

## **TITLE VII: TRAFFIC CODE**

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## **CHAPTER 70: GENERAL PROVISIONS**

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**§ 70.01 STATE HIGHWAY TRAFFIC REGULATION ACT ADOPTED BY REFERENCE.**

M.S. Ch. 169, as it may be amended from time to time, The Highway Traffic Regulation Act, is adopted by reference and is as much a part of this code as if fully set forth herein. Any violation of M.S. Ch. 169, as it may be amended from time to time, as herein adopted is a violation of this code. (1981 Code, § 1100.01)

**§ 70.02 DEFINITIONS.**

For purposes of this chapter, the terms defined in M.S. § 169.01, as it may be amended from time to time, and as adopted herein, have the meanings given by that section. (1981 Code, § 1100.03)

**§ 70.03 EMERGENCY STREET CLOSINGS.**

(A) *Reasons.* In an emergency either the Mayor, Chief of Police or the Fire Chief shall have full power and authority to close off any public street, alley or area to any or all vehicular or pedestrian traffic, including parked cars and to reroute any or all such traffic when in his or her discretion it appears that such an act is necessary to control or prevent a riot, to fight or prevent the spreading of a fire, to control or remove explosives, to repair electrical service, gas, water or sewer main or to prevent damage to life, limb or property that might result from any traffic or other hazard.

(B) *Procedure.* The Engineer or Street Commissioner, after obtaining the approval of the Mayor, shall have full power and authority to close off or to prohibit vehicular traffic on any public street or alley or portion thereof in order to effect the orderly installation, repair, maintenance or snow removal of any streets within the city. Prior to closing any street or alley both the Fire and Police Department shall be notified.

(C) *Temporary closing.* The Chief of Police, after obtaining the approval of the Mayor, shall have full power and authority to order the temporary closing off or the temporary designation of any one way traffic or to reroute any or all vehicular traffic on any public street, alley or area when it appears to be necessary to control vehicular or pedestrian traffic or crowds resulting from any large public gathering, prior to, during and after any public or private convention, assembly, parade, carnival, circus, political rally or sports events where the use of any public street, park or other public property is necessary or incidental to the holding or convening of any of the foregoing activities.

(D) *Barrier; warnings.* Any street or area may be closed to vehicular or pedestrian traffic or to parked cars at any hour by the stationing of a police officer at both ends of said street or area, who shall then direct traffic or during the daylight hours by posting or erecting suitable signs, flags or barriers at both ends of the street or area so designated, stating the restriction imposed and by whose authority said restriction is imposed or at night by the placing of suitable barriers and warning lights or flasher signals at both ends of the street or areas so designated. Drivers shall obey police officers and barriers, flags, signs, lights or signals so placed.

(E) *Emergency traffic restrictions.* The City Mayor is empowered to make and enforce necessary traffic control restrictions in time of emergency, provided that public notice of such restrictions be published or broadcast or posted in at least two public places, and further that any such restrictions be reviewed by the Council at the next duly called Council meeting, following the establishment of such emergency restrictions, at which time such restrictions may be continued or abandoned by resolution of the Council. (1981 Code, § 1105.01)

#### **§ 70.04 CUTTING ACROSS PRIVATE PROPERTY.**

It is unlawful to disobey the instructions of any official traffic control device within the meaning of this title, unless at the time otherwise directed by a police officer by driving into or across private property so as to obviate the need to comply with the traffic control device. (1981 Code, § 1105.03) Penalty, see § 10.99

#### **§ 70.05 WEIGHT LIMITS.**

(A) *Council action.* The Council may by resolution prohibit for cause shown therein the operation of vehicles upon any or all public streets or alleys within the city. The Council may also by resolution impose restrictions as to the weight of vehicles to be operated upon any such streets or alleys, whenever such streets or alleys, by reason of deterioration, rain, snow or other climatic conditions may be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced. The resolution adopted shall designate the particular streets or alleys affected and shall set forth the prohibitions or restrictions imposed on such streets or alleys.

(B) *Posting of signs.* Upon the adoption of any prohibition or restriction as provided for in this section, the Street Commissioner shall cause to be posted or erected signs plainly indicating the prohibition or restriction at each end of the street or alley or that portion of any street or alley affected thereby and the prohibition or restriction is effective after such signs are so posted or erected.

(C) *Special permits.* Any person desiring authority to move a vehicle or combination of vehicles not in conformity with the provisions hereof may make written application therefore to the Council and upon good cause being shown therefore, the Council may, in its discretion, issue such a permit. The application and permit shall specifically describe the vehicle or vehicles and loads to be moved, the public streets over which the same is to travel and the period of time for which the permit is granted. The Council shall prescribe the conditions to govern the operation of such vehicle or vehicles and may require an undertaking or other security to compensate any injury to any roadway or road structure. Every such permit shall be carried on the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer, official or employee of the city. No person shall violate any of the terms or conditions of such special permit.

(D) *Damage to streets.* Any person driving any vehicle object or contrivance upon any city street is liable for all damages which the highway or highway structure may sustain as a result of any illegal operation, driving or moving of such vehicle, object or contrivance in excess

of the maximum weight authorized by and pursuant to the issuance of a special permit. When such driver is not the owner of such vehicle, object or contrivance, but is operating, driving or moving the same with the express or implied permission of the owner, then the owner and driver are jointly and severally liable for any such damage. Such damage may be recovered in a civil action brought by the city. (1981 Code, § 1105.05)