

CHAPTER XIII

TRAFFIC, MOTOR VEHICLES AND OTHER VEHICLES

SECTION 1300 - HIGHWAY TRAFFIC REGULATION

1300.01. State highway traffic regulation act adopted by reference. Minnesota Statutes, chapter 169, "The Highway Traffic Regulation Act", is adopted by reference and is as much a part of this code as if fully set forth herein. A violation of chapter 169 as herein adopted is a violation of this code.

1300.03. Definitions. For purposes of this chapter, the terms defined in Minnesota Statutes, section 169.01, as adopted herein, have the meanings given by that section.

SECTION 1305 – PARKING REGULATIONS

1305.01. Traffic and parking control. Subdivision 1. Council action. A device, sign or signal may not be erected or maintained for traffic or parking control without council approval.

Subd. 2. Temporary restrictions. The council may temporarily restrict traffic or parking for a private, public or experimental purpose. The chief of police must restrict traffic or parking when a hazardous condition arises or is observed.

Subd. 3. Traffic restrictions and prohibitions. It is unlawful to drive a vehicle contrary to land restrictions or prohibitions painted on any street, or contrary to sign-posted, fenced, or barricaded restrictions or prohibitions.

Subd. 4. Parking restrictions and prohibitions. It is unlawful to park a vehicle, except an emergency vehicle, contrary to lane or space restrictions or prohibitions painted on any curb or street surface, or contrary to signed-posted, fenced, or barricaded restrictions or prohibitions.

Subd. 5. Damaging or moving markings. It is unlawful to deface, mar, damage, move, remove, or tamper with any structure, work, material, equipment, tools, sign, signal, barricade, fence, painting or appurtenance in a street without written permission from the city.

Subd. 6. Presumption. As to any vehicle parking in violation of this section when the driver thereof is not in the vehicle, it is presumed that the owner parked the same, or that the driver was acting as the agent of the owner.

1305.03. General parking prohibitions. It is unlawful 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 police officer or traffic control device, in any of the following places:

- 1) on a sidewalk;
- 2) in front of a public or private driveway;
- 3) within an intersection;
- 4) within ten feet of a fire hydrant;
- 5) on a crosswalk;
- 6) within 20 feet of a crosswalk at an intersection;
- 7) in a sign-posted fire lane;
- 8) within 30 feet upon the approach to any side of a roadway;
- 9) within 50 feet of the nearest rail of a railroad crossing;
- 10) within 20 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance when properly sign-posted;
- 11) alongside or opposite a street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
- 12) the roadway side of a vehicle stopped or parked at the edge or curb of a street;
- 13) upon a bridge or other elevated structure upon a street;
- 14) at a place where official signs prohibit or restrict stopping, parking or both;
- 15) in an 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
- 16) in a boulevard that has been curbed.

1305.05. Recreational camping vehicle parking. Subdivision 1. Definition. The term “recreational camping vehicle” means and includes:

- a) “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 of the trailer;
- b) “Pick-up coach” – a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation;
- c) “Motor home” – a portable, temporary building to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle; and
- d) “Camping trailer” – a folding structure, mounted on wheels and designed for travel, recreation and vacation uses.

Subd. 2. Unlawful act. It is unlawful to leave or park a recreational camping vehicle on or within the limits of any street or right-of-way for a continuous period in excess of 24 hours, except where signs are erected designating the place as a campsite or in a mobile home park. During that 24-hour period, the vehicle may not be occupied as living quarters.

1305.07. Unauthorized removal. It is unlawful for a person to move a vehicle not owned by such person into a prohibited area or away from a curb such distance as is unlawful.

1305.09. Direction to proceed. It is unlawful to stop or park a vehicle on a street when directed or ordered to proceed by a police officer with authority to direct, control or regulate traffic.

1305.11. Parallel parking. Except where angle parking is specifically allowed and indicated by curb marking or sign-posting, or both, a vehicle stopped or parked upon a two-way road where there is an adjacent curb must 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, the vehicle must be within such markings, front and rear; provided that upon a one-way roadway all vehicles must 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 and with respect to the remainder of the vehicle, must be in the direction of the flow of traffic upon such one-way street.

1305.13. Angle parking. Where angle parking has been established by council resolution and is allowed as shown by curb marking or sign-posting, or both, a vehicle stopped or parked must be at an angle of approximately 45 to 60 degrees 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 must be at the portion of the vehicle furthest in the direction of one-way traffic.

1305.15. Streets without curb. On a street without a curb, a vehicle must be stopped or parked parallel and to the right of the paved, improved or main traveled part of the street.

1305.17. Parking hours. Subdivision 1. Parking on streets is limited as provided in this subsection.

Subd. 2. The city administrator may, when authorized by resolution of the council, designate certain streets, blocks or portions of streets or blocks as prohibited parking zones, or five-minute, ten-minute, 15-minute, 30-minute, one-hour, two-hour, four-hour, six-hour, eight-hour, morning or afternoon rush hour limited parking zones and must mark by appropriate signs any zones so established. The zones will be established whenever necessary for the convenience of the public or to minimize traffic hazards and preserve a free flow of traffic. It is unlawful to stop, park or leave standing a vehicle in a prohibited parking zone for a period of time in excess of the sign-posted limitation, or during sign-posted hours of prohibited parking.

Subd. 3. It is unlawful to remove, erase or otherwise obliterate any mark or sign placed upon a tire or other part of a vehicle by a police officer for the purpose of measuring the length of time a vehicle has been parked.

Subd. 4. For the purposes of this subsection, a vehicle moved less than one block in a limited time parking zone is deemed to have remained stationary.

1305.19. Snow removal. It is unlawful to park a vehicle on a street after a continuous or intermittent snowfall during which there has been an accumulation of two inches or more of snow on any street, and until all snow, ice and similar debris has been plowed or removed from the paved portion of the street.

1305.21. Parking rules in city parking lots and ramps. In city-owned parking lots and ramps, the council may limit the sizes and types of motor vehicles to be parked thereon, hours of parking, and prescribed method of parking, provided that such limitations and restrictions are marked or sign-posted thereon. It is unlawful to park or leave standing a vehicle backed into a parking place, to drive in a direction opposite the flow of traffic marked by “one-way” signs or arrows, or to park any vehicle in any city-owned parking lot or ramp contrary to the restrictions or limitations marked or sign-posted therein.

1305.23. Impounding and removing vehicles. If a police officer finds a vehicle standing upon a street or city-owned parking lot in violation of this section, the officer may require the driver or other person in charge of the vehicle to remove it to a position in compliance with this section. If a police officer finds a vehicle unattended upon any street or city-owned parking lot in violation of this section, the officer may impound the vehicle and provide for the removal thereof, and to remove the same to a convenient garage or other facility or place of safety. A charge is placed against such vehicle for cost of removal or storage, or both, by an authorized person. The charge must be paid prior to removal from such place of storage or safekeeping.

1305.25. Loading zones. The council may, by resolution, establish loading zones to be used for the specific purpose of loading or unloading merchandise from a commercial vehicle or vehicle temporarily being utilized in the transport of merchandise. Loading zones may be installed by order of the city administrator where in the judgment of the council a commercial loading zone is justified and duly sign-posted.

1305.27. Unattended vehicle. Subdivision 1. Engine running. It is unlawful to leave a motor vehicle unattended while the engine is running.

Subd. 2. Keys in ignition. It is unlawful to leave a motor vehicle unattended with the key in the ignition.

1305.29. Vehicle repair on street. It is unlawful to service, repair, assemble or dismantle a 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.

1305.31. Physically handicapped parking. Subdivision 1. Statutory parking privileges for physically handicapped will be strictly observed and enforced. Police officers are authorized to tag vehicles on either private or public property in violation of such statutory privileges.

Subd. 2. It is unlawful for a person, whether or not physically handicapped, to stop, park, or leave standing, a motor vehicle (i) in a sign-posted fire lane at any time, or (ii) in lanes where, and during such hours as, parking is prohibited to accommodate heavy traffic during morning and afternoon rush hours.

1305.33. Penalty. Subdivision 1. The penalty for violation of subsections 1305.03 to 1305.31, inclusive, is \$25.00 if paid within 48 hours, \$50.00 if not paid within 48 hours but within one week, and \$100.00 if paid after the expiration of one week. Payment must be made at the office of the city administrator. The payee must receive a properly executed receipt after payment of the fine. (Amended, Ord. 7, 3rd Series)

Subd. 2. This subsection is not applicable unless the driver has been served with notice and given an opportunity to remove the vehicle to a place where parking is permitted.

1305.35. Truck parking. Subdivision 1. It is unlawful to park a detached semi-trailer upon any street, city-owned parking lot, or other public property except streets specifically designated by the council by resolution and sign-posted.

Subd. 2. It is unlawful to park a truck-tractor within an area zoned as a residential district, except for the purpose of loading or unloading the same, provided, that a truck-tractor may be parked on a street or private property not more than 50 feet from a residential structure owned or occupied by the person owning or operating the truck. (Amended, Ord. 3, 3rd Series)

Subd. 3. It is unlawful to park a tractor-trailer in a district zoned commercial except while actively engaged in loading or unloading.

Subd. 4. Between the hours of 11:00 o'clock P.M. and 7:00 o'clock A.M. of the day next following, it is unlawful to park or leave standing in any area zoned as a residential district, a truck with the engine in operation, or trailer with the heating or cooling unit engine thereon in operation, except that operation of either or both of such engines is lawful for a period not to exceed 15 minutes prior to the removal of such equipment from the district.

1305.37. Other truck parking. It is unlawful to park a truck of more than 9,000 pounds gross vehicle weight upon a street in a commercial district which has been duly sign-posted prohibiting the same, but parking of such vehicle for a period of not more than 15 minutes is permitted in such space for the purpose of necessary access to abutting property while actively loading or unloading when such access cannot reasonably be secured from an alley or from an adjacent street where truck parking is not so restricted.

1305.39. Penalty. Subdivision 1. Computation. The penalty for violation of subsections 1305.35 or 1305.37 is \$25.00 if paid within 48 hours, \$50.00 if not paid within 48 hours but within one week, and \$100.00 if paid after the expiration of one week. Payment must be made at the office of the city administrator and payee must receive a properly executed receipt for payment of the fine.

Subd. 2. This subsection is not applicable unless the driver has been served with notice and given an opportunity to remove the truck to a place where parking is permitted.

SECTION 1310 – DRIVER’S LICENSES AND REGISTRATION OF MOTOR VEHICLES

1310.01. Adoption by reference. Subdivision 1. Motor vehicle registration act. Minnesota Statutes, sections 168.011, 168.055, 168.09, 168.10, 168.11, 168.27, 168.36, 168.39, 168.41, 168.44 and 168.43 are adopted by reference and are as much a part of this code as if fully set forth herein.

Subd. 2. Driver’s license law. Minnesota Statutes, sections 171.01, 171.02, 171.03, 171.05, 171.08, 171.09, 171.11, 171.17, 171.18, 171.20, 171.22, 171.23 and 171.24 are adopted by reference and are as much a part of this code as if fully set forth herein.

Subd. 3. Violations. A violation of a statute adopted by reference herein is a violation of this code.

SECTION 1315 – TRAFFIC-GENERAL REGULATIONS

1315.01. Exhibition driving. Subdivision 1. Definition. “Exhibition driving” means to stop, start, accelerate or decelerate a motor vehicle, or to turn such motor vehicle at an unnecessary rate of speed so as to cause tires to squeal, gears to grind, soil to be thrown, engine backfire, fishtailing or skidding, or, as to two-wheeled or three-wheeled motor vehicles, the front wheel to lose contact with the ground or roadway surface.

Subd. 2. Unlawful act. It is unlawful to do any exhibition driving on any street, parking lot, or other public or private property, except when an emergency creates necessity for such operation to prevent injury to persons or damage to property.

Subd. 3. Exception. This subsection does not apply to driving on a racetrack. A “racetrack” means a track or premises whereon motorized vehicles, horses, dogs, or other animals or fowl legally compete in a race or timed contest for an audience, the members of which have directly or indirectly paid a consideration for admission.

1315.03. One-way streets. Subdivision 1. Designation. The council may, by resolution, designate streets as one-way streets.

Subd. 2. Wrong way. It is unlawful to travel upon any one-way street in a direction opposite that designated when the same has been duly sign-posted.

1315.05. Driving through private property to avoid traffic signal. It is unlawful to avoid obedience to any traffic control device by driving upon or through any private property.

1315.07. Emergency vehicles. The provisions of this section do not apply to vehicles when operated with due regard for safety, under the direction of police officers in the chase or apprehension of violators of the law or of persons charged with or suspected of a violation, nor to fire department or fire patrol vehicles when traveling in response to a fire alarm, nor to public ambulances when traveling in emergencies. This exception does not, however, apply to the driver of any such vehicle from the consequences of a reckless disregard for the safety of others.

1315.09. Truck route. It is unlawful to drive a tractor, agricultural implement, truck over 9,000 pounds gross vehicle weight, truck-trailer, tractor-trailer or truck tractor in through traffic, upon any street except those which have been designated and sign-posted as truck routes. For the purpose of this chapter, "through traffic" means originating without the city and with a destination without the city, as distinguished from "local traffic" which means traffic either originating or having a destination within the city.

1315.11. U-turns. It is unlawful to operate a motor vehicle by turning so as to proceed in the opposite direction upon a street except at a street intersection, and then only if the street intersection is not sign-posted prohibiting a u-turn or otherwise controlled by a traffic signal; provided, that a person making a permitted u-turn must yield the right-of-way to all other vehicles.

SECTION 1320 – BICYCLES

1320.01. Bicycles. Subdivision 1. Traffic laws apply. A person riding a bicycle upon a roadway or upon any path set aside for the exclusive use of bicycles has the rights and is subject to the duties applicable to the driver of a vehicle by this section, except as to special regulations in this chapter and except as to those provisions of this section which by their nature can have no application.

1320.03. Manner and number riding. Subdivision 1. Riding. It is unlawful for a person propelling a bicycle to ride other than upon or astride a permanent and regular seat attached thereto.

Subd. 2. Passengers. A bicycle may not be used to carry more persons at one time than the number for which it is designed and equipped, except on a baby seat attached to the bicycle, provided that such seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel or in a seat attached to the bicycle operator.

1320.05. Hitching rides. It is unlawful for any person riding upon a bicycle, coaster, roller skates, toboggan, sled, skateboard or toy vehicle to attach the same to a vehicle upon a roadway or to grasp the vehicle.

1320.07. Where to ride. Subdivision 1. A person operating a bicycle upon a roadway must ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

Subd. 2. Persons riding bicycles upon a roadway may not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

Subd. 3. Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders must use such paths and may not use the roadway.

1320.09. Right of way – sidewalks. A person riding a bicycle upon a sidewalk must yield the right of way to pedestrians and give audible signal before overtaking and passing a pedestrian. It is unlawful to ride a bicycle on a sidewalk in a business district or to park a bicycle upon a sidewalk except where parking stalls have been provided.

1320.11. Carrying articles. It is unlawful for a person operating a bicycle to carry a package, bundle or article that prevents the driver from keeping at least one hand upon the handlebars.

1320.13. Lighting and brake equipment. Subdivision 1. Lighting. It is unlawful to operate a bicycle at nighttime unless such bicycle or its operator is equipped with a lamp on the front which must emit a white light visible for a distance of at least 500 feet to the front, and with a red reflector of a type approved by the Department of Public Safety which is visible from all distances from 100 to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. It is unlawful to operate a bicycle at any time when there is not sufficient light to render persons and vehicles on the highway clearly discernible at a distance of 500 feet ahead unless the bicycle or its operator is equipped with reflective surfaces that must be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of head lamps on a motor vehicle.

Subd. 2. Brakes. It is unlawful for any person to operate a bicycle unless it is equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

SECTION 1325 – RECREATIONAL VEHICLES

1325.01. Definitions. Subdivision 1. For the purposes of this section, the terms defined in this subsection have the meanings given them.

Subd. 2. “Motorcycle” - A motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, whether or not designed for use on streets or highways, including motor scooters, bicycles with motor attached other than those herein defined as motorized bicycles, and mini-bikes.

Subd. 3. “Motorized bicycle” – A bicycle with fully operable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two break horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Subd. 4. “All-terrain vehicle” or “ATV” – Trail bikes, 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 Minnesota Statutes, section 168.011, subdivision 22, which is hereby incorporated herein by reference.

Subd. 5. “Snowmobile” – A self-propelled vehicle designed for travel on snow or ice or natural terrain steered by wheels, skis or runners.

Subd. 6. “Recreational motor vehicle” – A self-propelled vehicle or a vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes, including but not limited to a motorcycle, motorized bicycle, all-terrain vehicle, snowmobile, hovercraft, or motor vehicle licensed for highway operation which is being used for off-road recreational purposes.

Subd. 7. “Owner” – A person, other than a lien holder, having a property interest in, or title to, a recreational motor vehicle, who is entitled to the use or possession thereof.

Subd. 8. “Operate” – To ride in or on and have control of a recreational motor vehicle.

Subd. 9. “Operator” – The person who operates or is in actual physical control of a recreational motor vehicle.

1325.03. Operating restrictions. It is unlawful to operate a recreational motor vehicle as follows:

- a) On a public sidewalk or walkway provided or used for pedestrian travel.
- b) On private property of another without lawful authority or permission of the owner or occupant.
- c) On any lands owned or occupied by a public body or on frozen waters, including school grounds, park property, playgrounds, recreational areas, private roads, platted but unimproved roads, utility easements, public trails and golf courses. The council may, by resolution, specifically permit use on city property, in which event the shortest route to and from areas so permitted may be used.
- d) While the operator is under the influence of liquor or narcotics or habit-forming drugs.
- e) At a rate of speed greater than reasonable or proper under all of the surrounding circumstances.
- f) In a careless, reckless or negligent manner so as to endanger the person or property of another or cause injury or damage thereto.
- g) While towing a person or thing on a public street or highway except through the use of a rigid tow bar attached to the rear of an automobile.
- h) At a speed greater than ten miles per hour when within 100 feet of any lakeshore, except in channels, or of a fisherman, ice house, skating rink, or sliding area, nor where the operation would conflict with the lawful use of property or would endanger other persons or property.
- i) 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.
- j) While chasing, running over, or killing any animal, wild or domestic.
- k) During the hours between 11:00 o'clock P.M. of one day and 7:00 o'clock A.M. of the next day following, except that during such hours a motorcycle, a motorized bicycle or a snowmobile, if otherwise lawfully operated, may be operated on a public street. (Amended, Ord. No. 64, Third Series)

1325.05. Owner responsibility. It is unlawful for the owner of a recreational motor vehicle to permits its operation (i) on private property without permission of the owner or occupant, (ii) on city property without permission of the council, or (iii) on other public property without permission of the authority in charge thereof. The owner is conclusively presumed to have given such permission unless the recreational motor vehicle so operated has been reported stolen to a

law enforcement agency. A person leaving a recreational motor vehicle in a public place must lock the ignition and remove the key.

1325.07. Additional snowmobile operating regulations. Subdivision 1. Intent. Notwithstanding provisions of this section, this section regulates the operation of snowmobiles in the city. The provisions of city code section 1325 apply to snowmobiles. The intent of this section is to provide corridors for snowmobiles to exit and enter the city. Except as provided herein, recreational snowmobiling is not allowed within city limits.

Subd. 2. Permitted areas of operation. The following are permitted uses of snowmobiles within city limits:

- a) Snowmobiles may be operated for transit purposes only on the city streets designated by resolution of the city council in the city and which are provided as collector corridors for snowmobiles to exit and enter the city.
- b) Snowmobiles may be operated for transit purposes only on residential streets when traveling to or from the operator's residence and a designated street.
- c) When leaving the city, a person operating a snowmobile may not cross a designated street designated by resolution. When a snowmobile comes to a designated street, the snowmobile must travel on a designated street to the city limits. When returning to the city, the snowmobile must be operated on a designated street to a street which will provide the most direct route back to the operator's residence.

Subd. 3. Manner of operation. In addition to all other requirements contained herein, any operation of a snowmobile permitted under this section may only be on the right-hand side of such street or highway and in the same direction as the highway traffic on the nearest lane of the roadway adjacent thereto.

Subd. 4. Snowmobile equipment. It is unlawful to operate a snowmobile unless it is equipped with the following:

- a) A standard muffler that is properly attached and in constant operation, and that reduces the noise of operation of the motor to the minimum necessary for operation. Mufflers must comply with regulation CONS. 55 which is hereby adopted by reference. It is unlawful to use a muffler cut-out, by-pass, straight pipe or similar device on a snowmobile motor, and the exhaust system may not emit or produce a sharp popping or crackling sound.
- b) Brakes adequate to control the movement of and to stop and hold the snowmobile under any conditions of the operation.

- c) A safety or so-called “deadman” throttle in operating condition, so that when pressure is removed from the accelerator or throttle, the motor is disengaged from the driving track.
- d) At least one 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 must be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle operator. It must also be equipped with at least one 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 must be in operating condition when the vehicle is operated between the hours of one-half hour after sunset to one-half hour before sunrise or at times of reduced visibility.
- e) Reflective material at least 16 inches on each side, forward of the handlebars, so as to reflect or beam light at a 90 degree angle.

SECTION 1327 - MOTORIZED GOLF CARTS
(Added, Ord. No. 59, Third Series)

1327.01. Definitions. For purposes of this section, the term “motorized golf cart” means an electric or gas-powered vehicle with four wheels used primarily for light terrain slow moving operation that is equipped with a rear view mirror and a windshield.

1327.03. Permit required. It is unlawful for any person to operate a motorized golf cart on streets in the city of Kenyon without first obtaining a permit as provided herein. Persons who obtain a permit as required below are authorized to operate a motorized golf cart on designated roadways or portions thereof within the city.

1327.05. Permit application. Every Application for a permit under this section shall be made on a form supplied by the city and shall contain the following information:

- a) The name and address of the applicant.
- b) Make, model name, year, and serial number of the motorized golf cart.
- c) Valid driver’s license.
- d) Proof of insurance complying with Minnesota Statutes, section 65B.48.
- e) Such other information as the city may require.

1327.07. Permit Fee. An annual permit fee shall be established from time to time by resolution of the city council.

1327.09. Term of Permit. Permits shall be granted for a period of one year and may be renewed annually. Permits shall expire on December 31 of each year.

1327.11. Conditions of permit. No permit shall be granted or renewed unless the following conditions are met:

- a) The city is in receipt of a complete application and permit fee as provided by this section.
- b) The applicant must be over the age of 16 and provide a valid driver’s license.
- c) The applicant must provide proof of insurance in compliance with Minnesota Statutes, section 65B.48.
- d) The motorized golf cart is in good working condition and safe for the transportation of passengers.

1327.13. Permit display. All permits shall be issued for a specific motorized golf cart and individual applicant, except as otherwise herein provided. The city-issued permit tag, including number and year for which issued, shall be plainly visible from the front of the motorized golf cart.

1327.15. Occupants. The number of occupants in the motorized golf cart may not exceed the design occupant load such that, for example, if the golf cart is designed with four seats the occupant load is four people.

1327.17. Designated roadways and intersections. Motorized golf carts may be operated within the city on public roadways with posted speed limits of 35 miles per hour or less. The operator of any motorized golf cart may cross any intersecting roadway. Permit holders will exercise all due care to avoid travel on roadways with a high frequency of automobile usage.

1327.19. Times of operation. Motorized golf carts may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

1327.21. Application of traffic laws. Persons operating motorized golf carts on designated roadways have all the rights and duties applicable to drivers of any other motor vehicle under the provisions of any ordinance of the city and chapter 169 of Minnesota Statutes, except when these provisions cannot reasonably be applied to motorized golf carts and except that provisions of Minnesota Statutes, chapters 171, are not applicable to persons operating motorized golf carts under permit on designated roadways. Except for Minnesota Statutes, section 169.70, the provisions of chapter 169 relating to equipment on vehicles is not applicable to motorized golf carts operating under permit on designated roadways.

1327.23. Slow moving vehicle emblem. Motorized golf carts shall display the slow moving vehicle emblem provided for in Minnesota Statutes, section 169.522, when operated on designated roadways.

1327.25. Operation. Motorized golf carts shall be operated at all times as close to the right hand curb as possible, except when the driver is making a left hand turn. No person shall operate a motorized golf cart on a public sidewalk or trail unless otherwise authorized.

1327.27. Suspension or Revocation of Permit. The chief of police may suspend or revoke a permit granted hereunder upon a finding that the permit holder has violated any of the provisions of this section or chapter 169 of Minnesota Statutes, or if there is evidence that the permit holder cannot safely operate the motorized golf cart on designated roadways. A suspension or revocation may be reviewed by appeal to the city council.

1327.29. Penalty. In addition to the revocation or suspension of the permit, any person violating any of the provisions of this section shall be guilty of a misdemeanor.

1327.31. No Assumption of Liability. Nothing in this section shall be construed as an assumption of liability by the city for injuries to persons or property which may result from the operation of any motorized golf cart by a permit holder or the failure by the chief of police or city council to suspend or revoke a permit.

SECTION 1330 – SALE OF UNCLAIMED MOTOR VEHICLES

1330.01. Abandoned motor vehicle law adopted by reference. Minnesota Statutes, chapter 168B, is, except as modified by this section, adopted by reference and is as much a part of this code as if fully set forth herein. A violation of the statutes adopted herein by reference is a violation of this code.

1330.03. Policy; purpose; findings. The city council has found and determined (i) that the presence of junk vehicles and abandoned vehicles on private property in the city constitutes a public health and safety hazard; (ii) that in many instances junk and abandoned vehicles are kept on private property by the owners of the property themselves or by others with the consent of the property owner; (iii) that in some instances the fair market value of a junk vehicle exceeds the approximate value of the scrap in the vehicle; and (iv) that it is necessary to adopt regulations for the removal of junk and abandoned vehicles from private property more stringent than those contained in Minnesota Statutes, chapter 168B.

1330.05. Modification of chapter 168B. Subdivision 1. Definitions. For purposes of this section:

- a) the term “abandoned vehicle” includes a vehicle defined in Minnesota Statutes, section 168B.011, subdivision 2 that is on private property with or without the consent of the person in control of the property;
- b) the term “junk vehicle” includes a vehicle defined in Minnesota Statutes, section 168B.011, subdivision 3, the fair market value of which exceeds the approximate scrap value of the vehicle.

Subd. 2. Notice and hearing. Before impounding an abandoned vehicle or a junk vehicle under Minnesota Statutes, section 168B.04, the city administrator must give ten days’ mailed written notice to the owner of or person in control of the property on which the vehicle is located. The notice must state:

- a) a description of the vehicle;
- b) that the vehicle must be moved or properly stored within ten days of service of the notice;
- c) that if the vehicle is not removed or properly stored as ordered, the vehicle will be towed and impounded at an identified location;
- d) that the vehicle may be reclaimed in accordance with the procedures contained in Minnesota Statutes, sections 168B.02 and 168B.07 or disposed of in accordance with Minnesota Statutes, section 168B.08; and

- e) that the owner of the vehicle or the owner of or person in control of the property on which the vehicle is located may in writing request a hearing before the city administrator.

1330.07. Hearing; action. If a hearing is requested under subsection 1330.05, subdivision 2, clause e) the administrator must promptly schedule the hearing, and no further action on the towing and impoundment of the vehicle may be taken until the administrator's decision is rendered. At the conclusion of the hearing the administrator may i) cancel the notice to remove the vehicle, ii) modify the notice, or iii) affirm the notice to remove. If the notice is modified or affirmed the vehicle must be disposed of in accordance with the administrator's written order.