

**CHAPTER 6 TRAFFIC AND MOTOR VEHICLES**

**Section 600 - General Regulations**

**600.01 Statutory Adoption.** The provisions of Minnesota Statutes, Chapter 169 are hereby adopted and incorporated by reference in this Code and made a part hereof as though set out herein in full.

**600.02 Operation of Vehicles During Fires.**

**Subd. 1 Vehicles Shall Stop.** Upon the approach of any vehicle or apparatus of the fire department answering an alarm of fire, the driver of any vehicle, other than a vehicle of the aforesaid department, shall drive as closely as possible to the right hand curb and stop and shall not follow within 500 feet after the vehicles and apparatus of the fire department have passed.

**Subd. 2 Parking Near Fires.** No vehicle, excepting under direction of the Chief of the Fire Department in charge at the time, shall approach or park within 500 feet of any fire.

**Subd. 3 Driving Over Hoses.** No person shall drive any motor vehicle over any line of hose which at the time is being used to extinguish fires unless the hose is covered with a guard.

**600.03 Unreasonable Acceleration.**

**Subd. 1 Nuisance.** Unreasonable acceleration of any motor vehicle on any street, private road, or public or private parking lot or driveway in the City is hereby declared to be a public nuisance and shall be prohibited.

**Subd. 2 Definition.** Unreasonable acceleration of a motor vehicle is hereby defined as acceleration which spins a tire or tires resulting in the breaking of traction between a tire or tires and the street surface and accomplished in such a manner as to cause a squealing or screeching sound by the tires or the throwing of sand or gravel by the tires of the vehicle or both. Prima Facie evidence of such unreasonable acceleration is squealing or screeching sounds emitted by the tires or the throwing of sand or gravel by the tires or both.

**600.04 Exhibition Driving.** No person shall turn, accelerate, decelerate or otherwise operate a motor vehicle within the City in a manner which causes unnecessary engine noise or backfire, skidding, sliding, swaying, or in a manner simulating a race.

**600.05 Penalty.** Any person violating any provisions of this Section shall be guilty of a petty misdemeanor.

**Section 610 - Traffic Control Devices**

**610.01 Placement and Maintenance.** The Council and other local authorities in the respective jurisdictions shall place and maintain such traffic-control devices upon highways under their jurisdiction as they shall deem necessary to regulate, warn or guide traffic. The Engineer shall place and maintain traffic-control signs, signals and devices, including signs prohibiting the stopping, standing and parking of vehicles, when and as required by the Council under the traffic ordinances of this Municipality, in order to make effective the provisions of the Ordinances. All such traffic control signs, signals and devices shall conform to the manual and specifications approved by the Commissioner of Highways where practicable, or special requirements adopted by the Council and shall, insofar as required for a particular purpose, be uniform as to type and location throughout the Municipality to the extent practicable. All traffic control devices erected hereunder and not inconsistent with the provisions of State law or this Section shall be official traffic control devices, and the driver of any vehicle shall obey the instructions of the official traffic control device unless otherwise directed by a traffic or police officer, subject to exceptions granted to the driver of an authorized emergency vehicle.

**610.02 Observance.**

**Subd. 1 General.** The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of this Chapter, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this Chapter.

**Subd. 2 Enforcement.** No provision of this Chapter for which official traffic-control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic-control devices are required, such section shall be effective even though no devices are erected or in place.

**Subd. 3 Placement.**

A. Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this Chapter, the devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

B. Any official traffic control device placed pursuant to the provisions of this Chapter and purporting to conform to the lawful requirements pertaining to the devices shall be presumed to comply with the requirements of this Chapter, unless the contrary shall be established by competent evidence.

**Section 620 - Parking**

**620.01 Definition.** For the purpose of this Section, the term owner shall mean the person, firm, or corporation that holds legal title on the date of any alleged violation as evidence by the official records of the Minnesota Secretary of State. Copies of any of the files or records of the Secretary of State certified as being true copies shall be received in evidence with the same force in effect as the originals, shall be admissible to the ownership of the vehicle, but nothing herein contained shall exclude or prohibit the introduction of other evidence bearing on the issue of ownership.

**620.02 Municipal Lots.**

**Subd. 1 Establishment.** The City Council is hereby be authorized to establish and designate by resolution municipally owned land, ground or property as an area for the parking of automobiles, wagons or motorcycles and to make and establish appropriate regulations and provisions for the use of the designated areas.

**Subd. 2 Hours.** No person shall leave for any period of time during the time period from 1:00 a.m. to 6:00 a.m. of any day or for more than two hours from 6:00 a.m. to 6:00 p.m. of any day, whether attended or unattended, any automobile or other vehicle of any kind or parts thereof on any municipally owned parking area.

**620.03 Parking, Stopping, Standing.** It shall be unlawful for the owner and/or driver of a motor vehicle to stop, stand, or park the vehicle in any of the following places except when necessary to avoid conflict with other traffic or when in compliance with the directions of a peace officer or traffic control devices:

- A. On a sidewalk or boulevard between the sidewalk and roadway.
- B. In front of a public or private driveway.
- C. Within an intersection.
- D. Within ten feet (10') of a fire hydrant.
- E. On a crosswalk.
- F. Within twenty feet (20') of a crosswalk at any intersection.
- G. Within thirty feet (30') of any arterial stop sign or sign indicating the direction for travel or traffic control signal.
- H. In any manner on any street or highway so as to interfere with or interrupt the passage of other vehicles.

- I. Within twenty feet (20') of a driveway entrance to any fire station and on a side of a street opposite the entrance to any fire station within seventy five feet (75') of the entrance when properly sign posted.
- J. Within 500 feet of any fire.
- K. On the roadway side of any vehicle stopped or parked at the edge or curb of a street or highway.
- L. At any place where official signs prohibit stopping, standing or parking.
- M. In a handicapped zone unless the vehicle has handicapped plates or a sticker authorizing such parking.
- N. So as to block a fire escape or the exit from any building whether on public or private property.
- O. Where temporary signs are posted by the Police Department or by some other person at City Council's direction reading "No Parking by Police Order" as long as such signs are in place.
- P. In an area designated as a fire lane.
- Q. Move a vehicle not owned by the person into any prohibitive area or away from a curb such distance as is unlawful.

**620.04 Camping.** No person shall for camping purposes leave or park a house trailer or recreational vehicle on or within the limits of any street or highway or on any highway right-of-way except where signs are erected for a designated camp sight.

**620.05 Selling.** No vehicle shall be parked on any street, boulevard, or unimproved surface for the purpose of displaying it for sale.

**620.06 Truck Engines Idling.** No person shall be allowed to park a truck on a street or private drive in a residentially zoned district and leave the motor running or the refrigeration unit motor running during the hours from 11:00 p.m. to 7:00 a.m.

**620.07 Consecutive Hours.** On any City street for more than seventy two (72) consecutive hours. No vehicle shall be parked on either side of Lake Street in the City from U.S. Highway No. 10 south to the right-of-way of the Burlington Northern Railway longer than two (2) hours from 8:00 a.m. to 6:00 p.m. on any day except Sundays and legal holidays.

**620.08 Winter Parking.** No vehicle shall park on any street or roadway between the hours of 12:01 a.m. and 8:00 a.m. from November 1 through April 15, except emergency vehicles on any City street.

**620.09 Parking in Regard to Snow Plowing and/or Removal.** After a snowfall of two (2) inches or more, all streets in the City shall be cleared of all motor vehicles and parts thereof, for the purpose of snowplowing and/or removal, until all streets are plowed. Any motor vehicle or parts thereof left on any street or boulevard in the City in such way as to impede the performance of the City and/or State snowplow shall be dealt with under the penalty provision of this Section.

**620.10 Yard Parking.**

No person shall park any motor or recreational vehicle (vehicle must be operable and licensed as required by the State of Minnesota) in any yard of any lot or premise except if the vehicle is parked in a lawful garage, or in a driveway leading to a garage, or in the absence of a garage, a driveway providing immediate access to the lot or premise, or in the case of commercial or industrial properties, in designated parking lots but not the yard space immediately abutting the parking lot; and in no case shall a vehicle be parked on any premise without the consent of the property owner (see Zoning Code 1030 for additional restrictions).

**Subd. 1.** No person shall park any vehicle in any yard of any lot or premise except if the vehicle is parked on the appropriate parking facility. Carports are not allowed nor as a suitable screening device. There shall be no more than two (2) vehicles parked in any rear yard.

**Subd. 2.** Surfacing. All areas intended to be utilized for parking space and driveways shall be surfaced with asphalt, concrete or other surface materials, approved by the City Engineer, suitable to control dust and drainage. Driveway aprons shall be constructed and surfaced with either concrete or bituminous in compliance with adopted City construction specifications.

**Subd. 3.** Parking Area Grades. The grade elevation of any parking area shall not exceed five (5) percent unless approved by the City Engineer.

**Subd. 4.** All areas zoned (A), Agricultural District, shall follow Sections 1030 (Off-street Parking and Loading), 1034 (Recreational Vehicles, Equipment and Uses), 1041 (General Lot and Yard Requirements) and any other applicable ordinance.

**620.11 Prohibited Parking.** No vehicle or motor vehicle as described by Chapter 169 of the Minnesota Statutes Annotated, as amended, shall be parked on the east side of Lake Street South (U.S. Highway #25) from U.S. Highway #10 south to the Burlington Northern Railway in the City of Big Lake, Minnesota.

No vehicle or motor vehicle as described by Chapter 169 of the Minnesota Statutes Annotated, as amended, shall be parked on either side of Lake Street South (U.S. Highway #25) south of the Burlington Northern Railway in the City of Big Lake, Minnesota.

**620.12 Penalties.**

**Subd. 1 Parking Fines.** Fines for violations of this Section shall be as set by State law or as identified more fully in an addendum to this ordinance titled "Parking Fines"

**Subd. 2 Impounding.** Any automobile or other vehicle or part thereof which shall be left in violation this Chapter shall be summarily removed by proper officers of the Police Department or this City or persons employed or designated by them and stored in an appropriate place. All necessary costs and expenses of towing, removing and storing of the vehicles or parts thereof shall first be paid to the City Administrator by the person claiming the vehicle before release.

**Section 625 – Excessive Vehicle Noise**

**625.01 Definitions.** For the purpose of this ordinance, the following phrases are defined as follows:

**Engine retarding brake.** A Dynamic Brake, Jake Brake, Jacobs Brake, C Brake, Paccar Brake, transmission brake or other similar engine retarding brake system which alters the normal compression of the engine and subsequently releases that compression.

**Abnormal or excessive noise.** A distinct and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort and repose of any person or precludes their enjoyment of property or affects their property's value, (b) noise in excess of that permitted by Minnesota Statutes Section 169.69, as it may be amended from time to time, which requires every motor vehicle to be equipped with a muffler in good working order, or (c) noise in excess of that permitted by Minnesota Statutes Section 169.693 and Minnesota Rules parts 7030.1000 through 7030.1050, as this statute and these rules may be amended from time to time, which establish motor vehicle noise standards.

**625.02 Adoption by Reference.** Minnesota Statutes Sections 169.69 and 169.693 (motor vehicle noise limits) and Minnesota Rules parts 7030.1000 through 7030.1050, as these statutes and rules may be amended from time to time, are hereby adopted by reference.

**625.03 Excessive Vehicle Noise.**

**Subd 1.** It shall be unlawful for any person to discharge the exhaust or permit the discharge of the exhaust from any motor vehicle except through a muffler that effectively prevents abnormal or excessive noise and complies with all applicable state laws and regulations.

**Subd. 2.** It shall be unlawful for the operator of any truck to intentionally use an engine retarding brake on any public highway, street, parking lot or alley within the city which causes abnormal or excessive noise from the engine because of an illegally modified or defective exhaust system, except in an emergency.

**625.04 Signing.** Signs stating "VEHICLE NOISE LAWS ENFORCED" may be installed at locations deemed appropriate by the City Council to advise motorists of the prohibitions contained in this ordinance, except that no sign stating "VEHICLE NOISE LAWS ENFORCED" shall be installed on a state highway without a permit from the Minnesota Department of Transportation. The provisions of this ordinance are in full force and effect even if no signs are installed.

**625.05 Amendments.** It is the intention of the City Council that all future amendments to any statutes and rules referenced or adopted by reference in this ordinance are also referenced or adopted by reference as if they had been in existence at the time this ordinance was adopted.

**625.06 Penalty.** Anyone found in violation of this section shall be guilty of a misdemeanor.

**Section 630 - Snowmobiles and Recreational Vehicles**

**630.01 Definitions.** As used in this Section, the following terms shall have the meaning given:

**Subd. 1 Snowmobiles.** "Snowmobiles" shall mean a motor vehicle which is designed to be used primarily on snow or ice and is equipped with skis or runners and a power driven drum or tracks, and otherwise meets the definition in Minn. Stat. 84.81.

**Subd. 2 All Terrain Vehicle (ATV).** "All Terrain Vehicle" (ATV) shall mean trail bikes, mini-bikes, amphibious vehicles, dune buggies, and those vehicles commonly known as "three-wheelers" and "four-wheelers", but shall exclude special mobile equipment defined by Minn. Stat. 168.011.

**Subd. 3 Go-Cart.** "Go-Cart" shall mean a motorized miniature vehicle capable of achieving speeds in excess of ten miles per hour and commonly used on courses or racetracks specifically designed for such vehicles.

**630.02 Operation.**

**Subd. 1 Location.** It shall be unlawful for any person to operate a snowmobile, ATV, or go-cart within the limits of the City except as herein specifically permitted and authorized:

- A. On a public sidewalk provided for pedestrian travel.
- B. On boulevards within any public right-of-way.
- C. On private property of another without specific permission of the owner or person in control of the property.
- D. On any other place, except as may be specifically permitted.
- E. Within one hundred feet (100') of any skating rink or sliding area, or in any other area where operation would conflict with the use or endanger other persons or property.
- F. On areas listed as greenways and that are signed "Prohibited snowmobile use" or similar prohibition.
- G. During the hours from 11:00 p.m. to 7:00 a.m. of any day, closer than one hundred feet (100') from any dwelling which is usually occupied by one or more persons.

- H. On the portion of the right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel or stopping, including unpaved shoulders thereof except, on roads other than interstate highways and freeways, except in the most right hand lane which is used for vehicular traffic in the same direction when necessary to go to and from a house and a permissible or designated riding area by the means of the shortest route.
- I. On residential lots less than two and one-half (2 ½) acres in size unless the purpose is for maintenance, plowing, or other work related activities.

**Subd. 2 Manner of Operation.**

- A. At any place, while under the influence of alcohol, or drugs, as defined in Minn. Stat. § 169.121, which shall hereby be incorporated herein by reference.
- B. At any place in a careless, reckless, or negligent manner or heedlessly in disregard of the rights of safety of others, or in a manner so as to endanger or be likely to endanger or cause injury or damage to any person or property.
- C. So as to tow any person or thing in a public street or highway except through use as a rigid tow bar attached to the rear of the snowmobile, ATV, or go-cart.
- D. In a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys, or interferes with the peace and quiet of other persons.
- E. Every person leaving a snowmobile, ATV, or go-cart on a public place shall lock the ignition, remove the key and take the key with him or her.
- F. At a rate of speed greater than is reasonable under all surrounding conditions, and not to exceed twenty-five miles per hour (25m.p.h.) on any public street, alley or on private property within 300 feet of a dwelling at a speed greater than the minimum required to maintain controlled forward movement of the vehicle.
- G. In a manner that simulates a race or temporary race, or creates or causes unnecessary engine noise or tire squealing, or causes tires to spin or slide upon the acceleration or stopping of said vehicle, or causes the vehicle to unnecessarily turn abruptly or sway from side to side.
- H. No owner or resident of private property in a residentially zoned area within the City shall use their property, or permit their property to be used by any other person, for operation of any snowmobile, ATV, or go-cart contrary to the provisions of this ordinance.

**630.03 Equipment.** It shall be unlawful for any person to operate a snowmobile, ATV, or go-cart any place within the limits of the City unless it is equipped with the following:

- A. Standard mufflers which shall be properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, bypass, straight pipe or similar device on a snowmobile, ATV, or go-cart motor.
- B. Adequate brakes as required by M.S. Section 84, 87, Subd. 1, which is hereby incorporated herein by reference and specifically made applicable to snowmobile, ATV, or go-carts, whether operated on a highway or other place.
- C. A safety or so-called "deadman" throttle in operating condition. A safety or "deadman" throttle shall mean a device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving track.
- D. When operated between the hours of one-half hour after sunset to one-half hour before sunrise or at times of reduced visibility, at least one clear lamp attached to the front, with sufficient candlepower to illuminate 200 feet to the front and be visible for at least 500 feet, and at least one red light attached to the rear and visible for at least 500 feet, both of which shall be on.

**630.04 Highway Crossing.** A snowmobile, ATV, or go-cart may make a direct crossing of a street or highway provided:

- A. The crossing is made on an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing; and
- B. The snowmobile, ATV, or go-cart is brought to a complete stop before crossing the shoulder or main traveled way of the highway; and
- C. The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard.

**630.05 Intersections.** No snowmobile, ATV, or go-cart shall enter any intersection without yielding the right-of-way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard. Snowmobile, ATV, or go-carts shall stop in all cases required of motor vehicles pursuant to Minnesota Statutes Chapter 169, which is hereby incorporated herein by reference.

**630.06 Animals.** It shall be unlawful to intentionally drive, chase, run over or kill with a snowmobile, ATV, or go-cart any unprotected animal or any protected wild animal, as provided by Minn. Stat. Chapter 100.

**630.07 Persons Under 18.** No person under 14 years of age shall operate on streets or the roadway surface of highways or make a direct crossing of a trunk, county state-aid, county highway, or City street as the operator of a snowmobile, ATV, or go-cart. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile on streets and highways as permitted under this Section and make a direct crossing of the streets and highways only if he or she has in his or her

immediate possession a valid snowmobile safety certificate issued by the commissioner, as provided by Minn. Stat. § 84.872.

**630.08 Public Safety Usage.** Notwithstanding any prohibitions in this Section, a snowmobile, ATV, or go-cart may be operated contrary to the ordinance by members of the Big Lake Police Department, Big Lake Fire Department, Sherburne County Sheriff's Department, or their designees in the lawful performance of their duties.

**630.09 State Statutes.** Any matter relating to snowmobiles and other recreational vehicles that is not otherwise addressed in this Section shall be subject to the applicable provisions of Minn. Stat. Chapters 84 and 169.

**Section 640 - Bicycles**

**640.01 Regulations.**

- A. No bicycle shall be ridden faster than is reasonable and proper and shall be operated with reasonable regard to the safety of the operator and other persons upon the sidewalks, streets and other public highways of the City.
- B. Persons riding bicycles shall observe all traffic signs and stop at all stop signs.
- C. No bicycle shall be permitted on any sidewalk, street or other public highway of the City 30 minutes before sunrise and 30 minutes after sunset of any day, without a headlight visible from the front thereof for not less than 200 feet, indicating the approach or presence of the bicycle, firmly attached to the bicycle and properly lighted. A red light or reflector shall be attached to and visible from the rear of the bicycle.
- D. Every person riding or propelling a bicycle upon any street or other public highway in the City shall observe all traffic rules and regulations applicable thereto, and shall turn only at intersections, signal for turns, ride at the right side of the sidewalk, street or highway, pass slower moving vehicles and individuals to the left when overtaking and shall pass vehicles to the right when meeting.

**640.02 Penalty.** Anyone found in violation of this section shall be guilty of a petty misdemeanor.