

## CHAPTER 71: PARKING REGULATIONS

### Section

- 71.01 No parking where posted
- 71.02 Limited parking
- 71.03 Other parking restrictions
- 71.031 Commercial Activity in Parking Area
- 71.032 Street Sweeping Parking Regulation
- 71.033 Parking Fire Lane Zone
- 71.034 Parking Regulations on Kenilworth Avenue
- 71.035 Permitting and Regulating Parking in Ballfield Area
- 71.04 Declaration of snow emergency; parking prohibited
- 71.042 Parking During Snow Removal
- 71.043 No Parking for Emergency Snow Removal
- 71.05 Parking certain semi-trailers or tractors on public streets prohibited
- 71.06 Overnight parking
- 71.07 Repairing of vehicles
- 71.08 Prohibiting parking areas in front yards in residential zones
- 71.09 Impoundment
- 71.10 Prima facie violation

### ***Cross-reference:***

*Abandoned vehicles, see Chapter 90*

### **' 71.01 NO PARKING WHERE POSTED.**

(A) No person shall stop, stand or park a vehicle upon the public streets of the city at any place where official signs or where appropriate devices, marks, or painting, either upon the surface of the street or the curb immediately adjacent thereto, prohibit these acts.

(B) Pursuant to M.S. ' 168B.035, the City Police Chief, if any, or the City Council may appoint as many parking enforcement officers as are needed to enforce the provisions of this chapter. The parking enforcement officers shall be subordinate to the Chief of Police, if there is one, or the City Administrator/Clerk. A ***PARKING ENFORCEMENT OFFICER*** is an individual whose services are utilized by a law enforcement agency to provide parking enforcement and administrative or clerical assistance and who is not a sworn and licensed police officer. A parking enforcement officer=s duties shall not include enforcement of the general criminal laws of the state, and the parking enforcement officer does not have full powers of arrest or authorization to carry a firearm on duty.

Penalty, see ' 10.99

**' 71.02 LIMITED PARKING.**

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

Penalty, see ' 10.99

**' 71.03 OTHER PARKING RESTRICTIONS.**

(A) The City Council may by resolution order the placing of signs, devices or marks, or the painting of streets or curbs prohibiting or restricting the stopping, standing or parking of vehicles on any street where, in its opinion, as evidenced by a finding in its official minutes, the stopping, standing or parking is dangerous to those using the highway, or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic. The signs, devices, marks or painting shall be official signs, devices, marks or painting, and no person shall stop, stand or park any vehicle in violation of the restrictions thereon or as indicated thereby.

(B) ANo parking@ signs may be placed by city employees on any street of the city to permit construction, repair, snow removal, street cleaning or similar temporary activities. While the signs are in place, it shall be unlawful to park any vehicle on the streets or portion thereof so posted.

(C) It shall be unlawful for a person to park in an area designated by Council resolution and posted as a fire lane.

(D) It shall be unlawful for a person to park a vehicle or permit it to stand, whether attended or unattended, on an alley within the city, provided that this does not prohibit the parking of vehicles for less than one hour on an alley for the purpose of access to abutting property for loading or unloading merchandise or other material when parking on the property itself is not available.

(E) It shall be unlawful for a person to park a motor vehicle in an area designated by posted signs pursuant to Council resolution for certain types of vehicles, unless the motor vehicle is one of the types of vehicles specifically permitted.

(F) Every vehicle parked upon any street with a curb shall be parked parallel to the curb, unless angle parking is designated by appropriate signs or markings. On streets with a curb, the right-hand wheels of any vehicle parked shall be within one foot of the curb. On streets without a curb, the vehicle shall be parked to the right of the main traveled portion of the street and parallel to it and in such a manner as not to interfere with the free flow of traffic, unless angle parking is designated by appropriate signs or markings.

Penalty, see ' 10.99

**' 71.031 COMMERCIAL ACTIVITY IN PARKING AREA**

Commercial activity in the parking lot is prohibited. Nothing shall be offered for sale or sold,

rented or traded in or on said parking lots, and no item of a commercial enterprise shall be stored on said lot, or parked on said parking lot. Violation of this ordinance shall be punished by up to a \$300 fine for each violation, and a violator shall be subject to towing and impoundment of the vehicle or item in violation, at the expense of the violator. For purposes of this ordinance, the violator shall be deemed to be the registered owner of the vehicle or item that constitutes the violation.

#### **‘ 71.032 STREET SWEEPING PARKING REGULATIONS**

No person shall leave an obstruction, park, or leave unattended any vehicle on a street at such place and time that has “No Parking” so designated. A violation of this provision shall be punishable by a fine of \$15 for the first offense, \$30 for the second offense, with the vehicle being towed, at the owners’ expense for the third offense. This fine schedule may be amended from time to time by City Council resolution. Motor vehicles parked or obstructions placed, in violation of this section shall be duly noted by the street sweeper operator, and evidence of ownership of said vehicle or obstruction shall be referred to the Lanesboro Police Department, at which time a citation will be issued by mail, or by personal service, to the owner of said vehicle or obstruction. That owner shall be liable for the violation of this section, whether or not that owner was the driver parking said vehicle or leaving it unattended, or leaving said obstruction unattended.

#### **‘ 71.033 NO PARKING FIRE LANE ZONE**

The City hereby establishes the following fire lanes, and does hereby ordain that official signage declaring the same be posted thereon: The intersection of Kenilworth Ave and Elmwood Street East 375 feet on the North side of Elmwood Street. Any person who obstructs a fire lane duly designated as such by official signage shall have the obstruction removed at the expense of the registered owner, and the registered owner shall be subject to a fine, for each violation, of \$25.00.

#### **‘ 71.034 PARKING RESTRICTIONS ON KENILWORTH AVE N**

That portion of the West side of Kenilworth Ave. N. in the City of Lanesboro, located between the intersections of Elmwood Avenue and Coffee Street, is subject to heavy pedestrian and vehicle traffic due to its proximity to the downtown of Lanesboro, the Minnesota State Recreational Trail, and other attractions.

- A. Parking on the east side of Kenilworth Ave., North, between the intersections of Elmwood Avenue and Coffee Street, shall be parallel parking only.
- B. Violators of this ordinance shall be punished by up to a \$300 fine plus costs of prosecution and statutory surcharges, according to the administrative fee schedule established for the City of Lanesboro.

#### **‘ 71.035 PERMITTING AND REGULATING PARKING IN BALLFIELD AREA**

1. Parking at the Ballfield Parking Area shall only be within the confines designated by the City of Lanesboro. The City will erect signage or otherwise reasonably identify the spaces to be used for parking.

2. The City of Lanesboro may deny or withdraw permission to park in the Ballfield Parking Area in its sole discretion, for any reason or no reason.
3. The City of Lanesboro is not responsible for damage to any vehicle, or the loss of contents of any vehicle parked in the Ballfield Parking Area.
4. Parking shall be done so as to avoid any damage to the ground or location on which the vehicles are parked.
5. The City of Lanesboro is not providing any form of security in the Ballfield Parking Area, or security for access thereto, and thus is not responsible or liable for any acts against any person or property occurring while parked at the Ballfield Parking Area.
6. Parking at the ballfield is done at the user's own risk, the City having no duty to the user whatsoever.
7. Parking permission at the Ballfield Parking Area does not include permission to use the location for any purpose except parking.
8. The City shall designate eight spaces for parking in the Ballfield Parking Area, each being fifteen feet in width. The City shall issue an individual permit for each of the designated parking spaces. Limit one permit per person/business entity.
9. Duration of permits shall be from April 01 through October 01, or the first snowfall whichever occurs first. Permit fees shall be set by ordinance annually.
10. Permits may be issued to Commercial and Non-profit organizations. Previous permit holders shall be given first priority each year, permits must be purchased prior to April 01. After April 01, permits will be issued on a first come, first served basis.
11. Violation of this Ordinance is a petty misdemeanor, punishable by a fine of up to \$300. In addition, violators shall be subject to towing and impoundment of their vehicle at their sole expense.

#### **' 71.04 DECLARATION OF SNOW EMERGENCY; PARKING PROHIBITED.**

(A) The Mayor, Police Chief or other designated official may declare a snow emergency in the city. The emergency shall continue in effect for a period of 24 hours or until the snow has been removed from the city's streets or until the snow emergency has been rescinded by action of the Mayor, Police Chief or other designated officer.

(B) Notice of the declaration of a snow emergency shall be given by notifying the local news media; however, the notification shall be a service aid only and not a duty on the part of the officials.

(C) During a declared snow emergency or after two inches or more of snow have accumulated, no motor vehicle shall be left parked on any street or public way in the city until the declared emergency is canceled or, if no emergency is declared, until the street is cleared on both sides of accumulated snow.

(D) During a declared snow emergency, any police officer or city appointed parking enforcement officer, appointed pursuant to M.S. ' 168B.035, Subd. 2, who finds a motor vehicle in violation of this section shall attempt to contact the owner of the motor vehicle and require the

owner to immediately move the motor vehicle so as not to be in violation of this section. If the owner does not immediately remove the motor vehicle or the owner cannot be located, the police officer or city appointed parking enforcement officer, appointed pursuant to M.S. ' 168B.035, Subd. 2, is authorized to have the motor vehicle removed at the owner's expense.

Penalty, see ' 10.99

#### **‘ 71.042 PARKING DURING SNOW REMOVAL**

1. Precipitation amount. When snowfall in the City of Lanesboro has accumulated to an inch, the following parking prohibitions shall apply.

A. There shall be no parking whatsoever on snow emergency routes. Snow emergency routes are the following in the City of Lanesboro: All of County Road 8, All of CSAH 250, All of Ridgeview Avenue, Kenilworth Ave North to Hillcrest to Ridgeview. Vehicles and obstructions must be removed immediately from said snow emergency routes. Failure to do so will result in the penalties provided in paragraph 2 below.

B. In all other street and alley locations in the City of Lanesboro, any vehicle or any obstruction must be moved from a street or alley, within 12 hours from the time of said one inch accumulation, to a place that has been plowed by the City.

2. Violations: A violator shall be subject to the following sanctions: \$25.00 fine per incident, All towing costs, and All storage costs.

#### **‘ 71.043 AN ORDINANCE DESIGNATING CERTAIN RIGHTS-OF-WAY AS NO PARKING FOR PURPOSES OF EMERGENCY SNOW REMOVAL.**

a. Location. This no parking designation is on both sides of the street or right away in the following location in the City of Lanesboro: all of Kirkwood Street West.

b. Applicability. The no-parking at the above location shall apply and be enforced when the snow accumulation reaches 1 inch or more.

c. Penalty. Violation of this ordinance shall constitute a petty misdemeanor with a fine not to exceed \$300.

#### **' 71.05 PARKING CERTAIN SEMI-TRAILERS OR TRACTORS ON PUBLIC STREETS PROHIBITED.**

No person shall park a semi-tractor or trailer, or any truck rated with a gross vehicle weight in excess of 10,000 pounds, in any area of the city zoned for residential use or other area designated

by City Council resolution except when the vehicle is parked in a completely enclosed garage.  
Penalty, see ' 10.99

**' 71.06 OVERNIGHT PARKING.**

The following vehicles shall not be allowed to park on city streets overnight: repair, delivery, rented vehicles with commercial plates and refuse and recycling haulers or any other vehicle not registered as a passenger vehicle.

Penalty, see ' 10.99

**' 71.07 REPAIRING OF VEHICLES.**

Minor repairs and tune-ups, such as replacement of spark plugs, spark plug wires, thermostat, radiator or heater hoses, oil changes and brake jobs shall be permitted on city streets; provided, that they can be accomplished within the same day and completed by 10:00 p.m. All other repairs shall be considered major repairs and shall not be permitted on any city street, unless the repairs are made within an enclosed structure allowed within the zoning district. Damage to city streets because of repairs or lack of repairs shall be charged to the person responsible for the damage to the city streets.

**' 71.08 PROHIBITING PARKING AREAS IN FRONT YARDS IN RESIDENTIAL ZONES.**

(A) The construction, operation or maintaining a parking area, either paved or unpaved, in the front yard of any lot is prohibited in any area zoned for residential use. For the purpose of this section, front yard shall mean and include that area between the sidewalk, or street line in the event there is no sidewalk, and the front line of the principal building, extending in both directions to the side lot lines.

(B) Use of that portion of a vacant lot within 30 feet of the sidewalk lines for parking in an area zoned for residential use is prohibited.

(C) Driveways in any area zoned for residential use shall not exceed 25% of the width at the front or side lot line. Where more than one driveway is desired or required, they shall be at least 70 feet apart.

(D) The front part of any lot shall not be used for the parking of an automobile, truck, trailer, tractor, recreational vehicle, camper, travel trailer, camper top, tent, wagon, boat, boat trailer, storage area or motor home.

(E) No person, being the owner or having control of any building, shall violate or fail to conform to any provision of this section, or fail to obey any lawful order of an officer charged with

its enforcement. Each and every day on which any person continues to violate the provisions of this section, after having been notified of the violation, shall constitute a separate offense. This conviction shall not relieve any person from thereafter complying with the provisions of this section, and shall be sufficient cause to refuse further building or land use permits to the offender until a time as the orders have been complied with.

Penalty, see ' 10.99

#### **' 71.09 IMPOUNDMENT.**

Any police officer or city appointed parking enforcement officer, appointed pursuant to M.S. ' 168B.035, Subd. 2, may order the removal of a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic or hinders snow removal, street improvements or maintenance operations. The vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for violation of this chapter.

#### **' 71.10 PRIMA FACIE VIOLATIONS.**

Pursuant to M.S. ' 169.34, Subd. 2, as it may be amended from time to time, the presence of any motor vehicle on any street when standing or parked in violation of this chapter is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.