

TITLE VII: TRAFFIC CODE

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CHAPTER 70: TRAFFIC REGULATIONS

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GENERAL PROVISIONS

§ 70.01 DESIGNATION OF THROUGH HIGHWAYS.

(A) The Council may by resolution designate through highways by erecting stop signs at the entrances thereto or may designate any intersection as a stop intersection by erecting like signs at one or more entrances to the intersection.

(B) Every driver of a vehicle shall stop at the sign or at a clearly marked stop line before entering an intersection, except when directed to proceed by a police officer or a traffic-control signal.

(Prior Code, § 801.01)

§ 70.02 EXHIBITION DRIVING/INATTENTIVE DRIVING.

(A) No person shall turn, accelerate, decelerate or otherwise operate a motor vehicle on any public or private roadway within the city in a manner which causes unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing of sand or gravel, or in a manner simulating a race, impeding traffic or with an unnecessary exhibition of speed. Unreasonable throwing of sand or gravel by tires is prima facie evidence of a violation of this section. Violations shall be cited as exhibition driving under this code provision.

(B) No person shall be so engaged or occupied while driving a motor vehicle so as to interfere with the safe driving of the vehicle. Violations shall be cited as inattentive driving under this code provision.

(Prior Code, § 801.02) Penalty, see § 70.99

§ 70.03 TRAIN WHISTLES.

No railroad company or corporation or employee of any railroad company or corporation shall blow or cause to be blown a steam whistle or whistle of any locomotive or steam engine within the city. The foregoing restriction shall not apply in the case of an alarm, in case of fire, or as a warning to any person or object upon or in dangerous proximity to the track; provided, further, that the whistles may be blown in a modified or modulated tone to signal towermen, to call for semaphore signals and as a safety precaution in backing cars or locomotives.

(Prior Code, § 801.03) Penalty, see § 70.99

NON-MOTORIZED VEHICLES AND DEVICES

§ 70.15 PROHIBITED AREAS.

(A) *Prohibited areas.*

(1) No person shall use, operate or ride roller skates, rollerblades, rollerskis, scooters or similar non-motorized vehicles or devices upon the public streets, roadways, highways and alleys located within the city listed in Ch. 73, Sch. I.

(2) The devices shall be permitted on all other public roadways, highways and alleys located within the city subject to the provisions of division (B) below.

(B) *Exceptions and regulations.*

(1) Any individual operating or riding the devices must yield to pedestrians.

(2) Any individual operating or riding the devices may cross streets or roadways only at crosswalks.

(3) The above-stated prohibitions and restrictions shall not apply to bicycles which are regulated by state law.

(4) Tricycles and skateboards shall be prohibited on all public streets, roadways, highways and alleys located within the city.

(Prior Code, § 801.04) Penalty, see § 70.99

DRIVING OVER SIDEWALKS

§ 70.30 PROHIBITION.

No person shall drive any vehicle over the gutter, curb or sidewalk of any improved street, avenue or alley in the city, except at those places where a driveway or crossing has been provided in accordance with city procedures.

(Prior Code, § 801.05) Penalty, see § 70.99

§ 70.31 DAMAGES.

(A) Any damages caused to a public sidewalk, gutter or curb due to driving over the curb, sidewalk or gutter shall be the responsibility of the abutting property owner.

(B) Costs of repair of the sidewalk, curb or gutter may be recovered by the city by the procedure set forth in § 92.03 of this code of ordinances.

(Prior Code, § 801.05)

§ 70.32 EXCEPTION.

The foregoing restriction on driving over sidewalks shall not apply from October 1 through April 30 where there is adequate area to park a motor vehicle without interfering with the use of public streets or sidewalks, and the parking is necessary to provide adequate right-of-way on a public street. The exception shall be exercised only after notice to the City Police Department and approval of the parking arrangement by the Police Department. Any damages caused as a result of the parking are the responsibility of the adjacent property owner as set forth in § 70.31.

(Prior Code, § 801.05)

§ 70.99 PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 10.99.

(B) Violations under § 70.02 shall constitute petty misdemeanors.
(Prior Code, § 801.02)

(C) The penalty for violation of the prohibitions set forth in § 70.15 shall be subject to the city administrative fine schedule.

(Prior Code, § 801.04)

(Ord. 02-05, passed 4-4-2005)

CHAPTER 71: PARKING

Section

General Provisions

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- 71.04 Restricted or no parking zones by Council designation
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GENERAL PROVISIONS

§ 71.01 PARKING PROHIBITIONS.

No person shall stop, stand or park a motor vehicle, occupied or unoccupied, or permit any of the same except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- (A) On a sidewalk or with any part of the vehicle thereon;
- (B) In front of a public or private drive, or with any part of the vehicle in front thereof, or directly across therefrom in a manner so as to impede access to the driveway;
- (C) Within an intersection;
- (D) Within ten feet of a fire hydrant;
- (E) On or within a crosswalk;
- (F) Within 20 feet of a crosswalk at an intersection;

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- (G) Within 30 feet upon the approach of any flashing beacon, stop sign or traffic-control signal located at the side of the roadway;
 - (H) Within seven feet upon the approach to the entrance of any alley or private driveway;
 - (I) Within 50 feet of the nearest rail of railroad crossing;
 - (J) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when posted;
 - (K) Alongside, near or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
 - (L) On the roadway side of any vehicle stopped or parked at the edge or curb of a street (double parking);
 - (M) Upon any bridge or other elevated structure upon a highway or within a highway tunnel when the parking or stopping is prohibited by official signs;
 - (N) At any place where official signs prohibit stopping;
 - (O) Between the curb line and property line and property line or between the edge of the roadway and the property line;
 - (P) On or within any area designated as a fire lane;
 - (Q) In any area designated as handicap zone; except as otherwise authorized by the City Council, within or upon a front yard;
 - (R) Within any area designated a bus stop by resolution of the Council when the area is posted;
 - (S) Within any area designated as a loading zone by resolution of the Council when the area is so posted unless the stopping, standing or parking, is for not more than five minutes and for the purpose of loading or unloading passengers or freight; and
 - (T) Upon any street or highway when directed or ordered to proceed by any peace officer invested by law with authority to direct, control or regulate traffic.
- (Ord. passed - -2009) Penalty, see § 71.99

§ 71.02 DISABILITY PARKING AREAS.

No person shall stop, stand or park, occupied or unoccupied, or permit the same, in or obstruct access to a parking space or associated access aisle designated and reserved for the physically disabled, on either public or private property unless that person is physically disabled or is operating the vehicle under the direction and for the use of a physically handicapped person, and the vehicle visibly bears or contains a proper disability certificate or license plate.

(Ord. passed - -2009) Penalty, see § 71.99

§ 71.03 PARKING IN ALLEYS.

No person shall stop, stand or park, occupied or unoccupied, or permit the same, a motor vehicle within an alley in a manner and under those conditions so as to impede

the free movement of traffic through the alley or in a manner as to block or otherwise impede access to the driveway or entrance to any abutting property.
(Ord. passed - -2009) Penalty, see § 71.99

§ 71.04 RESTRICTED OR NO PARKING ZONES BY COUNCIL DESIGNATION.

The Council may designate, by resolution, streets and/or portions thereof as restricted parking zones. Upon designation by the Council such restricted or no parking zones, official signs shall be erected establishing the zones and no person shall stop, stand or park a vehicle, whether occupied or unoccupied, or permit any of the same within the zone.
(Ord. passed - -2009) Penalty, see § 71.99

§ 71.05 24-HOUR PARKING.

No person shall stop, stand or park, occupied or unoccupied, or permit the same, a motor vehicle upon any public property belonging to the city or any public street for a continuous period of more than 24 hours except with prior permission from the Police Department. The permission may be granted by the Chief of Police if the Chief of Police determines, in his or her discretion, that stopping, standing or parking is necessary due to a lack of alternative stopping, standing or parking.
(Ord. passed - -2009) Penalty, see § 71.99

§ 71.06 TIME LIMIT PARKING.

The Council may designate by resolution streets and/or portions thereof as areas in which stopping, standing or parking a motor vehicle, whether occupied or unoccupied, or permitting the same, is prohibited beyond a specified continuous time period. Upon designation by the Council of the time restrictions, official signs establishing the restriction shall be erected, and no person shall stop, stand or park a vehicle, whether occupied or unoccupied, or permit any of the same beyond the time restriction.
(Ord. passed - -2009) Penalty, see § 71.99

§ 71.07 SCHOOL ZONES.

The Council may designate by resolution streets and/or portions thereof as "No Parking" or "Restricted Parking" zones during school days. Upon designation by the Council of the restrictions, official signs establishing the restriction shall be erected, and no person shall stop, stand or park a vehicle, whether occupied or unoccupied, or permit any of the same within the zone during the period of the established restriction.
(Ord. passed - -2009) Penalty, see § 71.99

§ 71.08 WINTER PARKING REGULATIONS.

Between the period of November 15 and April 1 in each year, no person shall park or permit the same, any motor vehicle upon any street or alley within the city between the hours of 2:00 a.m. and 7:00 a.m. If the Chief of Police, in his or her discretion, or any police officer acting under the authority of the Chief of Police, determines that any vehicle parked contrary to the provisions of this section is thereby hindering the removal of snow, the Chief of Police or police officer acting under the authority of the Chief of Police may direct to have the vehicle removed from the street or alley by removal. The owner of the vehicle shall be responsible for any costs accrued as a result of the removal in addition to any fines imposed as result of a violation of this section.

(Ord. passed - -2009) Penalty, see § 71.99

§ 71.09 ANGLE PARKING AND PARKING AGAINST TRAFFIC.

Except where angle parking is permitted hereunder, no person shall stop, stand or park, occupied or unoccupied, or permit the same, a motor vehicle at an angle to the curb or roadside. Each vehicle shall park with the right hand wheels parallel to and within 12 inches of the curb or road side and to the right of the main part of the street or roadway but in no event shall the vehicle park, stop or stand against the flow of traffic or to the left of the main part of street or roadway so as to face on-coming traffic. Where angle parking is authorized by the Council and is so marked by an appropriate sign, no part of the vehicle shall extend over the sidewalk, and the vehicle shall not extend into the travel portion of the street.

(Ord. passed - -2009) Penalty, see § 71.99

§ 71.10 DOUBLE PARKING.

No person shall stop, stand or park, occupied or unoccupied, or permit the same, a motor vehicle to the left of another vehicle parked parallel to the curb or roadway.

(Ord. passed - -2009) Penalty, see § 71.99

§ 71.11 TRAINS OBSTRUCTING STREETS.

(A) No railroad company, conductor, engineer, yard or track master, other agents or employees of the company, or any person whatsoever shall obstruct or cause to be obstructed any public street or highway with any locomotive cars, freight, goods, wares or merchandise or in any way obstruct the clear and free passage for vehicle or foot passage over any street or avenue in the city for a period longer than ten minutes. The allowable obstruction by any railroad company shall terminate immediately upon the giving of a proper warning of an approach of any fire, police or ambulance vehicle.

(B) No company or person shall make, cause or allow to be made any flying switch or make or unmake trains upon or across any street.
(Ord. passed - -2009) Penalty, see § 71.99

§ 71.12 SEMI-TRUCK PARKING REGULATIONS.

(A) *Parking upon public property street, roadway or alleyway.* No person shall park a semi-trailer, semi-truck, semi-tractor or road tractor on any public street, roadway or alleyway in any area within the city zoned "S" Suburban or "R-1a", "R-1b" and "R-2" or "R-3" nor within 50 feet thereof, except for the purpose of unloading or loading passengers or freight and then only for a period no longer than is necessary for the loading or unloading; provided, that this section shall not apply to the parking of vehicles owned by public bodies or utilities which are providing emergency repair service.

(B) *Parking upon private property in "O/R", "S", "R-1a", "R-1b", "R-1c", "R-2" or "R-3" Districts.* A semi-truck, semi-tractor, truck tractor or road tractor may be parked by the owner thereof upon real property owned or leased by the truck owner in the above-referenced zones only upon an improved designated private parking area which meets the zoning and building requirements of the city code and only where the total abutting land owned by the trailer owner upon which the trailer is parked equals one-half acre or more in area.

(C) *Parking in commercial and manufacturing districts.*

(1) A semi-trailer, semi-truck, semi-tractor, truck tractor or road tractor may be parked by the owner thereof upon private property within the city for a maximum period of 48 hours. This prohibition shall include parking in all "C" Commercial and "I" Manufacturing Districts within the city.

(2) No on-street parking of the vehicles shall be allowed at any time within any zoning districts of the city except for the purposes of loading and unloading, the parking to be limited to a maximum period of two hours unless prior authorization for a longer period is obtained from the City Chief of Police.

(3) Those businesses located within the city which require semi-trucks and/or trailers for their ongoing business shall be permitted to park vehicles essential to business and owned or leased by that business upon private property in "C" and "I" Districts within the city. Each business shall apply for a permit covering the business and the semi-trucks and/or trailers required by that business. Each permit must be approved on an annual basis by majority vote of the City Council. Truck or trailer terminal or dispatch facilities shall not be eligible for permits hereunder but are to be regulated by § 155.191 of this code of ordinances.

(4) Temporary parking of construction vehicles meeting the descriptions herein may be allowed for periods in excess of 48 hours by the Chief of Police by obtaining a construction parking permit from the City Police Department prior to the commencement of or during construction. The permit will only be granted when the Department is presented a building permit from the City Building Official for the project in question. There shall be no charge for the permit granted under division (C)(3) above and this division (C)(4).

(Ord. passed - -2009) Penalty, see § 71.99

§ 71.13 SEMI-TRUCK PARKING REGULATIONS; KEYS IN THE IGNITION.

No person shall leave a semi-tractor, semi-truck, truck tractor or road tractor, except a truck which is engaged in loading or unloading, unattended on any street, alley, used car lot or unattended parking area, including private parking areas, without first stopping the engine, locking the ignition, and removing all ignition keys from the vehicle; provided, however, that any violation of these provisions shall not mitigate the offense of the theft of a motor vehicle, nor shall the violation be used to effect a recovery in any civil action for theft of a motor vehicle, the insurance thereon, or have any other bearing in any civil action.

(Ord. passed - -2009) Penalty, see § 71.99

§ 71.14 COMMERCIAL PARKING LOTS.

Commercial parking lots shall be permitted only as provided herein.

(A) No one may operate or permit to operate any commercial parking lot within the city in any zoned residential or suburban or any variation of the same except for the South St. Louis City Fairgrounds or except as authorized by the City Council.

(B) A license to operate a commercial parking lot shall be required in any area zoned industrial or commercial subject to approval by the Planning and Zoning Commission and subject to approval by the City Council.

(C) The city may, at any time, and in its sole discretion, require insurance provisions for the protection of customers and users of the commercial parking lot or lots.

(D) The city may establish an annual licensing fee, which shall include all inspection charges to ensure compliance with the insurance and zoning and public health and safety regulations.

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

COMMERCIAL PARKING LOT. Any sole proprietorship, partnership, limited partnership, limited liability corporation, corporation or any unit of government owning or operating on a daily basis or longer period of time any parking facility for the temporary storage of motorized vehicles, except the following shall not be deemed to be a commercial parking lot: any parking facility owned or operated by the city or any of its duly authorized subdivisions, any private residential homeowner who stores his or her own vehicles upon his or her private property, any business located within the corporate limits of the city and provides free parking for its patrons, customers, clients or patient, any private residential homeowner who may, periodically, retain storage space for up to five non-homeowner owned vehicles for less than 210 days per year.

(F) The licensee shall operate the facility in compliance with all local, state and federal regulations and the regulations as the city may, in its sole discretion, enact. (Ord. passed - -2009) Penalty, see § 71.99

§ 71.15 TOWING OF VEHICLES IN VIOLATION OF PARKING ORDINANCES.

(A) The Chief of Police or any police officer acting under the authority of the Chief of Police may tow any vehicle from any public street, alleyway or parking lot if the vehicle parked, standing or stopped in violation of any of the provisions of this traffic code creates a hazard, obstructs the flow of traffic, or otherwise impedes access to any driveway, alleyway or entrance to a property whether public or private.

(B) The owner of the vehicle shall be responsible for any costs accrued as a result of the removal in addition to any fines imposed as a result of the applicable violation.

(Ord. passed - -2009)

PARKING OF UNLICENSED VEHICLES

§ 71.40 DEFINITION.

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

UNLICENSED VEHICLE. Any automobile, motorcycle, moped, truck, semi-tractor or other wheeled or tracked vehicle originally designed and manufactured for use on public streets or highways, no matter how modified or altered, not having current license plates and/or registration tabs displayed upon the vehicle.

(Prior Code, § 804A.01)

§ 71.41 VIOLATIONS.

It shall be a violation of this subchapter by the owner of the unlicensed vehicle in question, and/or the lessee, owner or manager of any parcel of real property located within the city, to allow or have parked upon the property any unlicensed motor vehicle which is visible to motorists, pedestrians or the general public. All visible unlicensed motor vehicles stored upon the premises shall be secured in a garage or storage building and not stored out of doors.

(Prior Code, § 804A.02) Penalty, see § 71.99

§ 71.42 EXCEPTIONS.

(A) *Temporary storage.* This subchapter shall not apply to the temporary storage of unlicensed motor vehicles. The term **TEMPORARY** shall mean a period of not more than 30 days.

(B) *Motor vehicle towing and repair facilities.*

(a) *Requirements.* Additionally, motor vehicle towing and/or repair facilities operating in commercial or manufacturing zones within the city may store unlicensed motor vehicles upon their business premises for a period of not more than

120 days. The storage shall conform to the screening, fencing and related aesthetic requirements of the zone in which the business is located.

(b) *Special circumstances.* Upon written application to the Building Inspector, businesses qualifying for an exception may obtain an extension of time for the storage of specific unlicensed motor vehicles where special circumstances prevent the business from licensing or disposing of a motor vehicle. Each permit shall be reviewed by the Building Inspector and be approved or denied. Permits that are denied may be appealed pursuant to § 150.01(E) of this code of ordinances.
(Prior Code, § 804A.03) Penalty, see § 71.99

§ 71.99 PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 10.99.

(B) The presence of any vehicle on any street or roadway when stopped, parked or standing, whether occupied or unoccupied, in violation of any provision of §§ 71.01 through 71.15 constitutes prima facie evidence that the register owner of the vehicle either committed the violation or permitted the violation to occur. A violation of any provision of §§ 71.01 through 71.15 shall be deemed a petty misdemeanor and shall be subject to the city fine schedule unless a fine is otherwise specifically established by §§ 71.01 through 71.15.

(Prior Code, § 804A.01)

(C) The penalty for violation of § 71.14 shall be a fine subject to the city administrative fine schedule. Each day any person or entity is in violation of § 71.14 shall constitute a new and separate offense under § 71.14. A conviction of violating § 71.14 shall constitute good cause to deny a license to an applicant or to terminate a licensee's permit to operate a facility.

(D) Violations of § 71.42 shall be subject to a fine based on the city administrative fine schedule. Each day of violation shall be deemed to constitute a separate offense.

(Prior Code, § 804A.03)

(Ord. 02-05, passed 4-4-2005; Ord. passed - -2009)

CHAPTER 72: RECREATIONAL VEHICLES

Section

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OPERATION OF BICYCLES

§ 72.01 SPEED.

No bicycle shall be ridden faster than is reasonable and proper under the circumstances and shall be operated with due regard for the safety of the operator and other persons upon the streets and highways of the city.

(Prior Code, § 803.02) Penalty, see § 72.99

§ 72.02 SIDEWALKS.

No bicycle shall be permitted to operate upon any public sidewalk of the city.

(Prior Code, § 803.02) Penalty, see § 72.99

§ 72.03 TIME.

No bicycle shall be permitted to operate upon any street or highway of the city between 30 minutes after sunset and 30 minutes before sunrise without a headlight visible under normal atmospheric conditions from the front thereof for not less than 300 feet indicating the approach or presence of the bicycle, firmly attached to the bicycle and properly lighted or without a yellow or red light or reflector attached to and visible from 200 feet from the rear thereof.

(Prior Code, § 803.02) Penalty, see § 72.99

SNOWMOBILES AND ALL-TERRAIN VEHICLES

§ 72.15 INTENT.

It is the intent of this subchapter to supplement M.S. Ch. 84 and M.S. Ch. 169, as they may be amended from time to time, with respect to the operation of snowmobiles and all-terrain vehicles. This section is not intended to allow what state law prohibits, nor to prohibit what state law allows.
(Ord. 06-17, passed 7-17-2017)

§ 72.16 DEFINITIONS.

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

ALL-TERRAIN VEHICLE or **ATV**. The meaning as defined in M.S. § 84.92, subd. 8, as it may be amended from time to time.

CITY OF PROCTOR SNOWMOBILE AND ATV MAP. The map created by the city indicating the streets, roads, highway and other areas within the city in which snowmobile and ATV operation is authorized, which shall be kept on file at the City Police Department and furnished upon request.

CLASS 1 ATV. The meaning as defined in M.S. § 84.92, subd. 9, as it may be amended from time to time.

CLASS 2 ATV. The meaning as defined in M.S. § 84.92, subd. 10, as it may be amended from time to time.

DITCH. A narrow channel dug in the ground, typically used for drainage alongside a road.

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

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

OWNER. A person, other than a lien holder, having the property in or title to a snowmobile or ATV or entitled to the use or possession thereof.

RIGHT-OF-WAY. The entire strip of land traversed by a highway or street in which the public owns the fee or an easement for roadway purposes.

ROADWAY. The portion of a highway or street improved, designed or ordinarily used for vehicular travel, including the shoulder.

SNOWMOBILE. The meaning as defined in M.S. § 84.81, as it may be amended from time to time.

STREET or **HIGHWAY**. The entire width between the boundaries of any way or place open to the use of the public, as a matter of right, for the purposes of vehicular traffic.

(Ord. 06-17, passed 7-17-2017)

§ 72.17 STATE STATUTE ADOPTED.

M.S. §§ 84.81 to 84.915, Snowmobiles, M.S. §§ 84.92 to 84.928, All-Terrain Vehicles and M.S. Ch. 169, Traffic Regulations, as they may be amended from time to

time, are hereby adopted by reference and are as much a part of this section as if fully set forth herein.

(Ord. 06-17, passed 7-17-2017)

§ 72.18 APPLICATION OF TRAFFIC ORDINANCES.

City traffic ordinances shall apply to the operation of snowmobiles and ATVs on streets or highways, except those which by their nature have no application.

(Ord. 06-17, passed 7-17-2017)

§ 72.19 SNOWMOBILE OPERATION.

A snowmobile may be operated upon the roadway, shoulder, inside bank or slope of those city streets, county roads and state highways as designated on the City of Proctor Snowmobile and ATV Map provided that the operation occurs on the farthest right hand side of the street, road or highway and whenever possible, and legal to do, the operation occurs within the ditch and always one way in the direction of traffic.

(Ord. 06-17, passed 7-17-2017)

§ 72.20 SNOWMOBILE RESTRICTIONS.

- (A) It shall be unlawful to operate a snowmobile:
- (1) On a public sidewalk provided for pedestrian travel;
 - (2) On boulevards within any public right-of-way;
 - (3) On private property of another, except as permission is expressly obtained by the owner or person in control of the private property;
 - (4) On any school grounds, except as permission is expressly obtained from responsible school authorities;
 - (5) On public property, playgrounds and recreation areas, except as allowed by the city and indicated on the City of Proctor Snowmobile and ATV Map;
 - (6) At a rate of speed exceeding 30 mph on any roadway, or at a rate of speed greater than the posted speed limit on any trail, and in no event at a rate of speed greater than reasonable or proper under the surrounding circumstances;
 - (7) In a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto; and
 - (8) In a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of the public.

(B) No person shall operate a snowmobile on any street, alley or other public roadway within the city between the hours of 1:00 a.m. and 6:00 a.m., Monday through Friday, or between the hours of 2:00 a.m. and 6:00 a.m. on Saturday and Sunday.

(Ord. 06-17, passed 7-17-2017) Penalty, see § 72.99

§ 72.21 ATV OPERATION.

In order to access businesses and residences and to make trail connections, an ATV may be operated upon the roadway of those city streets, county roads and state highways as designated on the City of Proctor Snowmobile and ATV Map, provided that operation occurs on the farthest right hand shoulder or the extreme right hand side of the street, road or highway and always one way in the direction of traffic. (Ord. 06-17, passed 7-17-2017) Penalty, see § 72.99

§ 72.22 ATV RESTRICTIONS.

- (A) It shall be unlawful to operate an ATV:
- (1) On a public sidewalk provided for pedestrian travel;
 - (2) On boulevards within any public right-of-way;
 - (3) On or in a ditch;
 - (4) On private property of another without specific permission of the owner or person in control of the property;
 - (5) On any school grounds, except as permission is expressly obtained from responsible school authorities;
 - (6) On public property, playgrounds and recreation areas, except as allowed by the city and indicated on the City of Proctor Snowmobile and ATV Map;
 - (7) At a rate of speed greater than 30 mph or proper under the surrounding circumstances;
 - (8) In a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto; and
 - (9) In a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of the public.
- (B) No person shall operate an ATV on any street, alley or other public roadway within the city between the hours of 1:00 a.m. and 6:00 a.m., Monday through Friday, or between the hours of 2:00 a.m. and 6:00 a.m. on Saturday and Sunday. (Ord. 06-17, passed 7-17-2017) Penalty, see § 72.99

§ 72.23 EQUIPMENT.

It is unlawful for any person to operate a snowmobile or ATV within the limits of the city unless it is equipped with the following.

- (A) A muffler that is in good working order and that does not produce sharp popping or cracking sounds or excessive or unusual noise. In no event, shall a muffler be altered in any way to produce a noise that is louder than the original manufacturer equipment or by means of a cutout, bypass straight pipe or similar device; or in a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of the public.
- (B) Brakes adequate to control the movement of and to stop and hold the snowmobile or ATV under any condition of operation;

- (C) A safety throttle in operating condition;
 - (D) Reflective material at least 16 square inches on each side so as to reflect lights at a 90 degree angle; and
 - (E) At a rate of speed greater than 30 mph or proper under the surrounding circumstances.
- (Ord. 06-17, passed 7-17-2017) Penalty, see § 72.99

§ 72.24 SIGNAGE.

The City Chief of Police may, in his or her sole discretion, cause signage to be installed identifying the designated snowmobile or ATV routes, as set forth on the City of Proctor Snowmobile and ATV Map, and/or cause signage to be installed notifying persons of any restrictions on use as described in this section.

(Ord. 06-17, passed 7-17-2017)

§ 72.25 STOPPING AND YIELDING.

No snowmobile or ATV shall enter any uncontrolled intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians at the intersection or so close to the intersection as to constitute an immediate hazard.

(Ord. 06-17, passed 7-17-2017) Penalty, see § 72.99

§ 72.99 PENALTY.

- (A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 10.99.
 - (B) A person convicted of a violation of §§ 72.15 through 72.25 is guilty of a misdemeanor ordinance violation.
- (Ord. 06-17, passed 7-17-2017)

CHAPTER 73: TRAFFIC SCHEDULES

Schedule

- I. Non-motorized vehicles; prohibited areas**
- II. Weight limits**

SCHEDULE I. NON-MOTORIZED VEHICLES; PROHIBITED AREAS.

- (A) *Prohibited areas.*

Proctor, MN Code of Ordinances

- (1) Boundary Avenue;
- (2) Second Avenue (Lavaque Road) from U.S. Highway 2 to the Hermantown city limits;
- (3) U.S. Highway 2;
- (4) Third Avenue from Fourth Street to Seventh Street;
- (5) Second Street from Boundary Avenue to Ninth Avenue and from the sidewalk Second Avenue and Highway 2;
- (6) Ugstad Road;
- (7) Fifth Street;
- (8) Fifth Avenue on the west side of Proctor;
- (9) Fourth Street West; and
- (10) All public sidewalks within the city.

(B) Children eight years of age or younger are prohibited from operating or riding roller skates, rollerblades, rollerskis, scooters or similar non-motorized vehicles or devices on any streets within the city limits, except that they may cross Highway 2 at Second Street.

(Prior Code, § 801.04) Penalty, see § 70.99(C)

SCHEDULE II.WEIGHT LIMITS.

It is hereby prohibited to drive a motor vehicle upon the following streets, alleys and highways within the city with a greater per axle weight of four tons:

(A) On Oak Street from Boundary Avenue to Second Avenue on Second Avenue from Highway 2 to Anchor Street and including Amund's Lane from Second Avenue to Second Avenue, on Anchor Street from Second Avenue to First Avenue, on Sixth Street from Boundary Avenue to Highway 2, on First Avenue from Alice Street to First Street, on Fourth Avenue from Sixth Street to Old Highway 2 which are on the east side; and also on the west side of Sixth Avenue from Second Street to First Street Alley, on Eighth Avenue from Second Street to Almac Drive, and Almac Drive from Eighth Avenue to Ugstad Road;

(B) On Alice Street from Boundary Avenue to Second Avenue, on Grove Street from Boundary Avenue to westerly of First Avenue, on First Avenue from Third Street to Ninth Street which are on the east side; and also on the west side of Seventh Avenue from First Street Alley to Fourth Street;

(C) On First Street from Boundary Avenue to Highway 2, on Sixth Avenue from Second Street to Fourth Street, on Eighth Avenue from Second Street to Fifth Street, on Ninth Avenue from 45 feet southerly of First Street Alley to Fifth Street, on Third Street from Seventh Avenue to Eighth Avenue for the 24-foot wide mat, and on Fourth Street from Boundary Avenue to Second Avenue for the 36-foot wide mat;

(D) On First Avenue from First to Second Streets, on Fifth Street from Fifth Avenue to Ninth Avenue, and on Ninth Avenue from Fifth to Sixth Streets;

(E) On Third Avenue from Fifth Street to Tenth Street, on Eighth Street from Second Avenue to Third Avenue, on Third Street from Fifth Avenue to Seventh Avenue, on Third Street from Eighth Avenue to Ugstad Road, on Sixth Street from Ninth Avenue to Ugstad Road; and

Proctor, MN Code of Ordinances

(F) Bass Boulevard, Cypress Drive and Acacia Avenue in Rolling Green Division, Hearthside and Birchwood in Lundholm Division.
(Prior Code, § 801.06) Penalty, see § 10.99