

PARKING REGULATION ORDINANCE 15

THE CITY OF RUSHFORD ORDAINS:

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The following Ordinance will serve to provide updated regulations for parking within the City of Rushford and repeal inconsistent parking regulation language. In addition to the parking regulations set forth in the Minnesota State Traffic Code, the following shall be observed in this City:

15.01 DEFINITIONS AND INTERPRETATIONS. Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The singular shall include the plural and the plural shall include the singular. The masculine shall include the feminine and neuter and vice-versa. The term “shall” means mandatory and the term “may” means permissive. The following terms shall have the definitions given to them:

A. “Commercial Vehicle,” any vehicle over 12,000 pounds gross vehicle weight that is used primarily for commercial uses in the operation of a business. This also includes vehicles for hire or contracted by a business that is not owned by the business that has hired or contracted the vehicle or driver and vehicle.

B. “Motor Vehicles,” means a machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners or slides and transport persons or property or pull machinery and shall include, without limitation, automobiles, trucks, trailers, motorcycles, tractors, wagons, ATVs and UTVs. “Motor vehicle” does not include lawnmowers, snowmobiles, or personal assistive mobility devices.

C. “Recreational camping vehicle,” means any of the following:

1. Travel Trailer, a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, permanently identified “Travel Trailer” by the manufacturer.

2. Pickup Coach, a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.
3. Motor Home, a portable, temporary building to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
4. Camping Trailer, a folding structure, mounted on wheels and designed for travel recreation and vacation uses.

D. "Truck," means any of the following:

1. Vehicles commonly known as trucks that have a capacity of more than 8,000 pounds according to the manufactures rating, or,
2. Vehicles commonly known as trucks having an overall length of more than 25 feet, or width at any point of more than 8 feet, or,
3. Dump trucks, tractors, truck-tractors, semi-trailers or any heavy machinery, or,
4. Any vehicle commonly referred to as trucks, trailer or semi-trailer which is being used for the transportation of livestock or has been used for the transportation of livestock and has not been cleaned.

15.02 TRAFFIC CODE. The City of Rushford hereby adopts the Minnesota Traffic Code by reference. The regulatory provisions of M.S. Chapter 169, as amended from time to time, are hereby incorporated and made part of this section as completely as if set out in full herein. The penalty for violation of the provisions of state statues adopted by reference in this section shall be identical with the penalty provided for in the statutes for the same offense.

15.03 PRESUMPTION OF PERMISSION. It shall be presumed that any vehicle parking in violation of this Ordinance or any other ordinance regulating parking, when the driver is not present that the owner parked the vehicle or that the driver of said vehicle was acting as the agent of the owner.

15.04 GENERAL 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 law enforcement officer or traffic control device in any of the following locations:

- A. on a sidewalk;
- B. in front of or within 10 feet of a public or private driveway;
- C. within an intersection, or on a crosswalk;
- D. within 20 feet of a crosswalk at any intersection;
- E. within 10 feet of a fire hydrant;
- F. in a sign-posted fire lane;
- G. within 30 feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
- H. 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 said entrance when posted;
- I. alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
- J. on the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- K. upon any bridge or other elevated structure upon a street;
- L. at any place where official signs prohibit or restrict stopping, parking or both;
- M. in any alley, except for loading or unloading and then only so long as reasonably necessary for such loading and unloading to or from adjacent premises; or
- N. on any boulevard which has been curbed;

- O. in front of mailboxes or in such a manner as to impede the access of postal mail carrier vehicles to the mailboxes
- P. within a bicycle lane, except when posted signs permit parking; or
- Q. in any areas where the curb is painted yellow

15.05 PARALLEL PARKING. Except where angle parking is specifically allowed and indicated by curb marking or sign-posting, 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, such vehicle shall be within such markings, front and rear. Upon a one-way roadway all vehicles shall also 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 such one-way street. Motorcycles may park, as is customary, by backing up to the curb at an angle.

15.06 ANGLE PARKING. Where angle parking has been established and is allowed, as shown by curb marking or sign-posting or both, each vehicle stopped or parked shall be at an angle between 45 and 60 degrees (approximately), with the front wheel touching the curb and within any parking lines painted on the curb or street, provided that the front wheel not touching the curb shall be the portion of the vehicle farthest in the direction of one-way traffic.

15.07 STREETS WITHOUT CURB. Upon streets not having a curb, each vehicle shall be stopped or parked parallel and to the right of the street paving, improved or main traveled portion of the street.

15.08 PARKING HOURS. Parking on streets shall be limited as follows:

A. Continuous period. It is unlawful for any person to stop, park or leave any vehicle upon any street for a continuous period in excess of 72 hours. See Winter Parking Provisions Section 15.15

B. Designated prohibited parking zones. Prohibited parking zones shall be established from time to time. Certain streets, blocks or portions of streets or blocks shall be designated as prohibited parking zones whenever necessary for the convenience of the public or to minimize traffic hazards and preserve a free flow of traffic. These prohibited zones shall be marked by appropriate signs when established. Parking may be prohibited in varying blocks of specified time or times of day or days of the week.

C. Time measurement. 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 law enforcement officer for the purpose of measuring the length of time such vehicle has been parked.

D. Stationary defined. For the purpose of enforcement of this section of the Ordinance, any vehicle moved less than fifty feet (50') in a limited time parking zone shall be deemed to have remained stationary.

15.09 TRUCK PARKING. Restrictions for truck parking are as follows:

A. Semi-trailer. No detached semi-trailer shall be parked on any city street, city owned parking lot or other public property except streets as specifically designated by the Police Chief.

- B. Trucks. No truck, as identified in Section 15.01.D of this Ordinance, shall park on any street or alley way in a residential district for more than one hour unless the vehicle is a personal vehicle or work vehicle parked in front of a resident's property.
- C. Commercial vehicle. No commercial vehicle, as identified in Section 15.01.A of this Ordinance shall park upon any street in the business district except streets as specifically designated and sign-posted, however parking of such vehicle for a period of not more than 30 minutes shall be permitted in such space for the purpose of necessary access to abutting property while actively loading or unloading when such access cannot reasonable be secured from any alley or from an adjacent street where truck parking is not so restricted. Parking of commercial vehicles is permitted in duly designated and sign-posted loading zones and in alleys, for a period of up to 30 minutes, provided that such 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 while actively loading or unloading.
- D. Truck/vehicle and trailer and bus. No truck or other vehicle using or equipped with a trailer or extended body or other extension or projection beyond the original length of such vehicle or any passenger bus shall park diagonally along any street except for a time sufficient to load or unload and in such 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. Construction, Repair Equipment: Loaders, Backhoes and so forth. No construction equipment such as loaders, backhoes, skid loaders, dozers shall be allowed to be parked on any street except during the course of conducting repairs or construction in the immediate vicinity of the area where they are parked and then, only during the time the repair or construction is being conducted. When the repair or construction is complete, the equipment must be moved off of the city street.

15.10 CITY PARKING LOTS. In City owned parking lots, hours of parking, prescribed method of parking and sizes and types of motor vehicles to be parked may be limited from time to time. Such limitations and restrictions shall be marked and sign posted. At no time shall any vehicle be parked, or left standing, backed into a parking place, or driven in a direction opposite the flow of traffic marked by "one-way" signs or arrows or parked in any City owned lot contrary to the restrictions or limitations marked or sign-posted.

15.11 VEHICLE REPAIR ON STREET. No person shall service, repair, assemble or dismantle any vehicle parked upon a street or attempt to do so, except to service such vehicle with gasoline or oil or to provide emergency repairs thereon, but in no event for more than 24 hours.

15.12 ADVERTISING OR SELLING OF MERCHANDISE. No person shall park a vehicle on any street for the purpose of advertising such vehicle for sale, for the purpose of advertising for sale or selling merchandise thereon or therein, or advertising any merchandise for sale or advertising a forthcoming event. Residents may, however, advertise a personally-owned vehicle for sale in front of their own residence. Food trucks or vendors may park on city streets for special events or seasonal sales of merchandise upon registration at city hall.

15.13 PARKING ON PRIVATE PROPERTY WITHOUT CONSENT. It shall be a misdemeanor to park or abandon a motor vehicle on the property of another or upon an area developed as an off-street parking facility without the consent of the owner or person in charge of any such property or facility.

15.14 LIMIT ON QUANTITY AND TYPE OF MOTOR VEHICLES IN RESIDENTIAL DISTRICT.

In a residential district, the following is permitted:

- A. Indoor parking of motor vehicles, licensed or unlicensed, in any quantity or condition; and
- B. Outdoor parking of motor vehicles on a driveway or an asphalt, concrete, or brick or block paver surface, except as prohibited below.

In a residential district it shall be unlawful to park outdoors:

- A. Any unlicensed or unregistered motor vehicles;
- B. Any inoperable motor vehicle

15.15 WINTER PARKING PROVISIONS. All motor vehicles, trailers, or other vehicles shall be removed from all City streets and alleyways within twelve (12) hours after such snow or ice has ceased to be deposited or until the street or alleyway is plowed/sanded. Vehicles may be moved temporarily to a street or a side of a street which has been plowed. Should a snow/ice event occur between the hours of 10:00 P.M. and 6:00 A.M. vehicles should be moved as soon as practicable but no later than 8:00 A.M. Vehicles not in compliance shall be towed at the owner's expense and shall be subject to penalty listed below. This ordinance also incorporates the provisions of the City's snow removal policy as amended from time to time by Council review.

15.16 SEVERABILITY CLAUSE. If any provisions of this Ordinance should be nullified by action of a Court of competent jurisdiction, all other provisions shall nevertheless remain in full force and effect.

15.17 PENALTY. Any person who violates a provision of this Ordinance and is convicted of said violation shall be punished as follows:

1. Petty Misdemeanor. Any person found to have violated this Ordinance may be charged with a petty misdemeanor.
2. Impounding and removing vehicles. When a vehicle standing upon a street or City-owned parking lot is in violation of any part of this Chapter, the law enforcement officer shall require the driver or other person in charge of such vehicle to remove the same to a position in compliance with this Ordinance. When a vehicle standing upon a street or City-owned parking lot is in violation of any part of this Ordinance, the law enforcement officer may impound such vehicle and 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 be placed against such 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 such place of storage or safekeeping. Any charges so incurred shall be charged to the owner of such vehicle.

Adopted by the Rushford City Council this 12th day of April, 2021.

Terri L. Benson

Terri L. Benson, Mayor

Attest:

Kathy Zacher

Kathy Zacher, City Clerk/Treasurer