

## ORDINANCE NO. 52

### AN ORDINANCE REGULATING THE USE OF HIGHWAYS AND OTHER PLACES WITHIN THE CITY OF BROWNTON AND IMPOSING PENALTIES FOR VIOLATION.

The City Council of Brownton, Minnesota, ordains:

Section 1. Definitions. Any term used in this ordinance and defined in Minnesota Statutes, Section 169.01 has the meaning given it by that section.

Section 2. Turning. Subdivision 1. Restriction on Turns. The City Council by resolution may, whenever necessary to preserve a free flow of traffic or to prevent accidents, designate any intersection as one where the turning of vehicles to the left or to the right, or both, is to be restricted at all times or during specified hours. The Street Commissioner shall mark by appropriate signs any intersection so designated until consent of the Commissioner of Highway to such designation is first obtained. No person shall turn a vehicle at any such intersection contrary to the directions of such signs.

Subdivision 2. U-Turns. No person shall turn a vehicle so as to reverse its direction on any street in the business district or at any intersection where traffic is regulated by a traffic control signal.

Section 3. Through Streets; One-Way Streets. The Council by resolution may designate any street or portion of street as a through highway or a one-way roadway where necessary to preserve the free flow of traffic or to prevent accidents. The Street Commissioner shall post appropriate signs at the entrance to such street. No truck highways shall be so designated unless the consent of the Commissioner of Highways to such designation is first secured.

Section 4. Truck Restrictions. The City Council by resolution may designate streets on which travel by commercial vehicles in excess of 5 tons gross weight is prohibited. The Street Commissioner shall erect appropriate signs on such streets. No person shall operate a commercial vehicle on such posted streets in violation of the restrictions stated.

Section 5. Seasonal Weight Restrictions. The Street Commissioner may prohibit the operation of vehicles upon any street under his jurisdiction or impose weight restrictions on any vehicle to be operated on such street whenever the street, by reason of deterioration, rain, snow or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicle on the street is prohibited or the permissible weights thereof reduced. He shall erect and maintain signs plainly indicating the prohibition or restriction at each end of that portion of the street affected. No person shall operate a vehicle on a posted street in violation of the prohibition or restriction.

Section 6. Parking Regulations. Subdivision 1. No Parking, Stopping or Standing Zones. The City Council may, by resolution, designate certain streets or portions of streets as no parking or no stopping or standing zones and may limit the hours in which the restrictions apply. The Street Commissioner shall mark by appropriate signs each zone so designated. 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 or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no-parking zone during hours when parking is prohibited except that a vehicle may be parked temporarily in such zone for the purpose of forming a funeral procession and a truck may be parked temporarily between the hours of 8:00 a.m. and 6:00 p.m. of any business day for the purpose of loading or unloading where access to the premises is not otherwise available.

Subdivision 2. Time Limit Parking Zones. The City Council may, by resolution, designate certain areas where the right to park is limited during hours specified. The Street Commissioner shall mark by appropriate signs each zone so designated. During the hours specified on the sign, no person shall park a vehicle in any limited parking zone for a longer period than is so specified.

Subdivision 3. No vehicle shall be parked for more than 30 minutes between 2:00 a.m. and 6:00 a.m. in the business district.

Subdivision 4. Impoundment. Any police officer may remove a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic or hinders snow removal or street improvement or maintenance operations. Such vehicle shall not be released until the fees for towing and storage are paid in addition to any fines imposed for violation of this ordinance.

Subdivision 5. The presence of any motor vehicle on any street when standing or parked in violation of this ordinance is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

Section 7. Winter Parking. No person shall stop, stand, or park any vehicle or permit it to stand on any street so as to obstruct the removal of snow from streets during snow removal operations.

Section 8. Establishment of Safety Zones, Lanes of Traffic, Etc. To assist in the direction and control of traffic, to improve safe driving conditions at any intersections or dangerous location, and to warn pedestrians or drivers of motor vehicles of dangerous conditions or hazards, the City Council may by resolution establish safety zones, lanes of traffic, and stop intersections, and they may order installation by the Street Commissioner of stop signs, yield signs, warning signs, signals, pavement markings, or other devices. No regulation may be established on a truck highway unless the consent of the Commissioner of Highways is first secured.

Section 9. Removing Keys. No person shall leave a motor vehicle, except a truck which is engaged in loading or unloading, unattended on any street, used car lot, or unattended parking lot without first stopping the engine, locking the ignition, and removing all ignition keys from the vehicle. Whenever any police officer finds any motor vehicle standing in violation of this provision, he shall remove the keys from the vehicle and deliver them to the City Clerk's office.

Section 10. Unreasonable Acceleration Prohibited. No person shall turn, accelerate, decelerate or otherwise operate a motor vehicle within the City in a manner which caused unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing of sand or gravel, or in a manner simulating a race. Squealing or screeching sounds emitted by tires, or the throwing of sand or gravel by the tires is prima facie evidence of a violation of this section.

Section 11. Police Duties. The Police Department shall enforce the provisions of this ordinance and the State traffic laws. Police officers are authorized to direct all traffic within the City, either in person or by means of visible or audible signal, in conformity with this ordinance and the State traffic laws. During a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the Police Department may direct traffic as conditions require notwithstanding the provisions of this ordinance and the State traffic laws. Officers of the Fire Department may direct or assist the police in direction traffic at the scene of a fire or in the immediate vicinity.

Section 12. That the following penalty shall be imposed upon any person found to be in violation of the parking regulations of this chapter.

Subdivision 1. Violation by any person of the time or restrictions shall be a petty misdemeanor and the penalty therefore shall be Five and no/100 (\$5.00) Dollars, if paid within five (5) days of the violations; Ten and no/100 (\$10.00) Dollars if paid within ten (10) days, but more than five (5) days of the violation; and Fifteen and no/100 (\$15.00) Dollars if not paid within ten (10) days of the violation.

Subdivision 2. Violation by any person of any parking restrictions posted and/or adopted by the City of Brownton, including trucks that have the over pounds per axle violation of law, shall be a petty misdemeanor and the penalty therefore shall be Five and no/100 (\$5.00) Dollars, if paid within five (5) days of the violations; Ten and no/100 (\$10.00) Dollars if paid within ten (10) days, but more than five (5) days of the violation; and Fifteen and no/100 (\$15.00) Dollars if not paid within ten (10) days of the violation.

Subdivision 3. Violation by any person by parking in a no parking zone, restricted area, handicapped parking, or in a snow removal area shall be a petty misdemeanor and the penalty therefore shall be Five and no/100 (\$5.00) Dollars, if paid within five (5) days of the violations; Ten and no/100 (\$10.00) Dollars if paid within ten (10) days, but more than five (5) days of the violation; and Fifteen and no/100 (\$15.00) Dollars if not paid within ten (10) days of the violation.

Subdivision 4. Penalties prescribe by this section shall be paid in such a manner and at such location as the City Clerk shall, from time to time, require.

Subdivision 5. Violation for which a penalty has not been paid within twenty (20) days of the violation shall be referred to the City Attorney for such action as he or she may redeem appropriate.

Subdivision 6. That said violation that shall result in impounding of a motor vehicle, in violation of the above stated ordinance, at a rate of charge that will be set by the City Council from time to time.

Section 13. Penalty. Any person convicted of violating any provision of this ordinance is guilty of a petty misdemeanor and shall be punished by a fine of not to exceed \$100.00.

Section 14. Publication of Resolution. The City Council shall cause all resolutions adopted under this ordinance to be published once in a newspaper of general circulation in Brownton, Minnesota.

Section 15. Repeal. Ordinance number 36 entitled "Unreasonable Acceleration" is hereby revoked, but any prosecution already commenced for violation of any such ordinance provision may be completed as if this section had not been adopted.

Section 16. Effective Date. This ordinance becomes effective upon its passage and publication according to law.

Adopted this 18<sup>th</sup> day of August, 1983

Carl Wachter, Mayor

ATTEST: Carol Winterfeldt, City Clerk

Pub September 1, 1982

**CITY OF BROWNTON  
AMENDMENT TO ORDINANCE #52**

The City Council of the City of Brownton, Minnesota, does ordain an addition to Section 7, Winter Parking to read as follows: No person shall stop, stand, or park any vehicle or permit it to stand on any street so as to obstruct the removal of snow from streets during snow removal operations. Any vehicle causing the grader to pull out and around, causing a return trip to clean the street, will be issued a "Snow Removal Parking Violation" which will be assessed a fine of \$25.00

Effect: That the remainder of said ordinance #52 shall remain in full force and effect as amended. That this amendment shall take effect and be in force form and after its passage and publication.

Passed by the City Council the 3<sup>rd</sup> day of November, 1992

Carl Wachter, Mayor

ATTEST: Carol Winterfeldt, City Clerk

**CITY OF BROWNTON  
AMENDMENT TO ORDINANCE #52**

The City Council of the City of Brownton, Minnesota, does ordain to amend Section 4 to read as follows:

**Section 4. WEIGHT RESTRICTIONS AND TRUCK ROUTES**

4.1 No person, firm or corporation shall operate, drive, tow or park any vehicle, or combination of vehicles, with an actual axle weight of seven (7) tons or over, on any street which has not been classified as a truck route.

- 4.2 This ordinance shall not apply to vehicles which are making a direct crossing of a street or roadway which is not a truck route. This ordinance shall not apply to a vehicle which is on a street or roadway that is not a truck route, provided the vehicle is on a direct and shortest route between the nearest truck route and the destination to unload, load or to get to the place of business or residence of the vehicle owner or driver, provided that there was no truck route which would also lead to said destination. This Ordinance further shall not apply to a vehicle traveling on a direct route to or parked upon a street adjacent to a business concern regularly engaged in the repair, service or maintenance of such vehicle, provided such vehicle is traveling or parked adjacent to, such business concern for the purpose of repair, service or maintenance.
- 4.3 All tractor, and/or tractor-trailer combinations are prohibited from parking on any residential street, except designated truck routes.
- 4.4 Trucks or other implements of husbandry used for seasonal farm-related transport may park on residential streets, but only if empty.
- 4.5 The Chief of Police or any police officer on duty may authorize prohibited vehicles to use a street or roadway other than a truck route in an emergency situation.
- 4.6 The City Streets or roadways designated as truck routes are:  
Fifth (5<sup>th</sup>) Avenue  
Division Street  
Third (3<sup>rd</sup>) Avenue between 2<sup>nd</sup> Street North and 3<sup>rd</sup> Street South  
Second (2<sup>nd</sup>) Street North between 5<sup>th</sup> Avenue and 3<sup>rd</sup> Avenue
- 4.7 Any person violating any provision of this ordinance shall, upon conviction thereof, be punished by a fine not6 exceeding \$700.00 or ninety (90) days in jail, or both.

Effect: That the remained of said ordinance #52 shall remain in full force and effect as amended. That this amendment shall take effect and be in force from and after its passage and publication.

Passed by the City Council this 2<sup>nd</sup> day of February, 1999.

Brian Hagen, Mayor

ATTEST: Cynthia Lindeman, City Clerk

### **CITY OF BROWNTON AMENDMENT TO ORDINANCE #52**

The City Council of the City of Brownton, Minnesota, does ordain an addition to Section 7, Winter Parking to read as follows: No parking shall be allowed on any street from November 1 through March 31 between the hours of 2:A.M. to 6:A.M. regardless of snow emergency. No person shall stop, stand, or park any vehicle or permit it to stand on any street so as to obstruct the removal of snow from streets during snow removal operations. Any vehicle parked on the street during restricted hours and/or causing the grader to pull out and around, causing a return trip to clean the street, will be issued a "Snow Removal Parking Violation" which will be assessed a fine of \$50.00

Effect: That the remainder of said ordinance #52 shall remain in full force and effect as amended. That this amendment shall take effect and be in force form and after its passage and publication.

Passed by the City Council the 5th day of November, 2014

Jay Werner, Mayor

ATTEST: Ella Kruse, City Clerk