

## CHAPTER 8

### 80.00 TRAFFIC REGULATION

**80.01 Highway Traffic Regulation Act Incorporated by Reference.** The regulatory provisions of Minnesota Statutes, Chapter 169, are hereby adopted as a Traffic Ordinance regulating the use of highways, streets and alleys within the City of Kerkhoven, and except as otherwise provided by Ordinance, are hereby incorporated in and made a part of this Ordinance as completely as if set out herein in full.

**80.02 Careless Driving.** No person shall operate or halt any vehicle upon a street or highway within the City of Kerkhoven carelessly or heedlessly in disregard of the rights and safety of others, or in a manner so as to endanger or likely to endanger any person or property.

**80.03 Speed Regulations.** No person driving a vehicle within the City of Kerkhoven shall drive the same at a speed greater than is reasonable and prudent under the conditions, and having regard to the actual and potential hazards then existing. In every event, speed shall be so restricted as may be necessary in order to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with the legal requirements, and it shall be the duty of all persons to use due care. No person shall drive a vehicle at such a slow speed as to impede and block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation, or in compliance with [the] law. Until the streets of this City have been zoned as authorized by the State Highway Traffic Regulation Act, no vehicle shall be driven thereon at a speed in excess of thirty (30) miles per hour. On any street where a different speed zone had been so established and signs have been posted calling attention to such zone, no vehicle shall be driven in the City of Kerkhoven at a speed greater than that indicated on such signs.

**80.04 Exhibition Driving Prohibited.** No person shall turn, accelerate, decelerate, or otherwise operate a motor vehicle within the City of Kerkhoven in a manner which causes unnecessary engine noise or backfire, squealing tires, skidding, swaying, throwing of sand or gravel, or in a manner simulation a race. Unreasonable squealing or screeching sounds emitted by tires, or the unreasonable throwing of sand or gravel by the tires is prima facie evidence of a violation of this section.

**80.041 Penalty.** Any person violating any provision of Section 80.04 shall be guilty of a petty misdemeanor.

**80.05 Through Highway.** Pursuant to the authority of Minnesota Statutes 169.04, all that portion of Trunk Highway No. 12 located within the limits of the City of Kerkhoven is hereby designated as a through highway.

- 1) It shall be unlawful for the driver of any vehicle to fail to stop before entering the through highway established above.
- 2) Stop signs of a design approved by the Commissioner of Highways shall be posted upon or at the street entrances to the through highway designated by this chapter.

**80.06 Through Streets.** The Chief of Police by a written designation approved by the Mayor and filed with the City Clerk may designate any street as a through street, and any intersection as a stop intersection where necessary to preserve the free flow of traffic and to prevent accidents, and he shall post appropriate signs at the entrance to such streets or intersections; but no trunk highway shall be designated as a through street and no intersection unless the consent of the Commissioner of Highways to such designation, is first secured. Every driver of a vehicle shall bring his vehicle to a full stop before entering any stop street or intersection properly designated and posted as such by the Commissioner of Highways or the Chief of Police.

**80.07 Stop Intersections.** The Chief of Police, by a written designation approved in writing by the Mayor of the City and by one member of the Traffic Committee of the City Council and filed with the City Clerk, may

designate any intersection in any part of the City as a "Stop" intersection, from whichever direction it may be approached by traffic, where necessary to preserve the free flow of traffic, to prevent accidents, and particularly to safeguard children, students, and pedestrians in, about and near school buildings in the City of Kerkhoven; said designations may provide that certain intersection shall be a "Stop" intersection only during certain hours of the day, or when due and appropriate signs are posted in, at or upon said intersections; any person who shall drive an automobile through such an intersection of streets, when duly posted as herein provided, shall be subject to all of the penalties provided in this Ordinance for violation thereof.

**80.08 U Turns Prohibited.** No vehicle shall be turned so as to proceed in the opposite direction upon any portion of State Highway No. 12 located within the city limits of the City of Kerkhoven. The prohibitions of this chapter include a reverse turn in the form of a U and also prohibit turns executed by backing into a street or alley and thereby changing the course of travel.

**80.09 Parking Regulations.**

- 1) Angle Parking. Angle parking shall be required on all streets where marked by painted stripe or signs. On any street where angle parking is permitted the vehicles parked shall be parked with the front of such vehicle facing the curb or the edge of the traveled portion of the street at an angle approximately forty-five (45) degrees.
- 2) Parallel Parking. On all streets other than those named in subdivision 1) herein, parallel parking shall be required. On any such street with the street having a curb, every vehicle shall be parked parallel to the curb and with the right hand wheels of such vehicle within twelve (12) inches of the curb. On any such street without a curb, every vehicle shall be parked to the right of the main traveled portion thereof and parallel thereto, and in such a manner that it shall not interfere with the free flow of traffic.
- 3) Parking Prohibited. No person shall park their vehicle or permit it to stand, whether attended or unattended, upon any street or highway within the City in any of the following places:
  1. On the sidewalk.
  2. In front of a public or private driveway.
  3. Within an intersection.
  4. Within fifteen (15) feet of a fire hydrant.
  5. On a crosswalk.
  6. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
  7. Upon a bridge or any other elevated structure.
  8. Upon a highway except as otherwise provided by Ordinance.
  9. Alongside or opposite any street excavation when such stopping, standing or parking would obstruct traffic.
  10. At any place where official signs prohibit stopping.
- 4) Camping Prohibited. No person shall, for camping purposes, leave or park a house trailer on any street or the right-of-way thereof.

- 5) Stopping Prohibited. No person shall stop or park a vehicle on a street when directed to proceed by any peace officer with authority to direct traffic.
- 6) Advertising Prohibited. No vehicle shall be parked on any street for the purpose of displaying it for sale.
- 7) Disabled Vehicle. All vehicles parked upon any street within this City shall be parked only in accordance with the provisions of the foregoing Ordinances or Ordinances subsequently adopted, however, these provisions shall not apply to any vehicle disabled upon any street. A police officer of this City may require the person in charge of said vehicle to move it to a place of safety and if such movement is not made or any motor vehicle is left alone or abandoned in any such position, the officer may provide for the removal of such vehicle to the nearest convenient garage or other place of safekeeping.
- 8) Towing of Snowbirds. Any vehicle used infrequently enough to be considered a nuisance to street maintenance will be towed away at the owner's expense. The City of Kerkhoven or the tow unit will not be held responsible for any damage done in towing.

**80.10 Driving Under the Influence of Liquor or Narcotics.** No person who is a habitual user of narcotic drugs or is under the influence of narcotics or liquors or a combination thereof, shall drive or operate a vehicle on any street within the City and no person shall consume liquor while an occupant of the vehicle upon any street in the City.

**80.11 Open Bottle Container.** No person shall have in his possession or allow to be kept in a motor vehicle when such vehicle is upon the City streets any bottle or receptacle containing intoxicating liquors or non-intoxicating malt liquors which has been opened, or on which the federal liquor tax stamp or seal has been broken or removed, provided that such container may be located in the trunk of any automobile or elsewhere in a motor vehicle so as not to be accessible to the driver or any occupant of the vehicle while it is in motion.

**80.12 Parking Restrictions—Winter (Amended by Ordinance adopted March 14, 2011)**

1. When snow has accumulated to a depth that requires plowing and/or removal, all vehicles including trailers parked and/or standing on city streets and alleys in the City of Kerkhoven shall be moved off of the city streets by 6:00 a.m.
2. All vehicles remaining on the city streets after 6:00 a.m. may be towed to an impound lot at owner's expense.
3. Parking may be resumed in individual streets as soon as the snow has been removed from these streets, except as may be otherwise restricted by this Ordinance.
4. It shall be the duty of the City of Kerkhoven's police department to maintain a log of vehicles towed so that any subsequent infractions each snow season may also result in a citation being issued besides towing the vehicle at the owner's expense.
5. This order shall not include parking lots, backyard parking or private driveways.