

ORDINANCE NO. 314 3RD SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE PROVISION IN TITLE VII: TRAFFIC CODE, CHAPTER 70 ENTITLED "GENERAL PROVISIONS" BY AMENDING SECTION 70.02 ENTITLED DEFINITIONS AND BY AMENDING CHAPTER 72 ENTITLED "PARKING REGULATIONS" BY AMENDING SECTION 72.04, SECTION 72.10 AND SECTION 72.11;

AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. Purpose and Intent. The purpose and intent of this ordinance is to update the general provisions definitions to reflect the amendments to Minnesota Statute Chapter 169 and to amend the parking regulations in the City of East Grand Forks to have the ordinance reflect the definitions set forth in the Minnesota Statutes, to enact a year round period of enforcement for street maintenance for the purpose the removal of snow, ice, sand, gravel and other debris from the public streets, and to amend trucking parking in the cities commercial and industrial zones.

Section 2. Amendments Chapter 70.

Chapter 70 of Title VII of the Traffic Code is hereby amended as follows:

SECTION 70.02. DEFINITIONS. The introductory sentence shall read as follows:

"**ALL** Terms used in this title "TITLE VII: TRAFFIC CODE" shall have the meanings set forth in M.S. ' 169.001 unless otherwise provided."

VEHICLE shall be defined as:

VEHICLE. "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon any street or highway, excepting devices used exclusively upon stationary rails or tracks as the same are defined in M.S. Chapter 169, as such chapter may be from time to time amended, supplemented or replaced, or as known in the highway traffic regulations, as adopted by the Council, as such regulations may be from time to time amended, supplemented or replaced.

Section 3. Amendments Chapter 72.

SECTION 72.04 shall be amended to read as follows:

72.04 RECREATIONAL VEHICLE, TRAILER, TRAVEL TRAILER, PARK TRAILER AND OTHER TRAILER PARKING.

It is unlawful for any person to leave, park or let stand any trailer, travel trailer, park trailer motor home, recreational vehicle, bus or other similar vehicle or trailer as defined in either section 168.002 of Chapter 168 or section 169.001 of Chapter 169 of Minnesota Statutes as they may be amended from time to time, on or within the limits of any street or right of way or municipal parking lot, except where signs are erected designating the same as a campsite for more than 12 consecutive hours.

SECTION 72.10 CALANDER PARKING shall be amended to read as follows:

72.10 STREET MAINTENANCE PARKING.

In order to facilitate the removal of snow, ice, sand, gravel and other debris from the public streets and other rights-of-way, the following additional parking restrictions shall be in effect.

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

BUSINESS DISTRICT.

Bygland Rd. SE from 5th Ave. SE to 4th St. SE
Central Ave. NE NW
Central Ave. service roads NE and NW
College Dr. NE
Demers Ave.
Gateway Dr. NE service road
Gateway Dr. NW service road from Central Ave. service road NW to 3rd Ave. NW
River St. NW
Sherlock Parkway to Demers Ave.
Terrace Dr. NW to Sherlock Parkway
1st St. SE from Point Bridge to 3rd Ave. SE
2nd Ave. NE 17th St. NW - Louie Murray Bridge
2nd St. NW
3rd Ave. NW from Central Avenue to River St.
3rd Ave. SE to 5th Ave. SE
3rd St. NW

3rd St. NE 200 - 1000 blocks
4th St. NE from 5th Ave. NE - 9th Ave. NE
4th St. NW
5th Ave. NE from 23rd St. NE to 4th Ave. NW east side of street 1400 - 1600 blocks
5th Ave. NW from Hwy 2 - 4th St. NW
6th Ave. NE
6th Ave. NW west side 1400 - 1500 blocks
7th Ave. NE
8th Ave. NE
9th Ave. NE
10th St. NW from Central to Terrace Dr. NW
10th St. NE
14th St. NE
15th St. NE
15th St. NW south side 600 - 700 blocks
17th St. NE
20th St. NE

Maintenance District 1 – All areas North of 17th Street NW and West of Central Avenue.

Maintenance District 2 – The areas South of 17th Street NW and North of Gateway Drive and Northstar Terrace.

Maintenance District 3 – East end and Central Areas – South of Gateway Drive and North of the Red Lake River.

Maintenance District 4 – Point area – East of Bygland Road.

Maintenance District 5 – Point area – West of Bygland Road

PERIOD OF ENFORCEMENT – Year round.

(B) Parking prohibitions.

(1) It is unlawful to park or leave standing any vehicle or trailer in the business district between the hours of 2:00 a.m. and 7:00 a.m. Monday through Friday during the period of enforcement.

(2) In all areas of the city excluding the business district, it is unlawful to park or leave standing any vehicle or trailer on any street or right-of-way designated between the hours of 7:30 a.m. and 12:00 noon during the period of enforcement based upon the following schedule:

- Monday – District 4
- Tuesday – District 5
- Wednesday – District 2
- Thursday – District 1
- Friday – District 3

(3) It shall not be unlawful to otherwise lawfully park a vehicle with its motor idling on any street for a duration of 5 minutes or less during the time periods in which parking is restricted as set forth in this section.

(4) During such hours that the street maintenance parking prohibitions are in effect, the owner or occupant of real property adjacent to any street, avenue, road, court, drive, way or cul-de-sac may park operable, registered, licensed and insured motor vehicles on the city right-of-way between the curb and the sidewalk (or adjacent to the curb if there is no sidewalk) commonly referred to as the berm, with the exception that such owner or occupant of real property may only park the motor vehicles on the portion of the berm that is immediately adjacent to the residence occupied by the owner or occupant, and with the further exceptions that the parking shall not be permitted within 10 feet of an intersection or corner, or within 10 feet of a fire hydrant, and that the parked motor vehicles shall not block a sidewalk.

(C) *Presumption.* For purposes of this section, any vehicle or trailer parked or left on a street or right-of-way of the city in violation of this section shall be presumed to have been parked or left by the registered owner of the vehicle or trailer.

(D) *Snow emergency.* A snow emergency automatically goes into effect when 2 inches or more of snow has fallen until the streets are cleaned. Under a snow emergency, no parking on any city street is allowed until that street has been cleared to its full width. Violators will be ticketed and towed

Section 4.

SECTION 72.11 TRUCK PARKING subdivision (C) shall be amended to read as follows:

SECTION 72.11 TRUCK PARKING

(C) It is unlawful to park a vehicle of more than 12,000 pounds gross weight upon any street in the Commercial/Industrial District as defined in the City Zoning Ordinance except streets as specifically designated by the Council by resolution and sign posted, but parking of such vehicle for a period of not more than 60 minutes shall be permitted in such space for the purpose of necessary

access to abutting property while actively loading or unloading when such access cannot reasonably be secured from an alley or from an adjacent street where truck parking is not so restricted.

Section 5. City Code Title 1 General Provisions, Chapter 10 entitled General Provisions are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 6. This ordinance shall take effect and be in force after its passage, publication and then beginning on November 21, 2010. It shall be given the Number 314, 3rd Series.

VOTING AYE: Buckalew, Tweten, Leigh, Pokrzywinski, DeMers, and Grassel.

VOTING NAY: None.

ABSENT: Gregoire.

The President declared the Ordinance passed.

PASSED: November 4, 2010

ATTEST:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing Ordinance this 4 day November, 2010.

Mayor

Adopted by the City Council this 4 day of November 2010.