

**CITY OF COKATO
ORDINANCE NO: 2019-04**

Amendment to Title VII: Traffic Code

The City Council of the City of Cokato, Minnesota ordains as follows:

Following the required review and posting period, the City Council hereby ordains that the city's Traffic Code codified in **Title VII: Traffic Code, Chapters 70.01 - 70.15 and Chapter 70.99** is hereby amended as outlined in the attached document.

This ordinance shall be effective immediately upon its passage and summary publication, which is hereby authorized by the City Council.

Adopted by the Cokato City Council, Wright County, Minnesota this _____ day of August, 2019.

ATTEST:

APPROVED BY:

Andrew Carlson, City Clerk

Gordy Erickson, Mayor

CHAPTER 70: TRAFFIC, PARKING AND MOTOR VEHICLES

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MOTOR VEHICLES/AUTOMOBILES**§ 70.01 DEFINITIONS**

Any term used in this chapter and defined in M.S. § 169.011, as it may be amended from time to time, has the meaning given it by that section, with the exception of Recreational Vehicles, which are defined in Section 70.07. In this chapter, any reference to **POLICE** includes any party with whom the city has contracted ~~with~~ for police protection.

~~(Prior Code, § 701.01) (Am. Ord. 07-2010, passed 12-13-2010)~~

§ 70.02 TURNING

(A) *Restriction on turns.* The Council by resolution may, whenever necessary to preserve the 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 Public Works Director 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 the designation is first obtained. No person shall turn a vehicle at any such intersection contrary to the direction 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 traffic control signal.

~~(Prior Code, § 701.02) (Am. Ord. 07-2010, passed 12-13-2010)~~

§ 70.03 THROUGH STREETS; ONE-WAY STREETS

The Council, by resolution, may designate any street or portion of a street as a through highway or a one-way roadway where necessary to preserve the free flow of traffic or to prevent accidents. The Public Works Director shall post appropriate signs at the entrance to such streets. No trunk highway shall be so designated unless the consent of the Commissioner of Transportation to the designation is first secured.

~~(Prior Code, § 701.03) (Am. Ord. 07-2010, passed 12-13-2010)~~

§ 70.04 TRUCK RESTRICTIONS

(A) The City Council, by resolution, may designate streets on which travel by commercial vehicles in excess of 10,000 pounds gross weight is prohibited.

(B) The Public Works Director shall erect appropriate signs on the streets.

(C) No person shall operate a commercial vehicle on the posted streets in violation of the restrictions stated.

(Prior Code, § 701.04) (Am. Ord. 07-2010, passed 12-13-2010)

§ 70.05 SEASONAL AND OTHER WEIGHT RESTRICTIONS

(A) The Public Works Director is authorized to prohibit the operation of vehicles upon any city street or impose weight restrictions on vehicles to be operated on the street whenever the street, by reason of deterioration, rain, snow or other climactic conditions, may be seriously damaged or destroyed unless the use of vehicles on the street is prohibited or the permissible weights thereof reduced.

(B) The Public Works Director shall erect and maintain signs plainly indicating the prohibition or restriction at each end of the portion of the street affected.

(C) No person shall operate a vehicle on a posted street in violation of the prohibition or restriction.

(Prior Code, § 701.05) (Am. Ord. 07-2010, passed 12-13-2010)

§ 70.06 GENERAL PARKING REGULATIONS

(A) *Adoption of State of Minnesota highway traffic regulations.* The State of Minnesota highway traffic regulations as set forth in M.S. Chapter 169, as it may be amended from time to time, are hereby adopted and incorporated herein by reference and made a part of this chapter as if fully set forth herein. Additional prohibitions and limitations may be added in other sections of this chapter.

(B) *Angle and parallel parking.* Angle parking shall be required on the east side of Millard Avenue from Third Street to Fourth Street and on the west side of Millard Avenue from Second Street to Third Street. On that 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 at an angle of approximately 30 degrees. On all other streets, cars shall be parked parallel to the curb or edge of the roadway in accordance with the law.

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(C) *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 Public Works Director shall mark, by appropriate signs, each zone so designated. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except that a vehicle may be parked temporarily in such 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 8:00 p.m. of any business day for the purpose of unloading or loading where access to the premises is not otherwise available.

(D) *Time limit parking zones.* The City Council may, by resolution, designate certain areas where the right to park is limited during hours or for length of time specified. The Public Works Director shall mark, by appropriate signs, each zone so indicated. No person shall park a vehicle in any limited parking zone during the hours specified or for a longer period than is so specified.

(E) *Special time limit.*

(1) No vehicle shall be parked for more than two hours during the period from 7:00 a.m. to 6:00 p.m. on Mondays through Saturdays inclusive on the following streets:

- (a) Broadway from railroad right-of-way to Fourth Street;
- (b) Millard from Second Street to Fourth Street;
- (c) Third Street from Millard Avenue to Mooers Avenue; and
- (d) Water Street.

(2) No vehicle shall be parked more than eight consecutive hours during the period 7:00 a.m. to 6:00 p.m. on Mondays through Saturdays inclusive on the following streets:

- (a) Second Street from Broadway Avenue to ~~Jackson~~ ~~vacated Jenks~~ Avenue; and
- (b) Third Street from Millard Avenue to ~~Jackson~~ ~~Jenks~~ Avenue.

(3) No vehicle shall be parked at any time on the Industrial Park Road.

(4) No vehicle shall be parked at any time on Clarke Lane.

(5) Additionally, no commercial vehicle of more than a one-ton capacity shall be parked on the streets specified in this division (E).

(F) *Double parking.* No motor vehicle shall be double parked on any street in the city except for loading or unloading purposes, or for the purpose of receiving or discharging passengers and then only for the time as is reasonably necessary for such purpose but in no event shall the double parking be permitted where it interferes or obstructs other vehicles.

(G) *Parking on public property.* No vehicle shall be parked on any property owned or leased by the city including, but not limited to, parks, playgrounds, boulevards, building grounds, parking lots and maintenance facilities between the hours of 2:00 a.m. and 6:00 a.m. Vehicles in violation of this division may be impounded as provided for in division (I) below. This does not apply to the parking lane of public streets or to other areas where specific regulations are set forth in this chapter. What about the mall parking lot? Snap Fitness is open during overnight hours . . .

(H) ~~72~~*48-hour parking limit.* No vehicle may be parked or permitted to remain in one location on any street or highway for more than 72 consecutive hours at any time unless specifically permitted by this chapter. A vehicle must be moved at least 100 feet from its initial location in order to be considered not to have remained in one location for 72 hours, and may not return to its original location within a 24 hour period. Removal of chalk lines or other marks placed by local enforcement officers is a violation of this section of City Code.-

(I) *Impoundment.*

(1) Any police officer may ~~impound~~remove a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic or hinders snow removal, street improvement or maintenance operations.

(2) Any police officer may ~~impound~~remove any vehicle from a street to a garage or other place of safety if the vehicle has remained on the street in violation of any parking restriction in this chapter after compliance with the requirements of M.S. §§ 168B.04 and ~~168B.0359-041~~, as they may be amended from time to time.

(3) The vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for violation of this chapter. Vehicles may be disposed of in accordance with M.S. Chapter 168B~~Chapter 92 of the Code of Ordinances.~~

(J) *Prima facie violation.* The presence of any motor vehicle on any street when standing or parked in violation of this chapter is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

(Prior Code, § 701.06) (Am. Ord. 07-2010, passed 12-13-2010)

§ 70.07 RECREATIONAL VEHICLE PARKING REGULATIONS

(A) In addition to the general parking regulations established in § 70.06, the following parking regulations regarding recreational vehicles shall apply in all ~~areas of the city zoned for residential zoning districts~~use.

(B) *Parking of recreational vehicles.*

(1) *Purpose.* The standards established for recreational vehicles and equipment in this section are designed to regulate their storage and use and to protect the health, safety and general welfare of the community. The standards are established to promote the safe use, storage and parking of recreational vehicles and equipment and to eliminate those conditions or misuses which are unsafe or cause deterioration of property and property values.

(2) *Findings.* The outside parking or outside storage of recreational vehicles on or abutting residential district properties, if unregulated, is found to have a detrimental influence upon the public health, safety, prosperity, good order and general welfare in residential districts. The detrimental impacts include, but are not limited to, obstruction of view on streets and private properties; preventing full use of residential streets for residential parking; creating a cluttered and unsightly area; creating overcrowding if the recreational vehicles are used as a residence; creating environmental hazards if the recreational vehicles are not properly maintained or are stored for excessive periods of time; detrimentally impacting the essential residential character of the neighborhood if the vehicle is stored and not used by the occupants of the principal dwelling for the vehicle's intended purpose as a recreational vehicle; and otherwise adversely affecting residential property values and the character of the neighborhood.

(3) *Nuisance.* The outside parking or outside storage on or abutting residential district properties of recreational vehicles or equipment in violation of the standards set forth in this division is found to create a nuisance and is prohibited. Recreational vehicles as defined in this section are prohibited from parking on the streets in all residential zoning districts-

~~(4)(C)~~ *Definitions.* For purposes of this section, the following terms have the meanings assigned to them below.

RECREATIONAL VEHICLES AND EQUIPMENT

(a) Travel trailers, including those which telescope or fold down, chassis mounted campers, motor homes, tent trailers, slip-on campers, converted buses and converted vans that provide temporary human living quarters. A ***RECREATIONAL VEHICLE*** is a vehicle that:

1. Is not used as the residence of the owner or occupant;
2. Is used while engaged in recreational or vacation activities; and
3. Is either self-propelled or towed on the highways incidental to the recreational or vacation activities.

(b) The term includes snowmobiles and snowmobile trailers, boats and boat trailers, and all-terrain vehicles and all-terrain vehicle trailers and utility trailers. The term does not include manufactured homes or park trailers as those terms are defined by M.S. § 168.002, as it may be amended from time to time.

SLIP-ON CAMPER. Any camper which is mounted into a pick-up truck in the pick-up box, either by bolting through the floor of the pick-up box or by firmly clamping to the side of the pick-up box.

UTILITY TRAILER. Any motorless vehicle used for carrying property on its own structure while being drawn by a motor vehicle.

~~(5D)~~ *Parking regulations.*

(a+) Recreational vehicles and equipment may not be parked on city streets, but may be parked or stored in a residential zoning district on private property as follows:

- (a) In a fully enclosed structure;
- (b) On any rear or side yard of a lot except the side yard of a corner lot adjacent to the street, provided that:
 - 1. No more than one recreational vehicle per property may be parked or stored outside of an established driveway; and
 - 2. The vehicle meets the requirements of this division; or
- (c) In the front yard of a lot, provided that:
 - 1. The recreational vehicle is parked in an established driveway at a location on the driveway that is farthest from the side lot line of the property;
 - 2. The vehicle is not closer than 12 feet to the curb line of the street abutting the driveway;
 - 3. The vehicle does not obstruct a public sidewalk; and
 - 4. The vehicle meets the requirements of this division.

(b2) *Loading.* A recreational vehicle may be stored on a lot without regard to the location on the lot for the sole and express purpose of loading and unloading for a period not in excess of 48 hours.

(c3) *Slide-in pickup campers.* Unmounted slide-in pickup campers must be stored no higher than 20 inches above the ground and must be securely supported on at least at four corners by solid support blocks.

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(d4) *Storage.* Except as provided herein, all recreational vehicles or equipment parked or stored outside must be on wheels or must be securely attached to a wheeled trailer or other wheeled vehicle, with wheels fully inflated. This requirement does not apply to canoes, kayaks or slide-in pickup campers that are stored in compliance with division (D)(3) above.

(e5) *Covers.* Except as provided herein, all snowmobiles, all-terrain vehicles and boats that are parked or stored outside must be covered with a tightly fitted cover designed to keep out rodents and rain and kept free of standing water. Canoes or kayaks do not require a cover if they are stored in a manner that prevents rain accumulation.

(f6) *Licenses.* All recreational vehicles or equipment parked or stored outside must display current licenses as required by applicable law for use in the State of Minnesota.

(g7) *Location.* All recreational vehicles or equipment parked or stored outside must be located at least three feet from any building or other structure, including but not limited to fences. Canoes and kayaks are excepted from this requirement.

(h8) *Owned by occupant.* All recreational vehicles or equipment parked or stored outside must be owned by an occupant of the premises on which the vehicle or equipment is parked or stored. The owner of the recreational vehicle or equipment must be able to present proof of ownership of the vehicle or equipment upon request of an authorized code enforcement official. In addition, owner must be able to show proof of occupancy of the property where the vehicle or equipment is located.

(i9) *Size limit.* No more than one recreational vehicle or equipment parked or stored outside on a property may exceed seven and one-half feet in width or seven and one-half feet in height.

(6E) *Prohibited uses.* A recreational vehicle or equipment shall not be used as a permanent residence.

(7F) *Waivers.* The City Council may grant a waiver to the literal provisions of this section in the case of unusual circumstances or hardship so long as the public health, safety, or welfare is not endangered by such waiver and subject to such terms and conditions as the City Council may establish.

(Ord. 07-2010, passed 12-13-2010)

§ 70.08 ADDITIONAL RESIDENTIAL PARKING REGULATIONS

The following additional regulations apply to all vehicle parking in ~~areas of the residential zoning district~~city zoned for residential use and on streets adjacent to ~~residential zoning districts~~areas zoned for residential use.

(A) Driveways and parking areas shall be at least five feet from a side property line except in the case of a driveway shared by abutting properties. Vehicles may be parked up to the property line in the case of shared driveways so long as reasonable access for the abutting property is maintained. Parking areas shall not be in the street right-of-way or on other public property.

(B) No owner or operator shall park a vehicle in a location which blocks a sidewalk or access to a driveway. Add anything here about blocking mailboxes?

(C) No Commercial Motor Vehicle as defined in M.S. Section 169.011 subd. 16~~semi-tractor trailer~~ shall be parked or allowed to stand on any street in a residential zoning district except as follows:

(1) for purposes of making a delivery to a residential property as requested by the owner/occupant

(2) for construction purposes with an approved building or other permit issued by the City.

(3) Under no circumstances shall a vehicle under these exceptions remain on the street longer than 24 hours. No overnight parking is allowed.~~or on any residential property for more than two hours at any time.~~

(D) —Whether or not it meets the definition in section (C) above, no~~No~~ semi-truck or semi-truck/trailer~~trailer~~ shall be parked or allowed to stand unattached from the tractor unit on any street ~~or on any residential property~~ for any length of time within a residential zoning district except in an emergency in order to change tractors.

(Prior Code, § 701.06) (Ord. 07-2010, passed 12-13-2010)

§ 70.09 MUNICIPAL PARKING LOTS

(A) *Parking lots designated.* The following areas are hereby designated as municipal parking lots:

- (1) Municipal Lot # One: Outlot C, Richards Addition, City of Cokato;
- (2) Municipal Lot # Two: The west 20 feet of Water Street adjacent to Lot seven and the south 20 feet of Lot eight, Block 12, Lees Addition, City of Cokato; and
- (3) Municipal Lot # Three: The west 60 feet of the south 27 feet of Lot six and Lots seven through ten inclusive, Block 14, Original Townsite, City of Cokato.

(B) *Time limits.* No vehicle shall be parked in any municipal parking lot contrary to the following regulations:

- (1) Municipal Lot # One: No vehicle shall be parked more than two consecutive hours between the hours of 7:00 a.m. and 6:00 p.m. on Mondays through Saturdays inclusive. No vehicle shall be parked between the hours of 2:00 a.m. and 6:00 a.m. on any day;
- (2) Municipal Lot # Two: No vehicle shall be parked more than eight consecutive hours between the hours of 7:00 a.m. and 6:00 p.m. on Mondays through Saturdays inclusive. No vehicle shall be parked between the hours of 2:00 a.m. and 6:00 a.m. on any day; and

(3) Municipal Lot # Three: No vehicle shall be parked more than 48 consecutive hours during any period.
(Prior Code, § 701.065) (Am. Ord. 07-2010, passed 12-13-2010)

§ 70.10 TRUCK ZONES, LOADING ZONES AND THE LIKE

(A) *Establishment.* The City Council may, by resolution, establish spaces and streets and loading zones or truck zones. The hours of 6:00 a.m. to 3:00 p.m. of any day except Sundays, New Year's Day, Memorial Day, July 4, Labor Day, Thanksgiving Day and Christmas Day, or such other time as the City Council may specify in the resolution establishing the zones shall be the loading zone or truck zone hours. The Public Works Director shall mark each 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 the 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 the purpose. No person shall occupy a loading zone with a vehicle other than a truck for more than five minutes during such hours.

(D) *Property owner initiative.* Any person desiring the establishment of a loading zone or truck zone abutting from premises occupied by him or her shall make written application therefor to the City Council. If the Council grants the request, the proper city officer shall bill the applicant for the estimated cost of placing signs and of painting the curb. When the amount is paid to the City Clerk-Treasurer, the Public Works Director shall install the necessary signs and paint the curb.

(E) *Semi-truck parking.* No person shall allow a semi-truck/trailer combination to stand or be parked upon any street for more than two hours at any time. 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, except in an emergency in order to change tractors. The Council may, by resolution, establish "No Truck Parking Zones" in the business district, and the Public Works Director shall mark, by appropriate signs, any zone so established. The zones shall be established in the business district where heavy traffic by trucks and other traffic congestion makes parking by trucks a hazard to the safety of vehicles or pedestrians. No person shall park a truck of more than a one-ton capacity between 6:00 a.m. and 6:00 p.m. on any weekday upon any street and any such zone, but parking of the vehicle for a period of not more than 30 minutes shall be permitted in the zone for the purpose of having access to abutting property when the access cannot conveniently be secured otherwise.
(Prior Code, § 701.07) (Am. Ord. 07-2010, passed 12-13-2010)

§ 70.11 WINTER PARKING

No person shall stop, stand or park any vehicle or permit it to stand on any street in the city between the hours of 2:00 a.m. to 6:00 a.m. on any day from November 15 through ~~May 1~~~~April 1~~, both inclusive. One parking space shall be required for every dwelling unit for a one-family dwelling or efficiency units.

(Prior Code, § 701.08) (Am. Ord. 07-2010, passed 12-13-2010)

§ 70.12 ESTABLISHMENT OF SAFETY ZONES, LANES OF TRAFFIC AND THE LIKE

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 vehicles of dangerous conditions or hazards, the Public Works Director may establish safety zones, lanes of traffic and stop intersections, and he or she may order installation by the city 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.

(Prior Code, § 701.09) (Am. Ord. 07-2010, passed 12-13-2010)

§ 70.13 REMOVING KEYS

No person shall leave a motor vehicle, except a truck which is engaged in loading or unloading, unattended on any street, used car lot or unattended parking lot without first stopping the engine, locking the ignition and removing all ignition keys from the vehicle.

(Prior Code, § 701.10) (Am. Ord. 07-2010, passed 12-13-2010)

§ 70.14 EXHIBITION DRIVING PROHIBITED

No person shall turn, accelerate, decelerate or otherwise operate a motor vehicle within the city in a manner that causes unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing of sand or gravel or in a manner simulating a race. Squealing or screeching sounds emitted by tires, or the throwing of sand or gravel by the tires, is prima facie evidence of a violation of this section. This section includes any activities in violation of M.S. §§ 169.69 and 169.693, as amended from time to time, which are hereby incorporated by reference.

(Prior Code, § 701.11) (Am. Ord. 07-2010, passed 12-13-2010)

§ 70.15 POLICE DUTIES

(A) The police shall enforce the provisions of this chapter and the state traffic laws.

(B) 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 chapter and the state traffic laws.

(C) During a fire or other emergency or to expedite traffic or safeguard pedestrians, the police may direct traffic as conditions require, notwithstanding the provisions of this chapter and the state traffic laws.

(D) Officers of the Fire Department may direct or assist the police in directing traffic at the scene of a fire or in the immediate vicinity.

(Prior Code, § 701.12) (Am. Ord. 07-2010, passed 12-13-2010)

§ 70.99 PENALTY

(A) ~~*Motor Vehicles*~~*Automobiles*. Any person convicted of violating any provision of §§ 70.01 through 70.15 is guilty of a petty misdemeanor.

(Prior Code, § 701.13)

(A) *Snowmobiles*. Every person convicted of a violation of any of the provisions of §§ 70.30 through 70.37 shall be guilty of a misdemeanor.

(Prior Code, § 702.09)

(B) *Bicycles*. Any person violating the provisions of §§ 70.50 through 70.57 shall be guilty of a petty misdemeanor.

(Prior Code, § 703.10)

(C) *Roller skates, inline skates, roller skis, and skateboards*. Any person violating the provisions of §§ 70.60 through 70.64 shall be guilty of a petty misdemeanor.