain vehicles.

(I) Rear view mirror and turn signals. Every motorized golf cart or four-wheel all- terrain vehicle which is so constructed, loaded, or connected with another vehicle as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of 200 feet to the rear of such vehicle. All ATVs must also have front and rear turn signal lamps.

(J) Slow-moving vehicle emblem. Motorized golf carts shall display the slow-moving vehicle emblem provided for in M.S. § 169.522, when operated on designated roadways.

(K) Noise. No person shall operate a golf cart or four-wheel all-terrain vehicle in a manner so as to create a loud, unnecessary, or unusual noise which disturbs, annoys, or interferes with the peace and quiet of other persons.

(L) Penalty. Any person who violates any provision of this section is guilty of a misdemeanor.

Penalty, see City Code 100.06