

**TITLE VII: TRAFFIC CODE**

Chapter

**70. GENERAL PROVISIONS**

**71. TRAFFIC AND PARKING REGULATIONS**

## CHAPTER 70: GENERAL PROVISIONS

### Section

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#### ***SNOWMOBILES AND ALL-TERRAIN VEHICLES***

### **§ 70.01 DEFINITIONS.**

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

***ALL-TERRAIN VEHICLES* or *ATV*.** Trail bikes, mini-bikes, mopeds, go cars, amphibious vehicles, and similar devices other than snowmobiles used at least partially for travel on natural terrain but not “special mobile equipment” as defined in M.S. § 168.011, Subd. 22, as it may be amended from time to time.

***DEAD MAN THROTTLE* or *SAFETY THROTTLE*.** A device when pressure is from the engine accelerator or throttle, the motor is caused to be disengaged from the driving mechanism.

***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 a snowmobile or ATV and entitled to the use or possession thereof.

***PERSON*.** An individual, partnership, corporation, the state, and its agencies and subdivisions, and any body of persons, whether incorporated or not.

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

(Ord. 72, passed 11-6-1980; Am. Ord. passed 4-13-1995)

**§ 70.02 SNOWMOBILE REGISTRATION.**

No person shall operate any snowmobile within the City of North Oaks unless the snowmobile has been registered with the Commissioner of Natural Resources of the State of Minnesota in accordance with the laws of the State of Minnesota.

(Ord. 72, passed 11-6-1980; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

**§ 70.03 OPERATION; GENERALLY.**

(A) No person shall operate a snowmobile or an all-terrain vehicle (ATV) upon the roadway, shoulder, outside bank, inside bank, or slope of any public or private road in the City of North Oaks.

(B) No person shall operate a snowmobile or an all-terrain vehicle (ATV) on the private property of another without the express permission of the owner or the person in control thereof.

(C) An all-terrain vehicle (ATV) licensed for highway use may be operated on the public streets and highways.

(D) (1) No snowmobile or an all-terrain vehicle (ATV) may be operated upon land or premises controlled by the City of North Oaks or the North Oaks Home Owners Association unless permission to do so is posted thereon.

(2) 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. The violation itself shall be prima facie evidence of intent.

(Ord. 72, passed 11-6-1980; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

**§ 70.04 PROHIBITED OPERATION.**

It is unlawful for any person to operate a snowmobile within the limits of the City of North Oaks:

(A) While under the influence of intoxicating liquor or narcotics or habit forming drugs;

(B) At a rate of speed in excess of 30 mph, except where surrounding circumstances dictate a more reduced speed;

(C) In a careless, reckless, or negligent manner so as to endanger the person or property of another or cause injury or damage thereto;

(D) Unless operation is between the hours of 7:00 a.m. and 10:00 p.m. Central Standard Time;

(E) If for the purpose of towing any person or thing, except through use of a rigid tow bar attached to the rear of the snowmobile;

(F) Within 100 feet of any playground, skating rink, or sliding area where the operation would conflict with the use or endanger other persons or property; and/or

(G) 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.  
(Ord. 72, passed 11-6-1980; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

#### **§ 70.05 EQUIPMENT.**

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

(A) Standard mufflers which are properly attached and which reduce the noise of the 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 or on an all-terrain vehicle motor;

(B) Brakes adequate to control the movement of and to stop and hold the snowmobile or all-terrain vehicle under any condition of operation

(C) A safety or so called dead man throttle in operating condition;

(D) At least 1 head lamp and 1 tail lamp in operating condition if the snowmobile is operated after dark; and

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

(Ord. 72, passed 11-6-1980; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

#### **§ 70.06 UNATTENDED VEHICLE; PARKING.**

It shall be unlawful to leave a snowmobile or all-terrain vehicle unattended on any publicly-owned property, other than in a designated parking area. Every person leaving a snowmobile or all-terrain vehicle in a designated parking area shall lock the ignition, remove the key, and take the same with them.

(Ord. 72, passed 11-6-1980; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

#### **§ 70.07 KILLING OF ANIMALS PROHIBITED.**

It is unlawful to intentionally drive, chase, run over, or kill any animal with a snowmobile or all-terrain vehicle.

(Ord. 72, passed 11-6-1980; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

## TRAFFIC AND PARKING REGULATIONS

### Section

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### § 71.01 DEFINITIONS.

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

**CROSSWALK AREA.** The portion of a roadway at an intersection, whether marked or unmarked, ordinarily included within the connections of the lateral lines of sidewalks or pedestrian walks or ways where there are no sidewalks on opposite sides of the streets measured from the curbs or in the absence of curbs from the edges of the traversable roadway.

**DRIVER.** Every person who drives or is in actual physical control of a motor vehicle.

**MOTOR VEHICLE.** Every vehicle which is self-propelled and includes those vehicles known as "motor bicycles," "motor scooters," and "go-carts."

**POLICE OFFICER.** Every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations contained in this chapter and the laws of the State of Minnesota.

**STREET or HIGHWAY.** The entire width between the boundary lines of any place or way owned by the North Oaks Company, or any easement reserved from each conveyed tract in the City of North Oaks for use by the property owners and residents of the City of North Oaks or members of the North Oaks Golf Club and their respective assigns, licensees, guests, and invitees or any other way open to the public as a matter of right for the purpose of vehicular travel.

**VEHICLE.** Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power.

(B) Whenever any words and phrases used herein are not defined herein but are defined in the Minnesota laws regulating the operation of vehicles, that definition shall be deemed to apply to the words and phrases herein.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995)

## **§ 71.02 ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS.**

(A) *State law penalty.* Where a specific or minimum fine or imprisonment is specified by the Highway Traffic Regulation Act, M.S. Chapter 169, as it may be amended from time to time, for an offense, that penalty shall apply to a person convicted of the same offense under this chapter.

(B) *Compliance.* No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer invested by this Council with authority to direct, control, or regulate traffic.

(C) *County Sheriff.* The Sheriff of Ramsey County and his or her duly appointed deputies and any other police officer duly appointed as such by this Council are hereby vested with the authority to enforce within the City of North Oaks the traffic regulations set forth in this chapter and in the laws of the State of Minnesota.

(D) *Application of provisions.* The provisions of this chapter shall apply to the driver of any vehicle owned by or used in the service of the United States Government, the State of Minnesota, and any county or other political subdivision, and it shall be unlawful for any driver to violate any of the provisions of this chapter except as are set forth as exemptions for authorized emergency vehicles.

(E) *Emergency vehicles.*

(1) The driver of an authorized emergency vehicle, when actually responding to an emergency call or when in pursuit of an actual or suspected violator of the law or when responding to, but not returning from a fire alarm, subject to the conditions herein stated, may:

(a) Park or stand, regardless of the provisions of this chapter or any official sign regulating parking;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the maximum speed limit; and

(d) Disregard regulations governing the direction of movement or turning in specified directions.

(2) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall the provisions protect the driver from the consequences of his or her reckless disregard for the safety of others.

(3) The exemptions granted herein shall apply only when the emergency vehicle is equipped

with at least 1 lighted red lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of the vehicle and when the driver is giving audible signal by siren.

(F) *Yield to emergency vehicles.* Upon the immediate approach of an authorized emergency vehicle making use of the specified audible and visual signals, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the highway clear of any intersection, and shall stop and remain in this position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer, but the provisions of the previous subdivisions relative to due regard for the safety of others shall apply to the driver of the emergency vehicle.

(G) *Accidents.* The driver of and vehicle involved in an accident or collision shall comply with the provisions of Minnesota laws relative to the accidents or collisions and, if the occurrence results in injury to or death of any person, shall immediately, by the quickest means of communication, notify the office of the Sheriff of Ramsey County or any police officer duly appointed as such by this Council. (Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

### **§ 71.03 TRAFFIC-CONTROL DEVICES.**

(A) *Authority.* The Mayor shall cause to have placed and maintained traffic-control signs, signals, and devices when and as required under the traffic ordinance of this city to make effective the provisions of the ordinance and may have placed and maintained the additional traffic-control devices as he or she may deem necessary to regulate traffic under the traffic ordinance of this city or under Minnesota laws or to guide or warn traffic.

(B) *Specifications for traffic-control devices.*

(1) All traffic-control signs, signals, and devices shall conform to the manual and specifications adopted by the Commissioner of Highways.

(2) All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the city.

(3) All traffic-control devices so erected and not inconsistent with the provisions of Minnesota law or this chapter shall be official traffic-control devices.

(C) *Obedience to official traffic-control devices.* The driver of any vehicle shall obey the instruction of any official traffic-control device applicable thereto placed in accordance with the provisions of this chapter, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter.

(D) *Signs required for enforcement purposes.* Whenever a particular provision of this chapter does not state that signs are required, the section shall be effective even though no signs are erected or in place.

(E) *Unauthorized signs.*

(1) No person shall place, maintain, or display upon or in view of any street or highway any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles

an official traffic-control device, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device.

(2) Every prohibited sign, signal, or marking is hereby declared to be a public nuisance and the Mayor is hereby empowered to remove the same or cause it to be removed without notice.

(F) *Interference with signs.* No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any inscription, shield, or insignia thereon or any other part thereof.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

#### **§ 71.04 CARELESS OR RECKLESS DRIVING.**

(A) No person shall operate or halt any vehicle within the City of North Oaks carelessly or heedlessly in disregard of the rights or safety of others or in a manner so as to endanger or be likely to endanger any person or property.

(B) Any person who drives any vehicle in a manner as to indicate either a willful or wanton disregard for the safety of persons or property is guilty of reckless driving and that reckless driving is a misdemeanor.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

#### **§ 71.05 SPEED REGULATIONS.**

(A) (1) No person shall drive a vehicle in the City of North Oaks at a speed greater than is reasonable and prudent under existing conditions and having regard to the actual and potential hazards then existing.

(2) In every event, speed shall be so restricted as may be necessary in order to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(B) (1) No person shall drive a vehicle in the City of North Oaks at a speed in excess of 30 mph on any street on which a different speed zone has not been established.

(2) On any street in the City of North Oaks where a speed zone other than 30 mph has been established and signs have been posted calling attention to the zone, no vehicle shall be driven at a speed greater than that indicated on the signs.

(C) (1) The City Council may by resolution determine that the maximum speed of 30 mph permitted herein is less on certain streets than is reasonable for the safe operation of vehicles thereon or is greater on certain streets than reasonable or safe under the conditions found to exist thereon.

(2) Having made such a determination, the Council may establish on those streets a different speed zone, and those streets and the speeds established thereon shall be listed in a schedule thereof to be kept by the City Clerk.



(3) The speed zones established in this manner shall be effective when signs are posted giving notice thereof.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

#### **§ 71.06 OPERATION OF VEHICLES.**

(A) Upon all streets within the City of North Oaks of sufficient width, except upon 1-way streets, the driver of a vehicle shall drive the vehicle upon the right half of the roadway and shall drive a slow moving vehicle as closely as possible to the right-hand edge or curb of the street, unless it is impracticable to do so and except when overtaking and passing.

(B) Except on a 1-way street, no vehicle shall be driven to the left side of the center of the roadway under the following conditions:

(1) When approaching the crest of a grade or upon a curve in the street where the driver's view along the street is obstructed within a distance of 700 feet;

(2) Within 100 feet of or while traversing any intersection; and

(3) Where official traffic-control devices are in place prohibiting passing or where there is a marked distinctive center line or center lines prohibiting passing or crossing to the left half of the roadway as declared in the manual of traffic-control devices adopted by the Commissioner of Highways.

(C) The following right-of-way rules shall apply in the City of North Oaks unless modified as elsewhere provided in this chapter.

(1) When 2 vehicles approach an uncontrolled intersection from different streets at approximately the same time, the driver on the left shall yield the right-of-way to the vehicle on the right.

(2) The driver of a vehicle intending to turn left at an intersection or off the street at any other place shall signal his or her intent and yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close as to constitute an immediate hazard.

(3) The driver of any vehicle entering or crossing any street in the city shall yield the right-of-way to all vehicles approaching on the street so closely as to constitute an immediate hazard.

(4) The driver of any vehicle traveling at an unlawful speed or without required lighting shall forfeit any right-of-way which he or she might otherwise have under the terms of this chapter.

(D) When driving to the left of the center of the roadway in overtaking and passing as heretofore authorized, the following provisions shall apply.

(1) The left side must be clearly visible and free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be made completely without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken.

(2) The overtaking vehicle must return to the right-hand side of the roadway before coming

within 100 feet of any vehicle approaching from the opposite direction.

(3) The overtaking vehicle shall pass at a safe distance to the left of the vehicle overtaken and shall not return to the right-hand side of the roadway until safely clear of the vehicle overtaken.

(4) The driver of the overtaken vehicle shall upon audible warning give way to the right and shall not increase the speed of the vehicle until completely passed by the overtaking vehicle.

(E) No person shall drive a vehicle at the slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

(F) No person driving a motor vehicle shall follow another vehicle more closely than is reasonable and prudent having due regard for the speed of the vehicles and the traffic upon and the conditions of the highway.

(G) (1) No person shall stop or turn a vehicle or change from 1 traffic lane to another unless the movement can be done with safety and without interfering with the normal flow of pedestrian and vehicle traffic.

(2) If any other vehicle may be affected, the intention to make stop, change of position, or turn shall be indicated by the driver in the manner set forth by state law.

(H) (1) The Mayor is hereby authorized to determine and designate which intersections drivers of vehicles may not make right, left, or U-turns and shall have proper signs posted at the intersections.

(2) The making of the turns may be prohibited at some hours and permitted at other hours of the day, in which event the signs shall plainly indicate the prohibited times.

(3) Whenever authorized signs are erected indicating that the above turns are not permitted, no driver of a vehicle shall disobey the directions of the signs. The intersections shall be listed in a schedule thereof to be kept by the City Clerk.

(I) Any school bus driver who has stopped his or her vehicle on a street of the city for the purpose of receiving or discharging any school child or children shall extend the stop signal arm of the bus and activate its flashing red signals and shall not withdraw the stop signal arm and extinguish the flashing red signals until all children have been safely received or discharged.

(J) The driver of any vehicle upon a street or highway of this city, upon meeting or overtaking from front or rear any school bus marked as required by law which has stopped on the street or highway for the purpose of discharging or receiving any school child or children, shall stop the vehicle immediately upon the extension of a stop signal arm and display flashing red signals by the school bus driver, and shall remain stopped until the school bus driver retracts the stop signal arm and extinguishes the flashing red signals.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

#### **§ 71.07 THROUGH, RESTRICTED, AND ONE-WAY STREETS.**

(A) (1) The Mayor may designate any street as a through street and any intersection as a stop

intersection where the action is necessary to preserve a free flow of traffic and to prevent accidents.

(2) Having so designated a street or intersection, he or she shall have appropriate signs posted at the entrance to the streets and intersections.

(3) Every driver of a vehicle shall bring his or her vehicle to a full stop before entering any through street or stop intersection properly designated and posted as such.

(4) The driver after having stopped shall yield the right-of-way to any vehicle which has entered the intersection from another street or which is approaching so closely on the street as to constitute an immediate hazard.

(5) The streets and intersections shall be listed in a schedule thereof to be kept by the City Clerk.

(B) (1) The Mayor is hereby authorized to determine and designate intersections where vehicles on one street shall yield the right-of-way to vehicles on another street at those intersections.

(2) In that event, he or she shall have yield signs posted at the entrance to the intersections.

(3) The driver of a vehicle approaching a yield sign shall, in obedience to the sign, slow down to a speed reasonable for existing conditions, or shall stop if necessary, and yield the right-of-way to any vehicle approaching on another street so closely as to constitute an immediate hazard and to any pedestrian legally crossing the street on which he or she is driving.

(4) The streets and intersections shall be listed in a schedule thereof to be kept by the City Clerk.

(C) (1) The Mayor may designate any street as a 1-way street, in which event he or she shall have signs giving notice thereof posted and maintained at every intersection.

(2) Upon those streets so designated as 1-way streets, vehicular traffic shall move only in the direction indicated by the signs which have been so posted and maintained at every intersection, and movement in the opposite direction is forbidden.

(3) The streets shall be listed in a schedule thereof to be kept by the City Clerk.

(D) (1) The Mayor may from time to time designate any street or part thereof a play street and place appropriate signs or devices in the roadway indicating and helping to protect the streets.

(2) Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a motor vehicle upon any such street or portion thereof, except drivers having business or whose residences are within the closed areas; and those authorized drivers entering the designated play street shall exercise the greatest of care in driving on the play street.

(3) The street or parts thereof shall be listed in a schedule to be kept by the City Clerk.

(4) Notwithstanding any other provision of this chapter, when any street or part thereof has been designated as a play street, the Mayor may upon application authorize the use of the streets or parts thereof by motor vehicles of a type known as go-carts and when so authorized the use of the play streets shall be lawful.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed

12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

**§ 71.08 DRIVER'S LICENSE; VEHICLE REGISTRATION.**

(A) No person shall drive or operate a motor vehicle upon any street in the City of North Oaks without having in his or her possession a driver's license or chauffeur's license valid under the provisions of Minnesota law.

(B) No person shall drive or operate a motor vehicle in the City of North Oaks which is not properly registered as required by the laws of this state and does not display in the manner required by law the number plates for the current year only as assigned to it by the Registrar of Motor Vehicles.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

**§ 71.09 EQUIPMENT.**

(A) No person shall drive or operate a motor vehicle on any street in the city unless the vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise; and no person shall use a muffler cut-out, by pass, or similar device on a motor vehicle upon any street in the city. The exhaust system shall not emit or produce a sharp popping or crackling sound and shall be kept in the state of repair as to prevent carbon monoxide from entering the interior of vehicle.

(B) No person shall drive or operate upon any streets in the city a motor vehicle which is not equipped with, in good working condition, lighting equipment, windshield wipers, rear vision mirrors, horn, front and rear bumpers, and brakes as required by the Highway Traffic Regulation Act of Minnesota.

(C) Headlamps and rear lamps on motor vehicles shall be lighted at all times when the vehicle is operated upon the streets of the city from 1/2 hour after sunset until 1/2 hour before sunrise and, at any other time when there is not sufficient light to render persons and vehicles clearly discernible, 500 feet ahead upon the street except that when a vehicle is stopped or parked upon the street during those hours parking lights shall be lighted.

(D) Every school bus shall be equipped with a stop signal arm and flashing red signals of a legal type which shall be used only when the school bus is stopped on a street or highway for the purpose of receiving and discharging any school child or children.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

**§ 71.10 ALCOHOLIC BEVERAGES AND NARCOTIC DRUGS.**

(A) The provisions of M.S. Ch. 169A, as it may be amended from time to time, are hereby incorporated in and made a part of this chapter as completely as if set out here in full.

(B) No person shall drink or consume intoxicating liquors or 3.2% malt liquors in any motor vehicle when the vehicle is upon the streets of the city. No person shall have in his or her possession or on his or her person in a motor vehicle upon the streets of the city any bottle or receptacle containing liquor which has been opened, the seal broken or the contents of which have been partly removed, unless the bottle or receptacle shall be kept in the trunk of a motor vehicle equipped with a trunk, or in some other area of the vehicle not normally occupied by the driver or passenger if the motor vehicle is not equipped with a trunk. A utility or glove compartment shall be deemed to be within the area occupied by the driver and passengers.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

**§ 71.11 PEDESTRIANS.**

(A) When traffic at intersections is not controlled, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to yield, to a pedestrian crossing the roadway within a crosswalk area when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger; but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(B) When any vehicle is stopped at an intersection or pedestrian crossing to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

(C) At any point other than a crosswalk area at an intersection, pedestrians shall yield the right-of-way to motor vehicles; but this shall not relieve the driver of a vehicle of the duty to exercise due care to avoid colliding with any pedestrian upon any roadway and to give warning by sounding the horn when necessary and to exercise proper precaution upon observing any child or any confused or incapacitated person upon the street.

(D) No person shall stand upon the traveled portion of a street or highway for the purpose of soliciting a ride from the driver of a private vehicle.

(E) Pedestrians walking along or upon a street or highway shall walk near the left side of the street or highway, giving way to oncoming traffic.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

**§ 71.12 PARKING.**

(A) 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, stand, or park a vehicle upon the traveled portion of any street in the city other than as closely as is practical to the right-hand edge or curb of the street, and unless there is left available at least 10 feet of the width of the traveled portion of the street for the free movement of vehicular traffic. In no case shall the stopping,

standing, or parking of a vehicle be allowed unless the street opposite the vehicle is clear of any other vehicle stopped, standing, or parked and, in no event, shall the stopping, standing, or parking be permitted for more than 10 hours, whether consecutive or not, on any day of the year or for more than 2 hours between the hours of 2:00 a.m. and 6:00 a.m.

(B) The Mayor is hereby authorized to post official signs indicating no parking upon either or both side of any street when he or she has determined that the parking would interfere with traffic or create a hazardous situation, and when the official signs are in place no person shall park a vehicle in violation of the signs. The locations shall be listed in a schedule thereof to be kept by the City Clerk.

(C) No person shall stop, stand, or park a vehicle upon the traveled portion of any street in the city during the times and in the manner as to interfere with snow plowing and snow removal operations.

(D) No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device in any of the following places:

- (1) In front of any driveway giving access to and egress from a street;
- (2) Within any intersections;
- (3) Within 30 feet upon the approach to any official traffic-control device sign or signal located at the side of the street;
- (4) On the roadway side of any vehicle stopped or parked at the edge or curb of a street; or
- (5) At any place where official signs prohibit stopping, standing, or parking.

(E) The prohibition against parking on the streets of this city contained herein shall not apply to the driver of any vehicle which is disabled while on the street to the extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in that position. Any wrecked or damaged vehicle on a street shall be removed therefrom without reasonable delay and pending removal shall be guarded during the period when lights are prescribed with proper lights, equal in intensity to ordinary parking lights or by red flares.

(F) In addition to the penalties provided for violations of this chapter, any vehicle left stopped, standing, or parked unattended in violation of divisions (B), (C), (D), and (E) above, or in violation of division (A) above so as to constitute a definite hazard or obstruction to the normal movement of traffic, may be removed by the police from the street to an area of safety nearby. Any towing fees or storage charges involved in the removal shall be paid by the owner of the vehicle prior to its release to him.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

### **§ 71.13 BICYCLES.**

(A) *Rights and duties.* Every person riding a bicycle upon a street in the city shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of this state or by the traffic ordinance of this city, except as to special regulations in this chapter and except as to those provisions which by their nature can have no application.

(B) *Riding.* A person propelling a bicycle, motorcycle, motor bike, or motor scooter shall not ride other than astride a permanent and regular seat attached thereto; and no bicycle, motorcycle, motor bike, or motor scooter shall be used to carry more persons at 1 time than the number for which it is designed and equipped. No person riding upon any bicycle, motorcycle, motor bike, or motor scooter, coaster, toboggan, sled, toy vehicle, skis, or skates or similar device shall attach himself or herself to or hitch a ride on any vehicle upon a street.

(C) *Other provisions.*

(1) Every person riding a bicycle upon a street shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or when being passed by 1 proceeding in the same direction.

(2) No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

(3) No person shall operate a bicycle while carrying a package or bundle or article which prevents him or her from keeping at least 1 hand upon the handle bars.

(4) Any person operating a bicycle shall obey the instructions of official traffic-control devices applicable to vehicles unless otherwise directed by a police officer.

(5) Every bicycle when used at night shall be equipped with lights required by state law for bicycles and with reflectors as follows:

(a) With an essentially colorless front-facing reflector, and essentially colorless or amber pedal reflectors, and a red rear-facing reflector;

(b) With reflective tire sidewalls or, alternatively, reflectors mounted on the spokes of each wheel which shall be visible on each side of each wheel; and

(c) The mounting placement and reflectance values of these required reflectors shall be as prescribed in § 1512.16 of the regulations of the United States Consumer Product Safety Commission.

(D) *Parents and guardians.* The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter relative to bicycles.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

#### **§ 71.14 INJURIOUS SUBSTANCES; BLOCKING STREETS.**

(A) No person shall throw or deposit glass, metal garbage, tin cans, or similar substances upon any street or highway in the city.

(B) Any person removing a damaged or wrecked vehicle from a street shall remove any glass or other injurious substance dropped upon the street from the vehicle.

(C) No person shall deposit or place any matter or thing upon the street which will be a hazard

to traffic and will or might cause damage or injury to any vehicle or person encountering or colliding with the matter or thing. This provision shall not apply to any person placing any authorized traffic-control device or barrier in the street to regulate, guide, or warn traffic.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

#### **§ 71.15 WEIGHT RESTRICTIONS.**

(A) The Mayor shall determine and establish weight restrictions for vehicles traveling or traversing any of the streets and highways within the city whenever the streets or highways, because of climatic or other conditions, will be seriously damaged unless the permissible weights of vehicles thereon be reduced. Upon the determination and establishment, the Mayor shall have appropriate signs posted and maintained at all entrances to the city indicating maximum permissible weights. Whenever the signs are so posted and maintained, no person shall drive or operate any vehicle or combination of vehicles weighing in excess of the maximum permissible weight upon any of the streets or highways within the city.

(B) Upon application and good cause being shown therefor, the Mayor may issue a special permit which shall be in writing, authorizing the driver or operator of any vehicle or combination of vehicles which weigh in excess of maximum permissible weights to operate the vehicles on the streets and highways of this city. The permit shall be conditioned upon the giving of security in sufficient amount to compensate for any injury or damage to any street or highway caused by the operation of the vehicle or combination of vehicles thereon.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995)

#### **§ 71.16 OFFENSES.**

(A) Every person who commits or attempts to commit, conspires to commit, or aids or abets in the commission of any act declared herein to be a misdemeanor, whether individually or in conjunction with 1 or more other persons or as principal, agent, or accessory shall be guilty of the offense, and every person who falsely, fraudulently, forcibly, or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this chapter is likewise guilty of the offense.

(B) It is unlawful for the owner or any other person employing or otherwise directing the driver of any vehicle to require or knowingly to permit the operation of the vehicle upon a highway in any manner contrary to law.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99

#### **§ 71.17 NEGLIGENCE AS A MATTER OF LAW.**

In all civil actions, a violation of any of the provisions of this chapter by either or any of the parties to the action or actions shall be negligence as a matter of law.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995) Penalty, see § 10.99



**§ 71.18 COUNCIL'S RIGHT TO REVIEW ACTS OF MAYOR.**

The Council may review and thereafter by resolution amend, modify, or repeal any act or acts done by the Mayor pursuant to authority delegated to him or her by this chapter. However, any such act or acts of the Mayor shall have full force and effect of law without need for ratification and shall be enforced as such until the time as amended, modified, or repealed by the Council. The action, as amended, modified or repealed by the City Council will remain in effect and may not be modified by the Mayor there after.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995; Am Ord. passed 8-11-2016) Penalty, see § 10.99.

**§ 71.19 MOTORIZED GOLF CARTS.**

(A) In order that motorized golf carts and golf course maintenance equipment, including but not limited to ATV's, UTV's and lawn mowing vehicles, may traverse the golf course maintained in the city by the North Oaks Golf Club, the Mayor, or in his absence the Councilmember acting as Police Commissioner, may designate places where the golf carts and golf course maintenance equipment may cross private roads within the city or may travel short distances on the roads. The Mayor, or Police Commissioner, may direct the marking of these areas by stripes or signs. The City Clerk shall keep a written record of the directions given by the Mayor, the record being available at all times during the normal business hours of the office of the City Clerk.

(B) Motorized golf carts shall be authorized within the subdivision of Rapp Farms by signed permit only. The permit must be available for inspection upon request by law enforcement by anyone operating a golf cart within the Rapp Farms subdivision. The City Administrator shall develop permit requirements which may be modified by the City Council from time to time.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995; Am. Ord. passed 12-08-2016) Penalty, see § 10.99.

**§ 71.20 STATE TRAFFIC CODE.**

(A) The regulatory provisions of M.S. Ch. 169 and 171, as they may be amended from time to time, are adopted as a traffic ordinance regulating the use of highways, streets, and alleys within the city and are hereby incorporated in and made part of this chapter as completely as if set out herein in full, except as herein provided.

(B) The following sections of M.S. Ch. 169 and 171, as they may be amended from time to time, are not incorporated as a part of this chapter: M.S. §§ 169.06 (1-3), 169.09 (9), 169.10, 169.11, 169.66, 169.78, 169.87, and 171.04.

(Ord. 38, passed 1-10-1963; Am. Ord. passed 5-11-1972; Am. Ord. passed 8-10-1978; Am. Ord. passed 12-12-1991; Am. Ord. passed 4-13-1995)