

**CHAPTER 5
MOTOR VEHICLES, PARKING & TRAFFIC**

SECTION 1

501.000. OPERATION OF SNOWMOBILES WITHIN THE CITY.

501.001. STATE STATUTES INCORPORATED BY REFERENCE. The provisions of Section 3, 4, 7 and 8 of Chapter 876 of the Laws of 1967, being Sections 84.81, 84.82, 84.84 and 84.86 of the Minnesota Statutes, and the provisions of Section 3, 6, 9, 10 and 13 of Chapter 695 of the Laws of 1969, being Sections 84.82, Subd. 1, 84.86, 84.871, 84.872 and 171.03 of the Minnesota Statutes, are hereby adopted as Snowmobile Regulations for and within the Village of Winsted and are hereby incorporated in and made a part of this Ordinance as completely as if set out here in full.

(Ord. 70-01, Sec. 1, 1/8/70)

501.002. OPERATION OF SNOWMOBILES ON STREETS AND HIGHWAYS.

- A. A city resident shall be able to operate a snowmobile upon a City street while driving the same from his/her residence to the most direct route in or out of the City limits or to a designated snowmobile route. All other snowmobilers must use the City's designated snowmobile routes.

The designated snowmobile routes of the City of Winsted are as follows: Sixth Street North and South, the marked snowmobile trail through Hainlin Park; and Mill Reserve Park.

- B. A snowmobile may make a direct crossing of a street or highway provided:
1. The crossing is made at an angle of approximately 90° to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing; and
 2. The snowmobile is brought to a complete stop before crossing the main traveled way of the street or highway; and
 3. The driver yields the right of way to all oncoming traffic which constitutes an immediate hazard.
- C. No person shall operate a snowmobile upon a public street or highway unless he is a licensed driver and unless the snowmobile is equipped with at least one head lamp and one tail lamp, and with brakes which conform to standards prescribed by Rule of the Commissioner of Highways.
- D. A snowmobile may be operated upon a public street or highway other than as provided above in an emergency during the period of time when and at locations where snow upon the roadway renders travel by automobile impractical.

E. All provisions of the Minnesota Highway Traffic Regulation Act, Chapter 169 of the Minnesota Statutes, and all provision of Traffic Ordinances adopted by the Village of Winsted shall apply to the operation of snowmobiles upon streets and highways in the Village of Winsted, except for those provisions relating to required equipment, and except those which by their nature have no application. (Ord. O-11-02, Sec.3, 3/7/11)

F. OPERATION GENERALLY. It shall be unlawful for any person to drive or operate any snowmobile in the following unsafe or harassing ways:

1. At a rate of speed greater than reasonable or proper under all of the surrounding circumstances;
2. In a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto;
3. While under the influence of intoxicating liquor or narcotics or habit forming drugs;
4. Without a lighted headlight and tail light when required for safety;
5. Upon any private property in the City of Winsted without the consent or permission of the owner or occupant;
6. Upon any public or park property in the City of Winsted in such a manner as to injure, damage or destroy plants, shrubs, bushes or trees, or to otherwise damage such public or park property; and
7. In the area of the Nursing Home while creating unnecessary noise or in a disturbing manner.
8. Upon a public or private cemetery.

G. PARKING GENERALLY. It shall be unlawful for any person to park a snowmobile upon a City street, park, or designated route, except as follows: snowmobiles may be only parked in Hainlin or Mill Reserve Park between the hours of one-half hour before sunrise and 1:30 a.m. (Ord. 70-01, Sec. 2, 1/8/70; Ord. 99-03, Sec. 1, 2/16/09; O-11-02, Sec. 2, 3/7/11)

501.003. **PENALTY.** Any violation of the provisions of this Ordinance, including the Sections of the Minnesota Statutes adopted by reference, is a violation of this Ordinance when it occurs within the City of Winsted. Any person violating any provisions of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed \$1,000, or 90 days jail, or both, unless the penalty provision for a misdemeanor contained in Minnesota Statute § 609.02 subd. 3 is amended. Currently Minnesota Statutes state the penalties for a misdemeanor as “not more than 90 days or a fine of not more than \$1,000, or

both”, in Minnesota Statute § 609.02. If the legislature amends said penalties, the penalties contained in said statutory amendment shall control
(Ord. 70-01, Sec. 3, 1/8/70; O-11-02, Sec.3, 3/7/11)

- 501.004. **REPEAL.** Ordinance No. 69-01, bearing the same title as this Ordinance, and passed by the Village Council on January 7, 1969, is hereby repealed.
(Ord. 70-01, Sec. 4, 1/8/70)

SECTION 2

- 502.000. **REGULATING THE USE OF HIGHWAYS AND OTHER PLACES WITHIN THE CITY OF WINSTED AND IMPOSING PENALTIES FOR VIOLATIONS.**
- 502.001. **DEFINITIONS.** Any term used in this Ordinance and defined in Minnesota Statutes, § 169.01 has the meaning given it by that Section.
(Ord. 94-07, Sec. 1, 10/19/94)
- 502.002. The City of Winsted, hereby adopts all traffic and parking regulations imposed by Minnesota State Statutes as part of this Ordinance as though fully set forth in full. All the terms and conditions contained in this Ordinance shall be in addition to the provisions and requirements of Minnesota State Statutes.
(Ord. 94-07, Sec. 2, 10/19/94)
- 502.003. **TURNING.**
- A. 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 City shall mark by appropriate signs, any intersections so designated. No intersection on a trunk highway shall be so designated until the consent of the Commissioner of Transportation to such designation is first obtained. No person shall turn a vehicle at any such intersection contrary to the directions on such signs.
- B. 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 stop sign or yield sign.
(Ord. 94-07, Sec. 3, 10/19/94)
- 502.004. **THROUGH STREETS; ONE-WAY STREETS.** The City 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 City Engineer shall post appropriate signs at the entrance to such street. No trunk highway shall be so designated unless the consent of the Commissioner of Transportation to such designation is first secured.
(Ord. 94-06, Sec. 4, 10/19/94)

502.005. **PARKING REGULATIONS.**

- A. ANGLE AND PARALLEL PARKING. Angle parking shall be required on the following streets: South side of Main Avenue from First Street to Third Street; East side of Second Avenue from Main Avenue to McLeod Avenue; along Fourth Street North in front of the Public School building in the area specifically provided for said angle parking. On any such street every vehicle parked shall be parked with the front of the vehicle facing the curb or the edge of the traveled portion of the street between the painted lines on the street or curb indicating the parking space. On all other streets, cars shall be parked parallel to the curb or edge of the roadway in accordance with Law and in between the markings on the street designating each parallel parking space.
- B. 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 City shall mark by appropriate signs, or paint coloration which is its zone is so designated. In other words, a handicapped parking spot will be painted blue with the handicapped logo marked thereon; a no parking zone will be designated by yellow paint along the curb. Such yellow curb no parking zone need not have any additional sign. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace 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 a zone for the purpose of forming a funeral procession and a truck may be parked temporarily between the hours of 6:00 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, but only in a commercial or residential district.
- C. TIME LIMIT PARKING ZONES. The City Council may, by Resolution, designate certain areas where the right to park is limited during hours specified. The City 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.
- D. GENERAL TIME LIMIT. There shall be no parking between the hours of 2:00 a.m. and 6:00 a.m. on the following streets: Main Avenue East and West, on First Street North, between Main Avenue East and Andy Avenue; on Second Street South, between McLeod Avenue and Main Avenue; on Second Street North, between Main Avenue and Andy Avenue West. There shall be no parking allowed between the hours of 2:00 a.m. and 6:00 a.m. on any other City owned property, other than by City owned equipment.
- E. OTHER GENERAL REQUIREMENTS/RESTRICTIONS. No one shall angle park or parallel park a vehicle by crossing over the center line of any street,

whether said center line is marked or not marked, so as to park the vehicle on the opposite side of the street than the direction of travel of the subject vehicle.

- F. There shall be no parking of any motor vehicle and/or any trailer on any City street unless said vehicle/trailer has current registration.
- G. All implements of husbandry are not required to have current registration, and trash dumpsters shall only be parked on the road during daylight hours unless, they have sufficient reflective material or flashing lights turned on, facing both directions of traffic at least one-half hour before sunset and one-half hour after sunrise. All other regulations in Minnesota Statutes concerning stopping and parking, including, but not limited to Minnesota Statutes § 169.32 through 169.36 are adopted herein by reference as though fully set forth herein.
- H. **CAMPERS, BOATS, TRAILERS, AND OTHER OBJECTS.**
 - 1. No recreational vehicle (RV), trailer, boat, camper, or any implement of husbandry shall be parked on any City street for more than six (6) hours to load and unload on the following streets: 1st, 2nd, 3rd, 6th Streets North/South and Kingsley Avenue, Lake Drive, Zion Avenue, Linden Avenue and Baker Avenue.
 - 2. The Restrictions contained in paragraph one above with respect to 1st Street, 2nd Street, Linden Avenue and Baker Avenue, take effect April 3, 2007. The other streets and avenues listed hereinabove (3rd Street, 6th Street, Kingsley Avenue, Lake Drive, Zion Avenue) take effect on November 1, 2007. Parking of any unsaid previously described items must be on the street or avenue immediately adjacent to the property of the owner or with the other property owner's permission. Special permission to park may be granted by the Winsted Police Department. To enforce this Subdivision, the police may mark the tires of such vehicles to determine compliance with this Ordinance. It is a violation of this Ordinance to remove, hinder or alter such markings as the police place on said vehicles or the tires of said vehicles.
- I. **NO DOUBLE PARKING.** No double parking or parking the traveled portion of a roadway is permitted except by emergency personnel.
(Ord. 94-07, Sec. 5, 10/18/94)
- J. **GOVERNMENT MOTOR VEHICLE PARKING.** Notwithstanding any other regulation contained in this Municipal Code, any emergency vehicle (including squad cars, fire department vehicles, and ambulances) or any other city-owned motor vehicle may be allowed to park at such places and at such times as the Winsted Chief of Police authorizes in writing.
(Ord. 17-01, 1/3/17)

502.006. **TRUCK TRAFFIC, TRUCK PARKING, AND TRUCK ZONES AND LOADING ZONES.**

- A. ESTABLISHMENT. The City Council may, by Resolution, establish spaces and streets as loading zones or truck zones. The City shall mark each such zone by appropriate signs.
- B. TRUCK ZONE PROHIBITIONS. During truck zone hours, no person shall stop, stand or park any vehicle except a truck in a truck zone. No person shall stop, stand or park a truck in a truck zone during truck zone hours except to receive or discharge passengers or freight and then only for a period no longer than is necessary for that purpose.
- C. LOADING ZONE PROHIBITIONS. During loading zone hours, no person shall stop, stand or park any vehicle in a loading zone except to receive or discharge passengers or freight and then only for a period no longer than is necessary for that purpose. No person shall occupy a loading zone with a vehicle other than a truck for more than five (5) minutes during such hours.
- D. PROPERTY OWNER INITIATIVE. Any person desiring the establishment of a loading zone or truck zone abutting premises occupied by him shall make written application therefore to the City Council. If the Council grants the request, the City Clerk shall bill the applicant for the estimated costs of placing signs and/or painting the curb. When the amount is paid to the City Clerk, the appropriate signs and painting shall be done by the City.
(Ord. 94-07, Sec. 6, 10/18/94)

502.007. **TRUCK PARKING AND TRAFFIC, GENERALLY.**

- A. PURPOSE. In accordance with the powers granted in Minnesota Statutes, Chapters 169.87 and 169.34, the City of Winsted, hereby restricts truck traffic to an improved route within the City. This action is to prevent the continued deterioration of streets not designed for such traffic, the potential safety hazards, and the abatement of noise, odors and other nuisances associated with truck traffic in residential areas and other areas where such traffic may be in conflict with the existing land use.
- B. DEFINITIONS. For the purpose of this Ordinance, the following terms will be defined as follows:
 - 1. **TRUCK.** A truck is any motor vehicle that weighs in excess of 10,000 pounds but does not include the following vehicles:
 - (a) garbage trucks,
 - (b) emergency vehicles,
 - (c) public maintenance vehicles,

- (d) moving vans or vehicles at such times as the same are used to move an individual, family or business and their possessions to or from a residence or business,
 - (e) delivery and construction vehicles that are in route to or from a place of delivery of goods and services or the construction site (but such delivery and construction vehicles must use truck routes when the same are available).
2. DESIGNATED ROUTE. Designated route is as shown on the official route map which is attached to this Ordinance and made a part hereof and is the only approved route for truck traffic. Said route map may be amended from time to time by Resolution of the City Council.
 3. DESIGNATED PARKING AREA. The City Council may designate areas for overnight parking or parking between the hours of 2:00 a.m. and 6:00 a.m. Any such designation shall be attached to this Ordinance. Such attached designated parking area map may be changed from time to time by Resolution of the City Council.
- C. TRAFFIC. Truck traffic shall be permitted in the City of Winsted only in designated routes. These routes shall be defined by the official route map. Any truck as herein defined above, not operating on a designated route is in violation of this Ordinance.
- D. TRUCK PARKING. Unless otherwise prohibited by Minnesota State Statutes or City Ordinance, truck parking shall be permitted on designated routes, designated parking areas, or commercial or industrial zoned property. There shall be no truck parking on any street between the hours of 2:00 a.m. and 6:00 a.m. Designated parking areas are those designated on the official route map attached hereto.
- E. SEMI TRAILER PARKING. No person shall allow a semi trailer to stand or be parked unattached from a tractor unit for any length of time on any street in the City except in an emergency, in order to change tractors. If a semi trailer is attached to a tractor, the other provisions of this Ordinance shall apply as to when and where a truck may be parked.
(Ord. 94-07, Sec. 7, 10/18/94)

502.008. **WINTER PARKING.**

- A. It shall be unlawful for any person, company or corporation, to park any kind of vehicle upon any streets of the City of Winsted between the hours of 2:00 a.m. and 6:00 a.m. on any day during the months of January, February, March, November and December of any year.
- B. The City Council hereby delegates authority to the Chief of Police of the City of Winsted who, in turn, can delegate authority to any and all peace officers under his control, the supervisor of the maintenance department and/or any other maintenance department employee, to issue a parking citation to any vehicle

which is parked in violation of this Ordinance. Said Chief of Police or any peace officer, the maintenance supervisor or other delegated employees of the maintenance department, may have any vehicle parked in violation of this Ordinance impounded and towed to such garage or other place of safety when the vehicle is parked in violation of this Ordinance. Such vehicle shall not be released until the fees for towing and storage have been paid in addition to any fine imposed for violation of this Ordinance or any other Ordinance.

- C. Penalty. A violation of this winter parking section of the City Code is a petty misdemeanor unless it is committed in a manner and under circumstances so as to endanger any person or property, and in that event, it shall be a misdemeanor. Punishment shall be as prescribed by the Statute of the State of Minnesota for a petty misdemeanor or misdemeanor, as the case may be.
(Ord. 96-07, 12/03/96)
- 502.009. **ESTABLISHMENT OF SAFETY ZONES, LANES OF TRAFFIC, ETC.** To assist in the direction and control of traffic, to improve safe driving conditions at any intersection or dangerous location, and to warn pedestrians or drivers of motor vehicle of dangerous conditions or hazards, the Chief of Police may establish safety zones, lanes of traffic, and stop intersections, and said Chief of Police may order installation by the City Maintenance Department of stop signs, yield signs, warning signs, signals, pavement markings or other devices. No regulation may be established on a trunk highway unless the consent of the Commissioner of Transportation is first secured.
(Ord. 94-07, Sec. 9, 10/18/94)
- 502.010. **PRIMA FACIE VIOLATION.** The presence of any motor vehicle on any street when standing or parking in violation of this Ordinance is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.
(Ord. 94-07, Sec. 9, 10/18/94)
- 502.011. **EXHIBITION DRIVING PROHIBITED.**
- A. ERRATIC OR EXHIBITION DRIVING. Acceleration without apparent reason and accomplished in such a manner as to cause squealing or screeching sounds by the tires of any motor vehicle, or by the throwing of sand or gravel by the tires of such vehicle, or operating such vehicle in a manner that creates excessive or unnecessary engine or vehicle noise, or driving such vehicle on the lawn or yard of another without the consent of the owner or person in the lawful possession thereof, shall constitute erratic or exhibition driving, which is hereby declared to be a public nuisance and is prohibited within the City of Winsted, Minnesota.
- B. EVIDENCE. Any person operating or driving a motor vehicle within the City of Winsted in such manner as to constitute erratic or exhibition driving shall be guilty of a petty misdemeanor and such squealing or screeching sounds emitted by the tires, or the throwing of sand or gravel by the tires, or unnecessary engine or vehicle noise shall be prima facie evidence of erratic or exhibition driving.

C. IMPOUNDMENT. A peace officer may remove a vehicle from a street to a garage or other place of safety, without prior notice if:

1. the vehicle is left unattended and constitutes an obstruction to traffic; or
2. hinders snow removal or street improvement or maintenance operation; or
3. is parked on a marked parade route or has expired registration; or
4. has received three or more parking citations in a 30-day period of time and is in violation of some City Ordinance or State Statute; or
5. the vehicle is parked in violation of any City Ordinance or State Statute.

It shall be the responsibility of the owner or designated person by said owner to pay the tow bill and/or any fines before said vehicle is released by the private towing agency or storage garage.

(Ord. 94-07, Sec. 11, 10/18/94)

502.012. **LIQUOR IN RIGHT OF WAY.** No person shall possess any bottle or receptacle containing intoxicating liquor or non-intoxicating malt liquor which has been opened, or the seal broken, or the contents of which have been partially removed, upon any street or highway or right of way, in any business district (as defined in Minnesota Statutes § 169.01, Subd. 39) or any commercial or industrial zone (pursuant to the zones established by the City of Winsted Zoning Ordinance). Street or highway or right of way means the entire width between boundary lines of any way or place when any part thereof is open for the use of the public, as a matter of right, for the purposes of vehicular traffic or pedestrian traffic and therefore, specifically includes all boulevard areas, sidewalk areas and paved street areas within the City of Winsted.

(Ord. 94-07, Sec. 12, 10/18/94)

502.013. **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 directing traffic at the scene of a fire or other emergency on the immediate vicinity thereof.

(Ord. 94-07, Sec. 13, 10/18/94)

502.014. **PENALTY.** Any person violating any term and/or condition of this Ordinance is guilty of a Misdemeanor, punishable by such fine and/or days in jail as is prescribed by Minnesota State Statutes for a "Misdemeanor".

(Ord. 94-07, Sec. 14, 10/18/94)

502.015. **REPEAL.** This Ordinance repeals Ordinances No. 85-10, 86-06, 90-04 and any other Ordinances and portions of Ordinances to the extent that they conflict or are inconsistent herewith. In the event there is any conflict with any other City Ordinance, this Ordinance shall control.
(Ord. 94-07, Section 15, 10/18/94)

SECTION 3

503.000. HAY RIDE RESTRICTIONS.

503.001. DEFINITIONS.

- A. "Person" is any person, firm, partnership, association, corporation or organization of any kind.
- B. "Permit" is a license permit as required by this Ordinance.
- C. "Hay Ride Vehicle" includes any vehicle-drawn or animal-drawn hayrack, farm wagon or other implement or device upon which persons are conveyed into or through the city limits of the City of Winsted.
(Ord. 74-06, Sec. 1, 12/3/74)

503.002. **PERMIT REQUIRED.** No person shall be permitted to use or operate a hay ride vehicle in the City of Winsted without first obtaining a permit therefore by making application to the City Police Department. Such application shall contain the name and address of the person or organization sponsoring the hay ride, the name, address and driver license number of the person operating the hay ride vehicle, the name and address of the owner of the hay ride vehicle, the number of persons who will be riding upon the hay ride vehicle and the proposed time that the vehicle will enter and/or leave and/re-enter and/or re-leave the city limits.
(Ord. 74-06, Sec. 2, 12/3/74)

503.003. **RESTRICTIONS.** No hay ride vehicle will be permitted to remain within the city limits of Winsted for any period of time longer than is reasonably necessary to pass through the City of Winsted. No such vehicles shall be permitted to enter or be within the city limits of Winsted after the hours of 11:00 p.m. on Sunday through Thursday, nor after the hour of 11:59 p.m. on Friday and Saturday, and no such vehicle shall be permitted at any time within the city limits of Winsted without having obtained a license permit from the City Police Department pursuant to the application requirements of the previous section. It shall be unlawful for any person riding upon a hay ride vehicle in the city limits of Winsted to engage in brawling or fighting, or to engage offensive, obscene or abusive language or in boisterous and noisy conduct tending reasonably to arouse alarm, anger or resentment in others, nor engage in any conduct which unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any persons either upon such vehicle or otherwise within the City of Winsted. It shall be unlawful for any person to throw any refuse or other object from such vehicle or otherwise engage in unlawful activity while in or upon such vehicle within the city limits of Winsted.
(Ord. 74-06, Sec. 3, 12/3/74)

503.004. **PENALTY.** This Ordinance shall take effect and be in force from and after its passage and publication according to law.
(Ord. 74-06, Sec. 5, 12/3/74)

SECTION 4

504.000. VEHICLE PARKING.

- 504.001. No person shall stop, stand or park a vehicle, whether attended or unattended, 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:
- A. On a sidewalk or boulevard between sidewalk and roadway.
 - B. In front of a public or private driveway.
 - C. Within an intersection.
 - D. Within 20 feet of a fire hydrant.
 - E. On a crosswalk.
 - F. Within 20 feet of a crosswalk at an intersection.
 - G. Alongside any construction or repair work where part of the street is occupied, or opposite any street evacuation or obstruction when such stopping, standing or parking would obstruct traffic.
 - H. 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.
 - I. No person shall, for camping purposes, leave or park a house trailer on or within the limits of any street or highway or on any street or highway right of way except where signs are erected designating the place as a camp site.
 - J. No person shall park a vehicle so as to block a fire escape or the exit from any building, whether on public or private property.
 - K. No person shall park any vehicle where temporary signs are posted reading "No Parking-Police Order" as long as such signs are in place.
 - L. 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.
 - M. No person shall place any 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, and bearing a sign indicating that it is for sale or exchange.
 - N. No person shall wash, grease or repair such vehicle upon a street or highway, except such repairs as are necessitated by an emergency.

- O. No person shall park a vehicle or permit it to stand, except as otherwise provided, or unless permitted so to do by a police officer, on any street where the City Council has established and marked a "No Parking Zone" and when marked by signs or yellow curb.
- P. Nothing contained in this Ordinance shall prohibit diagonal parking at such places and in such manner as may be established by the City Council and indicated and marked on the roadways and curbs in the highways of this Village.
- Q. Wherever and whenever such spaces are so marked, the driver or person in charge of any vehicle shall not park or stand his vehicle in any other manner than that indicated by such markings.
- R. Upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks or signs.
- S. Vehicles other than trucks shall be not parked in public alleys, and trucks shall not be so parked for a longer period of time than is necessary to load or unload commodities, and then not to exceed thirty minutes.
- T. Vehicles shall not double park on any highway in this village, except trucks when calling for or delivering merchandise, and when access to the curb at or immediately adjacent to the place of delivery is blocked by other vehicles, and then only for such length of time as may be necessary to load or unload, such length of time in any event not to exceed fifteen minutes; and no motor vehicle, commercial or pleasure, shall double park in any area designated by the City Council as "No Parking".
- U. No person shall molest any vehicle standing on any "No Parking" street without the consent of the owner or driver of such vehicle, nor shall any such person set such vehicle in motion or otherwise damage or interfere with the same.
- V. Provided, however, that whenever the City Marshall or any of his assistants shall find it necessary, for purposes of facilitating street maintenance operations, such as the removal of snow, ice, or street wastes, to move any vehicle standing on any street in this village, said City Marshall, or assistants, or other emergency officials in the discharge of their duties, are hereby authorized to move such vehicle to the extent necessary for such purposes.

Every person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$100.00 or imprisonment in the County Jail for not more than 90 days.
(Ord. 41, Sec. A, 7/5/50)

SECTION 5

505.000. **STREETS AND HIGHWAYS TRAFFIC REGULATIONS.**

505.001. **HIGH TRAFFIC REGULATION ACT INCORPORATED BY REFERENCE.** The regulatory provisions of Minnesota Statutes 1945, Chapter 169, as amended by Laws adopted by the Minnesota Legislature since 1945 and through 1984, are hereby adopted as a Traffic Ordinance regulating the use of highways, streets and alleys within the City of Winsted and are hereby incorporated herein and made a part of this Ordinance as completely as if set out here in full.

(Ord. 84-08, Sec. 1, 12/17/84)

505.002. **PENALTY.** Any violation of the statutes adopted by reference in Section 1. above is a violation of this Ordinance when it occurs within the city limits of the City of Winsted. Any person thus violating any provision of this Ordinance shall be guilty of a criminal traffic offense and will be punished pursuant to the provisions of Section 609.02 of the Minnesota Statutes, also herein adopted by reference as follows: For a misdemeanor traffic offense, the punishment shall be pursuant to the provisions of Subd. 3 of said Section 609.02; for a gross misdemeanor traffic offense, the punishment shall be pursuant to the provisions of Subd. 4 of said Section 609.02; and for a petty misdemeanor traffic offense, the punishment shall be pursuant to the provisions of Subd. 4a of said Section 609.02; provided, however, that if a minimum fine or imprisonment is prescribed by the Minnesota Highway Traffic Regulation Act for any offense which would constitute a violation of this Ordinance, then such minimum fine or imprisonment penalty shall apply to a person convicted of the same offense under this Ordinance.

(Ord. 84-08, Sec. 2, 12/17/84)

505.003. **REPEAL.** Ordinance No. 72-01, and any Ordinances inconsistent with this Ordinance are hereby repealed.

(Ord. 84-08, Sec. 3, 12/17/84)

505.004. **HISTORY OF REPEALS.** Ordinances No.'s 65-03, 67-01, 69-01, 69-02, 71-01 and 84-08 have been repealed in their entirety.

SECTION 6

506.000. **OPERATION OF ALL-TERRAIN VEHICLES WITHIN THE CITY.**

506.001. **STATE LAW ADOPTED.** Minnesota Statutes § 84.92 through and including § 84.928 regulating all-terrain vehicles, are hereby incorporated by reference as though fully set forth herein and shall be included as part of this code.

506.002. **DEFINITIONS.** The definition of all-terrain vehicles for purposes of this Municipal Code shall be the same as those set forth in Minnesota Statute § 84.92 as may be amended from time to time.

A. The current definition for "all-terrain vehicle" contained in Minnesota Statute § 84.92, Subd. 8 is as follows:

All-terrain vehicle or vehicle. "All-terrain vehicle" or "vehicle" means a motorized vehicle with: (1) not less than three, but not more than six low pressure or non-pneumatic tires; (2) a total dry weight of 2,000 pounds or less; and (3) a total width from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle. All-terrain vehicle does not include a golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

B. The current definition for a "class 1 all-terrain vehicle" is contained in Minnesota Statute § 84.92, Subd. 9 is as follows:

Class 1 all-terrain vehicle. "Class 1 all-terrain vehicle" means an all-terrain vehicle that has a total width from outside of tire rim to outside of tire rim that is 50 inches or less.

C. The current definition for a "class 2 all-terrain vehicle" is contained in Minnesota Statute § 84.92, Subd. 10 is as follows:

Class 2 all-terrain vehicle. "Class 2 all-terrain vehicle" means an all-terrain vehicle that has a total width from outside of tire rim to outside of tire rim that is greater than 50 inches but not more than 65 inches.

506.003. **REGULATIONS.**

A. It shall be unlawful to operate an all-terrain vehicle on any public (including, but not limited to, streets, alleys, parks, or any other City owned property of any nature whatsoever) or private property within the City of Winsted, Minnesota with the following exceptions:

1. The operator's property or the private property of another person when the other person has given permission for the use of his/her property by the

operator of the all-terrain vehicle.

2. Emergency situations during the period of time when and at locations where snow upon the roadway renders travel by automobile impractical.
 3. A City resident shall be able to operate an all-terrain vehicle upon a City street while driving non-stop from his/her residence to the most direct route in or out of the City limits. The all-terrain vehicle must be driven on the furthestmost right portion of the roadway while leaving or entering the City and may not be operated in the non-traveled part of any street, roadway or public thoroughfare. The operator of the all-terrain vehicle must be at least sixteen (16) years of age and have a current and valid Minnesota Driver's License.
- B. No all-terrain vehicle shall be operated at a speed in excess of 15 miles per hour.
- C. No all-terrain vehicle shall be operated between the hours of 1 a.m. and 7 a.m. except that notwithstanding anything to the contrary herein, a person may operate an all-terrain vehicle at any time as long as the same is equipped with a plow or snow blower, and is being used to remove snow.
- D. No all-terrain vehicle shall be operated 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.
- E. It shall be unlawful for the registered owner of an all-terrain vehicle to allow his/her all-terrain vehicle to operate contrary to this Section of the City's Municipal Code or governing State Law. The registered owner of the all-terrain vehicle may not be prosecuted and punished if:
1. The all-terrain vehicle was reported as stolen to the Commissioner of Natural Resources or a law enforcement agency at the time the alleged unlawful conduct occurred.
 2. The registered owner demonstrates that the all-terrain vehicle was either stolen or is not in use at the time of the alleged unlawful conduct.
 3. The registered owner furnishes to law enforcement officers upon request, the identity of the person in actual physical control of the all-terrain vehicle at the time of such unlawful conduct.
- F. Permits. The City may allow the use of all-terrain vehicles by permit. The permit may be issued by the City Council under circumstances that call for the use of all-terrain vehicles during City-wide parades or special events conducted by the City or community organizations
- G. Use by City. The City of Winsted may use all-terrain vehicles in order to conduct the business of the City and is, therefore, exempt from this Section of the City's Municipal Code.

H. Snowplowing. Ann all-terrain vehicle may be used for snow removal purposes.

506.004. **PENALTY.** Violation of this Section is Misdemeanor and is therefore punishable by a sentence of not more than 90 days or a fine of not more than \$1,000, or both. Said punishment to be the same as stated in Minnesota Statute § 609.02, Subd. 3 as amended from time to time.
(Ord. 16-08, 11/1/2016)

SECTION 7

- 507.001. **DRIVING, OPERATING OR CONTROL OF MOTORIZED GOLF CARTS OR SIMILAR VEHICLES.** A motorized golf cart (together with any vehicles of similar nature) may be driven, operated or controlled on the roadways or shoulders of roadways within the City of Winsted, except such roadways prohibited by resolution of the City Council and only in strict compliance with this section. All such vehicles must comply with laws for motor vehicles within the State of Minnesota, County of McLeod and City of Winsted. Said vehicles must have proper headlights, tail lights, signal lights, brake lights and rear view mirror.
- 507.002. **PERMITS.** No motorized golf cart (or similar vehicle) shall be driven, operated or controlled on the roadways or shoulders of roadways within the City of Winsted unless the driver, operator or person in control has in his or her actual physical possession a valid, current and unrevoked permit of the City of Winsted for such driving, operation or control of a motorized golf cart (or similar vehicle). No such golf cart (or similar vehicle) shall be driven prior to sunrise or after sunset on any day of the year. A fee of \$50.00 shall be paid for issuance of the permit. A permit shall be issued to a person and to a specific vehicle.
- 507.003. **PERMIT ISSUANCE.** Permits shall be issued by the Chief of Police, or authorized designee, upon compliance with this section.
- A. **INDIVIDUAL PERMIT.** To persons currently validly licensed to drive motor vehicles as defined by Minnesota Statutes, Chapter 169. No person whose license to drive is revoked, suspended, canceled or withdrawn may be issued an individual permit.

Application for an individual permit shall include the full name and address of the applicant; the state of issuance of the applicant's current driver's license, the number of such driver's license, applicant's representation that such driver's license is not suspended, revoked, canceled or withdrawn; the date of application and applicant's signature; the name of the applicant's insurance company; the number of the applicant's insurance policy; and the date of expiration of insurance coverage for such vehicle. As a condition to obtaining an individual permit, the Chief of Police or his designee may require an applicant to submit a certified signed by a physician to the effect that the applicable is able to safely operate a motorized golf cart (or similar vehicle) on the roadways or shoulders under the jurisdiction of the City of Winsted.

- B. **REVOCATION OF PERMIT.** An individual permit may be revoked by the Chief of Police (or its designee) if there is any material misrepresentation made in the permit application, liability insurance is no longer in effect, or there is evidence that the permittee cannot safely operate the motorized golf cart (or similar vehicle). The Chief of Police (or its designee) shall issue a notice of revocation of a permit in writing and either hand deliver the notice to the permit holder or send

the notice by certified mail to the address on the application. The revocation shall be in effect immediately after personal service or three days after the mailing.

C. PERMIT EXPIRATION. Permits shall be issued for a period of one year.

507.004. **PENALTY**. Any person violating the provisions of this Ordinance shall be guilty of a Misdemeanor as defined by Minnesota Law.

507.005. **REPEAL**. To the extent any other Ordinance of the City of Winsted which is inconsistent herewith, the same is repealed.