

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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GENERAL PROVISIONS

' 70.01 HIGHWAY TRAFFIC REGULATIONS ACT AND DRIVERS LICENSE LAW INCORPORATED BY REFERENCE.

The regulatory provisions of M.S. Chapters 65B, 152, 168, 168A, 168B, 169, 171, 97A, 97B, 97C, 84, and 609, as they may be amended from time to time, are hereby adopted as a traffic code regulating use of highways, streets, and alleys within the City of Maple Plain, Minnesota, and are hereby incorporated and made a part of this section as completely as if set out here in full.

(Prior Code, ' 27.01)

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▪ **70.02 UNREASONABLE ACCELERATION.**

No person shall unreasonably and/or unnecessarily accelerate a motor vehicle so rapidly and abruptly that a tire or tires break traction with the street surface, causing a squealing sound or dislodging sand, gravel, or other objects by the tires. The unreasonable or unnecessary acceleration is prohibited on any public street or highway or any public property or on any commercial/industrial parking areas within the City of Maple Plain.

(Prior Code, ' 27.02) Penalty, see ' 10.99

SNOWMOBILES

▪ **70.15 INTENT.**

It is the intent of this subchapter to supplement the laws of the State of Minnesota, M.S. ' ' 84.81 through 84.911, as they may be amended from time to time, with respect to the operation of snowmobiles. This subchapter is not intended to allow what the state statutes prohibit nor to prohibit what the state statutes expressly allow.

(Prior Code, ' 28.01)

▪ **70.16 DEFINITIONS.**

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

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

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

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

ROADWAY. The portion of a highway improved, designed, or ordinarily used for vehicular traffic.

SNOWMOBILE. A self-propelled vehicle designed for travel on snow or ice or a natural terrain steered by wheels, skis, or runners.

(Prior Code, ' 28.02)

▪ **70.17 ADOPTION BY REFERENCE.**

The provisions of M.S. ' ' 84.81 through 84.89; 168.012, Subdivision 3; 168.011, Subdivision 4; 97B.055, Subdivision 4; 171.01, Subdivision 3; and 171.03, as they may be amended from time to time, are hereby specifically adopted by the City of Maple Plain.
(Prior Code, ' 28.03)

▪ **70.18 PROHIBITED ACTS.**

(A) No snowmobile shall be driven within 100 feet of a pedestrian, skating rink, or sliding area or in any other area where the operation would conflict with or endanger other persons or property.

(B) No snowmobile shall be driven at a rate of speed greater than reasonable or proper under all the surrounding circumstances, and shall not exceed the posted speed limit when on a roadway.
(Am. Ord. 162, passed 3-26-1996)

(C) No snowmobile shall be driven in a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.

(D) No snowmobile shall be driven while under the influence of intoxicating liquor or narcotics or habit-forming drugs.

(E) At least 1 clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least 1 red tail lamp having a minimum candle power 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. The equipment shall be in operating condition when the vehicle is operated between the hours of 2 hour after sunset to 2 hour before sunrise or at times of reduced visibility.
(Am. Ord. 162, passed 3-26-1996)

(F) No snowmobile shall be driven in any planting or tree nursery in a manner which damages or destroys growing stock.

(G) No snowmobile shall be driven on a public sidewalk or walkway provided or used for pedestrian travel.
(Am. Ord. 162, passed 3-26-1996)

(H) Towing any person or thing on a public street or highway except through the use of a rigid tow bar attached to the rear of a snowmobile.
(Am. Ord. 162, passed 3-26-1996)

(I) A snowmobile may make a direct crossing of a street or highway except 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 an obstruction prevents a quick and safe crossing;

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

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

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

(5) If the crossing is made between the hours of 2 hour after sunset to 2 hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on;

(6) No snowmobile shall enter any controlled intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians which constitute an immediate hazard;

(7) Notwithstanding any prohibition in this section, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time when, and at locations where, snow upon the roadway renders travel by automobile impractical;

(8) No person under 14 years of age shall operate on streets or highways or make a direct crossing of a street or highway as the operator of a snowmobile. A person 14 years or older, but less than 18 years of age, may operated a snowmobile on streets or highways as permitted under this section and make a direct crossing thereof only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued by the Commissioner of Conservation as provided by M.S. ' 84.86, as it may be amended from time to time. It is unlawful for the owner of a snowmobile to permit the snowmobile to operated contrary to the provisions of this division (I); and

(9) No person shall ride a snowmobile on road right-of-way who is under the age of 14 unless they have a snowmobile safety certificate, except for direct crossing of roadway as indicated in other sections of this subchapter.

(Am. Ord. 162, passed 3-26-1996)

(J) It is unlawful for any person to operate a snowmobile unless it is equipped with the following: standard mufflers which are properly attached and in constant operation, and which reduce the noise of operation of the motor to the minimum necessary for operation. Mufflers shall comply with Regulation Conservation 55, which is hereby adopted by reference as it existed on 9-1-1970. No person shall use a muffler cut-out, by-pass, straight pipe, or similar devise on a snowmobile motor, and the

exhaust system shall not emit or produce a sharp popping or cracking sound. Brakes adequate to control the movement of and to stop and hold the snowmobile under any conditions of the operation.

(Am. Ord. 162, passed 3-26-1996)

(Prior Code, ' 28.04) Penalty, see ' 10.99

▪ **70.19 UNLAWFUL ACTS.**

(A) *Operation.* It shall be unlawful for any person to operate a snowmobile:

(1) On private property of another without permission of the owner of the property; or

(2) 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.

(B) *Unattended snowmobiles.* It is unlawful for the owner or operator of any snowmobile to leave or allow a snowmobile to be or remain unattended on public property while the motor is running or with the key to start the snowmobile in the ignition switch.

(C) It shall be unlawful for any person to place or allow a barrier in the existing rights-of-way.

(Prior Code, ' 28.05) Penalty, see ' 10.99

▪ **70.20 DEFENSE.**

It shall be a sufficient defense to the prosecution for violation of ' 70.19(A)(1) that the defendant has permission in writing from the owner or lawful occupant of the land.

(Prior Code, ' 28.06)

TRUCK TRAFFIC

▪ **70.35 GENERALLY.**

The Maple Plain City Council finds that certain roadways within the city receive excessive wear, resulting in damage, as a result of heavy truck traffic; the Council also finds there is an increased danger to children and other citizens as a result of heavy truck traffic over certain city roadways; and further that truck traffic can reasonably be prohibited on certain streets to eliminate a majority of the safety and property damage concerns.

(Prior Code, ' 31.01)

▪ 70.36 DESIGNATION OF TRUCK TRAFFIC.

The Maple Plain City Council is hereby authorized to prohibit certain truck traffic route(s) within the city. The designation shall be by Council resolution and shall set out the route or routes that are prohibited for the truck traffic within the city. The City Council shall also cause the designating resolution to be published and shall clearly mark the prohibited streets.

(Prior Code, ' 31.02)

▪ 70.37 TRUCKS SUBJECT TO DESIGNATED ROUTE.

All trucks that are licensed for a gross vehicle weight in excess of 9,000 lbs. shall be subject to this subchapter.

(Prior Code, ' 31.03)

▪ 70.38 EXCEPTIONS.

The following trucks are exempt from the provisions of this subchapter:

(A) Local truck traffic (traffic that has a legitimate local purpose);

(B) Garbage trucks;

(C) Milk trucks;

(D) School buses; and

(E) Other official emergency vehicles.

(Prior Code, ' 31.04)

CHAPTER 71: PARKING REGULATIONS

Section

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▪ 71.01 PURPOSE AND SCOPE.

The City Council is authorized to regulate the parking or stopping of vehicles within the city including establishment of No Parking zones and regulating the length of time the parking may be permitted. In establishing or changing parking zones or restrictions, the Council shall pass a resolution adequately describing and defining the parking zone or restrictions. The resolution shall be published once in the official city paper and sign giving notice of the regulations shall be posted upon or at the entrance of the parking zone after which time it shall be in force and effect.

(Prior Code, ' 30.01)

▪ 71.02 EMERGENCY PARKING REGULATIONS.

The Chief of Police, the City Administrator/Clerk, or the Public Works Director is hereby authorized to forbid the parking of vehicles for temporary periods in case of emergency at any place within the city.

(Prior Code, ' 30.02)

▪ 71.03 VIOLATION.

It shall be unlawful and a violation of this section for any person or corporation to cause, allow, permit, or suffer any vehicle registered in the name of, or operated by the person, to be parked or stopped in violation of the provisions of any resolution regulating parking of vehicles.

(Prior Code, ' 30.03) Penalty, see ' 10.99

71.04 REMOVAL OF VEHICLE.

The Chief of Police or the City Administrator/Clerk is hereby authorized and empowered to have removed any vehicle parked or stopped in violation of any resolution or code section regulating parking in the city. The removal shall be performed by a firm ordinarily engaged in the towing of vehicles. Upon removal, the vehicle shall be retained by the towing firm until reasonable costs of towing and storage shall have been paid.

(Prior Code, ' 30.04)

71.05 GENERALLY.

It shall be unlawful for any person to leave, park, permit, or allow any motor vehicle to stand or remain upon any city street or rights-of-way for more than 24 hours at any time.

(Prior Code, ' 30.05) Penalty, see ' 10.99

Cross-reference:

For further provisions on unlawful parking, see ' 93.21

71.06 INTERFERENCE WITH ACCESS.

It shall be unlawful for any person to leave, park, or permit any motor vehicle to be parked in front of or in the manner or place, as to interfere with or hinder access by persons or vehicles to mail boxes or receptacles therefor or to park or permit to be parked any vehicle in the place or manner as to obstruct or hinder access to any driveway, whether the same are public or private.

(Prior Code, ' 30.06) Penalty, see ' 10.99

71.07 PARKING RESTRICTIONS.

(A) *Permanent restrictions.* The City Council designates the following areas within the city limits as permanent no-parking areas:

- (1) *Boundary Avenue.* East side no parking.
- (2) *Main Street West.* West side (side with mailboxes) no parking.
- (3) *Industrial Street.* No parking on either side of the street.

(B) *Seasonal restrictions.* From November 1 through April 15 of each year, it shall be unlawful for any person to park or permit to be parked any vehicle upon any city street between the hours of 1:00 a.m. and 7:00 a.m. Following a snow fall of 3 inches or more in depth, it shall be unlawful to park or permit to be parked, or to continue to park or permit to stand, any vehicle upon any street until the snow has been plowed from the street or the same has been otherwise disposed of.

(Prior Code, ' 30.07) (Am. Ord. 282, passed 1-12-2015) Penalty, see ' 10.99

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▪ **71.08 STORAGE LIEN.**

In the event that any vehicle held or stored is not claimed or recovered by the owner thereof, there is deemed to be imposed upon the vehicle a possessory lien for the amount of the costs incurred for towing and storage. The lien shall be foreclosed in the manner provided by law for the foreclosure of possessory liens.

(Prior Code, ' 30.08)

▪ **71.09 PRESUMPTION AS TO OWNERSHIP.**

The registered owner of any vehicle parked or stored in violation of any of the provisions of this subchapter shall be presumed to have parked or permitted the same to have been parked, stored, or allowed to stand.

(Prior Code, ' 30.09)

