

TITLE VII: TRAFFIC CODE

Chapter

70. TRAFFIC AND PARKING

71. RECREATIONAL AND TOY VEHICLES

CHAPTER 70: TRAFFIC AND PARKING

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GENERAL PROVISIONS

' 70.01 STATE LAW ADOPTED.

The regulatory provisions of M.S. Ch. 169, as it may be amended from time to time, are hereby adopted as a traffic ordinance regulating the use of highways, streets and alleys within the city and are hereby incorporated in and made a part of this traffic code as completely as if set out here in full.
(Ord. 72-3, passed - -1972) Penalty, see ' 70.99

' 70.02 UNCLASSIFIED VIOLATIONS.

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(A) No person shall operate a vehicle on a public highway, street, parking lot, alley or other public property in a manner as to cause the tires to squeal, the gears to grind or the motor to backfire, except when an emergency creates the necessity for operation.

(B) No person shall drive a vehicle on a public highway, street, parking lot, alley or other public property at irregular or erratic and changing speeds or in a manner as to cause the motor vehicle to skid or slide upon acceleration or stopping or in a manner that simulates a temporary race or that causes the vehicle to turn abruptly or sway, except when an emergency creates the necessity for operation.

(Ord. 74-1, passed - -1974) Penalty, see ' 70.99

VEHICLE OPERATION**' 70.15 DYNAMIC BRAKES.**

It shall be unlawful for any vehicle to intentionally dynamic brake (AJake Brake®) on any public highway, street, parking lot or alley within the city, except in an emergency.

(Ord. 99-3, passed 8-9-1999) Penalty, see ' 70.99

' 70.16 DRIVING REGULATION.

Each and every person driving an automobile in any public street of the city shall, at all times, keep the cut-out of the automobile closed and shall keep the automobile to the right of the center of the street between street intersections and shall, at no time, turn the automobile around at any place in any street between street intersections.

(Ord. 105, passed 8-5-1918) Penalty, see ' 70.99

PARKING VEHICLES AND TRAILERS**' 70.30 DEFINITIONS.**

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

MOTOR VEHICLE. Every vehicle which is self-propelled and not deriving its power from overhead wires.

STREET or **HIGHWAY.** The entire width between boundary lines of any way or place when part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic. (Ord. 2000-1, passed 3-13-2000)

' 70.31 TIME LIMIT PARKING.

(A) No person shall park or cause to be parked a motor vehicle or trailer in any area zoned as a business district within the city for more than six consecutive hours during the hours of 7:00 a.m. until 6:00 p.m., nor for a period in excess of 36 consecutive hours on any other street or highway anywhere else within the city.

(B) The City Council may designate no parking or limited time parking zones by resolution, setting forth the location of the zone and, in the case of limited time parking space, the time limit imposed.

(C) The Chief of Police shall post signs at locations so designated which shall either indicate, in accordance with the resolution, no parking zone or the specified time limit for parking and, if there is any concrete curb, the curb shall be painted yellow at the designated parking zone.

(Ord. 2000-1, passed 3-13-2000) Penalty, see ' 70.99

' 70.32 DOUBLE PARKING.

No person shall park or cause to be parked a motor vehicle or trailer in any place where signs have been erected to prohibit it or where it causes a delay or blocking of moving traffic.

(Ord. 2000-1, passed 3-13-2000) Penalty, see ' 70.99

' 70.33 NO PARKING ZONES.

No person shall park or cause to be parked a motor vehicle or trailer in any place where a yellow zone or no parking sign has been erected to prohibit parking.

(Ord. 2000-1, passed 3-13-2000) Penalty, see ' 70.99

' 70.34 PARKING IN SPECIFIC AREAS.

(A) No person shall park or cause to be parked any motor vehicle or trailer in front of the entrance to the ambulance garage.

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(B) No person shall park or cause to be parked a motor vehicle or trailer in the emergency zone located in front of the doctor=s office unless it is there for an emergency at doctor=s office and, then, the motor vehicle or trailer shall be moved as soon as possible.

(C) No person shall park or cause to be parked any motor vehicle or trailer on the wrong side of the street.

(D) Semi-trailers or tractor and trailer units as defined under the state=s Traffic Code shall not be parked on city streets without the written consent of the City Council.

(E) No person shall park or cause to be parked any motor vehicle or trailer in a manner that it causes a private driveway to be blocked fully or partially.

(Ord. 2000-1, passed 3-13-2000) Penalty, see ' 70.99

' 70.35 SCHOOL BUS ZONES.

No person shall park or cause to be parked any motor vehicle or trailer in the school bus zone located at the schools unless an emergency has arisen. Then, the vehicle shall be moved as soon as possible.

(Ord. 2000-1, passed 3-13-2000) Penalty, see ' 70.99

' 70.36 SNOW EMERGENCY.

(A) (1) A snow emergency is hereby declared to exist in the city by reason of heavy snowfall whenever snow falls during any 24 hours or less to a depth of three inches or more, in that the snowfall constitutes a serious public hazard, impairing transportation, the movement of food and fuel supplies, medical care, fire, health and police protection and vital municipal facilities. The emergency is declared to continue for a period of 36 hours from the time it is announced or until such earlier time as snow plowing operations have been declared to be completed. An emergency is hereby declared to commence when the city=s Administrator-Clerk causes the announcement thereof to be made at least one time on a radio station whose normal operating range covers the area within the corporate limits of the city.

(2) No person shall park or cause to be parked any motor vehicle or trailer during a snow emergency in the ***DOWNTOWN BUSINESS AREA***, which area shall be defined to include the following streets: Second Avenue, from First Street southeast to First Street northeast; and Main Street, from Second Avenue to Highway #218.

(3) No person shall park or cause to be parked any motor vehicle or trailer during a snow emergency on any street within the city and outside of the downtown business area described above at any time commencing 24 hours from the declaration of the snow emergency for the balance of the snow emergency.

(B) (1) Any police officer may remove any motor vehicle or trailer 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.

(2) The motor vehicle or trailer shall not be released until the fees for towing and storage are paid in addition to any fine imposed for this violation.

(Ord. 2000-1, passed 3-13-2000) Penalty, see ' 70.99

' 70.37 UNLAWFUL PARKING AND STORAGE.

(A) A person must not place, store or allow the placement or storage of ice fish houses, skateboard ramps, playhouses or other similar non-permanent structures outside continuously for longer than 24 hours in the front yard area of residentially-zoned property unless more than 100 feet back from the property line.

(B) A person must not place, store or allow the placement or storage of pipe, lumber, forms, steel, machinery, trailers or similar materials, including all materials used in connection with a business, outside on residentially-zoned property, unless shielded from public view by an opaque cover or fence.

(C) A person must not cause, undertake, permit or allow the outside parking and storage of vehicles on residentially-zoned property unless it complies with the following requirements.

(1) No more than four vehicles per lawful dwelling unit may be parked or stored anywhere outside on residential-zoned property, except as otherwise permitted or required by the city because of non-residential characteristics of the property. This maximum number does not include vehicles of occasional guests who do not reside on the property.

(2) Vehicles, watercraft and other articles stored outside on residential property must be owned by a person who resides on that property. Students who are away at school for periods of time, but still claim the property as their legal residence will be considered residents on the property.

(D) A person owning, driving or in charge of a vehicle with a weight classification G through T inclusive, as specified in M.S. ' 168.013, subd. 1(e), as it may be amended from time to time, must not cause or permit that vehicle to be parked outside or to stand continuously for more than two hours on any property or public street within a residential zone in the city.

(E) The prohibitions of this section do not apply to the following:

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(1) A motor truck, pickup truck or similar vehicle being used by a public utility, moving company or similar company that is actually being used to service a residence not belonging to or occupied by the operator of the vehicle;

(2) A vehicle that is actually making a pickup or delivery at the location where it is parked. Parking for any period of time beyond the period of time reasonably necessary to make the pickup or delivery is unlawful; and

(3) Lawful non-conforming and permitted uses.
(Ord. 2000-1, passed 3-13-2000) Penalty, see ' 70.99

' 70.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to ' 10.99 of this code of ordinances.

(B) Any violation of the statutes adopted by reference in ' 70.01 of this chapter is a violation of ' 70.01 of this chapter when it occurs within the city. Any person thus violating any provision of ' 70.01 of this chapter shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed \$300 or by imprisonment in the city or county jail for a period of not to exceed 90 days; but, if a minimum fine or imprisonment is prescribed by the state=s Highway Traffic Act, being M.S. Ch. 169, as it may be amended from time to time, for an offense, the penalty shall apply to a person convicted of the same offense under ' 70.01 of this chapter.

(C) It is a petty misdemeanor for any person to do any act forbidden or fail to perform any act required by ' 70.02 of this chapter. A person charged with a petty misdemeanor shall not be entitled to a jury trial, but shall be tried by a judge without a jury. If convicted, he or she shall be punished by a fine of not more than \$100.

(D) Each and every person violating any provisions of ' 70.16 of this chapter, for each offense, shall be punished by a fine of not more than \$30 or by imprisonment for not more than 20 days.

(E) A violation of ' 70.37 of this chapter shall constitute a misdemeanor, as defined under the laws of the state. A violation of ' ' 70.30 through 70.36 of this chapter shall constitute a petty misdemeanor, for which a person shall be subject to a fine of \$10 if paid within seven days, a fine of \$20 if paid within eight and 30 days, or otherwise, shall be punishable by a fine of not to exceed the maximum amount established for petty misdemeanors under the laws of the state.
(Ord. 105, passed 8-5-1918; Ord. 72-3, passed - -1972; Ord. 74-1, passed - -1974; Ord. 2000-1, passed 3-13-2000)

CHAPTER 71: RECREATIONAL AND TOY VEHICLES

Section

General Provisions

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Motorized Golf Carts and Other Vehicles

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GENERAL PROVISIONS

71.01 SKATEBOARDS, ROLLER SKATES AND THE LIKE.

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

OPERATE. To ride on or upon or control the operation of a skateboard or roller skate/blade.

OPERATOR. Every person who operates or is in actual physical control of a skateboard or roller skate/blade.

PERSON. Includes an individual, partnership, corporation, the state and its agencies and

subdivision, and any body of persons, whether incorporated or not.

ROLLER SKATE/BLADES. A form of skate with small wheels or rollers instead of a runner.

SKATEBOARD. A device for riding upon, usually standing consisting of an oblong piece of wood or other composition mounted on skate wheels.

(B) *Regulation of the use of skateboards and roller skate/blades.* It shall be unlawful for any person to operate a skateboard or roller skate/blade under circumstances set forth below:

(1) On private property of another without the expressed permission to do so by the owner or occupant of the property;

(2) In any careless, reckless or negligent manner so as to endanger, or be likely to endanger, the safety of any person or the property of any other person;

(3) The operator of a skateboard or roller skates/blades emerging from an alley, driveway or building upon approaching a sidewalk or the sidewalk area extending across any alleyway shall yield the right-of-way to all pedestrians approaching the sidewalk or sidewalk area and upon entering the roadway shall yield right-of-way to all vehicles approaching the roadway;

(4) No person operating a skateboard or roller skate/blade shall attach the same or the person or the operator to any vehicle upon the roadway; and/or

(5) Every person operating a skateboard or roller skate/blade upon a roadway shall ride as close as possible to the right-hand curb or edge of the roadway.

(C) *Right-of-way; sidewalks.* Whenever a person is skateboarding or roller skating/blading upon a sidewalk, the person shall yield the right-of-way to any pedestrian and shall give a signal before overtaking and passing the pedestrian.

(Ord. 96-4, passed 8-12-1996) Penalty, see ' 71.99

MOTORIZED GOLF CARTS AND OTHER VEHICLES

' 71.15 PURPOSE.

The purpose of this subchapter is to authorize the operation of motorized golf carts, mini trucks and all-terrain vehicles on designated roadways in the city, pursuant to the authority given to the city by M.S.

' 169.045, as it may be amended from time to time.

(Ord. 2014-01, passed 8-11-2014)

' 71.16 DEFINITIONS.

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

DESIGNATED ROADWAYS. City streets and avenues not specifically excluded in this subchapter. It does not mean state or county highways such as: Highway Avenue (MN Hwy 218), 3rd Street NE (MN Hwy 30), East Main Street and 5th Avenue NE (Steele County 42), Center Avenue north and south (Steele County 41), Third Street south (Steele County 15) and County Road 46 along the west side of the city.

MOTORIZED GOLF CART. A vehicle commonly known as a golf cart, mini truck or all-terrain vehicle having at least four wheels, and either an electric or a gas motor.
(Ord. 2014-01, passed 8-11-2014)

' 71.17 REQUIRED PERMIT; REVOCATION OR DENIAL.

(A) (1) No person may operate a motorized golf cart pursuant to this subchapter without a valid permit from the city.

(2) Permit applications shall be available at city offices and shall be in a form provided by the city=s Administrator-Clerk.

(3) Only persons at least 18 years of age will be issued a permit. Permit holders may add additional drivers under their permits that are 16 years or older. It is unlawful for owner of any motorized golf cart to permit the motorized golf cart to be operated contrary to the provisions of this subchapter.

(4) At the time of application, the applicant shall provide proof of insurance complying with the requirements of M.S. ' 65B.48, subd. 5, as it may be amended from time to time.

(5) All permits granted pursuant to this subchapter shall be issued for a period not to exceed one year and may be renewed annually by complying with the requirements of this subchapter.

(6) The City Council shall set fees for permits, by resolution.

(B) A permit may be revoked by the city=s Chief of Police at any time or denied if it is shown that the permittee cannot safely or legally operate, or has not safely or legally operated, the motorized golf cart within the city or if the permittee=s driver=s license is no longer recognized as valid in the state. A permittee may appeal any revocation or denial to the city=s Administrator-Clerk within 14 days after the revocation or denial.

(Ord. 2014-01, passed 8-11-2014) Penalty, see ' 71.99

' 71.18 CONDITIONS.

(A) No person shall operate a motorized golf cart under this subchapter:

(1) Except on designated roadways and from sunrise to sunset;

(2) In inclement weather or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons in vehicles on the roadway at a distance of 500 feet;

(3) Without displaying the slow-moving vehicle emblem provided for in M.S. ' 169.522, as it may be amended from time to time;

(4) Unless the vehicle is equipped with a rear view mirror as provided in M.S. ' 169.70, as it may be amended from time to time;

(5) With a passenger or passengers unless each passenger is seated on a seat specifically designed for the transport of passengers;

(6) By a person under the age 16;

(7) Without liability insurance coverage;

(8) Without having a copy of the permit in possession while using the golf cart; and/or

(9) By a person without a Minnesota or state-issued driver=s license.

(B) The operator of a motorized golf cart under permit on designated routes shall have all the rights and duties applicable to the driver of any other vehicle under the provisions of M.S. Ch. 169, as it may be amended from time to time, or other applicable statute or ordinance, except when those provisions cannot reasonably be applied to motorized golf carts and except as otherwise specifically provided in M.S. ' 169.045, subd. 7, as it may be amended from time to time.

(Ord. 2014-01, passed 8-11-2014) Penalty, see ' 71.99

' 71.19 OPERATION REQUIREMENTS.

(A) Motorized golf carts shall be operated at all times as close to the right-hand curb as possible, except when the driver is making a left turn.

(B) No person shall operate a motorized golf cart on a public sidewalk.

(Ord. 2014-01, passed 8-11-2014) Penalty, see ' 71.99

' **71.20 EXCEPTIONS.**

The City Council grants a special exemption to the city's Police Department, the July 4 Parade Committee and the physically disabled to operate motorized golf carts during the July 4 celebration. (Ord. 2014-01, passed 8-11-2014)

' **71.21 LIMITATION OF LIABILITY.**

Nothing in this subchapter shall be construed as an assumption of liability by the city for any injuries to persons or property which may result from the operation of a motorized golf cart by a permit holder, the grant of the permit or the failure by the city or the Police Chief to revoke the permit. (Ord. 2014-01, passed 8-11-2014)

SNOWMOBILES

' **71.35 DEFINITIONS.**

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

OPERATE. To ride in or on and control the operation of a snowmobile.

OPERATORS. Every person who operates or is in actual physical control of a snowmobile.

OWNER. A person, other than the lien holder, having an interest in or title to a snowmobile entitling that person to the use or possession thereof.

SNOWMOBILE. A vehicle self-propelled, designed for travel on snow and ice on a natural terrain, steered by wheels, skis or runners. (Ord. 04-1, passed 1-12-2004)

' **71.36 OPERATION REQUIREMENTS.**

(A) *Operation on streets and roadways.*

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(1) No person shall operate a snowmobile upon any public street, roadway or alley within the territorial limits of the city between the hours of 10:00 p.m. and 7:00 a.m.; the foregoing prohibition shall apply not only to the improved or traveled portion of the public street, roadway or alley, but also to all boulevards, sidewalks, driveways, shoulders, stores and areas within the dedicated or established public rights-of-way.

(2) No person shall operate a snowmobile on any street in the downtown business district within the following boundaries: First Street northeast on the north to First Street southeast on the south to Second Avenue northeast and southeast on the west and Hwy #218 on the east, subject to the provision that the restrictions shall not apply to any part of the designated area which lies on an approved snowmobile trail as provided for herein.

(3) While returning home after hours, it shall be unlawful to follow a route other than the most direct available and in a manner other than quiet and subdued.

(4) Snowmobiles shall at all times yield the right-of-way to all other forms of traffic and pedestrians movement within the city limits.

(5) The City Council may, from time to time, by resolution approve snowmobile trails for the city as recommended by the County Trail Association, which trail shall then be excepted from the hour restrictions of this subchapter.

(B) Operation in parks and other public grounds.

(1) No persons shall operate a snowmobile in any public park owned by the city within the territorial boundaries of the city. The City Council and the Board shall have direct supervision and control of any public parks or public grounds and may, by written resolution duly adopted, authorize the operation of snowmobiles in any specific area or areas of any public park or public grounds in accordance with rules and regulations set forth in the written resolution; no authorization to operate snowmobiles in any public park or public grounds shall be effective until posted in the area authorized for the operation.

(2) No person shall operate a snowmobile within 100 feet of any rest home and of any school during school hours within the territorial limits of the city.

(C) Operation on private property. No person shall operate at any time a snowmobile upon the private property of another without the authorization or consent of the party in possession and the owner thereof. Included herein shall be operation in public or private cemeteries.

(D) Operation generally. It is unlawful for any person to drive or operate any snowmobile in the city in the following unsafe or harassing way:

(1) At a rate of speed more than reasonable or proper under all surrounding circumstances which rate shall at no time exceed 15 mph;

(2) In a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto;

(3) While under the influence of intoxicating liquor or habituating drugs;

(4) Without a lighted head and tail light when required for safety;

(5) In any tree nursery or planting in a manner which damages or destroys growing stock;

(6) Causing excessive noise or other public nuisance;

(7) All snowmobiles while operating on the streets or alleys must run single file and maintain a safe and reasonable distance between each other;

(8) No snowmobile shall have a trailing sled or other object with a hitch length of more than 48 inches, including a rope;

(9) All snowmobiles shall stop at every intersection before proceeding therein;

(10) No person from 14 years to 16 years of age shall operate a snowmobile on the streets within the corporate limits of the city, unless he or she has a valid DNR safety certificate and are accompanied by an adult. No person under 14 years of age shall operate a snowmobile on the streets within the corporate limits of the city;

(11) No person shall operate a snowmobile upon any sidewalk, pedestrian pathway or boulevard; and/or

(12) Streets allowed by the city for travel by snowmobiles are to be used only for entrance to the city and exit from the city and are not intended for intra-city travel.

(Ord. 04-1, passed 1-12-2004) Penalty, see ' 71.99

' 71.37 ADOPTION OF STATE LAW.

The city does hereby adopt by reference, as part of this subchapter, all the laws of the state pertaining to the ownership and operation of snowmobiles.

(Ord. 04-1, passed 1-12-2004)

' 71.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to ' 70.99 of this code of ordinances.

(B) Any person who violates any provision of ' 71.01 of this chapter shall be guilty of a petty

misdemeanor.

(C) Any person violating any provision of ' ' 71.15 through 71.21 of this chapter shall be guilty of a petty misdemeanor and is subject to having his or her permit under ' ' 71.15 through 71.21 of this chapter revoked.

(D) Violation of ' ' 71.35 through 71.37 of this chapter shall be a misdemeanor.
(Ord. 96-4, passed 8-12-1996; Ord. 04-1, passed 1-12-2004; Ord. 2014-01, passed 8-11-2014)