

TITLE VII: TRAFFIC CODE

Chapter

70. TRAFFIC REGULATIONS

71. BICYCLES

72. RECREATIONAL VEHICLES

73. PARKING RULES

74. PARADES AND DEMONSTRATIONS

75. PARKING SCHEDULES

CHAPTER 70: TRAFFIC REGULATIONS

Section

- 70.01 Certain statutes adopted by reference
- 70.02 Truck routes
- 70.03 Exhibition driving
- 70.04 U-turns
- 70.05 Certain left turns prohibited
- 70.06 Use of retarders (“Jake brakes”) prohibited

- 70.99 Penalty

§ 70.01 CERTAIN STATUTES ADOPTED BY REFERENCE.

(A) Except as otherwise provided in this traffic code, or in Ch. 95 of this code of ordinances, the regulatory and procedural provisions of M.S. Ch. 169, commonly referred to as the Highway Traffic Regulation Act, as amended through laws of 1997, and as amended from time to time, is hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

(B) Except as otherwise provided in this traffic code, or in Ch. 95 of this code of ordinances, M.S. §§ 171.01, 171.02, 171.08, 171.22, 171.23 and 171.24, as amended through laws of 1997, and as amended from time to time, are hereby incorporated herein and adopted by reference, including the penalty provisions thereof.

(Prior Code, § 8.01) (Ord. 106, 2nd Series, eff. 7-29-1998)

§ 70.02 TRUCK ROUTES.

(A) It is unlawful for any person to drive a tractor, agricultural implement, truck over one-ton capacity, truck-trailer, tractor-trailer or truck tractor in through traffic, upon any street, except those which have been designated and sign-posted as truck routes.

(B) For the purpose of this section, *THROUGH TRAFFIC* means originating without the city and with a destination without the city; as distinguished from *LOCAL TRAFFIC*, which means traffic either originating or having a destination within the city.

(Prior Code, § 8.02) Penalty, see § 70.99

§ 70.03 EXHIBITION DRIVING.

(A) *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, fish-tailing or skidding or, as to two-wheeled or three-wheeled motor vehicles, the front wheel to lose contact with the ground or roadway surface.

(B) *Unlawful act.* It is a misdemeanor 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 the operation to prevent injury to persons or damage to property; provided that, this section shall not apply to driving on a racetrack. For purposes of this section, a **RACETRACK** means any track or premises whereon motorized vehicles, horses, dogs or other animals or fowl legally compete in a race or timed contest for an audience, the members of which have directly or indirectly paid a consideration for admission.

(Prior Code, § 8.04) Penalty, see § 70.99

§ 70.04 U-TURNS.

It is unlawful for any person to operate a motor 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 sign-posted 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.

(Prior Code, § 8.05) Penalty, see § 70.99

§ 70.05 CERTAIN LEFT TURNS PROHIBITED.

(A) It is unlawful for any person to turn across an on-coming lane of traffic to park in an angled parking space without making a lawful U-turn.

(B) It is unlawful for any person to back a vehicle from an angled parking space so as to head in a direction generally opposite from that of the angled parking space in which the vehicle was parked.

(Prior Code, § 8.06) Penalty, see § 70.99

§ 70.06 USE OF RETARDERS (“JAKE BRAKES”) PROHIBITED.

(A) It shall be unlawful for the driver of any truck to intentionally use an engine retarding brake on any public highway, street, parking lot or alley within the city, except in an emergency. Appropriate signs prohibiting the use of engine retarding brakes, except in emergencies, shall be erected at highway entrances to the city. A sign stating “Vehicle Noise Ordinance Enforced” shall be sufficient.

(B) *ENGINE RETARDING BRAKE*, for the purpose of this section, shall mean a dynamic brake, Jake brake, Jacobs brake, C-brake, Paccar brake or other similar engine retarding brake system which alters the normal compression of the engine and subsequently releases that compression causing abnormal or excess noise from the engine.

(Prior Code, § 8.07) (Ord. 113, 2nd Series, eff. 8-25-1999) Penalty, see § 70.99

§ 70.99 PENALTY.

Every person violates a section, division, paragraph or provision of this chapter when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished as follows.

(A) Where the specific section, division, paragraph 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 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(B) As to any violation not constituting a misdemeanor under the provisions of division (A) above, he or she shall be punished as for a petty misdemeanor.

(C) As to any violation of a provision adopted by reference, he or she shall be punished as specified in the provision, so adopted.

(Prior Code, § 8.99)

CHAPTER 71: BICYCLES

Section

- 71.01 Generally
- 71.02 Traffic laws apply
- 71.03 Manner of and number riding
- 71.04 Hitching rides
- 71.05 Where to ride
- 71.06 Right-of-way on sidewalks
- 71.07 Carrying articles
- 71.08 Lighting and braking equipment
- 71.09 Sale with reflectors

- 71.99 Penalty

§ 71.01 GENERALLY.

(A) *Definition.* The term **BICYCLE**, as used in this section, means every device propelled by human power upon which a person may ride, having two tandem wheels, either of which is over 14 inches in diameter, and including any device generally recognized as a **BICYCLE**, though equipped with two front or rear wheels.

(B) *Registration required.* It is unlawful for any person to ride or operate a bicycle not registered with the State Commissioner of Public Safety upon any street, sidewalk or other public property.

(Prior Code, § 7.41) Penalty, see § 71.99

§ 71.02 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 traffic code, 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.

(Prior Code, § 8.03) Penalty, see § 71.99

§ 71.03 MANNER OF 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 on a baby seat attached to the bicycle; provided that, the 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.

(Prior Code, § 8.03) Penalty, see § 71.99

§ 71.04 HITCHING RIDES.

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

(Prior Code, § 8.03) Penalty, see § 71.99

§ 71.05 WHERE TO RIDE.

Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles. Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use the path and shall not use the roadway.

(Prior Code, § 8.03) Penalty, see § 71.99

§ 71.06 RIGHT-OF-WAY ON SIDEWALKS.

Whenever a person is riding a bicycle upon a sidewalk, the person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian; provided that, it is unlawful for any person to ride a bicycle on a sidewalk in a business district.

(Prior Code, § 8.03) Penalty, see § 71.99

§ 71.07 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.

(Prior Code, § 8.03) Penalty, see § 71.99

§ 71.08 LIGHTING AND BRAKING 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 20 square inches on each side of the bicycle or its operator, of white reflective material. All reflective materials used in compliance with this division (A) 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.
(Prior Code, § 8.03) Penalty, see § 71.99

§ 71.09 SALE WITH REFLECTORS.

It is unlawful for any person to sell or offer for sale any new bicycle unless it is equipped with reflectors as are prescribed in § 71.07.
(Prior Code, § 8.03) Penalty, see § 71.99

§ 71.99 PENALTY.

(A) Every person violates § 71.01 when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished as follows.

(1) Where the specific section, division, paragraph 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 § 71.01, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

Windom - Traffic Code

(2) As to any violation not constituting a misdemeanor under the provisions of division (A)(1) above, he or she shall be punished as for a petty misdemeanor.
(Prior Code, § 7.99)

(B) Every person violates §§ 71.02 through 71.09 when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as follows.

(1) Where the specific section, division, paragraph 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 §§ 71.02 through 71.09, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(2) As to any violations not constituting a misdemeanor under the provisions of division (B)(1) above, he or she shall be punished as for a petty misdemeanor.

(3) As to any violation of a provision adopted by reference, he or she shall be punished as specified in the provision, so adopted.
(Prior Code, § 8.99)

CHAPTER 72: RECREATIONAL VEHICLES

Section

Snowmobiles and All-Terrain Vehicles

- 72.01 Definitions
- 72.02 Scope of application
- 72.03 Operation
- 72.04 Special orders
- 72.05 Direct crossings
- 72.06 Yielding the right-of-way
- 72.07 Persons under 18
- 72.08 Equipment
- 72.09 Locking vehicles
- 72.10 Emergencies
- 72.11 Animals
- 72.12 Signal from officer to stop
- 72.13 Certain statutes adopted

Roller Skates, Skateboards and Other Toy Vehicles

- 72.25 Definitions
- 72.26 Unlawful operation
- 72.27 Yielding the right-of-way
- 72.28 Attaching to moving vehicle
- 72.29 Riding as close as possible to right-hand curb
- 72.30 Hours of operation
- 72.31 Operation on state highways
- 72.32 Violation

- 72.99 Penalty

Cross-reference:

Bicycles, see Ch. 71

Parks and Recreation, see Ch. 92

Streets and Sidewalks, see Ch. 95

SNOWMOBILES AND ALL-TERRAIN VEHICLES**§ 72.01 DEFINITIONS.**

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

ALL-TERRAIN VEHICLE or ***ATV***. Refers to trail bikes, mini bikes, amphibious vehicles and similar devices other than snowmobiles used at least partially for travel on natural terrain, but not “special mobile equipment”, defined in M.S. § 168.011, Subd. 22, as amended from time to time, which is hereby incorporated herein by reference.

DEADMAN THROTTLE or ***SAFETY THROTTLE***. A device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.

NATURAL TERRAIN. 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.

OPERATE. To ride in or on and control the operation of a snowmobile or ATV.

OPERATOR. Every person who operates or is in actual physical control of a snowmobile or ATV.

OWNER. A person, other than a lien holder having the property in or title to snowmobile or ATV, entitled to the use or possession thereof.

SNOWMOBILE. A self-propelled vehicle designed for travel on snow or ice steered by skis or runners.

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991)

§ 72.02 SCOPE OF APPLICATION.

Notwithstanding provisions of this subchapter to the contrary, this section shall apply to control of traffic and regulation of that certain class of vehicles falling within the definition of snowmobiles and all-terrain vehicles as to matters set forth herein. All provisions of this subchapter, not relating to matters herein stated, apply as equally to snowmobiles as other vehicles.

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991)

§ 72.03 OPERATION.

Except as otherwise herein permitted, it is unlawful for any person to operate a snowmobile or

ATV not licensed as a motor vehicle as follows:

(A) On the portion of any right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel, except upon the most right-hand lane of a street or alley and may in passing or making a left-hand turn, operate on other lanes which are used for vehicle traffic in the same direction;

(B) On a public sidewalk provided for pedestrian travel;

(C) On boulevards within any public right-of-way;

(D) On private property of another without specific permission of the owner or person in control of the property;

(E) At a rate of speed greater than reasonable or proper under all surrounding circumstances;

(F) At any place in a careless, reckless or negligent manner or heedlessly in disregard of the rights or safety of others, or in a manner so as to endanger or be likely to endanger or cause injury or damage to any person or property;

(G) During the hours from 11:00 p.m. to 6:00 a.m. of any day, closer than 100 feet to any dwelling which is usually occupied by one or more persons; provided, however, that, snowmobile operation shall be permitted during the hours when traveling directly to or from the residence of the operator and the nearest city limits line at a rate of speed not in excess of ten mph;

(H) So as to tow any person or thing, except through use of a rigid towbar attached to the rear of the snowmobile or ATV;

(I) 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;

(J) At any place while under the influence of alcohol or drugs, as defined in M.S. § 169.121, as amended from time to time, which is hereby incorporated herein by reference; and

(K) Within 100 feet of any pedestrian, fisher, skating rink or sliding area where the operation would conflict with the use or endanger other persons or property.

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991) Penalty, see § 72.99

§ 72.04 SPECIAL ORDERS.

In addition to the regulations provided in § 72.03, it is unlawful to operate a snowmobile or ATV on any public place where prohibited by order of the city. The City Administrator shall have the power, by written order, to prohibit the operation whenever, in his or her discretion, the same would be likely to produce damage to property or endanger the safety or repose of other persons. The areas shall be appropriately signposted before the order shall become effective.

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991) Penalty, see § 72.99

§ 72.05 DIRECT CROSSINGS.

(A) A snowmobile or ATV may make a direct crossing of a street or highway, except at an interstate highway or freeway; provided:

(1) The crossing is made at an angle of approximately 90 degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

(2) The vehicle is brought to a complete stop before crossing the shoulder or main traveled way;

(3) The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard;

(4) In crossing a divided street or highway, the crossing is made only at an intersection of the street or highway with another public street or highway; and

(5) If the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

(B) ATVs not licensed as a motor vehicle are forbidden to cross highways or streets, except when they are pushed across by human power. ATVs, when pushed across highways or streets, shall be subject to all the regulations of this section.

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991) Penalty, see § 72.99

§ 72.06 YIELDING THE RIGHT-OF-WAY.

It is unlawful for any person operating a snowmobile or ATV to enter any intersection without yielding the right-of-way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard.

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991) Penalty, see § 72.99

§ 72.07 PERSONS UNDER 18.

(A) It is unlawful for any person under the age of 14 years to operate a snowmobile or ATV on streets, in city parks or other public land, or the roadway surface of highways, or make a direct crossing of a trunk, county state-aid or county highway as the operator of the vehicle. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile or ATV as permitted under this section, only if he or she has in his or her possession, a safety certificate issued by the Commissioner, as provided by M.S. § 84.872, as amended from time to time.

(B) It is unlawful for the owner of a snowmobile or ATV to permit the snowmobile or ATV to be operated contrary to the provisions of this section.

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991) Penalty, see § 72.99

§ 72.08 EQUIPMENT.

It is unlawful for any person to operate a snowmobile or ATV any place within the city 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 or ATV;

(B) Brakes adequate to control the movement of and to stop and hold the snowmobile or ATV under any condition of operation;

(C) A safety or so-called “deadman” throttle in operating condition;

(D) (1) When operated between the hours of one-half hour after sunset to one-half hour before sunrise or at a 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;

(2) The head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile or ATV operator; and

(3) 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 the hours of darkness under normal atmospheric conditions.

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

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991) Penalty, see § 72.99

§ 72.09 LOCKING VEHICLES.

It is unlawful for any person to leave a snowmobile or ATV on a public place unless he or she shall lock the ignition, remove the key and take the same with him or her.

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991) Penalty, see § 72.99

§ 72.10 EMERGENCIES.

Notwithstanding the prohibition of operating a snowmobile or ATV upon a roadway to the contrary, the snowmobile or ATV may be operated on a public thoroughfare in an emergency during the period of time when, at locations where, snow upon the roadway renders travel by automobile impractical.

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991)

§ 72.11 ANIMALS.

It is unlawful to intentionally drive, chase, run over or kill any animal with a snowmobile or ATV.

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991) Penalty, see § 72.99

§ 72.12 SIGNAL FROM OFFICER TO STOP.

It is unlawful for a snowmobile or ATV operator, after having received a visual or audible signal from any law enforcement officer to come to a stop, to:

(A) Operate a snowmobile or ATV in willful or wanton disregard of the signal;

(B) Interfere with or endanger the law enforcement officer or any other person or vehicle; or

(C) Increase his or her speed or attempt to flee or elude the officer.

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991) Penalty, see § 72.99

§ 72.13 CERTAIN STATUTES ADOPTED.

M.S. §§ 84.81 through 84.928, inclusive, as amended from time to time, together with rules and regulations promulgated thereunder, are hereby adopted by reference, incorporated herein and made a part hereof, except as otherwise provided herein.

(Prior Code, § 8.30) (Ord. 69, 2nd Series, eff. 7-25-1991)

ROLLER SKATES, SKATEBOARDS AND OTHER TOY VEHICLES**§ 72.25 DEFINITIONS.**

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

CENTRAL BUSINESS DISTRICT. The area of the city bound by the following lines:

- (1) 10th Street from 5th Avenue to 2nd Avenue;
- (2) 9th Street from 5th Avenue to 2nd Avenue;
- (3) 3rd Avenue from 8th Street to 11th Street; and
- (4) 4th Avenue from 8th Street to 11th Street.

OPERATE. To ride on or control the operation of a skateboard, roller skates/blades or scooter.

OPERATOR. Every person who operates or is in actual physical control of a skateboard, roller skates/blades or scooter.

ROLLER SKATES/BLADES. A shoe with wheels attached or a device with wheels which is designated to be attached to a shoe.

SCOOTER. A foot-operated vehicle consisting of a narrow board mounted between two wheels, tandem, with an upright steering handle attached to the front wheel.

SKATEBOARDS. A wheeled device designed to transport a rider in a standing position, which device is not otherwise secured to the rider's feet or shoes.
(Prior Code, § 8.40) (Ord. 58, 2nd Series, eff. 8-16-1991)

§ 72.26 UNLAWFUL OPERATION.

It is unlawful for any person to ride or use a skateboard, roller skates/blades or scooter:

(A) On any public sidewalk, street or other public parking lot situated in the central business district;

(B) On private property of another without the express permission to do so by the owner or occupant of the property; or

(C) In any careless, reckless or negligent manner so as to endanger or be likely to endanger the safety of any person or property of any other person.
(Prior Code, § 8.40) (Ord. 58, 2nd Series, eff. 8-16-1991) Penalty, see § 72.99

§ 72.27 YIELDING THE RIGHT-OF-WAY.

The operator of a skateboard, roller skates/blades or scooter emerging from any alley, driveway or building upon approaching a sidewalk or the sidewalk area extending across any alleyway shall yield the right-of-way to all pedestrians approaching the sidewalk or sidewalk area upon entering the

roadway shall yield the right-of-way to all vehicles approaching on the roadway.
(Prior Code, § 8.40) (Ord. 58, 2nd Series, eff. 8-16-1991) Penalty, see § 72.99

§ 72.28 ATTACHING TO MOVING VEHICLE.

It is unlawful for any person operating a skateboard, roller skates/blades or scooter to attach the same or the person of the operator to any vehicle upon a roadway.
(Prior Code, § 8.40) (Ord. 58, 2nd Series, eff. 8-16-1991) Penalty, see § 72.99

§ 72.29 RIDING AS CLOSE AS POSSIBLE TO RIGHT-HAND CURB.

Every person operating a skateboard, roller skates/blades or scooter upon a roadway shall ride as close as possible to the right-hand curb or edge of the roadway.
(Prior Code, § 8.40) (Ord. 58, 2nd Series, eff. 8-16-1991) Penalty, see § 72.99

§ 72.30 HOURS OF OPERATION.

It is unlawful for any person to use a skateboard, roller skates/blades or scooter upon a public street, sidewalk or other roadway after sunset and before sunrise.
(Prior Code, § 8.40) (Ord. 58, 2nd Series, eff. 8-16-1991) Penalty, see § 72.99

§ 72.31 OPERATION ON STATE HIGHWAYS.

It is unlawful for any person to use a skateboard, roller skates/blades or scooter upon a state highway in the city.
(Prior Code, § 8.40) (Ord. 58, 2nd Series, eff. 8-16-1991) Penalty, see § 72.99

§ 72.32 VIOLATION.

It is unlawful for any person to violate any provision of this subchapter. In addition, any peace officer who observes any person violating any provisions of this subchapter is authorized to seize the offender's roller skates, skateboard or scooter and to hold same at the Police Department. In the event of the seizure, the offender, if an adult, may secure the return of this article seized after 24 hours have elapsed since the seizure. In the case of a minor, the article seized shall be returned only to the parent or guardian of the minor offender after 24 hours have elapsed since the seizure.
(Prior Code, § 8.40) (Ord. 58, 2nd Series, eff. 8-16-1991) Penalty, see § 72.99

§ 72.99 PENALTY.

Every person violates a section, division, paragraph or provision of this chapter when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished as follows.

(A) Where the specific section, division, paragraph 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 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(B) As to any violations not constituting a misdemeanor under the provisions of division (A) above, he or she shall be punished as for a petty misdemeanor.

(C) As to any violation of a provision adopted by reference, he or she shall be punished as specified in the provision, so adopted.

(Prior Code, § 8.99)

CHAPTER 73: PARKING RULES

Section

General Provisions

- 73.01 Presumption
- 73.02 General parking prohibitions
- 73.03 Unauthorized removal
- 73.04 Direction to proceed
- 73.05 Parallel parking
- 73.06 Streets without curb
- 73.07 Parking hours
- 73.08 Truck parking
- 73.09 Parking rules in city parking lots and ramps
- 73.10 Impounding or removing vehicles
- 73.11 Unattended vehicle
- 73.12 Vehicle repair on street
- 73.13 Parking for the purpose of advertising or selling merchandise
- 73.14 Physically disabled parking

Parking Meters

- 73.25 Installation and use
- 73.26 Parking spaces
- 73.27 Days and hours of metered parking
- 73.28 Charges
- 73.29 Slugs
- 73.30 Damaging meters

Snow Emergencies

- 73.45 Definitions
- 73.46 Rules and regulations
- 73.47 Unlawful acts
- 73.48 Parking vehicles to facilitate snow removal

- 73.99 Penalty

GENERAL PROVISIONS**§ 73.01 PRESUMPTION.**

As to any vehicle parking in violation of this traffic code and Ch. 95 of this code of ordinances 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.

(Prior Code, § 9.01)

§ 73.02 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:

- (A) On a sidewalk;
- (B) In front of a public or private driveway;
- (C) Within an intersection;
- (D) Within ten feet of a fire hydrant;
- (E) On a crosswalk;
- (F) Within 20 feet of a crosswalk at any intersection;
- (G) In a sign-posted fire lane;

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

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

(J) Within 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 75 feet of the entrance when properly sign-posted;

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

(L) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(M) Upon any bridge or other elevated structure upon a street;

(N) At any place where official signs prohibit or restrict stopping, parking or both;

(O) In any alley, except for loading or unloading and then only so long as reasonably necessary for the loading and unloading to or from adjacent premises; or

(P) On any boulevard which has been curbed.
(Prior Code, § 9.02) Penalty, see § 73.99

§ 73.03 UNAUTHORIZED REMOVAL.

It is unlawful for any person to move a vehicle not owned by the person into any prohibited area or away from a curb a distance as is unlawful.
(Prior Code, § 9.03) Penalty, see § 73.99

§ 73.04 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.
(Prior Code, § 9.04) Penalty, see § 73.99

§ 73.05 PARALLEL PARKING.

Except where angle parking is specifically allowed and indicated by curb marking or signposting, 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 12 inches of, the right-hand curb, and, where painted markings appear on the curb or the street, the vehicle shall be within the 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 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 the one-way street; and it is unlawful to park in violation of this section.
(Prior Code, § 9.05) Penalty, see § 73.99

§ 73.06 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 section.
(Prior Code, § 9.06) Penalty, see § 73.99

§ 73.07 PARKING HOURS.

Parking on streets shall be limited as follows.

(A) It is unlawful for any person to stop, park or leave standing any vehicle upon any street for a continuous period in excess of 36 hours.

(B) The Chief of Police may, when authorized by resolution of the Council, designate certain streets, blocks or portions of streets or blocks as five-minute, ten-minute, 15-minute, 30-minute, one-hour, two-hour, four-hour, six-hour or eight-hour limited parking zones and shall mark, by appropriate signs, any zones so established. The 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.

(C) It is unlawful for any person to remove, erase or otherwise obliterate any mark or sign placed upon a tire or other part of a vehicle by a police officer for the purpose of measuring the length of time the vehicle has been parked.

(D) For the purpose of enforcement of this section, any vehicle moved less than one block in a limited time parking zone shall be deemed to have remained stationary.

(Prior Code, § 9.20) Penalty, see § 73.99

§ 73.08 TRUCK PARKING.

(A) It is unlawful to park a detached semi-trailer upon any street, city-owned parking lot or other public property.

(B) It is unlawful to park a semi-trailer, truck-tractor or a combination thereof within an area zoned as a residential district, except for the purpose of loading or unloading the same.

(C) It is unlawful to park a commercial vehicle of more than one-ton capacity upon any street in the business district which has been duly sign-posted prohibiting the same, but parking of the vehicle for a period of not more than 20 minutes shall be permitted in the space for the purpose of necessary access to abutting property for 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.

(D) 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 that 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.

(E) 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 for loading or unloading.

(Prior Code, § 9.21) Penalty, see § 73.99

§ 73.09 PARKING RULES IN CITY PARKING LOTS AND RAMPS.

(A) In city-owned parking lots and ramps, 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, the limitations and restrictions are sign-posted thereon.

(B) 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 city-owned parking lot or ramp contrary to the restrictions or limitations sign-posted therein.

(Prior Code, § 9.22) Penalty, see § 73.99

§ 73.10 IMPOUNDING OR REMOVING VEHICLES.

(A) When any police officer finds a vehicle standing upon a street or city-owned parking lot in violation of any parking regulation, the officer is hereby authorized to require the driver or other person in charge of the vehicle to remove the same to a position in compliance with this chapter.

(B) When any police officer finds a vehicle unattended upon any street or city-owned parking lot in violation of any parking regulation, the officer is hereby authorized to impound the unlawfully parked vehicle and to provide for the removal thereof and to remove the same to a convenient garage or other facility or place of safety; provided that, if any charge shall be placed against the vehicle for cost of removal or storage, or both, by anyone called upon to assist therewith the same shall be paid prior to removal from the place of storage or safekeeping.

(Prior Code, § 9.23)

§ 73.11 UNATTENDED VEHICLE.

(A) It is unlawful for any person to leave a motor vehicle unattended while the engine is running.

(B) It is unlawful for any person to leave a motor vehicle unattended with the key in the ignition.

(Prior Code, § 9.24) Penalty, see § 73.99

§ 73.12 VEHICLE REPAIR ON STREET.

It is unlawful for any person to service, repair, assemble or dismantle any vehicle parked upon a street, or attempt to do so, except to service the vehicle with gasoline or oil or to provide emergency repairs thereon.

(Prior Code, § 9.25) Penalty, see § 73.99

§ 73.13 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 15 minutes.

(Prior Code, § 9.26) Penalty, see § 73.99

§ 73.14 PHYSICALLY DISABLED PARKING.

(A) Statutory parking privileges for physically disabled shall be strictly observed and enforced.

(B) It is unlawful for any person, whether or not physically disabled, to stop, park or leave standing a motor vehicle:

(1) In a sign-posted fire lane at any time; or

(2) In lanes where, and during such hours as, parking is prohibited to accommodate heavy traffic during morning and afternoon rush hours.

(Prior Code, § 9.31) Penalty, see § 73.99

PARKING METERS**§ 73.25 INSTALLATION AND USE.**

To control motor vehicle parking upon certain streets and public parking lots, mechanical devices commonly known as parking meters shall be installed on or near the curb or parking space and at locations as the Council may designate.

(Prior Code, § 9.40)

§ 73.26 PARKING SPACES.

Lines or markings painted upon the curb or street or public parking lot adjacent to each parking meter shall indicate the parking space and it is unlawful to park any vehicle unless the same shall be wholly contained within a single parking space.

(Prior Code, § 9.40)

§ 73.27 DAYS AND HOURS OF METERED PARKING.

It is unlawful for any person to cause, allow, permit or suffer any vehicle registered in his or her name or operated or controlled by him or her to be upon any street within a metered parking space at any time during which the meter is showing a signal indicating that the space is illegally in use between the hours of 9:00 a.m. and 5:00 p.m., Mondays through Saturdays, inclusive, excepting therefrom Sundays and days as are legal holidays designated by state statutes.

(Prior Code, § 9.40) Penalty, see § 73.99

§ 73.28 CHARGES.

(A) Parking meter charges may vary with the location of the on-street or public parking lot upon or along which metered parking has been established. Charges shall be prescribed by resolution of the Council at the time of establishment of metered parking within a specified area or upon a specified street. Changes in the charges shall be made by resolution of the Council. Parking meter charges and coin denominations shall be clearly stated upon each meter including the time covered by each denomination.

(B) Also, time limitations for parking in any metered space shall be clearly set forth upon each meter.

(Prior Code, § 9.40)

§ 73.29 SLUGS.

It is unlawful to deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for legal coins.

(Prior Code, § 9.40) Penalty, see § 73.99

§ 73.30 DAMAGING METERS.

It is unlawful for any person to tamper with, open, willfully break, damage, deface, destroy or otherwise interfere with any parking meter.

(Prior Code, § 9.40) Penalty, see § 73.99

SNOW EMERGENCIES**§ 73.45 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 streets in the business district of the city, as used in this subchapter, are hereby defined as follows:

- (1) 10th Street from 5th Avenue east to 1st Avenue;
- (2) 9th Street from 5th Avenue east to 1st Avenue;
- (3) 4th Avenue from 8th Street north to 11th Street; and
- (4) 3rd Avenue from 8th Street north to 11th Street.

SNOW EMERGENCY. A condition created on city streets because of the presence of snow, freezing rain, sleet, ice or snowdrifts 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 Mayor, City Administrator or Chief of Police.

SNOW EMERGENCY ROUTES. The City Council may from time to time designate by resolution certain snow emergency routes upon which no parking shall be permitted during a snow emergency as set forth elsewhere herein. Upon designation of ***SNOW EMERGENCY ROUTES*** by the Council, a public notice shall be published in the official newspaper identifying the routes. The notice shall be posted in City Hall, 444 9th Street, Windom, Minnesota.

STREET. Includes all streets, avenues, alleys or other public ways in the city.

VEHICLE. Includes all motor vehicles, trailers of all kinds and contrivances of any kind being moved on wheels.

(Ord. 134, 2nd Series, passed 2-16-2010)

§ 73.46 RULES AND REGULATIONS.

Rules and regulations relating to snow removal shall be in accordance with the uniform policy promulgated by the city. The regulations shall be posted in the office of the City Administrator and further notice may otherwise be given as the Council may direct.

(Ord. 134, 2nd Series, passed 2-16-2010)

§ 73.47 UNLAWFUL ACTS.

(A) During a snow emergency, it is unlawful to park or leave standing any vehicle upon a snow emergency route designated and duly sign-posted as such.

(B) During a snow emergency, it is unlawful to park or leave standing any vehicle upon a street on which parking has been restricted by the declaration of a snow emergency.

(Ord. 134, 2nd Series, passed 2-16-2010) Penalty, see § 73.99

§ 73.48 PARKING VEHICLES TO FACILITATE SNOW REMOVAL.

(A) Other than parking in business district, in the event that a snow emergency has been issued, the parking of vehicles on the streets in the city on odd-numbered dates shall be allowed only on sides of the streets which have buildings or tax parcels with addresses ending in an odd number and on those dates parking shall be prohibited on the sides of the streets which have buildings or tax parcels with addresses ending in an even number. During the same time period, the parking of vehicles on the streets in the city on even-numbered dates shall be allowed only on the sides of the streets which have buildings or tax parcels with addresses ending in an even number and on those dates parking shall be prohibited on the sides of the streets which have buildings or tax parcels ending in an odd number. The above prohibitions apply only between the hours of 12:01 a.m. to 11:59 a.m.

(B) On streets in the business district, as herein defined, no person shall park any vehicle during a snow emergency, as herein defined, on the side of the streets where signs have been posted by authorized city agents under authority from the City Council designating “No Parking During Snow Emergency” by reason of snow removal operations, which no parking rule shall begin at 2:00 a.m., as herein provided, and shall terminate on that part of the street after 6:00 a.m.

(C) This section shall not apply if city signs direct that parking should occur in a different way on any street.

(D) No vehicle shall be parked upon any street, alley, publicly-owned parking facility or right-of-way outside of the designated parking lanes so as to block the removal of snow from any street, alley, publicly-owned parking facility or right-of-way.

(Ord. 134, 2nd Series, passed 2-16-2010) Penalty, see § 73.99

§ 73.99 PENALTY.

(A) Every person violates a section, division, paragraph or provision of this chapter when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished as follows.

Windom - Traffic Code

(1) Where the specific section, division, paragraph or provision specifically makes violation 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 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(2) As to any violation not constituting a misdemeanor under the provisions of division (A)(1) above, he or she shall be punished as for a petty misdemeanor.

(B) Violation of §§ 73.45 through 73.48 shall be a petty misdemeanor and shall be grounds for any police officer to remove the vehicle as authorized by § 73.10.
(Ord. 134, 2nd Series, passed 2-16-2010)

CHAPTER 74: PARADES AND DEMONSTRATIONS

Section

- 74.01 Definition
- 74.02 Permit required
- 74.03 Procedure and granting

- 74.99 Penalty

§ 74.01 DEFINITION.

The term *PARADE* means any movement of vehicles, persons or animals, or any combination thereof, which either moves together and as a body so as to, in some way, impede or affect the free and unobstructed flow of traffic, or which moves so that some part thereof is in violation of one or more traffic laws or regulations, if the movement is without a permit hereunder. It shall also mean gatherings of persons for purposes such as rallies and block parties.
(Prior Code, § 7.40)

§ 74.02 PERMIT REQUIRED.

It is unlawful to sponsor or participate in a parade for which no permit has been obtained from the city, and it is also unlawful to obtain a parade permit and not conduct the same in accordance with a permit granted by the city. Application for the permit shall be made to the City Administrator at least ten days in advance of the date on which it is to occur, and shall state the sponsoring organization or individuals, the route, the length, the estimated time of commencement and termination, the general composition and the application shall be executed by the individuals applying therefor or the duly authorized agent or representative of the sponsoring organization. No fee shall be charged for the permit.
(Prior Code, § 7.40) Penalty, see § 74.99

§ 74.03 PROCEDURE AND GRANTING.

Windom - Traffic Code

The City Administrator shall forthwith refer all applications for parades to the Chief of Police for his or her consideration, which shall take no longer than seven days. If any state trunk highways are in the route, the Chief of Police shall make all necessary arrangements with the State Department of Highways for alternate routes or whatever may be necessary. If the Chief of Police finds that a parade will not cause a hazard to persons or property, and will cause no great inconvenience to the public, and if he or she is able to make arrangements for necessary direction and control of traffic, he or she shall endorse his or her acceptance and return the application to the City Administrator who shall then issue the permit. If the Chief of Police finds the parade described in the application to be a hazard, a substantial inconvenience or if he or she is unable to make adequate arrangements for direction or control of traffic, he or she shall return the same to the City Administrator with his or her reasons for denial, and the permit shall not be granted unless all conditions and objections of the city are met or removed by the applicant.

(Prior Code, § 7.40)

§ 74.99 PENALTY.

Every person violates this chapter when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished as follows.

(A) Where the specific section, division, paragraph or provision of this chapter 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 12-month period for the third or subsequent time, he or she shall be punished as for a misdemeanor.

(B) As to any violation not constituting a misdemeanor under the provisions of division (A) above, he or she shall be punished as for a petty misdemeanor.

(Prior Code, § 7.99)

CHAPTER 75: PARKING SCHEDULES

Schedule

I. Parking restrictions

SCHEDULE I. PARKING RESTRICTIONS.

<i>Parking Restrictions</i>	<i>Prior Code</i>	<i>Ord. No.</i>	<i>Date Passed/ Effective</i>
Highway #13, 13th Street	§ 9.27	31, 2nd Series	4-4-1985
(A) <i>Purpose.</i> The county will be improving County State Aid Highway #13, 13th Street, between River Road and 4th Avenue, and the width of the improved portion of 13th Street between 4th Avenue and River Road will be 36 feet.			
(B) <i>Unlawful acts.</i> Notwithstanding the provisions of § 95.03 of this code of ordinances, it is unlawful for any person to park a motor vehicle on the south side of Highway #13, 13th Street, between River Road and 4th Avenue at any time. Parallel parking is permitted on the north side of 13th Street between River Road and 4th Avenue.			

