

CHAPTER 5 PUBLIC SAFETY

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ORDINANCE 505 TRAFFIC AND PARKING REGULATIONS

Section 505.01: Parking

Subdivision 1. Parking Prohibited. No person shall stop, stand or park any motor vehicle, vehicle, trailer, machinery or implement at any time upon the public streets of the city at any place where official signs or where appropriate devices, marks, or painting, either upon the surface of the street or the curb immediately adjacent thereto, prohibit these acts except for emergencies on the following streets, avenues or alleys within the city:

- (a) On the east side of Magnus Johnson Street from its intersection with State Highway 55 south to its intersection with Hazel Avenue.
- (b) On the south side of Linden Avenue from its intersection with State Highway 15 east to its intersection with State Highway 55.
- (c) On the east side of Elm Street from its intersection with Spruce Avenue south to its intersection with Hazel Avenue.
- (d) On both sides of Hazel Avenue from its intersection with Elm Street west to its intersection with State Highway 55.
- (e) On the east side of Elm Street from its intersection with State Highway 55 north to its intersection with 135th Street.
- (f) On both sides of Maus Drive from its intersection with 135th Street south to the intersection providing access to State Highway 15.
- (g) On the north side of Spruce Avenue from its intersection with State Highway 15 east to its intersection with Oak Street.

Subdivision 2. Limited Parking. No person shall stop, stand or park a vehicle upon the public streets of the city where official signs are erected limiting the parking time thereon, for a period of time in excess of the time as designated by the official signs.

Subdivision 3. Other Parking Restrictions.

- (a) The City Council may by resolution order the placing of signs, devices or marks, or the painting of streets or curbs prohibiting or restricting the stopping, standing or parking of vehicles on any street where, in its opinion, as evidenced by a finding in its official minutes, the stopping, standing or parking is dangerous to those using the highway, or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic. The signs, devices, marks or painting

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shall be official signs, devices, marks or painting, and no person shall stop, stand or park any vehicle in violation of the restrictions thereon or as indicated thereby.

- (b) No parking signs may be placed by city employees on any street of the city to permit construction, repair, snow removal, street cleaning or similar temporary activities. While the signs are in place, it shall be unlawful to park any vehicle on the streets or portion thereof so posted.
- (c) It shall be unlawful for a person to park in an area designated by Council resolution and posted as a fire lane.
- (d) It shall be unlawful for a person to park a vehicle or permit it to stand, whether attended or unattended, on an alley within the city, provided that this does not prohibit the parking of vehicles for less than one hour on an alley for the purpose of access to abutting property for loading or unloading merchandise or other material when parking on the property itself is not available.
- (e) It shall be unlawful for a person to park a motor vehicle in an area designated by posted signs pursuant to Council resolution for certain types of vehicles, unless the motor vehicle is one of the types of vehicles specifically permitted.
- (f) No vehicle shall in any case be parked upon the street, boulevard, or alley in any one place for a period longer than twenty-four (24) continuous hours. Vehicles must be moved at least one (1) block. Any vehicle which is moved less than one (1) block shall be deemed to have remained stationary in violation of this subdivision. It is unlawful to remove any mark made by a Police Officer for determining the length of time a vehicle, trailer or other object remained parked.

Subdivision 4. Obstruction of a Private Drive. No vehicle shall be parked in a manner obstructing a private driveway or private roadway, or on a private driveway or private roadway, without the express or clearly implied consent of the owner of the private driveway or private roadway. For purposes of this Ordinance, a vehicle is "obstructing" a driveway or roadway if the location of the parked vehicle:

- (a) Blocks the driveway or roadway from use by other vehicles.
- (b) Significantly hinders or slows other vehicles attempting to pass the parked vehicle.
- (c) Forces other vehicles to leave the main traveled portion of the driveway or roadway to pass the parked vehicle.

Vehicles parked in violation of this section are subject to immediate towing at the owner's expense.

Section 505.02: Traffic

Subdivision 1. Seasonal Weight Restrictions. The Public Works Department may prohibit the operation of vehicles upon any street under the Department's jurisdiction or impose weight restrictions on vehicles to be operated on such streets whenever the street, by reason of

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deterioration, rain, snow or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles on the street is prohibited or the permissible weights thereof reduced. The Public Works Director shall erect and maintain signs plainly indicating the prohibition or restriction at each end of that portion of the street affected. No person shall operate a vehicle on a posted street in violation of the prohibition or restriction.

Subdivision 2. 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 Chief of Police may establish safety zones, lanes of traffic and stop intersections and may order installation by the Public Works 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 Commission of Highways is first secured.

Subdivision 3. Traffic Flow. No vehicle shall in any case be parked upon a street, boulevard or alley facing in the opposite direction of the traffic flow. The front of all vehicles must be parked on the side of the street that faces the same direction of the traffic flow. No person shall drive, operate or park a motor vehicle upon a public alley, street, or highway unnecessarily slowly, or in such a manner as to unreasonably interfere with or hinder the ordinary flow of traffic. No person shall stop or park in the driving lane of any street or highway for the purpose of carrying on a conversation with pedestrians or other motorists, if to do so would obstruct or hinder the ordinary flow of traffic.

Subdivision 4. Truck Route Designated. The following City streets, are hereby established or designated within the City as commercial truck routes.

- (a) Maus Drive
- (b) 135th St from the point of its intersection with Elm St and continuing east until its intersection with State Highway 15

Subdivision 5. Truck Route Exceptions. All Commercial trucks operating within the City shall be operated only over and along the commercial truck routes established in Subdivision 4, except that this article shall not prohibit.

- (a) The operation of commercial trucks upon any street, where necessary to the conduct of business, only to a destination point, provided that streets upon which such traffic is permitted are used until reaching the intersection nearest the destination point. This exemption does not include the parking or driving of commercial trucks to or from the owner's or operator's home in a residential zoned area.
- (b) The operation of emergency vehicles upon any street in the City.
- (c) The operation of commercial trucks owned or operated by the State, the County, the City, public utilities, or any contractor or materials man, while engaged in the repair, maintenance or construction of streets, street improvements or street utilities within the City.
- (d) The operation of commercial trucks upon any officially established detour in any case where such commercial truck could be lawfully operated on the street for which such detour is established.

Subdivision 6. Inattentive Driving Prohibited. No person shall drive or operate a motor vehicle upon any public or private property within the City in such a manner that is inattentive or imprudent.

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Inattentive driving shall be considered a lesser offense than careless or reckless driving and shall apply in those cases where the danger to persons or property by the motor vehicle operator's conduct is slight.

Section 505.03: Police Duties

The Police Department shall enforce the provisions of this code 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 code 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 code 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 in the immediate vicinity.

Section 505.04: Exhibition Driving Prohibited

No person shall turn, accelerate, decelerate or otherwise operate a motor vehicle within the city in a manner which 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.

Section 505.05: Winter Parking

Subdivision 1. Restrictions. No person shall park a vehicle upon any street in the City between the hours of 10:00 p.m. and 6:00 a.m., on any date that falls between 12:01 a.m. November 1st and 11:59 p.m. April 30th of the following year.

Subdivision 2. Vehicle Removal. The City can at any time upon notice require vehicles to be moved in the event of snow removal. The City may also designate an area to be of no parking at any time for the purpose of snow removal.

Subdivision 3. Prohibition on Snow Removal from Private Property. No person shall remove snow from private property and deposit the same on any public street or parking lot. Any snow so deposited may be removed by the city, and the cost of the removal shall be assessed and charged to the person in violation of this section.

Section 505.06: Repairing of Vehicles

Repairing of vehicles on City streets is prohibited with the exception of emergencies. All emergency repairs must be accomplished within the same day and completed by 10:00 p.m. All

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other repairs shall not be permitted on any city street. Damage to city streets because of repairs or lack of repairs shall be charged to the person responsible for the damage to the city streets.

Section 505.07: Impoundment

Subdivision 1. Vehicle Removal. Any police officer may 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 or street improvement or maintenance operations. 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 code. The city does not assume any responsibility for any damage done during towing and/or impoundment under this section.

Subdivision 2. Release of Impounded Vehicles. The vehicle shall not be released until all fees for towing and storage are paid in addition to any fine imposed for violation of this ordinance. Also, proof of ownership, valid driving privileges and insurance shall be provided to a licensed police officer at the police department or to an agent of the City of Kimball acting on behalf of the police department.

Section 505.08: Prima Facie Violations

The presence of any motor vehicle on any street when standing or parked in violation of this ordinance is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

Section 505.09: Penalty

Any person, firm or corporation who shall be convicted of a violation of any of the provisions hereof shall be deemed guilty of a petty misdemeanor