

TITLE VII: TRAFFIC CODE

Chapter

- 70. SNOWMOBILES, ATVs AND RECREATIONAL VEHICLES**
- 71. MOTOR VEHICLE AND TRAFFIC REGULATIONS**
- 72. PARKING REGULATIONS**
- 73. TRAFFIC SCHEDULES**

CHAPTER 70: SNOWMOBILES, ATVS, AND RECREATIONAL VEHICLES

Section

Snowmobiles

- 70.001 Intent
- 70.002 Speed; Operation of Snowmobiles
- 70.003 Snowmobiles
- 70.004 Single file traffic only
- 70.005 Rigid tow-bar requirement
- 70.006 Unlawful operation; Defenses
- 70.007 Penalties

All-Terrain Vehicles

- 70.010 Declaration; Definition; Intent
- 70.011 Operators' Requirements
- 70.012 Operators' Permits
- 70.013 Permissible purposes of ATV operation
- 70.014 Speed; Prohibited locations of operation of ATVs
- 70.015 Single file traffic only
- 70.016 Unlawful operation; Defenses
- 70.017 Penalties

Recreational Vehicles

- 70.020 Purpose and intent
- 70.021 Definition
- 70.022 Operation requirements
- 70.023 Street crossings
- 70.024 Hours of operation
- 70.025 Minimum equipment requirements
- 70.026 Designation of public areas for use
- 70.027 Motorized golf carts

Bicycles

- 70.040 Generally
- 70.041 Carrying packages or extra persons
- 70.042 Hitching to vehicle
- 70.043 Riding in business district
- 70.044 Speed limit
- 70.045 Lights

SNOWMOBILES

§ 70.001 INTENT.

The laws of the State of Minnesota as set forth in Minnesota Statutes Section 84.81 through Section 84.928 and Chapter 169 are adopted in full. The definition of "snowmobile" for purposes of this Code shall be the same as those set forth in Minnesota Statutes Section 84.81.

§ 70.002 SPEED; OPERATION OF SNOWMOBILES.

The following regulations shall apply to the operation of all snowmobiles operated within the City of Olivia:

(A) Speed. Unless posted otherwise, no snowmobile shall be operated at a speed in excess of 20 miles per hour on the streets. Speed in alleys shall not exceed 10 miles per hour.

(B) Operation of snowmobiles. It shall be unlawful to operate a snowmobile in the City of Olivia upon any streets, avenues, sidewalks, boulevards, parks, golf course, parking lots, alleys, school grounds, airport property or other public or private property except as provided in this section.

§ 70.003 SNOWMOBILES.

When the operation is in compliance with all other provisions of this Code, snowmobiles may be operated:

(A) Between the hours of 8:00 a.m. and 10:00 p.m. on streets, alleys, and specially designated routes in the City of Olivia and on private property with the owner's permission, given specifically to the operator of the snowmobile.

(B) Between 10:00 p.m. and 8:00 a.m. only for purposes of leaving a business establishment or residence at which the operator was located at 10:00 p.m., and proceeding directly to the operator's residence by the most direct street route or proceeding from the operator's residence directly out of town.

(C) Between 8:00 a.m. and 10:00 p.m. only for purposes of traveling on the boulevard on the south side of Trunk Highway 212 between the intersection of Trunk Highway 71 South and Super-America or unless allowed under paragraph (B) above.

(D) Between 8:00 a.m. and 10:00 p.m. only for the purposes of traveling on the Trunk Highway 71 South boulevard, provided that written permission is granted from the adjoining property owner(s). If

approval is granted by the property owner(s), proper signage is required indicating a trail has been created. If said trail is not permitted by the adjoining property owner(s), snowmobile operators shall use existing City streets at Trunk Highway 71 South and Ash Avenue.

§ 70.004 SINGLE FILE TRAFFIC ONLY.

Snowmobiles traveling in the same direction must travel single-file. It shall be unlawful for two or more snowmobiles to travel abreast on any City street.

§ 70.005 RIGID TOW-BAR REQUIREMENT.

It shall be unlawful for any snowmobile to tow a sled, wagon, toboggan, skier or any other object or person except by means of a rigid tow bar affixed to the rear of the snowmobile.

§ 70.006 UNLAWFUL OPERATION; DEFENSES.

It shall be unlawful for the registered owner of a snowmobile to operate or allow to be operated, a snowmobile contrary to this Code or governing State law.

The registered owner of the snowmobile may not be prosecuted and punished if:

(A) The snowmobile was reported as stolen to the Commissioner of Natural Resources or a law enforcement agency at the time the alleged unlawful conduct occurred;

(B) The registered owner demonstrates that the snowmobile either was stolen or was not in use at the time of the alleged unlawful conduct;

(C) The registered owner furnishes to law enforcement officers, upon request, the identity of the person in actual physical control of the snowmobile at the time of such lawful conduct.

This section shall not apply to any person who rents or leases snowmobiles if such person keeps a record of the name and address of the person or persons renting or leasing the snowmobile, the registration number thereof, the departure date and time and the time of return.

The prosecution of the owner of a snowmobile under this section shall not operate to limit or bar the prosecution of the snowmobile operator for violations of this ordinance or applicable Minnesota statutes.

§ 70.007 PENALTIES.

Unless otherwise provided, a violation of this ordinance shall be a misdemeanor, subject to the maximum penalties provided by law for misdemeanors.

(A) A violation of Section 70.002 (Speed), shall be a petty misdemeanor, subject to the penalties provided by law for petty misdemeanors.

(B) A violation of any other section of this ordinance shall be a misdemeanor, subject to the penalties provided for misdemeanors.

(C) Sections 70.001 through 70.007 shall not apply to, law enforcement agencies, and fire and rescue personnel while in the performance of their official duties.

ALL-TERRAIN VEHICLES

§ 70.010 DECLARATION; DEFINITION; INTENT.

The laws of the State of Minnesota as set forth in Minnesota Statutes Section 84.81 through Section 84.928 and Chapter 169 are adopted in full. The definition of "all-terrain vehicle" (hereafter "ATV") for purposes of this Code shall be the same as those set forth in Minnesota Statutes Section 84.92. It is the intent of this section to allow for the limited use of ATVs within the City for purposed described herein.

§ 70.011 OPERATORS OF ATVS.

When the operation is in compliance with all other provisions of this Code, ATVs may be operated by persons:

- (A) 18 years of age or older;
- (B) with a driver's license that is valid with the State of Minnesota; and
- (C) with a valid operator's permit issued by the City.

§ 70.012 OPERATORS' PERMITS.

(A) The operator of an ATV must apply annually for an operators' permit, which may be issued by the City of Olivia upon the following conditions:

- (1) Permit applications must be made on a form approved by Resolution of the City Council. Application forms shall be available at the City Office.
- (2) At the time the application is submitted, the applicant shall:
 - (a) Provide proof of insurance complying with the requirements of Minnesota Statutes

section 65B.48, subd. 5, as it may be amended from time to time.

(b) Pay the permit fee.

(c) Provide all other information as may be required by Resolution of the City Council.

(B) The City Council shall establish and may from time to time modify the permit fee amount by Resolution.

(C) No person shall operate an ATV on public property within the City of Olivia without a valid operators' permit from the City of Olivia.

(D) Upon approval of an application, the City shall issue a sticker or plate, which shall be displayed upon the designated location of the ATV.

(E) Operators' permits shall be issued for a period of one year, and may be renewed annually by complying with the requirements of this section. Permits may be denied or revoked by the Chief of Police, in his or her discretion, upon proof of a conviction of any of Sections 70.010 through 70.018, by other evidence of abuse of the privileges of this section, or when an operator no longer has a valid driver's license. A permittee may appeal such revocation or denial to the City Council by filing a notice of appeal at the City Office no later than 14 days after receiving notice or the denial or revocation.

§ 70.013 PERMISSIBLE PURPOSES OF ATV OPERATION.

When the operation is in compliance with all other provisions of this Code, and the operator uses all proper safety equipment as required by State law, ATVs may be operated:

(A) For traveling from the operator's place of employment, or the operator's residence, and proceeding directly to the operator's residence or place of employment by the most direct street route, or for traveling to or from the operator's place of employment, or the operator's residence and proceeding directly out of town; or

(B) For utility purposes when the operator is traveling to work locations utilizing the most direct route on City streets during daylight hours for purposes of:

- (1) mowing and fertilizing lawns;
- (2) spraying weeds;
- (3) other uses, when used as the power unit.

(C) For the purposes of plowing or blowing snow only, ATVs may be used on streets, alleys, and sidewalks within 24 hours of the snowfall.

(D) Paragraphs (B) and (C) of this section shall apply only when specially designed equipment is mounted on, or towed by, the ATV utilizing a rigid hitch system, or the ATV is used as the power unit on the job site. An ATV may be driven to a refueling station for purposes of refueling when the ATV is otherwise being operated for purposes permissible in paragraphs (A), (B), and (C) of this section. The ATV must be registered and equipped according to State law and this Code.

§ 70.014 SPEED; PROHIBITED LOCATIONS OF OPERATION OF ATVS.

The following regulations shall apply to the operation of all ATVs operated within the City of Olivia:

(A) Speed. Unless posted otherwise, no ATV shall be operated at a speed in excess of 20 miles per hour on the streets. Speed in alleys shall not exceed 10 miles per hour.

(B) Prohibited locations of operation of ATVs. It shall be unlawful to operate an ATV in the City of Olivia upon any sidewalks, boulevards, parks, golf course, grounds, airport property, the Central Business District, or any other public or private property except as provided in Sections 70.010 through 70.018.

(1) Central Business District. For purposes of this section, the Central Business District is defined as the area identified as the Central Business District in Chapter 152 of this Code, and so identified on the official zoning map of the City of Olivia.

§ 70.015 SINGLE FILE TRAFFIC ONLY.

ATVs traveling in the same direction must travel single-file. It shall be unlawful for two or more ATVs to travel abreast on any City street.

§ 70.016 UNLAWFUL OPERATION; DEFENSES.

(A) (1) It shall be unlawful for the registered owner of an ATV to operate or allow to be operated, an ATV contrary to this Code or governing State law.

(2) It shall be unlawful for any person to operate an ATV contrary to this Code or State law.

(3) It shall be unlawful for any person to operate an ATV without the following equipment:

(a) A standard muffler, which is properly attached and functioning to reduce engine noise to the minimum necessary for operation. Muffler “cut-outs”, by-passes, straight pipes, and the like are prohibited.

(b) Properly operating braking systems and lighting systems including brake lights, headlights and tail lights, if originally equipped.

(c) A safety mechanism or “dead man” throttle in operating condition, if originally equipped.

(B) The registered owner of the ATV may not be prosecuted and punished if:

(1) The ATV 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 ATV either was stolen or was 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 ATV at the time of such unlawful conduct.

(C) The prosecution of the owner of an ATV under this section shall not operate to limit or bar the prosecution of the ATV operator for violations of this ordinance or applicable Minnesota statutes.

§ 70.017 PENALTIES.

Unless otherwise provided, a violation of this ordinance shall be a misdemeanor, subject to the maximum penalties provided by law for misdemeanors.

(A) A violation of Section 70.014 (Speed), shall be a petty misdemeanor, subject to the penalties provided by law for petty misdemeanors.

(B) A violation of any other section of this ordinance shall be a misdemeanor, subject to the penalties provided for misdemeanors.

(C) Sections 70.010 through 70.017 shall not apply to, law enforcement agencies, and fire and rescue personnel while in the performance of their official duties.

RECREATIONAL VEHICLES

§ 70.020 PURPOSE AND INTENT.

(A) (1) The purpose of this subchapter is to provide reasonable regulations for the use of recreational motor vehicles on public and private property in the city.

(2) This subchapter is not intended to allow what the Minnesota Statutes and Rules prohibit nor to prohibit what the Minnesota Statutes and Rules expressly allow.

(B) This subchapter is intended to ensure the public safety and prevent a public nuisance.

§ 70.021 DEFINITION.

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

RECREATIONAL MOTOR VEHICLE. Any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes other than a snowmobile, all-terrain vehicle, or golf cart including, but not limited to trail bikes, off-highway motorcycles, as defined by M.S. § 84.787, subd. 7, as it may be amended from time to time, or motorized scooters, go-carts, hovercraft, or any motor vehicle licensed for highway operation which is being used for off-road recreational purposes.

§ 70.022 OPERATION REQUIREMENTS.

It is unlawful for any person to operate a recreational motor vehicle:

(A) On private property of another without specific written permission of the owner of the property. Written permission may be given by a posted notice of any kind or description, so long as it specifies the kind of vehicles allowed, that the owner, occupant or lessee allows, such as by saying "Recreational Vehicles Allowed," "Trail Bikes Allowed," or words substantially similar;

(B) On publicly-owned land, including school, park property, playgrounds, recreation areas and golf courses, except where permitted by this chapter;

(C) 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, and which noise is in excess of that permitted by Minn. Stat. section 169.69, 169.693, or Minnesota Rules part 7030.1000 through 7030.60 as these statutes and rules may be amended from time to time;

(D) On a public sidewalk or walkway provided or used for pedestrian travel;

(E) At any place while under the influence of intoxicating liquor, narcotics, or mood-altering drugs;

(F) At a rate of speed greater than reasonable or proper under all the surrounding circumstances;

(G) At any place in a careless, reckless, or negligent manner so as to endanger or be likely to endanger any person or property or to cause injury or damage thereto;

(H) To intentionally drive, chase, run over or kill any animal, wild or domestic;

(I) By halting any recreational motor vehicle carelessly or heedlessly in disregard of the rights or the safety of others or in a manner so as to endanger or be likely to endanger any person or property or in excess of 20 miles per hour on publicly-owned lands; or

(J) Within 150 feet of any public recreational area or gathering of people. This provision does not apply to the occasional use of recreational motor vehicles on private property for the purpose of loading or unloading it from a trailer or for mechanically checking it.

Penalty, see § 10.99

§ 70.023 STREET CROSSINGS.

No person under 14 years of age operating the vehicles regulated herein shall make a direct crossing of any street, highway or public right-of-way.

Penalty, see § 10.99

§ 70.024 HOURS OF OPERATION.

Hours for use are 8:00 a.m. to 10:00 p.m.

Penalty, see § 10.99

§ 70.025 MINIMUM EQUIPMENT REQUIREMENTS.

(A) Standard mufflers shall be properly attached and in constant operation to reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass, straight pipe or similar device on a recreational motor vehicle motor. The exhaust system shall not emit or produce a sharp popping or crackling sound.

(B) Brakes shall be adequate to control the movement of and to stop and hold under any conditions of operation.

(C) At least 1 clear lamp shall be attached to the front with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The head lamp shall be so that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least 1 red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness under normal atmospheric conditions. This equipment shall be required and shall be in operating condition when the vehicle is operated between the hours of 1/2 hour after sunset and 1/2 hour before sunrise, or at times of reduced visibility.

Penalty, see § 10.99

§ 70.026 DESIGNATION OF PUBLIC AREAS FOR USE.

(A) The Council may designate areas for use of recreational motor vehicles by approval of a majority of the members of the City Council. The areas designated may be changed from time to time by the City Council. Any area designated shall be published in the official newspaper of the city in a conspicuous

place after the approval. If an area is changed, the change shall be published in like manner in the official newspaper of the city. An up-to-date map of any designated park areas open for recreational motor vehicle use shall be kept on file in the office of the City Administrator, who shall provide on request a copy of the map together with the applicable rules, regulations and this chapter to each person requesting the information from the city.

(B) Unless designated by the City Council as an area for recreational motor vehicles, the use on city park property shall be unlawful. Further, the use of city parks designated by the City Council shall be in accordance with all of the applicable provisions of this chapter.
Penalty, see § 10.99

§ 70.027 MOTORIZED GOLF CART PERMITS.

(A) For the purpose of this section, and section 70.028, the term *MOTORIZED GOLF CART* shall mean any passenger conveyance commonly recognized as a golf cart, with 4 wheels, 4 low pressure tires, and that is powered by electricity or a gas engine with an engine displacement of less than 800 cubic centimeters and total dry weight less than 800 pounds.

(1) No person shall operate a motorized golf cart on streets, alleys, sidewalks or other public property in the City of Olivia without obtaining a permit for the golf cart as provided herein.

(2) Every application for a golf cart permit shall be made on a form supplied by the city and shall contain the following information:

- (a) The name and address of the applicant and owner of the golf cart;
- (b) The nature of the applicant's physical handicap, if any;
- (c) Model name, make, and year and number of the motorized golf cart;
- (d) Other information as the city may require.

(3) The annual permit fee shall be in an amount set by Council from time to time. (See Appendix A).

(4) Permits are for the golf cart. Permits shall be granted for a period not to exceed 1 year. All golf cart permits shall expire on December 31 of the year issued, and may be renewed annually, beginning January 1 of each year.

(5) No permit shall be granted or renewed unless the following conditions are met:

(a) The applicant must demonstrate that he or she currently has valid driving privileges within the State of Minnesota;

(b) The applicant may be required to submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart on the roadways designated;

(c) The applicant must provide evidence of liability insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the golf cart, and agree to provide updated insurance information to the City, if any;

(d) The applicant has not had his or her driver's license revoked as the result of criminal proceedings.

(6) Motorized golf carts shall display the permit stickers issued by the City.

(7) City Council may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this section or Minn. Stat. Ch. 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the motorized golf cart on the designated roadways.

Penalty, see § 10.99

§ 70.028 MOTORIZED GOLF CART OPERATION

(A) (1) Motorized golf carts may only be operated on city streets and alleys, not on state or federal highways, except to cross at regular intersections.

(2) Motorized golf carts may only be operated from sunrise to sunset. They shall not be operated in inclement weather conditions or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

(3) Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minn. Stat. section 169.522, as it may be amended from time to time, when operated on designated roadways.

(4) Motorized golf carts shall be equipped with a wing-style rear view mirror, if originally equipped, to provide the driver with adequate vision from behind.

(5) Every person operating a motorized golf cart under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minn. Stat. Ch. 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to motorized golf carts.

(6) The number of occupants in the golf cart may not exceed the design occupant load.

(B) (1) No person shall operate a golf cart without driving privileges that are valid within the State of Minnesota.

(2) The owner of the golf cart shall become familiar with the status of the driving privileges of any person that he or she intends to allow to operate his or her golf cart, prior to such operation.

(3) It shall be unlawful for the owner of a golf cart to operate or allow to be operated, a golf cart contrary to this Code or governing State law.

(C) The owner of the golf cart may not be prosecuted and punished under section (B)(2) or (3) if:

(1) The golf cart was reported as stolen to the appropriate law enforcement agency at the time the alleged unlawful conduct occurred;

(2) The golf cart owner demonstrates that the golf cart either was stolen or was not in use at the time of the alleged unlawful conduct; or

(3) The golf cart owner furnishes to law enforcement officers, upon request, the identity of the person in actual physical control of the golf cart at the time of such unlawful conduct.

(4) The prosecution of the owner of a golf cart under this section shall not operate to limit or bar the prosecution of the golf cart operator for violations of this ordinance or applicable Minnesota statutes.

Penalty, see § 10.99

BICYCLES

§ 70.040 GENERALLY.

Every person riding a bicycle upon the streets or alleys of Olivia shall have all the rights and duties of a driver of a vehicle, except as to provisions of ordinances which by their nature cannot have application to bicycles, and shall have the bicycle equipped with the lamps, reflectors, brakes, and other equipment as may be required by state law.

(1957 Code, § 700:01) Penalty, see § 10.99

§ 70.041 CARRYING PACKAGES OR EXTRA PERSONS.

No bicycle shall be used to carry more persons at 1 time than the number for which it is designed and equipped, nor shall any person operating a bicycle carry any package, bundle, or article which prevents the driver from keeping at least 1 hand upon the handle bars.

(1957 Code, § 700:02) Penalty, see § 10.99

§ 70.042 HITCHING TO VEHICLE.

No person riding or operating a bicycle shall attach the same or himself or herself to any vehicle upon a street or alley.

(1957 Code, § 700:03) Penalty, see § 10.99

§ 70.043 RIDING IN BUSINESS DISTRICT.

(A) No person shall operate or ride a bicycle upon a sidewalk within a business district. Persons riding on bicycles upon a street or alley shall not ride more than 2 abreast.

(B) Whenever any person is riding a bicycle upon a sidewalk, the person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian.

(1957 Code, § 700:04) Penalty, see § 10.99

§ 70.044 SPEED LIMIT.

No person shall ride or propel any bicycle at a greater speed than at the rate of 15 mph upon or along the streets within the business portion of the city.

(1957 Code, § 700:05) Penalty, see § 10.99

§ 70.045 LIGHTS.

Every bicycle propelled, ridden, or operated on the streets, alleys, or sidewalks within the City of Olivia during the period from 30 minutes after sunset to 30 minutes before sunrise and at any other time when there is not sufficient light to render discernible any person on the streets, sidewalks, or alleys at a distance of 200 feet shall be equipped with a lighted lamp on the front of the bicycle visible under normal atmospheric conditions from a distance of at least 500 feet in front of the bicycle, and shall also be equipped with lamp on the rear, exhibiting red light visible under like conditions from a distance of at least 500 feet to the rear of the bicycle or a red reflector visible 300 feet from the rear.

(1957 Code, § 700:06) Penalty, see § 10.99

CHAPTER 71: MOTOR VEHICLE AND TRAFFIC REGULATIONS

Section

- 71.001 Definitions
- 71.01 Unreasonable acceleration unlawful
- 71.02 Driving rules; careful driving
- 71.03 Maximum speeds
- 71.04 Blocking or impeding traffic
- 71.05 Speed on bridges
- 71.06 U-turns
- 71.07 Position for parking
- 71.08 Camping purposes
- 71.09 Brakes used in parking
- 71.10 Display for sales purposes
- 71.11 Through streets
- 71.12 Signs, signals, and markings; obedience to
- 71.13 Unauthorized signs
- 71.14 Damage to signs
- 71.15 Pedestrians
- 71.16 Turn and backing signal
- 71.17 Yielding way on signal
- 71.18 Approaching bus loading or unloading
- 71.19 Pedestrians at crosswalks
- 71.20 Drive to right of center
- 71.21 Passing and overtaking
- 71.22 Turning
- 71.23 Hitching rides
- 71.24 Night parking lights
- 71.25 Use of dimmers
- 71.26 Mufflers
- 71.27 Careless driving
- 71.28 Emergency and street work vehicles; application
- 71.29 Emergency vehicles; proceeding at traffic signs
- 71.30 Street workers and vehicles
- 71.31 Yielding right-of-way
- 71.32 Following emergency vehicles
- 71.33 Driving over fire hose
- 71.34 Officers to direct traffic; authority of peace officers

- 71.35 Control of parking and stopping
- 71.36 Refuse on streets and alleys
- 71.37 Funeral procession
- 71.38 Defective or unsafe equipment
- 71.39 Passengers or load interfering with driver
- 71.40 Driver's license
- 71.41 Wagons; animals
- 71.42 Hitchhiking
- 71.43 Owner's consent to drive vehicle
- 71.44 Required equipment
- 71.45 Driving on sidewalk or into procession

§ 71.001 DEFINITIONS.

Unless the language or context clearly indicates that a different meaning is intended, all words and phrases in this ordinance shall be given the meaning as defined for them by M.S. Ch. 169. (1957 Code, § 730:46)

§ 71.01 UNREASONABLE ACCELERATION UNLAWFUL.

(A) No person shall start or accelerate any motor vehicle with an unnecessary exhibition of speed on any public or private way within the City of Olivia. Prima facie evidence of the unnecessary exhibition of speed shall be squealing or screeching sounds emitted by the tires or the throwing of sand or gravel by the tires of the vehicle; or the swerving of the rear of the automobile from side to side.

(B) Any violation of this section shall constitute a petty misdemeanor, as defined in the Minnesota Statutes. (Ord. 147, passed 4-16-1973) Penalty, see § 10.99

§ 71.02 DRIVING RULES; CAREFUL DRIVING.

(A) No person shall drive a vehicle in the City of Olivia at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing.

(B) In every event speed shall be so restricted as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care. (1957 Code, § 730:01) Penalty, see § 10.99

§ 71.03 MAXIMUM SPEEDS.

No person shall drive a vehicle within the City of Olivia at a rate of speed in excess of 30 mph; provided, however, that at any place within the city where a higher or lower speed limit has been duly and lawfully set and indicated with appropriate traffic devices, no person shall drive a vehicle at a rate in excess of the rate so set.

(1957 Code, § 730:02) Penalty, see § 10.99

§ 71.04 BLOCKING OR IMPEDING TRAFFIC.

No person shall halt or drive a vehicle at a slow speed as to impede or block the normal and reasonable movement of traffic except when halting or reduced speed is necessary for safe operation or in compliance with law.

(1957 Code, § 730:03) Penalty, see § 10.99

§ 71.05 SPEED ON BRIDGES.

No person shall drive over a bridge at a speed greater than the maximum speed which can be maintained with safety to the bridge or at a rate of speed greater than that posted as the maximum speed by the Commissioner of Highways.

(1957 Code, § 730:04) Penalty, see § 10.99

§ 71.06 U-TURNS.

No person shall turn a vehicle so as to reverse its direction on any trunk highway in the City of Olivia.

(1957 Code, § 730:05) Penalty, see § 10.99

§ 71.07 POSITION FOR PARKING.

Except where angle parking is indicated by appropriate signs or markings, each vehicle parked upon a street where there is a curb shall be stopped or parked with the right-hand wheels parallel with and within 12 inches of the right-hand curb. If there be no curb, then the vehicles shall be parked parallel with the edge and as far to the right in the street or alley as may be practicable. No vehicle shall be stopped with its left side to the curb.

(1957 Code, § 730:06) Penalty, see § 10.99

§ 71.08 CAMPING PURPOSES.

No person shall, for camping purposes, leave or park a house trailer on any street or alley in the city.
(1957 Code, § 730:09) Penalty, see § 10.99

§ 71.09 BRAKES USED IN PARKING.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without effectively setting the brake thereon and turning the front wheels to the curb or side of the highway.
(1957 Code, § 730:10) Penalty, see § 10.99

§ 71.10 DISPLAY FOR SALES PURPOSES.

No person shall park any vehicle on any street for the purpose of displaying it for sale.
(1957 Code, § 730:11) Penalty, see § 10.99

§ 71.11 THROUGH STREETS.

Every driver of a vehicle shall bring the vehicle to a full stop before entering any through street or stop intersection which has been properly designated and posted as such.
(1957 Code, § 730:12) Penalty, see § 10.99

§ 71.12 SIGNS, SIGNALS, AND MARKINGS; OBEDIENCE TO.

(A) All signs, signals, and markings placed by the city shall conform to the standards prescribed by the Minnesota Department of Transportation and whenever so required by law shall be so placed only with the express approval and authorization from the Commissioner.

(B) No person shall disobey the instructions of an official traffic-control device placed within the City of Olivia by the Minnesota Department of Transportation or the city unless at the time otherwise directed by a police officer.
(1957 Code, § 730:13) Penalty, see § 10.99

§ 71.13 UNAUTHORIZED SIGNS.

No person shall place, maintain, or display any unauthorized sign, signal, marking, or device imitating, resembling or hiding an official traffic-control device, or railroad sign or signal, and no person shall place, or maintain, or display any red light or red sign, signal, or lighting device in a way as to interfere with the effectiveness or efficiency of any highway traffic-control device or signal or device used in the operation of a railroad.

(1957 Code, § 730:14) Penalty, see § 10.99

§ 71.14 DAMAGE TO SIGNS.

No person shall alter, deface, injure, knock down, or remove any official traffic-control device or railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof.

(1957 Code, § 730:15) Penalty, see § 10.99

§ 71.15 PEDESTRIANS.

Pedestrians crossing any street, at the intersections thereof with another street shall pass over the portion of the street as is included within the lines of the sidewalk, projected, and not diagonally.

(1957 Code, § 730:16) Penalty, see § 10.99

§ 71.16 TURN AND BACKING SIGNAL.

No person in control of a vehicle shall turn or back same without proper signal by hand or authorized signal device having been given.

(1957 Code, § 730:17) Penalty, see § 10.99

§ 71.17 YIELDING WAY ON SIGNAL.

Every person in charge of a vehicle shall pull to the right side of the street or road when signaled from a vehicle behind desiring to pass.

(1957 Code, § 730:18) Penalty, see § 10.99

§ 71.18 APPROACHING BUS LOADING OR UNLOADING.

Every person in charge of any vehicle upon any street approaching any bus which has stopped or is about to stop for the purpose of taking on or discharging passengers shall not approach nearer than 10 feet from the bus until the bus shall have taken or discharged its passengers and has again started.

(1957 Code, § 730:19) Penalty, see § 10.99

§ 71.19 PEDESTRIANS AT CROSSWALKS.

Vehicles shall not stop on the crosswalk so as to interfere with the passage of pedestrians.
(1957 Code, § 730:20) Penalty, see § 10.99

§ 71.20 DRIVE TO RIGHT OF CENTER.

Every person using any vehicle on any street in the City of Olivia, shall operate, drive, or ride the vehicle on the portion to the right of the center of the street. A vehicle shall keep as near the right-hand curb as practicable except when passing another vehicle. Vehicles moving slowly shall keep close as possible to the curb on the right, allowing more swiftly moving vehicles free passage to their left.
(1957 Code, § 730:21) Penalty, see § 10.99

§ 71.21 PASSING AND OVERTAKING.

A vehicle meeting another going in the opposite direction shall pass on the right. A vehicle overtaking another shall pass on the left side of the overtaken vehicle and not pull over to the right until entirely clear of it.
(1957 Code, § 730:22) Penalty, see § 10.99

§ 71.22 TURNING.

(A) A vehicle turning into another street to the right shall turn the corner as near to the right-hand curb as possible.

(B) A vehicle when turning to the left to enter an intersecting street shall not turn until it shall have passed beyond the center of the intersecting street.

(C) No vehicle shall be turned around upon any street except at a street intersection.

(D) No person shall leave an automobile unattended on a street while the engine is running.
(1957 Code, § 730:23) Penalty, see § 10.99

§ 71.23 HITCHING RIDES.

No one shall ride or jump upon any vehicle without the consent of the driver, and no person when riding shall allow any part of the body to protrude beyond the limits of the vehicle, nor shall any person hitch a ride on to any vehicle whatsoever.
(1957 Code, § 730:24) Penalty, see § 10.99

§ 71.24 NIGHT PARKING LIGHTS.

No vehicle shall be left standing in a street or alley at night without light or lights so displayed as to be visible from the rear or the front.

(1957 Code, § 730:25) Penalty, see § 10.99

§ 71.25 USE OF DIMMERS.

Every vehicle shall use only low beam headlamps when driving upon the principal and well lighted streets of the city, and also when meeting another vehicle at any place within the limits of the city.

(1957 Code, § 730:26) Penalty, see § 10.99

§ 71.26 MUFFLERS.

Every motor vehicle or motorcycle shall use a muffler which shall be sufficient to deaden the sound of the exhaust and the muffler shall not be disconnected or cut out while the motor vehicle or motor cycle is being operated upon any street or avenue within the City of Olivia.

(1957 Code, § 730:27) Penalty, see § 10.99

§ 71.27 CARELESS DRIVING.

No person shall operate or halt any vehicle in the City of Olivia, carelessly or heedlessly in disregard of the rights or the safety of others, or in a manner so as to endanger, or be likely to endanger any person or property.

(1957 Code, § 730:28) Penalty, see § 10.99

§ 71.28 EMERGENCY AND STREET WORK VEHICLES; APPLICATION.

The provisions of §§ 70.060 *et seq.* shall apply to drivers of all vehicles whether owned by the state, any county, city, town, district, or any other political subdivision of the state, except authorized emergency vehicles and vehicles engaged in work upon streets or alleys.

(1957 Code, § 730:29) Penalty, see § 10.99

§ 71.29 EMERGENCY VEHICLES; PROCEEDING AT TRAFFIC SIGNS.

The driver of any authorized emergency vehicle operated in response to any emergency call or in the immediate pursuit of an actual or suspected violator of the law, sounding siren and displaying at least 1 red light to the front, shall not be subject to speed limitations of §§ 70.060 *et seq.*, and upon

approaching a red or stop signal or any stop sign, shall slow down as necessary for safety but may proceed past the sign or signal after sounding siren and displaying red lights. These provisions does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the street, nor does it protect the driver of an authorized emergency vehicle from the consequence of a reckless disregard of the safety of others.

(1957 Code, § 730:30) Penalty, see § 10.99

§ 71.30 STREET WORKERS AND VEHICLES.

Sections 70.060 *et seq.* shall not apply to persons, teams, motor vehicles, and other equipment while actually engaged in work upon the roadway of a street or alley, but shall apply to the persons and vehicles when traveling to or from the work.

(1957 Code, § 730:31) Penalty, see § 10.99

§ 71.31 YIELDING RIGHT-OF-WAY.

Upon the immediate approach of an authorized emergency vehicle, with red light and siren warnings, as required by law, the driver of each other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to and as close as possible to the right-hand curb or edge of the highway clear of any intersection, and shall stop and remain in this position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(1957 Code, § 730:32) Penalty, see § 10.99

§ 71.32 FOLLOWING EMERGENCY VEHICLES.

No driver of any vehicle, other than one on official business, shall follow any fire apparatus or other emergency vehicle traveling in response to a fire alarm or other emergency call closer than 500 feet, or drive into or park the vehicle within the block where the fire apparatus or other emergency vehicle has stepped in answer to a fire alarm.

(1957 Code, § 730:33) Penalty, see § 10.99

§ 71.33 DRIVING OVER FIRE HOSE.

No person shall drive any vehicle over any unprotected hose of a Fire Department when laid down on any street, private driveway, or alley, to be used at any fire alarm or fire, without the consent of the Fire Department official in command.

(1957 Code, § 730:34) Penalty, see § 10.99

§ 71.34 OFFICERS TO DIRECT TRAFFIC; AUTHORITY OF PEACE OFFICERS.

(A) All officers of the City of Olivia, having powers of peace officers, are hereby authorized to direct, control, and regulate traffic.

(B) No person shall willfully fail or refuse to comply with any lawful order or direction given in the directing, controlling, or regulating of traffic by any officer of the city having powers of peace officers. (1957 Code, § 730:35) Penalty, see § 10.99

§ 71.35 CONTROL OF PARKING AND STOPPING.

No person shall stop or park a vehicle on a street or alley when directed or ordered to proceed by any peace officer invested by law with authority to direct, control, or regulate traffic. (1957 Code, § 730:36) Penalty, see § 10.99

§ 71.36 REFUSE ON STREETS OR ALLEYS.

(A) No person shall throw or deposit upon any street or alley in the city any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon the highway.

(B) Any person removing a wrecked or damaged vehicle from a street or alley shall remove any glass or other injurious substance dropped from the vehicle. (1957 Code, § 730:37) Penalty, see § 10.99

§ 71.37 FUNERAL PROCESSION.

(A) Funeral processions may identify themselves by using regular lights on all cars and by keeping all cars in close formation.

(B) Drivers of all other vehicles, except emergency vehicles, shall yield the right-of-way. (1957 Code, § 730:38) Penalty, see § 10.99

§ 71.38 DEFECTIVE OR UNSAFE EQUIPMENT.

No person shall drive and no owner shall cause or knowingly permit to be driven on any street or alley in the city any vehicle or combination of vehicles, which is in an unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with proper brakes and the lamps and other equipment in proper condition and adjustment as required by the laws of the State of Minnesota, or which is equipped in violation of the laws.

(1957 Code, § 730:39) Penalty, see § 10.99

§ 71.39 PASSENGERS OR LOAD INTERFERING WITH DRIVER.

No person shall drive a vehicle when it is so loaded or when there are in the front seat the number of person, exceeding 3, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(1957 Code, § 730:40) Penalty, see § 10.99

§ 71.40 DRIVER'S LICENSE.

No person shall drive or operate a vehicle upon any street or alley in the city unless he or she has in his or her possession a driver's license issued to him or her in accordance with the laws of the State of Minnesota.

(1957 Code, § 730:41) Penalty, see § 10.99

§ 71.41 WAGONS; ANIMALS.

Every person riding an animal or driving any animal drawing a vehicle upon a street or alley shall be subject to the provisions of §§ 71.01 *et seq.* applicable to the driver of a vehicle, except those provisions which by their nature can have no application.

(1957 Code, § 730:42) Penalty, see § 10.99

§ 71.42 HITCHHIKING.

No person shall stand in a street or alley for the purpose of soliciting a ride from the driver of any private vehicle.

(1957 Code, § 730:43) Penalty, see § 10.99

§ 71.43 OWNER'S CONSENT TO DRIVE VEHICLE.

No person shall drive a motor vehicle belonging to another without the owner's consent.
(1957 Code, § 730:44) Penalty, see § 10.99

§ 71.44 REQUIRED EQUIPMENT.

No vehicle shall be used upon any street in the city without lighting equipment, a windshield wiper, a rear vision mirror, a horn or other warning device, front and rear bumpers, and brakes as required by M.S. Ch. 169. Lamps shall be lighted at all times when any such vehicle is operated upon the streets of the city from a half hour after sunset to a 1/2 hour before sunrise, and at any other time when there is not sufficient light to render persons and vehicles clearly discernible 500 feet ahead upon the street, except that when a vehicle is parked upon the street during those hours, parking lights shall be lighted.
(1957 Code, § 730:45) Penalty, see § 10.99

§ 71.45 DRIVING ON SIDEWALK OR INTO PROCESSION.

No person shall ride or drive any animal, carriage, or other vehicle upon or over any sidewalk or through any funeral, parade, or military or civic procession within the limits of the City of Olivia.
(1957 Code, § 510:10) Penalty, see § 10.99

CHAPTER 72: PARKING REGULATIONS

Section

General Provisions

- 72.01 Trailer parking
- 72.02 Snow emergencies
- 72.03 Parking and loitering
- 72.04 Truck parking

Parking Time Limits

- 72.15 Parking limited
- 72.16 Trucks and the like
- 72.17 Double parking
- 72.18 Sales trucks

GENERAL PROVISIONS

§ 72.01 TRAILER PARKING.

(A) *Parking of trailers limited.*

(1) *Definitions.* For purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

MOTOR HOME, TRAILER, and RECREATIONAL VEHICLE. Any of the following:

(a) ***MOTOR HOME.*** A motor vehicle designed to provide temporary or permanent human shelter as a result of the presence of cooking facilities or other devices typically found in a residence.

(b) ***RECREATIONAL VEHICLE.*** A boat, snowmobile, pick-up truck camper, ATV, topper or fish house.

(c) **TRAILER.** Every device in, upon, or by which any person or property is or may be drawn by a motor vehicle upon a street or highway, except motor vehicles and semi-trailers.

(d) **CONSTRUCTION TRAILER.** A trailer designed to be used by contractors to hold materials and/or tools for construction projects;

(e) **OTHER.** School bus.

(2) *Unlawful act.* It is unlawful for any person to leave or park a motor home, trailer, or recreational vehicle on or within the limits of any street, alley or right-of-way for a continuous period in excess of 8 hours. Parking within 1 block of the original place shall constitute parking in the same place.

(3) *Exceptions.* This section shall not apply to the following situations:

(a) *Construction.* A construction trailer parked on a street, alley, or right-of-way adjacent to the property in or on which the owner of the trailer is performing a construction related project.

(b) *Guest parking.* Residents can apply for a permit for guests to leave or park a motor home, trailer, or recreation vehicle in front of their residential property from April 1 through October 1 for no more than 72 hours. Permits are issued by authorized city personnel and shall be placed in clear view for the Olivia Police Department. Without a permit, the motor home, trailer, or recreational vehicle cannot be parked on a street, alley or right-of-way for a continuous period in excess of 8 hours. If the trailer constitutes a concern for safety in the area, the Olivia Police Department reserved the right to revoke the permit.

(1957 Code, § 725:01) (Am. Ord. 281, passed 7-21-2007)

(B) *Violations.* Any person violating any provision of this section shall be guilty of a misdemeanor.
(1957 Code, § 725:02)
Penalty, see § 10.99

§ 72.02 SNOW EMERGENCIES.

(A) *Snow emergency; snow emergency parking.*

(1) When the public streets of the City of Olivia become impassable and/or hazardous to the public due to the accumulation of snow, the City of Olivia shall have the authority to declare a snow emergency.

(2) The purpose of a snow emergency shall be to alert the general public to the necessity of removing all automobiles from the streets so that maintenance crews may remove all snow and restore the streets to a passable condition, unhindered by the presence of automobiles in the street.

(3) The City of Olivia shall announce a snow emergency, to be declared by using the official notification media. The notice shall be given a minimum of 8 hours prior to the emergency going into effect, however if the emergency is declared between the hours of 7:00 p.m. and 9:00 a.m. the emergency will not go into effect until 5:00 p.m. of the following day. When declaring a snow emergency the city will state the effective time when the emergency goes into effect at which time all automobiles must be removed from public streets and alleys.

(4) The city will use KOLV radio as the official notification media for the declaration of a snow emergency. The notice will be given by the radio station a minimum of 10 times before the emergency will go into effect. The city may use other methods including the local access channel to notify the public.

(5) Any automobile parked on a city street or alley after the snow emergency has gone into effect shall be deemed to be in violation of this section. The owner of each automobile shall be subject to the penalties set forth below in division (C) or a fine in an amount set by the City Council from time to time. (See Appendix A). Each day a violation continues shall be deemed to be a separate offense.

(B) *General parking regulations.*

(1) No person shall stop, halt, or park a vehicle except 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;
- (b) In a crosswalk;
- (c) Within an intersection or in any place or manner as to block the passage of other motor vehicles;
- (d) Within 10 feet of a fire hydrant;
- (e) In front of a public or private driveway;
- (f) In a position as to block entrance to, passage upon, or exit from an alley; and/or
- (g) In any place where parking is restricted or prohibited and notice of the restrictions or prohibitions has been properly posted.

(2) The owner of any vehicle in violation of this section shall be subject to the penalties set forth in division (C) below or a fine in an amount set by the City Council from time to time. (See Appendix A). Each day that a violation continues shall be deemed to be a separate violation.

(C) *Violations.*

(1) A violation of this section shall be deemed to be a petty misdemeanor under Minnesota law, unless it is committed in a manner or under circumstance so as to endanger or be likely to endanger any person on the property, in which case it shall be deemed a misdemeanor.

(2) The amounts of any fine for violation of this section as a petty misdemeanor shall be set by resolution of the City Council of the City of Olivia. In cases of violations which are misdemeanors, the appropriate penalties shall be set by the Minnesota Statutes.

(3) When necessary to clear the streets for maintenance crews or for the safe passage of other traffic, the Police Department of the City of Olivia shall have the authority to order a vehicle in violation of this section to be towed away. The owner shall be responsible for the towing charges which shall be in addition to any fine assessed for the violation. The owner shall be responsible for making payment to the person towing his or her vehicle sufficient to obtain release of the vehicle.

(D) *Effective date.* This section shall be effective when passed, adopted, and published.
(Ord. 220, passed 10-17-1988) Penalty, see § 10.99

§ 72.03 PARKING AND LOITERING.

(A) No person shall park, and continue to occupy, any motor vehicle, or thereafter loiter in the immediate vicinity of the vehicle, on any public or private parking lot within the city, at a time when the adjacent businesses are closed, in excess of 15 minutes.

(B) No person shall park, and continue to occupy, any motor vehicle, or thereafter loiter in the immediate vicinity of the vehicle, on any public street or alley within the city, in excess of 15 minutes, when the only businesses open in the immediate area are engaged in selling alcoholic beverages or 3.2% malt liquor.

(C) Violation of divisions (A) or (B) above shall constitute a petty misdemeanor.
(Ord. 173, passed 11-19-1979) Penalty, see § 10.99

§ 72.04 TRUCK PARKING.

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

TRUCKS. Any of the following:

(1) **SEMI-TRAILER.** A vehicle of the trailer type so designed and used in conjunction with a truck-tractor that a considerable part of its own load rests upon and is carried by the truck-tractor and shall include a trailer drawn by a truck-tractor **SEMI-TRAILER** combination.

(2) **TRACTOR.** Any motor vehicle designed or used for drawing other vehicles used exclusively for transporting other vehicles but having no provision for carrying loads independently.

(3) **TRUCK.** Any motor vehicle designed and used for carrying things other than passengers, except pickup trucks and passenger vans.

(4) **TRUCK-TRACTOR.** Any motor vehicle designed or used for drawing other vehicles but having no provision for carrying loads independently.

(B) *Unlawful act.* It is unlawful for any person to park a truck on or within the limits of any city street, alley, or right-of-way.

(C) *Exceptions.* This section shall not apply to the following sections:

(1) Upon city streets, alleys, or rights-of-way, specifically designated by the City Council by resolution or signpost.

(2) As necessary to allow dwelling occupants to move a significant portion of their furniture and other personal property to a different location.

(3) Semi-trailers and trucks loading or unloading at a place of business during the time as reasonably necessary for that activity.

(4) Businesses located within the Highway Business District are allowed to park semi-trailers and trucks on the street adjacent to their property; provided they are licensed and registered in the business/owners name.

(Ord. 282 passed 7-21-2005)

PARKING TIME LIMITS.**§ 72.15 PARKING LIMITED.**

(A) (1) No motor vehicle as defined in M.S. 169 shall remain parked at any 1 place on any street, avenue, or alley in this municipality for more than 24 hours continuously, and no motor vehicle shall be parked on any street which has been designated as a state trunk highway between the hours of 2 a.m. and 6 a.m. for more than 15 minutes.

(2) Parking within 1 block of the original place shall constitute parking in the same place.
(1957 Code, § 715:01)

(B) Any person violating any provisions of this section shall be guilty of a misdemeanor.
(1957 Code, § 715:02)
Penalty, see § 10.99

§ 72.16 TRUCKS AND THE LIKE.

No tractors, agricultural or heavy equipment, trucks other than pickup trucks, trailers or automobiles to which a trailer is attached shall remain parked at any 1 place for more than 15 minutes on any of the following described streets: on 9th street between the Twin Cities & Western Railroad tracks and Fairview Avenue; on Lincoln between 11th and 7th Street; on 8th Street between Lincoln and DePue Avenue; and on DePue Avenue between 10th and 7th Street.
(1957 Code, § 715:03) Penalty, see § 10.99

§ 72.17 DOUBLE PARKING.

(A) No automobile, truck, agricultural or heavy equipment, trailer, tractor or motor vehicle of any kind shall double park at 1 place on any of the streets heretofore mentioned in § 72.16 for more than 3 minutes.
(1957 Code, § 715:04)

(B) Any person violating any provisions of this section shall be guilty of a misdemeanor.
(1957 Code, § 715:05)
Penalty, see § 10.99

§ 72.18 SALES TRUCKS.

It shall be unlawful at all times for any person, firm, or corporation owning, operating, or controlling any vehicle used for the purpose of selling, vending, or distributing any goods, wares, merchandise, farm products, or any article offered for sale to the public at retail, to park the vehicle, for the purpose of sale of the goods, on any of the following described streets within the City of Olivia: the whole of Lincoln

Avenue, (commonly known as State Highway 212); and Ninth Street, from the Twin Cities & Western Railroad tracks to Fairview Avenue.

(1957 Code, § 715:06) Penalty, see § 10.99

CHAPTER 73: TRAFFIC SCHEDULES

Schedule

I. Truck routes

Cross-reference:

For truck parking, see §72.04

SCHEDULE I. TRUCK ROUTES.

(A) The terms used in this schedule shall be defined as set out in M.S. § 169.01, as it may be amended from time to time, the meaning of any other term used herein not defined by the state statute shall have its common usage and meaning.

(B) It is hereby established the following classifications of public roads within the City of Olivia, Minnesota.

(1) *Restricted streets or alleys.* Restricted streets or alleys shall include all of the public streets and alleys within the City of Olivia which are not otherwise designated as truck routes.

(2) *Truck routes.* Truck routes are hereby established as the following public streets in the City of Olivia, Minnesota:

- (a) All state highways;
- (b) All county roads; and
- (c) The following city streets:

1st Street
2nd Street from Oak Avenue, north to Fairview Avenue
5th Street from Park Avenue, north to Lincoln Avenue
7th Street from south line of Pheasant Lawn First Addition north to Willow Avenue
8th Street from Fairview Avenue, north to the Twin Cities & Western Railroad tracks

9th Street from Chestnut Avenue, north to Tree Claim Road
Alleys on Blocks 1, 2, 3, 4, 6, 7, and 10, Original Plat of the City
10th Street from DePue Avenue, north to the railroad tracks
11th Street from Lincoln Avenue, South 1/2 block to alley
City parking lot behind City Hall
North 1/2 of alley located on the east side of City Hall in Block 5 of the Original Plat
11th Street from Lincoln Avenue, north to Elm Avenue
Alley on Block 12, Hein's Park Addition
13th Street Service Drive
14th Street from DePue Avenue, north to Lincoln Avenue
15th Street from DePue Avenue, north to Lincoln Avenue
Corn and Bean Street
Behlen Street
Bayberry Avenue West (from Highway 71 to the Wastewater treatment plant)
22nd Street from Fairview Avenue, north to the Twin Cities & Western Railroad tracks
26th Street from Fairview Avenue, north to the Twin Cities & Western Railroad tracks
Maple Avenue from the alley in Block 12, Hein's Park Addition, east to 9th Street
Walnut Avenue from the alley in Block 12, Hein's Park Addition, east to 9th Street
Elm Avenue from 12th Street, east to 9th Street
Rainbow Lane
Gulf Drive
Service drive in Olivia Development Park, continuing east to Corn and Bean Street
DePue from 15th Street, east to 13th Street
DePue from 10th Street, east to 8th Street
Fairview Avenue West to Healthy Way
Healthy Way
Park Avenue from 7th Street, east to 5th Street

Pine Avenue from 9th Street, east to 7th Street
Chestnut Avenue from 13th Street, east to 9 th Street
13th Street from Lincoln Avenue, north to the railroad tracks
13 1/2 Street from Lincoln Avenue, north to the railroad tracks
14th Street from Lincoln Avenue, north to the railroad tracks
Oak Avenue from 7th Street, east to Nester Street
Service drive through Milan's subdivision

(C) No persons, firm, or corporation shall operate, drive, tow, or park any vehicle or any combination of vehicles with a motor vehicle classification of J, K, L, M, N, O, P, Q, R, S, or T pursuant to M.S. § 168.013, as it may be amended from time to time, displayed on its license plates on any restricted public street or alley.

(D) Vehicles with a motor vehicle classification of J, K, L, M, N, O, P, Q, R, S, or T pursuant to M.S. § 168.013, as it may be amended from time to time, displayed on its license plates, which are otherwise lawful under Minnesota Statutes to travel on state highways shall be permitted upon streets designated as truck routes, provided they do not violate any other traffic or parking law, statute, or ordinance. The above-described motor vehicle license classifications currently relate to maximum gross weights per vehicle in excess of 21,000 pounds. If a vehicle is registered in another state, the criterion for allowing a vehicle on a nontruck route shall be the license classification in that state which allows a gross vehicle weight less than 21,000 pounds gross vehicle weight.

(E) Fire trucks, electric utility trucks, refuse haulers, heating fuel trucks, school buses, and milk and milk product delivery trucks are given special permission to proceed with normal operations on their regularly established routes and at all regularly established hours to protect the health and welfare. During spring road postings, additional permits will be required from the City Administrator.

(F) In those instances where it is necessary for vehicles prohibited upon restricted public streets or alleys to use the same to load, unload, or to travel to and from a place of business or to be serviced or repaired, then the owner and/or driver shall obtain a permit for the purpose from the City Administrator before using the same for the purpose. The permit shall be granted only where there is no reasonable truck route which would lead to the same destination. Prohibited vehicles making no bona fide stops within the City of Olivia, Minnesota, for fuel, service, conduct of business, loading or unloading, however, are restricted to truck routes, as in each case applies notwithstanding the directness of the route to the vehicle's destination.

(G) The Police Chief or any authorized police officer on duty may from time to time authorize prohibited vehicles to use a restricted public street or alley in emergency situations.

(H) Violation of any of the provisions of this schedule shall be a misdemeanor.

(I) This schedule shall take effect and be in force from and after its passage and publication.
(Ord. 212, passed 3-16-1987, Amended by Ord. 2015-05, 12-7-2015) Penalty, see § 10.99