

CHAPTER 72: PARKING REGULATIONS

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GENERAL PROVISIONS

§ 72.01 DEFINITIONS.

(A) *Parking defined.* For the purposes of this chapter, the term **PARK** includes the term **STAND** or **STANDING** and **STOP** or **STOPPING**.

(B) *General definitions.* For purposes of this chapter, unless herein defined to the contrary, the terms herein shall have the same meaning as the definitions listed in M.S. § 169.01, as it may be amended from time to time. (1981 Code, § 1110.09)

§ 72.02 PARALLEL PARKING.

Except where angle parking is specifically allowed and indicated by street markings or signposting, or both, each vehicle stopped or parked upon a two-way road where there is an adjacent curb shall be stopped or parked with the right-hand wheels of the vehicle parallel with and within 12 inches of the right-hand curb and not closer than four feet to another vehicle parked at the curb, and where painted markings appear on the curb or the street, the front and rear of such vehicle shall be parked within such markings; provided that upon a one-way roadway all vehicles shall be so parked, except that the left-hand wheels of the vehicle may be parallel with and within 12 inches from the left-hand curb, but the vehicle shall be parked with the front of the vehicle facing the direction of the flow of traffic of such one-way street. (1981 Code, § 1110.01(A))

§ 72.03 STREETS WITHOUT CURB.

Upon streets and highways not having a curb, a vehicle stopped or parked must be stopped or parked parallel with and to the right of the paved or improved or main traveled part of the street or highway. (1981 Code, § 1110.01(B))

§ 72.04 ANGLE PARKING.

Upon those streets which have been marked or signed for angle parking, vehicles must be parked at the angle to the curb indicated by such marks or signs. (1981 Code, § 1110.01(C))

§ 72.05 GENERAL PROHIBITIONS.

(A) It is unlawful for a person to park or stop a vehicle except when necessary to avoid conflict with other traffic or in compliance with the specific directions of a peace officer or traffic control device in any of the following places:

- (1) So as to block a fire escape or the exit from any building.
- (2) Contrary to an order to proceed by a peace officer directing, controlling or regulating traffic;

- (3) On a sidewalk;
- (4) In front of a public or private driveway;
- (5) Within an intersection;
- (6) Within ten feet of a fire hydrant;
- (7) On a crosswalk;
- (8) Within 20 feet of a crosswalk at an intersection;
- (9) Within 30 feet of any flashing beacon, stop sign or traffic control signal;
- (10) Within 50 feet of the nearest rail or railroad crossing;
- (11) Within 20 feet of driveway entrance to any fire or ambulance station and on a side of a street opposite the entrance to any fire or ambulance station within 75 feet of said entrance when properly sign posted;
- (12) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
- (13) On the roadway or side of any vehicle stopped or parked at the edge of a curb of a street;
- (14) Upon any bridge or other elevated structure upon a street or highway or within a tunnel except as otherwise prohibited by this chapter;
- (15) At any location where official signs prohibit or restrict stopping, parking or both;
- (16) In any lane of traffic;
- (17) In a driveway so as to block a sidewalk crossing;
- (18) Within a boulevard between the sidewalk and the back side of the street curb; and in areas where there is no sidewalk, within 15 feet of the back side of the street curb;
- (19) Within a sign-posted fire lane;
- (20) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone unless a different length is indicated by signs or markings;

- (21) No person shall stop or park a vehicle on a street or highway when directed or ordered to proceed by any peace officer invested by law with authority to direct, control or regulate traffic.

(B) It is unlawful for any person to move a vehicle not owned by such person into any prohibited parking area or away from the curb to an unlawful distance. (1981 Code, § 1110.03) Penalty, see §72.99

§ 72.06 TOWAWAY OF VEHICLES.

A vehicle parked in violation of this section may be ordered removed from any public right-of-way by any peace officer or city official. The owner or driver of the vehicle shall be notified, if present or readily available, to remove the vehicle, otherwise the vehicle shall be towed away to any garage, service station or other place of safekeeping as soon as possible to facilitate snow removal, street maintenance, the orderly flow of traffic, firefighting or other lawful purpose. The owner shall pay the costs of such towing and storage. Except in an emergency, the removal of a vehicle by or under the direction of the peace officer or other city official shall not prevent the prosecution of a violation of the section.

(A) *Notice.*

- (1) When a vehicle is taken into custody pursuant to the provisions of this chapter, the Police Department shall give notice of the taking within ten days thereafter. The notice shall:
 - (a) Set forth the date and place of the taking, the year, make, model and serial number of the vehicle, if such information can be reasonably obtained, and the place where the vehicle is being held;
 - (b) Inform the owner and any lien holder reasonably known to the Police Department of their right to reclaim the vehicle under the provisions of this chapter;
 - (c) State that failure of the owner or lien holders to exercise their right to reclaim the vehicle and contents shall be deemed a waiver by them of all right, title and interest in the vehicle and contents and a consent to the sale of the vehicle and contents at a public auction pursuant to the terms of this chapter.
- (2) The notice shall be sent by registered mail to the registered owner, if any, of the vehicle and to all readily identifiable lien holders of record. If it is possible to determine with reasonable certainty the identity and address of the registered owner and lien holders, the notice shall be published in a newspaper of general circulation in the area where the vehicle was taken into custody. Published notices may be grouped together for convenience and economy.

(B) Right to reclaim.

- (1) The owner or lien holder of a vehicle shall have a right to reclaim such vehicle upon payment of all towing and storage charges afore-recited resulting from the taking of the vehicle into custody within 15 days from the date of the notice as herein required.
- (2) Nothing in this chapter shall be construed to impair any lien of a garage keeper under the laws of the State of Minnesota or the right of a lien holder to foreclose. For the purposes of this section, **GARAGE KEEPER** is an operator of a parking place or establishment, an operator of a motor vehicle storage facility or an operator of an establishment for the servicing, repair or maintenance of motor vehicles. (1981 Code, § 1110.07) (Am. Ord. 338, passed 10-14-2002)

PARKING RESTRICTIONS

§ 72.20 DISABLED VEHICLES.

The provisions of this section relating to stopping, standing and parking shall not apply to the driver of any vehicle which is disabled for a reasonable time while on the paved or improved or main traveled portion of a street or highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position. (1981 Code, § 1110.05(A))

§ 72.21 NO PARKING ZONES.

It is unlawful to stop, stand or park a vehicle, except as otherwise provided or unless directed to do so by a peace officer, on any street or highway where there is a No Parking Zone and such zone is marked by sign or yellow curb. (1981 Code, § 1110.05(B)) Penalty, see § 72.99

§ 72.22 PARKING SIGNS.

All parking within the city is subject to any limitations stated on an authorized parking sign or other traffic control and a violation of this chapter. (1981 Code, § 1110.05(C))

§ 72.23 OFF-STREET PARKING.

It is unlawful to park a vehicle in any industrial, commercial or multiple- or single-dwelling area where off-street parking area or truck standing spaces are provided. Vehicles shall use designated areas for parking, loading or unloading. (1981 Code, § 1110.05(D)) Penalty, see § 72.99

§ 72.24 PARKING IN ALLEYS.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property. (1981 Code, § 1110.05(E) Penalty, see § 72.99

§ 72.25 PARKING HOURS.

(A) *Seventy-two hours.* Except as hereinafter provided, it shall be unlawful for any person to park a vehicle or trailer on any street or highway for more than 72 consecutive hours.

- (1) For purposes of enforcement of this section, any vehicle or trailer moved less than 50 feet within a 72-hour period, shall be deemed to have remain stationary.
- (2) Any vehicle or trailer that has been cited by the police for a violation of this section shall not be permitted to return to the public street for parking in the block on either side of the street where said vehicle or trailer was so cited within a period of 24 hours thereafter. (Am. Ord. 354, passed 9-8-2003)

(B) *Parking hours.* The Council may designate certain streets, blocks or portions of streets or blocks as prohibited parking zones or five-minute, ten-minute, 15-minute, 30-minute, one-hour, two-hour, four-hour, 3:00 a.m. to 6:00 a.m., 8:00 p.m. to 5:00 a.m., 11:00 p.m. to 5:00 a.m. or temporary restricted parking zones, if posted at least 24 hours in advance, bus stop or snow emergency routes and shall mark by appropriate signs any zones so established. Such zones shall be established whenever necessary for the convenience of the public or to minimize traffic hazards and preserve a free flow of traffic. It is unlawful for any person to stop, park or leave standing any vehicle in a prohibited or restricted parking zone during the following times:

- (1) For a period of time in excess of the sign-posted limitation;
- (2) During sign-posted hours of prohibited or restricted parking;
- (3) For the purpose of enforcement of this section, any vehicle moved less than 50 feet in any parking zone shall be deemed to have remained stationary. (1981 Code, § 1110.05(F)) Penalty, see §72.99

§ 72.26 RULES IN CITY PARKING LOTS.

In city owned parking lots, the Council may limit the sizes and types of motor vehicles to be parked thereon, hours of parking and prescribed method of parking, provided that such limitations and restrictions are marked or sign posted thereon. It is unlawful to park or leave standing any vehicle backed into a parking place, to drive in a direction opposite the flow of traffic marked by one-way signs or arrows or to park any vehicle in any city owned parking lot

contrary to the restrictions or limitations marked or sign posted therein. (1981 Code, § 1110.05(G)) Penalty, see §72.99

§ 72.27 LOADING ZONES.

The Council may, by resolution, establish loading zones to be used for the specific purpose of loading or unloading merchandise from a commercial vehicle or vehicle temporarily being utilized in the transport of merchandise. Such loading zones shall be installed by order of the City Administrator where in the judgment of the Council a commercial loading zone is justified and duly sign-posted. (1981 Code, §1110.05(H))

§ 72.28 UNATTENDED VEHICLE.

(A) It is unlawful for any person to leave a motor vehicle unattended while the engine is running.

(B) It is unlawful for any person to leave a motor vehicle unattended with the key in the ignition. (1981 Code, §1110.05(I)) Penalty, see § 72.99

§ 72.29 VEHICLE REPAIR ON STREET.

It is unlawful for any person to service, repair, assemble or dismantle any vehicle parked upon a street, or attempt to do so, except to service such vehicle with gasoline or oil or to provide emergency repairs thereon. (1981 Code, § 1110.05(J)) Penalty, see §72.99

§ 72.30 PARKING FOR THE PURPOSE OF ADVERTISING OR SELLING MERCHANDISE.

It is unlawful for any person to park or place a vehicle, trailer or any merchandise on any street for the purpose of advertising such vehicle, trailer or merchandise for sale, for the purpose of advertising for sale or selling merchandise thereon or therein or advertising any merchandise for sale or a forthcoming event. (1981 Code, § 1110.05(K)) (Am. Ord. 355, passed 9-8-2003) Penalty, see §72.99

§ 72.31 TRUCK PARKING.

No person shall park or permit to stand a truck-tractor or semi-trailer as defined in the M.S. Ch. 169, as it may be amended from time to time, upon:

(A) Any street or highway or public property within any zone in the city with its refrigeration units running between the hours of 10:00 p.m. to 6:00 a.m.;

(B) Upon any street or highway or public property within any residential zone in the city with the following exceptions, the exceptions however shall in no event exceed 48 hours:

(1) In an emergency when the vehicle has mechanical difficulties;

- (2) When the vehicle is delivering goods or merchandise;
- (3) When the vehicle is parked in an area designated for that purpose by properly erected signs. (1981 Code, § 1110.05(L))

§ 72.32 PARKING FOR PHYSICALLY DISABLED.

No person shall:

(A) Park a motor vehicle in or obstruct access to a parking space designated and reserved for the physically disabled on either private or public property;

(B) Park a motor vehicle in or obstruct access to an area designated by the City Council as a transfer zone for disabled persons;

(C) Exercise the parking privilege provided in M.S. § 169.345, as it may be amended from time to time, unless:

- (1) That person is physically disabled person as defined in M.S. § 169.345, Subd. 2, as it may be amended from time to time; or
- (2) The person is transporting or parking a vehicle for a physically disabled person; and
- (3) The vehicle displays one of the following:
 - (a) A license plate issued under M.S. § 168.021, as it may be amended from time to time;
 - (b) A certificate issued under M.S. § 169.345, as it may be amended from time to time;
 - (c) A temporary permit valid for 30 days issued under M.S. §§ 168.021 or 169.345, as they may be amended from time to time; or
 - (d) An equivalent certificate, insignia or license plate issued by another state, a foreign country or one of its political subdivisions;
- (4) Park a motor vehicle in an area used as a route transit stopping point where a transit vehicle that is accessible to the physically disabled regularly stops and a sign that bears the international symbol of access in white on blue is posted. A sign posted under this clause may display other information relating to the regular route transit service. For the purpose of this clause, an area used as a regular route transit stopping point consists of the 80 feet immediately preceding the sign described in this clause. (1981 Code, §

1110.05(M))

§ 72.33 VEHICLE IDENTIFICATION MARKINGS.

It shall be unlawful for any person to remove, erase, conceal, obscure or otherwise obliterate any mark or sign placed upon a tire or any other part of a vehicle by a peace officer or parking enforcement officer for the purpose of measuring the length of time such vehicle has been parked. (1981 Code, § 1110.05(N)) Penalty, see § 72.99

§ 72.34 NO TRUCK PARKING.

It shall be unlawful for any person to park a commercial vehicle of more than one-half-ton capacity upon any street or highway which is sign-posted No Truck Parking. (1981 Code, § 1110.05(O)) Penalty, see § 72.99

§ 72.35 RESIDENTIAL PARKING.

It is unlawful for any person to stop, park or leave standing any motor vehicle in an area marked Residential Parking, except vehicles belonging to persons residing upon or along the restricted area, their guests or invitees. (1981 Code, § 1110.05(P)) Penalty, see § 72.99

§ 72.36 DUMPSTERS AND OTHER REFUSE CONTAINERS.

It is unlawful for any person to park or leave standing on a public street, alley or other public place, without obtaining a permit from the city, any dumpster, roll-off or other refuse container except those containers regularly used for weekly garbage and recycling pick up or other regular yard maintenance. The city shall establish by administrative regulation a system for the issuance of permits herein required and the establishment of fees necessary therefore. (1981 Code, § 1110.05(Q)) Penalty, see §72.99

§ 72.99 PENALTY.

(A) *Penalties.* Any person, firm or corporation violating any provision of this chapter shall be guilty of a petty misdemeanor and upon conviction thereof shall be punished by fines not to exceed \$200; provided, however, that any person, firm or corporation violating this chapter may satisfy such violation by insertion in the mailing envelope used as a parking violation ticket, such sum of lawful money of the United States, as hereinafter set forth in a traffic violation fee box or by leaving the same at the Police Department of the City of Lake City, Minnesota, within the time limit hereinafter provided, to wit:

- (1) Handicap parking: \$200 if paid within ten days of the issuance, \$210 if paid within 30 days of the issuance, \$220 if paid after 30 days of the issuance;
- (2) Winter parking: \$25 if paid within ten days of the issuance, \$35 if paid within 30 days of the issuance, \$95 if paid after 30 days of the issuance;

- (3) Two-hour parking: \$5 if paid within ten days of the issuance, \$15 if paid within 30 days of the issuance, \$25 if paid after 30 days of the issuance;
- (4) All other parking violations: \$20 if paid within ten days of the issuance, \$30 if paid within 30 days of the issuance, \$40 if paid after 30 days of the issuance.

(B) *Police authority.* Nothing herein shall be deemed to waive the other penalties provided by this code or chapter, including, but not limited to the authority herein granted under § 72.06. (1981 Code, § 1110.11)