

CHAPTER 70: TRAFFIC REGULATIONS

Section

General Provisions

- 70.01 State highway traffic regulations adopted by reference
- 70.02 Trucks prohibited on certain streets
- 70.03 Stop intersections
- 70.04 Through streets and one-way streets
- 70.05 Turning restrictions
- 70.06 U-turns restricted
- 70.07 Excessive noise
- 70.08 Exhibition driving prohibited
- 70.09 Cruising prohibited
- 70.10 Motor vehicle noise
- 70.11 Regulating special vehicles on roadways

Parades

- 70.20 Definitions
- 70.21 Permit required
- 70.22 Application for permit
- 70.23 Standards for issuance of permit
- 70.24 Notice of rejection of permit application
- 70.25 Appeal procedure when permit denied
- 70.26 Alternative permit
- 70.27 Notice to city and other officials when permit issued
- 70.28 Contents of permit
- 70.29 Duties of permittee
- 70.30 Public conduct during parades
- 70.31 Revocation of permit

- 70.99 Penalty

GENERAL PROVISIONS**§ 70.01 STATE HIGHWAY TRAFFIC REGULATIONS ADOPTED BY REFERENCE.**

(A) The Highway Traffic Regulations Act is hereby adopted by reference. The regulatory provisions of M.S. Chapter 169, as it may be amended from time to time, are hereby adopted as a traffic ordinance regulating the use of highways, streets and alleys within the city and are hereby incorporated in and made a part of this section as completely as if set out in full herein.

(B) The penalty for violation of the provisions of state statutes adopted by reference in this section shall be identical with the penalty provided for in the statutes for the same offense.

§ 70.02 TRUCKS PROHIBITED ON CERTAIN STREETS.

(A) The City Council by resolution may designate streets on which travel by commercial vehicles in excess of 10,000 pounds axle weight is prohibited. The Chief of Police shall cause appropriate signs to be erected on those streets. No person shall operate a commercial vehicle on posted streets in violation of the restrictions posted.

(B) The weight restrictions established in division (A) shall not apply to city or emergency vehicles, public school buses or to garbage and refuse trucks making regular collections and are under contract with the city, nor shall the weight restrictions in division (A) apply if a commercial vehicle must use the particular street in question for the purpose of local pick-up or delivery.

Penalty, see § 10.99

§ 70.03 STOP INTERSECTIONS.

The city may designate intersections as a stop intersection and require all vehicles to stop at one or more entrances to those intersections. The city shall post signs at those designated intersections, giving notice of the designation as a stop intersection. It shall be unlawful for any person to fail to obey the markings or signs posted under this section.

Penalty, see § 10.99

§ 70.04 THROUGH STREETS AND ONE-WAY STREETS.

The City Council by resolution may designate any street or portion of a street as a through street or one-way street where necessary to preserve the free flow of traffic or to prevent accidents. No trunk

highway shall be so designated unless the consent of the Commissioner of Transportation to the designation is first secured. The city shall cause appropriate signs to be posted at the entrance to designated streets. It shall be unlawful for any person to fail to obey the markings or signs posted under this section.

Penalty, see § 10.99

§ 70.05 TURNING RESTRICTIONS.

(A) (1) 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 turning of vehicles to the left or to the right, or both, is to be restricted at all times or during specified hours. No intersection on a trunk highway shall be so designated until the consent of the Commissioner of Transportation to the designation is first obtained.

(2) The city shall mark by appropriate signs any intersection so designated.

(3) No person shall turn a vehicle at any intersection contrary to the direction on those signs.

(B) Except at intersections, and then only if not posted otherwise, it shall be unlawful for any person operating a motor vehicle on any street to cross the center of the street for the purpose of parking on the side of the street opposite the original direction of travel.

(C) It shall be unlawful for any person operating a motor vehicle on any street to back up or drive from a parked position and commence travel in the opposite direction from which the motor vehicle faced when parked.

Penalty, see § 10.99

§ 70.06 U-TURNS RESTRICTED.

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.

Penalty, see § 10.99

§ 70.07 EXCESSIVE NOISE.

(A) As used in this section, ***LIGHT-MOTOR VEHICLES*** means any automobile, van, motorcycle, motor-driven cycle, motor scooter, go-cart, minibike, trail bike, or truck with a gross vehicular weight of less than 10,000 pounds.

(B) It shall be unlawful for any person to operate, or cause to operate, or use a light-motor vehicle in a manner as to cause, or allow to be caused, excessive noise levels as a result of unreasonable rapid accelerations, deceleration, revving of engine, squealing of tires, honking of horns, or as a result of the operation of audio devices including but not limited to radios, phonograph, tape players, compact disc players or any other sound-amplifying device on or from the light-motor vehicle.

(C) No person shall operate, or cause to operate, or use a light-motor vehicle in violation of the noise standards contained in Minn. Rules, parts 7030.1050 and 7030.1060, as it may be amended from time to time.

(D) No person shall operate, or cause to operate, or use a light-motor vehicle that discharges its exhaust other than through a muffler or other device that effectively prevents loud or explosive noises. No person shall operate, or cause to operate, or use a light-motor vehicle whose exhaust system has been modified, altered, or repaired in any way, including the use of a muffler cut-out or by-pass, that amplifies or otherwise increases noise above that emitted by the light-motor vehicle as originally equipped.

(E) The following are exempted from the provisions of this section:

(1) Sound emitted from sirens of authorized emergency vehicles;

(2) Burglar alarms on light-motor vehicles of the electronic signaling type which also transmit an audible signal to a receiver which can be carried by the owner or operator of the vehicle; and

(3) Celebrations on Halloween and other legal holidays and celebrations in connection with duly authorized parades.

Penalty, see § 10.99

§ 70.08 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. Unreasonable squealing or screeching sounds emitted by tires or the unreasonable throwing of sand or gravel by the tires is *prima facie* evidence of a violation of this section.

Penalty, see § 10.99

§ 70.09 CRUISING PROHIBITED.

(A) As used in this section, ***CRUISING*** means the operation of a motor vehicle as defined in M.S. § 169.01, subd. 3, as it may be amended from time to time, past a traffic control point as determined by a peace officer on a street in an area designated “No Cruising Zone” by City Council resolution four or more times between the hours of 9:00 p.m. and 3:30 a.m.

(B) The passing of a traffic control point under the conditions previously stated, shall constitute unnecessary repetitive driving and is a violation of this section.

(C) The following use of vehicles shall constitute valid exceptions to this prohibition: taxicabs for hire, buses, authorized emergency vehicle, vehicles used by or under contract with any governmental jurisdiction, any vehicle being used to conduct legitimate business activities.

(D) This section may be enforced only in an area that has been posted as a “No Cruising Zone.” Signs shall be posted at the beginning and the end of any public street, alley or highway, or portion thereof which is a no cruising zone.

§ 70.10 MOTOR VEHICLE NOISE.

(A) *Definitions.* For the purposes of this section, the following phrases are defined as follows:

ABNORMAL OR EXCESSIVE NOISE.

(a) Distinct and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort and repose of any person or precludes their enjoyment of property or affects their property’s value;

(b) Noise in excess of that permitted by M.S. § 169.69, as it may be amended from time to time, which requires every motor vehicle to be equipped with a muffler in good working order; or

(c) Noise in excess of that permitted by M.S. § 169.693 and Minn. Rules, parts 7030.1000 through 7030.1050, as this statute and these rules may be amended from time to time, which establish motor vehicle noise standards.

ENGINE-RETARDING BRAKE. A dynamic brake, jake brake, Jacobs brake, C-brake, Paccar brake, transmission brake or other similar engine-retarding brake system which alters the normal compression of the engine and subsequently releases that compression.

(B) It shall be unlawful for any person to discharge the exhaust or permit the discharge of the exhaust from any motor vehicle except through a muffler that effectively prevents abnormal or excessive noise and complies with all applicable state laws and regulations.

(C) It shall be unlawful for the operator of any truck to intentionally use an engine-retarding brake on any public highway, street, parking lot or alley within the city which causes abnormal or excessive noise from the engine because of an illegally modified or defective exhaust system, except in an emergency.

(D) Minnesota Statutes §§ 169.69 and 169.693 (motor vehicle noise limits) and Minn. Rules, parts 7030.1000 through 7030.1050, as these statutes and rules may be amended from time to time, are hereby adopted by reference.

(E) Signs stating "VEHICLE NOISE LAWS ENFORCED" may be installed at locations deemed appropriate by the City Council to advise motorists of the prohibitions contained in this section, except that no sign stating "VEHICLE NOISE LAWS ENFORCED" shall be installed on a state highway without a permit from the Minnesota Department of Transportation. The provisions of this section are in full force and effect even if no signs are installed.

§ 70.11 REGULATING SPECIAL VEHICLES ON ROADWAYS.

(A) *Intent.* The city intends to permit the operation of mini trucks, or utility task vehicles on designated roadways or portions thereof under the jurisdiction of the city, and under the powers granted to the city pursuant to M.S.

(B) *Definitions.* For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SPECIAL VEHICLES.

(a) **MINI TRUCK.** Defined by M.S. § 169.011, subd. 40a, and means a motor vehicle that has four wheels; is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less; has a total dry weight of 900 to 2,200 pounds; contains an enclosed cabin and a seat for the vehicle operator; commonly resembles a pickup truck or van, including a cargo area or bed located at the rear of the vehicle; and was not originally manufactured to meet federal motor vehicle safety standards required of motor vehicles in the Code of Federal Regulations, title 49, §§ 571.101 to 571.404 and successor requirements. A mini truck does not include:

1. A neighborhood electric vehicle or a medium-speed electric vehicle; or

2. A motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, title 49, § 571.500, and successor requirement.

(b) **UTILITY TASK VEHICLE.** Defined by M.S. § 169.011, subd. 40a, and means a side-by-side four-wheel drive off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds.

STREETS. Any street, highway, avenue, alley, or other public right-of-way within the jurisdiction of the city, including the entire right-of-way.

(C) *Special vehicle use on streets.* The city authorizes the operation of mini trucks and utility task vehicles on all streets in the city as defined in this section. Operation of these vehicles is a privilege which may be revoked at any time if there is evidence that an operator cannot safely operate the vehicle. Special vehicles shall be authorized to operate in the following manner:

(1) *Issuance of a documented permit required.* The city will issue a permit document to the owner of a special vehicle for a period of three years at a fee established by the City Council as set in § 34.30. There is a replacement fee established by the City Council as set in § 34.30. Permits are non-transferable. Permit must be displayed in an area that is highly visible. Permits are issued to the vehicle not the operator; those with multiple vehicles must purchase a permit for each one.

(2) *Issuance of a documented permit not required.* The city does not prohibit the operation of a special vehicle during its use for a commercial or business purpose. Operating a special vehicle for this limited purpose does not require a permit application, fee or documented permit.

(D) *Crossing intersecting highways.* The operator, under permit for a mini truck or utility task vehicle may cross any street or highway intersecting a designated roadway.

(E) *Application of traffic laws.* Every person operating a mini truck or utility task vehicles under permit on designated streets has all the rights and duties applicable to the driver of any other automobile or passenger vehicle under state or federal law or regulation except:

- (1) Where specifically exempted by state law;
- (2) Those provisions of law or regulation that cannot reasonably be applied to a mini truck or utility task vehicle; or
- (3) As otherwise provided in division (F) below.

(F) *Required equipment on mini trucks.* Notwithstanding M.S. §§ 169.48 to 169.68, or any other law, a mini truck may be operated under permit on designated roadways if it is equipped with:

- (1) At least two head lamps;
- (2) At least two tail lamps;
- (3) Front and rear turn signal lamps;
- (4) An exterior mirror mounted on the driver's side of the vehicle, and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror;

- (5) A windshield;
- (6) A seat belt for the driver and front passenger;
- (7) A parking brake; and
- (8) Roll-over equipment.

(G) *Insurance.* Proof of insurance meeting state requirements for passenger automobiles is required to receive a permit.

(H) *Times of operation.* Mini trucks and utility task vehicles may only be operated on designated roadways from sunrise to sunset, unless equipped with original equipment headlights, tail lights, and rear-facing brake lights. They shall not be operated in inclement weather, except during emergency conditions, or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient visibility to clearly see persons and vehicles on the roadway at a distance of 500 feet.

(I) *Special events.* In conjunction with a special event permit issued by the city, any provision within this section may be waived and the City Council may permit the operation of any special vehicle allowed under state law.

(Ord. 408, passed 2-20-14; Am. Ord. 524, passed 7-18-24)

PARADES

§ 70.20 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PARADE. Any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display in or on any street, sidewalk, park, or other public place in the city.

PARADE PERMIT. A permit required by this subchapter.

PARKING LOT. Any paved or unpaved area used by a place of business or shopping center for the parking of vehicles of their customers, but shall not include those operated for hire.

§ 70.21 PERMIT REQUIRED.

(A) No person or persons shall engage or participate in, aid, form or start any parade unless a parade permit has been obtained from the City Clerk or other authorized city official.

(B) This subchapter shall not apply to:

(1) Funeral processions;

(2) Students going to and from school classes or participating in educational activities; provided, that the conduct is under the immediate direction and supervision of the proper school authorities;

(3) A governmental agency acting within the scope of its functions.

Penalty, see § 10.99

§ 70.22 APPLICATION FOR PERMIT.

(A) *Generally.* A person seeking issuance of a parade permit shall file an application with the City Clerk.

(B) *Filing period.* The application for a parade permit shall be filed not less than 72 hours but not more than 60 days before the date on which it is proposed to conduct the parade. Failure to file an application 72 hours in advance will not result in automatic denial of the permit; provided, that the applicant shows reasonable grounds why the application could not be filed 72 hours in advance.

(C) *Required information.* The application for a parade permit shall set forth the following information:

(1) The name, address, and telephone number of the person seeking to conduct the parade;

(2) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of the organization;

(3) The name, address, and telephone number of the person who will be the parade chairperson and who will be responsible for its conduct;

(4) The date when the parade is to be conducted;

(5) The route to be traveled, the starting point, and the termination point;

(6) The approximate number of persons, animals, and vehicles which will constitute the parade, the type of animals, if any, and the description of the vehicles;

- (7) The hours when the parade will start and terminate;
- (8) A statement as to whether the parade will occupy all or only a portion of the width of the streets, sidewalk, park or other public place proposed to be traversed;
- (9) The location by street of any assembly area for the parade;
- (10) The time at which units of the parade will begin to assemble at any assembly area or areas;
- (11) The interval of space to be maintained between units of the parade;
- (12) If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the permit shall file a communication in writing from the person authorizing the applicant to apply for the permit on his or her behalf;
- (13) Any additional information reasonably necessary to a fair determination as to whether a permit should be issued.

(D) There shall be paid at the time of filing an application for a parade permit a fee in an amount as established by action of the Council, as it may be amended from time to time.
Penalty, see § 10.99

§ 70.23 STANDARDS FOR ISSUANCE OF PERMIT.

The City Clerk shall issue a permit when, from a consideration of the application and from other information obtained, he or she finds that:

- (A) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;
- (B) The conduct of the parade will not require the diversion of so great a number of police officers of the city to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city;
- (C) The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly areas;
- (D) The conduct of the parade will not interfere with the movement of firefighting equipment en route to a fire;
- (E) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;
Penalty, see § 10.99

§ 70.24 NOTICE OF REJECTION OF PERMIT APPLICATION.

If the City Manager-Clerk disapproves the application, he or she shall mail to the applicant within the three regular business days after the date on which the application was filed a notice of his or her action stating the reasons for his or her denial of the permit.

§ 70.25 APPEAL PROCEDURE WHEN PERMIT DENIED.

Any person aggrieved shall have the right to appeal the denial of a parade permit to the City Council. The appeal shall be taken within 30 days after notice of denial. The City Council shall act on the appeal within 30 days after its receipt.

§ 70.26 ALTERNATIVE PERMIT.

The City Manager-Clerk or other authorized city official, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time, or over a route different than that named by the applicant. An applicant desiring to accept an alternate permit shall file a written notice of his or her acceptance. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this subchapter.

§ 70.27 NOTICE TO CITY AND OTHER OFFICIALS WHEN PERMIT ISSUED.

Immediately on the issuance of a parade permit, a copy thereof shall be sent to the Police Chief and the Fire Chief.

§ 70.28 CONTENTS OF PERMIT.

Each parade permit shall state the following information:

- (A) Starting time;
- (B) Minimum speed;
- (C) Maximum speed;
- (D) Maximum interval of space to be maintained between the units of the parade;
- (E) The portions of the street, sidewalk, park or other public place to be traversed that may be occupied by the parade;
- (F) The maximum length of the parade in miles or fractions thereof;

(G) Other information as is reasonably necessary to the enforcement of this subchapter.
Penalty, see § 10.99

§ 70.29 DUTIES OF PERMITTEE.

A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The parade chairperson or other person heading or leading the activity shall carry the parade permit on his or her person during the conduct of the parade.

Penalty, see § 10.99

§ 70.30 PUBLIC CONDUCT DURING PARADES.

(A) *Interference.* No person shall unreasonably hamper, obstruct, impede or interfere with any parade or parade assembly or with any person, vehicle or animal participating or used in a parade.

(B) *Driving through parades.* No driver of a vehicle except a police car or other emergency vehicle shall drive between the vehicles or persons comprising a parade when the vehicles or persons are in motion and are conspicuously designated as a parade.

(C) *Parking on parade route.* The Police Chief or other authorized city official shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or other public thoroughfare or part thereof constituting a part of the route of a parade. Signs shall be posted to the effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street or other public thoroughfare unless signs have been posted in accordance with this section.

Penalty, see § 10.99

§ 70.31 REVOCATION OF PERMIT.

The city shall have the authority to revoke a parade permit issued hereunder on application of the standards for issuance as herein set forth.

§ 70.99 PENALTY.

Any person convicted of violating any provision of this chapter shall be guilty of a misdemeanor, punishable by up to 90 days in jail, a \$1,000 fine or both.

(Ord. 524, passed 7-18-24)