

## ORDINANCE 2009-02

### ORDINANCE ESTABLISHING PARKING REGULATIONS WITHIN CITY LIMITS OF GREEN ISLE

BE IT ORDAINED by the City Council of the City of Green Isle, Minnesota as follows:

#### SECTION 1. RESPONSIBILITY.

If the operator of a motor vehicle is present while the vehicle is parked in violation of this ordinance, the operator shall be considered responsible for the ordinance violation. If no operator is present at the time a vehicle is found to be in violation of this ordinance, the registered owner of the vehicle shall be considered responsible for the ordinance violation, and it shall be no defense to the charge to allege that someone other than the owner actually placed the vehicle in the prohibited location. For purpose of this section, the term vehicle includes motor vehicles, trailers, semi-trailers, and recreational vehicles as defined below.

#### SECTION 2. GENERAL PARKING PROHIBITIONS.

The provisions of Minnesota Statutes 169.34 and 169.35, and any laws amending or replacing such Statutes, are hereby adopted by reference. It is unlawful for any person to stop, stand or park a vehicle, except when necessary to avoid an accident, in any of the following places:

1. On a sidewalk
2. Blocking access to a public or private driveway.
3. Within an intersection.
4. Within 20 feet of an intersection.
5. In a sign posted fire lane.
6. Within 50 feet of the nearest rail of a railroad crossing.
7. Within 20 feet of the driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station within any properly sign-posted restricted parking zone.
8. Within 10 feet of a fire hydrant.
9. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
10. On the roadway side of any vehicle stopped or parked at the edge or curb of a street, i.e. double parking.
11. Upon any bridge or other elevated structure upon a street.
12. At any place where official signs prohibit or restrict stopping, parking or both.
13. In any alley, except for loading and unloading to or from adjacent premises.
14. On any boulevard.

### SECTION 3. WINTER PARKING REGULATIONS.

The City can at any time upon notice to the registered owner or operator require vehicles to be moved from public rights of way or other public property to facilitate snow removal. City Ordinance 2008-03 is noted for reference as to the requirement to clear all public rights of way of private vehicles, trailers and other objects after a snowfall of at least 2 inches to facilitate snow removal.

### SECTION 4. RECREATIONAL VEHICLE PARKING.

Subdivision 1: Definition. For the purpose of this ordinance a “recreational vehicle” is defined as follows: travel trailers, including those that telescope or fold down, chassis mounted campers, house cars, motor homes, tent trailers, slip in campers, non-motorized trailers intended and generally used for transporting boats, utility trailers, snowmobiles, all terrain vehicles, boats or other watercraft.

Subdivision 2: Unlawful Act. It is unlawful for any person to leave or park a “recreational vehicle” on or within the limits of any public street or right of way, public parking lot or other public property for a continuous period in excess of forty-eight (48) hours.

### SECTION 5. TRUCK PARKING.

Subdivision 1: Semi-trailer Trucks. It is unlawful for any person, as driver or operator of a semi-trailer attached to a truck tractor, or as the registered owner of a semi-trailer attached to a truck tractor, to park said vehicle upon any public street, municipally owned parking lot, or other public property, except for the purpose of and while engaged in the loading and unloading of such semi-trailer

Subdivision 2: Detached Trailer. It is unlawful for any person, as driver or operator of a semi-trailer, or as the registered owner of a semi-trailer, to park a semi-trailer not attached to a truck tractor, upon any public street, municipally owned parking lot, or other public property, at any time.

Subdivision 3: Residential District. It is unlawful for any person, as driver or operator of a semi-trailer or as the registered owner of a semi-trailer, to park, stop or leave standing, or cause, allow or permit to be parked, stopped or left standing, any such semi-trailer, whether or not attached to a truck tractor, within any part of an area zoned as a residential district, except for the purpose of and while engaged in the loading and unloading of such semi-trailer, which said loading or unloading shall be accomplished as quickly as reasonably possible. As an exception to this rule, the owner or operator of a truck tractor/semi-trailer shall be allowed to park said vehicle immediately in front of said owner or operator's residence, or in the driveway or other appropriate area on said person's residence property, if said parking does not restrict traffic flow or interfere with traffic sight lines so as to create a safety hazard.

## SECTION 6. LONG TERM STORAGE PROHIBITED.

Public streets, public parking lots or other public property are not to be used for the long term storage of privately owned motor vehicles, trailers, recreational vehicles or other objects. It shall be considered a prima facie violation of this ordinance section if any such item has remained unmoved for a period of 2 consecutive weeks. Vehicles or other private property found to be in violation of this section may be subject to impoundment under Section 8 below.

## SECTION 7. PENALTY.

Any person violating this ordinance is guilty of a petty misdemeanor punishable by a maximum fine as set by Minnesota law for petty misdemeanors from time to time, (presently in the maximum amount of \$300.00), plus court imposed surcharges.

Violations of this ordinance may be charged, at the option of the City, as misdemeanor offenses punishable by a maximum fine as set by Minnesota law for misdemeanors from time to time, if either of the following conditions are proven to exist: (a) the person charged with a violation of this ordinance has been convicted of this ordinance at least twice within the preceding 12 month period of time; (b) the violation of this ordinance was committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property. (Under the present provisions of Minnesota law convictions for a misdemeanor crime are punishable by \$1,000.00 fine, plus court imposed surcharges, or 90 days in jail, or both.)

Each day a violation exists under this ordinance may be charged as a separate violation subject to the penalties noted above.

## SECTION 8. IMPOUNDMENT OF VEHICLE.

A vehicle may be removed by authorized City personnel or City contractors from a street to a City designated impound site when the vehicle is left unattended, is in violation of this ordinance, and appears to be abandoned, or constitutes an obstruction to traffic, or hinders snow removal, street improvements or maintenance operations. The vehicle shall not be released to the vehicle owner until the fees for towing and storage are paid in addition to any fine imposed for violation of this ordinance. If the vehicle is not claimed by the registered owner within 60 days after impoundment, it may be disposed of by the City under applicable State law as an abandoned vehicle.

## SECTION 9. SUPERSEDES PREVIOUS ORDINANCES.

This ordinance supersedes and replaces all ordinances or portions of ordinances inconsistent with the provisions of this ordinance.

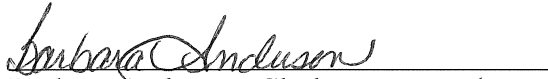
SECTION 10. EFFECTIVE DATE.

The ordinance shall become effective immediately upon publication.

Adopted by the City Council of the City of Green Isle this 9<sup>th</sup> day of June, 2009.

  
Randal S. Bruegger, Mayor

ATTEST:

  
Barbara Anderson, Clerk

Reading: June 9, 2009  
Published: June 18, 2009