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Via Fax Only
474-6538

Mr. Joe Kohlmann
City Administrator
City of Tonka Bay
4901 Manitou Road
Tonka Bay, MN 55331

Amendment of Tonka Bay Ord. 910.1 and 910.2

Dear Mr. Kohlman:

I enclose a proposed amendment to the parking ordinance. The first amendment is under subd 1 which simply changes the chapter designation from 169.01 to 169.011 as the previous statue has been renumbered.

The second amendment that I added is subdivision 20 to reflect resolution 95-29, which prohibits boat trailer parking in certain areas. The previous ordinance did not contain this prohibition making it difficult for officers to write citation for those who fail to abide by the no parking signs. If you have any questions or comments please give me a call.

Sincerely,

Kenneth N. Potts

KNP/sb

Enclosure

SECTION 910
TRAFFIC REGULATIONS

910.01 "HIGHWAY TRAFFIC REGULATION ACT" INCORPORATED BY REFERENCE

"Highway Traffic Regulation Act" incorporated by reference. The regulatory provisions of the "Highway Regulations Traffic Act," the same being Minnesota Statutes Chapter 169 as periodically amended are hereby adopted as a traffic regulation ordinance. The provisions of M.S. Chapter 169 are intended to regulate and control the use of highways, streets, and alleys in the city and are incorporated and made part of this code by reference as if set out herein in full.

Subd. 1 Definitions

The definitions as set out in M.S. Chapter 169.011 *(amended 5/28/15)* as periodically amended shall apply to terms in this ordinance as if set out fully herein.

910.02 PARKING

Subd. 1 No person shall stand or park a vehicle on a street or roadway in the City of Tonka Bay other than parallel with the edge of the roadway, headed in the direction of traffic, with the curbside right-hand wheels of the vehicle within twelve inches of the edge of the curb. Upon streets or roadways not having a curb, a vehicle shall be stopped, standing, or parked with its right-hand wheels within twelve inches of the edge of the roadway. On a one-way roadway, a vehicle may be parked with the left-hand wheels adjacent to and within twelve inches of the left-hand curb or edge of the roadway of said one-way roadway. Upon a street or roadway which has been marked or signed for angle parking, vehicles shall be parked at the angle to the curb or edge of the roadway or street indicated by such marks or signs.

Subd. 2 This section shall not apply to the driver of any vehicle which is disabled while on the paved, or improved, or main traveled portion of a roadway in such a manner and to such an extent that it is impossible to avoid stopping and temporarily leaving said disabled vehicle in such position, except that said disabled vehicle shall be removed from said roadway within a reasonable time after said vehicle has become disabled.

Subd. 3 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: on a sidewalk; in front of a public or private driveway; within an intersection; within ten (10) feet of a fire hydrant; on a crosswalk; within twenty (20) feet of a crosswalk or an intersection; within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway; between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings; within fifty (50) feet of the nearest rail of a railroad crossing; within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly sign posted; alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic; on the

roadway side of any vehicle stopped or parked at the edge or curb of a street; upon any bridge or other elevated structure upon a highway or within a highway tunnel, except as otherwise provided by ordinance; and at any place where official signs prohibit stopping.

Subd. 4 No person shall move a vehicle not owned by such person into any prohibited area or away from a curb such distance as is lawful.

Subd. 5 No person shall, for camping purposes, leave or park a house trailer on or within the limits of any highway or on any highway right-of-way, except where signs are erected designating the place as a camp site.

Subd. 6 No person shall stop or park a vehicle on a street or highway when directed or ordered to proceed by any peace officer invested by law with authority to direct, control, or regulate traffic.

Subd. 7 No person shall stop, stand, or park a vehicle, except as otherwise provided herein, or unless directed to do so by a police officer, on any street or roadway within the City of Tonka Bay where the City Council of the City of Tonka Bay has established a "no parking" zone and such zone is marked by a sign.

Subd. 8 No person shall stop, stand, or park a vehicle for a longer time than is designated on signs stating a "limited parking" zone established by the City Council of the City of Tonka Bay.

Subd. 9 No person shall stop, stand or park any vehicle upon a street or roadway in the City of Tonka Bay in such a manner as to interfere with street maintenance operations, including the removal of snow, ice, and street waste. Whenever a police officer or employees of the City of Tonka Bay, charged with road repairing and maintenance, shall find it necessary, for the purpose of street maintenance operations as described herein, to move any vehicle standing on the roadway, said persons, their agents, or a duly authorized person, may move such vehicle to the extent necessary for such purpose.

Subd. 10 Whenever a police officer finds a vehicle standing upon a street or roadway in violation of any of the provisions of this ordinance, such officer, or such other person as he may direct, may move such vehicle, or said officer may require the driver or other person in charge of the vehicle to remove the same to a position off the paved, improved, or main traveled part of such roadway.

Subd. 11 No person shall stand, stop, or park a vehicle at any place where temporary signs prohibit parking.

Subd. 12 No person driving or in charge of a motor vehicle shall permit it to stand unattended on a grade without effectively setting the brakes thereon and turning the front wheel to the curb or side of the street or roadway.

Subd. 13 Every person parking a passenger automobile on a public street, roadway, or alley in the City of Tonka Bay shall lock the ignition, remove the key, and take the same with him.

Subd. 14 No person shall leave a motor vehicle standing upon a street or highway with the wheels chained, locked or fastened in such a manner that the motor vehicle cannot be easily moved in case of emergency.

Subd. 15 Any unoccupied vehicle found in violation of the provisions of this ordinance may be immediately removed and impounded by any police officer or person

duly authorized by said officer to remove and impound said vehicle. In the event a vehicle is impounded at the direction of a police officer, the owner or operator of said vehicle shall pay the authorized cost of towing and storage before said person shall be entitled to regain possession of said vehicle. The City Council shall approve by resolution the authorized costs of towing and storage of said vehicles.

Subd. 16 No person shall operate or park on any street or roadway a vehicle for the primary purpose of advertising, except when a special permit has been obtained from the City Council.

Subd. 17 No person shall wash, grease, or repair a vehicle upon a street, roadway, or highway, except such repairs as are necessitated by an emergency.

Subd. 18 No person shall place a vehicle on a highway to display the same for sale or exchange. A vehicle shall be deemed to be displayed in violation of this section when found standing upon a street or highway bearing a sign indicating that it is for sale or exchange.

Subd. 19 The owner or possessor of old machinery, wrecked or junked automobiles, or other junk or debris shall not permit the same to be stopped, standing, parked, placed, or stored upon a highway or roadway within the City of Tonka Bay. For the purpose of this section of this ordinance, a "junked vehicle" is one that is not registered and which does not possess a current Minnesota State auto license.

Subd. 20 No person shall park a boat trailer in an area East of County Road 19 which is the area between and including Tonka Bay Road and West Point Road *(amended 5/28/15).*

910.03 NO PARKING AND LIMITED PARKING ZONES

Subd. 1 The City Council may, from time to time by motion or resolution, designate portions of the highways and streets within the City of Tonka Bay as no parking zones or limited parking zones and shall cause such zones to be marked by appropriate signs. The location of such signs limiting parking shall be prima facie evidence that the City Council has by proper resolution or motion authorized the establishment of such no parking or limited parking zones. The Council shall make a determination of such no parking zones or limited parking zones on the basis of convenience to the public and traffic hazards. No person shall park any vehicle in a no parking zone or any limited parking zone for a longer period than is specified on the signs marking such zones. No vehicle shall be parked continuously at any place or any public street for a period of more than 48 consecutive hours.

Subd. 2 Authority to declare emergency

Whenever in the opinion of the Mayor an emergency exists in the City of Tonka Bay or in a section or sections thereof, because of snow, freezing rain, sleet, ice, snowdrifts or other phenomena which create, or are likely to create hazardous road conditions impeding, or likely to impede, the free movement of fire, health, police, emergency or other vehicular traffic, or the safety and welfare of the community, the Mayor may declare an emergency to exist for a period of 72 hours and notice thereof shall be given by whatever means are available, such as posting signs or by word of mouth.

Subd. 3 Emergency declared, parking prohibited

Whenever such an emergency is so declared to exist, no vehicles shall be

parked or left standing on any street. Upon the declaration of a state of emergency, the Mayor may prohibit during the emergency the parking, standing or leaving of any vehicle upon any or all of the above designated snow or other emergency streets. Parking may be resumed on individual streets as soon as plowing has been completed on that street, for the full width, and said street has become passable.

Subd. 4 Removal of vehicles

If any vehicle is parked, abandoned or left standing in violation of the terms of this ordinance, the same may be moved by the City at the cost and expense of the owner thereof.

910.04 OPERATION OF VEHICLES ON PUBLIC PROPERTY

No person shall stop, stand, park, or operate any vehicle, or ride any bicycle or horse, except in compliance with the directions of a police officer, on any park property or other public grounds other than highways or roadways within the limits of the City of Tonka Bay. A person may stop, stand, park or operate a vehicle, or ride a bicycle or horse in such areas designated for such uses by appropriate signs permitting such uses on any park property or public ground. Failure to comply with any restrictions set out on such signs shall be considered a violation of this section.

910.05 CARELESS DRIVING OFF HIGHWAYS

No person shall operate or halt any vehicle upon any land other than a street, highway, or roadway, or on the frozen surfaces of any body of water within the harbor limits of the City of Tonka Bay, carelessly or heedlessly in disregard of the rights of the safety of others, or in a manner so as to endanger, or be likely to endanger, any person or property. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor.

910.06 VIOLATIONS

Any person, firm, or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor. However, if a minimum fine or imprisonment is prescribed by the State Highway Traffic Regulations for an offense, such penalty shall apply to a person, firm, or corporation convicted of said offense under this ordinance.