

CHAPTER VII.

TRAFFIC AND MOTOR VEHICLES

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701.00 TRAFFIC REGULATION

- 701.01** The following sections of the Minnesota Motor Vehicle and Highway Traffic Regulation laws are hereby adopted, in so far as applicable to the regulation of traffic and motor vehicles in the City of Sacred Heart:
1. Minn. Stat. Chapter 169 and Chapter 169A.01, as amended.
 2. Minn. Stat. Chapter 168, §168.041, §168.10 (subd. 3 and 4), §168.39, and §168.45; as amended.
 3. Minn. Stat. Chapter 171, §171.01, §171.02, §171.03, §171.08, §171.22, §171.23, and §171.24; as amended.
 4. Minn. Stat. Chapter 609, §609.55, §609.595, §609.60, and §609.605; as amended.
- (a) All violations of the preceding sub-sections shall be punishable as a misdemeanor in so far as City prosecutions are concerned.
- 701.02** Wherever applicable, the words "Chief of Police" shall be substituted for "Commissioner" or "Commissioner of Highways" in the above adopted statutes.
- 701.03** Copies of the above adopted statutes shall be filed by the City Clerk in his office for the inspection and use of the public and shall be marked with the words "City of Sacred Heart - Official Copy."

702.00 PARKING

- 702.01** All vehicles parking on Maple Street, also known as U.S. Highway 212, shall be parked parallel to the curb. All parking is prohibited on Maple Street, also known as U.S. Highway 212, except from 3rd Avenue to Harrison Avenue.
- 702.02** All vehicles parking on 1st Avenue, 2nd Avenue, and 3rd Avenue, between the railroad right-of-way and Walnut Street shall be parked at an angle of 45 degrees to the curb. Where proper parking marks have been placed upon the curb, all vehicles shall park between such marks.
- 702.03** No vehicle shall be parked where the curb is painted yellow, or nearer than 25 ft. to the corner of the block.
- 702.04** No vehicle shall be parked within 25 ft. of a fire hydrant.
- 702.05** No truck of a capacity of one ton or more shall hereafter be parked upon Maple Street, from 1st Avenue to 3rd Avenue, except for the purpose of and while receiving, buying, loading, delivering or unloading commodities in the regular course of business with the occupant of the abutting property, and no vehicle or machinery shall be permitted to stand upon any street for the purpose of sale or exchange, and any vehicle bearing a sign indicating that it is for sale or exchange, shall be deemed prima facie evidence of a violation of this chapter.
- 702.06** **Penalty.** Any person violating any provision of this chapter, shall be guilty of misdemeanor and upon conviction thereof, shall be punished to the fullest extent of the law.

703.00 PARKING PROHIBITED

- 703.01** It shall be unlawful for any person, partnership, corporation, owning, operating, or controlling any vehicle used for the purpose of selling, vending or distributing any goods, wares, merchandise, farm produce or other products offered for sale to the public at retail, to park the said vehicle for the purpose of such sale or distribution on any of the following streets within the City:
1. Maple Street, also known as U.S. Highway 212; Walnut Street, between Harrison Avenue and 4th Avenue; or on the railroad right-of-way between Harrison Avenue and 4th Avenue.
 2. Harrison Avenue, 1st Avenue, 2nd Avenue, 3rd Avenue, and 4th Avenue between the railroad right-of-way and Walnut Street.
- 703.02** It shall be unlawful for any person, business, or other entity to park a commercial vehicle, truck-tractor, or semi-trailer on public property, including the streets of this City, in a residential district. The parking of a truck-tractor and/or semi-trailer, or other commercial type vehicle, excluding pickup trucks or vans, more than 15,000 pounds gross vehicle weight. "Truck-tractor" shall mean that term as defined in Minn. Stat. §168.011, Subd. 14. A commercial vehicle shall include but not limited to buses, dump trucks, tow trucks, truck-tractors, step vans, cube vans, delivery trucks and the like.
- Exceptions.** Commercial vehicles, truck-tractors and/or semi-trailers which are actively engaged in loading, unloading, or providing a service, truck-trailers and/or semi-trailers associated with public or private construction and parked within 500 feet of the construction location.
- 703.03** **Penalty.** Any person violating this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished to the fullest extent of the law.

704.00 SNOW EMERGENCIES

- 704.01** **Purpose.** That all motor vehicles shall not be parked on City streets during and after any snowfall or as conditions, such as drifting, warrant the plowing of streets as determined by city maintenance personnel. Vehicles will be towed and/or fines issued. There will be NO WARNING TICKETS ISSUED.
- 704.02** **Penalty.** The owner shall be responsible for the costs of towing and storage; in addition, the violation of this ordinance shall constitute a petty misdemeanor and owner shall pay a fine of \$100.00 for the first offense, \$100.00 for second offense; and \$100.00 for each offense thereafter.

705.00 UNREASONABLE ACCELERATION

- 705.01** **Unreasonable Acceleration.** No person shall start or accelerate any motor vehicle with unnecessary exhibition of speed on any public or private way within the City of Sacred Heart. Prima Facie evidence of such 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 said vehicles; or the swerving of the rear of the vehicle from side to side.
- 705.02** **Penalty.** Any violation of this ordinance shall constitute a petty misdemeanor as

defined in the Statutes of the State of Minnesota and shall provide for a sentence or a fine of not more than \$100.00.

706.00 ALTERNATIVE TRANSPORTATION

706.01 Alternative Transportation. Except as provided in the section below, all alternative transportation is prohibited in the City of Sacred Heart.

706.02 Definitions.

1. **Alternative Transportation.** Any vehicle, other than those that are legal to operate on the Streets and Highways within the State of Minnesota, including, but not limited to: Golf Carts, Go-Carts, Four Wheeled Vehicles, Lawn Tractors, Off Road Vehicles (ORV's) or any mode of conveyance that uses battery, wind power, gasoline, propane, another form of fuel or a combination of these to transport a person or persons from one location to another.

706.03 Exclusions. This Ordinance does not pertain to bicycles, skateboards, roller skates, roller blades or lawn tractors actively being operated for the sole purpose of lawn care, or authorized scooters unless the conveyance in question has been altered as to make it reliant in any way on battery, wind, or gasoline for its operation.

706.04 Exceptions. The Sacred Heart City Council, by unanimous vote, can authorize any person and alternative transportation to be used on the city streets of Sacred Heart excluding Maple Street.

706.05 Transferability. The authority granted to a citizen, by the Sacred Heart City Council, to use alternative transportation is for that individual and that mode of conveyance only. The authority is non-transferable to another party or any other alternative transportation.

706.06 Operating Permits. The Sacred Heart City Council may authorize any citizen of Sacred Heart to operate alternative transportation in the City Limits. Citizens must meet and maintain the following to be eligible for a permit:

1. Citizens who obtain and maintain a State Handicapped sticker, Handicapped license plate, or Handicapped placard are eligible to apply for a permit to operate an alternative motorized vehicle.
2. Citizens must present their request in writing or come before the City Council at an open meeting and request a permit to operate alternative transportation and approval of said alternative transportation.
3. A permit given to a person to use alternative transportation is not transferable to any other person or to any other alternative transportation unless that person and/or that alternative transportation is authorized by the Sacred Heart City Council.
4. An individuals' permit to operate alternative transportation can be rescinded by the City Council at any time.

706.07 Operation.

1. **Months of Operation.** Authorized alternative transportation may be operated between the dates of April 15 to October 15 of each calendar year.

2. **Hours of Operation.** Authorized alternative transportation may be operated from one (1) hour after sunrise to one (1) hour before sunset.
3. **Inclement Weather.** No alternative transportation may be used during or immediately after inclement weather. This includes but is not limited to, snow, sleet, rain, thunderstorms, fog, hail, high winds, lightning storms, tornados, or any other declared weather emergency by the state or local emergency personnel, County or City Emergency Managers, County Sheriff, or City Police. "Immediately after" is defined as a time limit of no less than one (1) hour since the inclement weather ceased or an end has been declared to any weather emergency.
4. **Right of Way.** Authorized alternative transportation must be operated with due regard to motorized traffic, which has the right of way. Alternative transportation should be operated to the far-right side of the road on which they are traveling. Alternative transportation must travel with the flow of traffic. Alternative transportation is required to give right of way to any recognized motor vehicle which carries a license plate issued by the Department of Vehicle Services. This includes, but is not limited to, trucks, cars, buses, motorcycles, vans, and motor homes (RV's). This does not include Off Road Vehicles (ORV), which are also licensed but not authorized for road use.
5. **Area of Operation.** Authorized alternative transportation may be operated on streets, avenues, or alley ways in the city limits of Sacred Heart except for Maple Street, also known as Highway 212. No alternative transportation is authorized for use on Maple Street at any time.

706.08

Loss of Privileges. The Sacred Heart City Council may, at any time, rescind, cancel, or suspend a person's permit to operate alternative transportation or the permit for the use of any alternative motorized vehicle.

1. **Reasons for Cancellation.** If, for any reason, the Sacred Heart City Council votes to cancel or suspend an approved permit to operate alternative transportation, the City must notify the canceled or suspended party in writing within ten (10) days of the City Council's decision to cancel or suspend the permit, the reason for the cancellation/suspension and the length of the cancellation/suspension. Reasons for cancellation or suspension include, but are not limited to, the following:
 - (a) Failure to maintain a handicapped sticker, license place, or placard.
 - (b) Allowing unauthorized operators to operate approved alternative transportation.
 - (c) Operating alternative transportation on Maple Street (Highway 212).
 - (d) Operating alternative transportation that has not been approved.
 - (e) Operating alternative transportation in such fashion as to endanger life or property.
 - (f) Loss of a valid Minnesota Driver's License due to DWI, Careless Operation, Criminal Vehicular Operation, or due to Medical Cancellation from loss of sight.
 - (g) Multiple violations of the Ordinance.

(h) Any other reason the Sacred Heart City Council deems necessary.

706.09 Lighting. Alternative transportation is recommended, but not required, to have an external lighting source to either the front or the rear. If a person chooses to place lighting on alternative transportation, they may place no more than two white lights to the front, two amber turn signal lamps to the front and two red lights to the rear of the vehicle. No other color of lighting is authorized. No flashing or strobe lighting is authorized with the exception of a turn indicator, which flashes when illuminated immediately prior to and during a turn.

706.10 Liability. Any person requesting and obtaining a permit for operating alternative transportation is solely responsible for the alternative transportation's maintenance, operation, insurance and, if necessary, license and signage. The permitted party and alternative transportation waive the City from any liability in its use, care, and operation.

706.11 Penalties. Any violations of this section are in violation of local Ordinance and deemed a Petty Misdemeanor offense. A fine of no less the \$50.00 or more than \$100.00 and/or loss or suspension of permit may be imposed.

706.12 Effective Date. This Ordinance shall become effective upon its publication.

707.00 ALL-TERRAIN VEHICLES

707.01 Purpose. An Ordinance regulating the operation and use of all-terrain vehicles in the City of Sacred Heart.

707.02 Statutes. Minn. Stat. §84.92 through §84.928, and all sections amending and supplementing those sections, are hereby adopted by reference.

707.03 Registration. All-terrain vehicles operated within the City of Sacred Heart shall be registered as required by Minnesota Statute and must be registered with the Commissioner of Natural Resources.

707.04 Operation.

1. All-terrain vehicles shall not be operated on any sidewalk or boulevard, except that sidewalks and boulevards may be crossed at a 90-degree angle, after yielding to all persons using such sidewalks or boulevards, such crossings to be solely for the purpose of gaining access to a public street.
2. All-terrain vehicles shall not be operated on any private property without the previous consent of the property owner.
3. All-terrain vehicles shall not be operated on any cemetery land, city park or recreation area, or school property without the prior consent of the governing body of said property.
4. All-terrain vehicles shall always yield the right of way to pedestrians and oncoming traffic, and at intersections with restricted vision, all-terrain vehicles shall come to a complete stop before crossing.
5. All-terrain vehicles may operate on city streets, alleyways, and other public

roadways within the City limits ONLY FOR THE PURPOSE OF ENTERING OR LEAVING TOWN BY THE MOST DIRECT ROUTE from place of origin, or when traveling to or from a repair shop for repairs. At all times, all-terrain vehicles shall be operated as far to the right side of a public street or roadway as possible, in single file, and at a speed not to exceed 15 miles per hour.

707.05 Youthful Operators.

1. A person under 12 years of age shall not operate an all-terrain vehicle on any city street.
2. A person 12-15 years of age shall not operate an all-terrain vehicle on any city street.
3. In order to operate an all-terrain vehicle on city streets, a person 16 years or older must have a valid Minnesota driver's license or a valid driver's license issued by another state.