

ORDINANCE NO. 2009-05

**CITY OF DAYTON
HENNEPIN AND WRIGHT COUNTIES, MINNESOTA**

**AN ORDINANCE AMENDING THE DAYTON CODE REGARDING TRAFFIC AND
MOTOR VEHICLES**

THE CITY COUNCIL OF THE CITY OF DAYTON, MINNESOTA DOES ORDAIN:

SECTION 1. AMENDMENT. The Dayton City Code Section 701 is hereby amended by adding the following underlined language and deleting the following ~~striketrough~~ language, which reads as follows:

701.01 DEFINITIONS

Any term used in this ordinance and defined in Minnesota Statutes, Section 169.01 has the meaning given it by that section.

~~701.02 SPEED LIMIT ZONES~~

~~A speed limit zone is established on the following street: South Diamond Lake Road, from Champlin City limits to Pineview Avenue. Upon the erection of appropriate signs designating the beginning and ending of such speed limit zones designed by this section in excess of 50 miles per hour.~~

701.02~~3~~ TRUCK RESTRICTIONS

The council by resolution may designate streets on which travel by commercial vehicles in excess of specified pounds gross weight per axle is prohibited. The maintenance department shall erect appropriate signs on such streets under council direction. No person shall operate a commercial vehicle on such posted streets in violation of restrictions stated.

701.03~~4~~ SEASONAL WEIGHT RESTRICTIONS

The maintenance department may recommend the prohibition of operation of vehicles upon any street within the city or recommend weight restrictions on vehicles to be operated on such street whenever the street by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles on the street is prohibited or the permissible weights thereof reduced. The council shall act on such recommendation to erect and maintain appropriate signs plainly indicating the prohibition or restriction at each end of that portion of street so affected. No person shall operate a vehicle on a posted street in violation of the prohibition or restriction.

701.045 PARKING REGULATION

Subdivision 1. No parking, Stopping, or Standing Zones. The council may, by resolution, designate certain streets or portions of street as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The maintenance department shall mark by appropriate signs the zone so designated. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone stopping or standing is prohibited. No vehicle shall be parked in a no-parking zone during hours when parking is prohibited except when permitted by State Law and except that a vehicle may be parked temporarily in such zone for the purpose of forming a funeral procession and a truck may be parked temporarily between the hours of 9:00 am and 4:00 pm of any business day only for the purpose of loading or unloading where access to the premises is not otherwise available.

Subd. 2. Parking prohibited during certain hours. No vehicle shall be parked upon any public street or right-of-way within the city between the hours of 2:00 a.m. and 6:00 a.m. except by permit. Permits will be issued by the City of Dayton upon completion and approval of permit application. Permits will be issued at the discretion of the Chief of Police. The application fee shall be set by resolution as part of the City fee schedule.

Subd. 32. Impoundment

Any police officer may cause to be removed a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic, endangers public safety or hinders snow removal or street improvement maintenance operations. Whenever an officer causes removal of a vehicle under this subdivision, the officer shall use all reasonable means available to ascertain the owner of such vehicle and notify the owner of the same. Such notice shall also be given to the garage where such vehicle is being held. If a registered owner is ascertained, such vehicle shall be released only to such owner. Such vehicle shall not be released until the fees for towing and storage are paid.

Subd. 43. Truck Parking No truck with a gross weight in excess of 4.5 ton or greater that 2 axles, shall be parked or allowed to stand for greater than 4 hours, except during actual loading and unloading, on any street or roadway within the city. (Amended by ordinance 83-6, passed 6-20-83)

Subd. 54. Prima Facie Evidence. The presence of any motor vehicle on any street standing or parked in violation of this chapter is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

701.056 WINTER PARKING

No person shall stop, stand or park any motor vehicle or permit it to stand on any street within the city after a two inch (2") snowfall until after such street has been plowed full width. Violation of this section shall be a petty misdemeanor. (Amended by Ordinance 84-13, passed 11-19-84)

701.067 REMOVING KEYS

No person shall leave a motor vehicle except a truck which is engaged in loading or unloading, unattended on any street, used car lot or unattended parking lot without first stopping the engine, locking the ignition and removing all ignition keys from the vehicle. Whenever any police officer finds any motor vehicle standing in violation of this provision, he shall remove the keys from the vehicle and deliver them to police headquarters. Notice of such removal shall be left with the motor vehicle.

701.078 EXHIBITION DRIVING PROHIBITED

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, squealing tires, skidding, sliding, swaying, throwing of sand or gravel or in a manner simulating a race. Unreasonable squealing or screeching sounds emitted by tires, or the unreasonable throwing of sand or gravel by the tires is prima facie evidence of a violation of this section.

701.089 POLICE DUTIES

The police department shall enforce the provisions of this chapter and the state traffic laws. Police officers are authorized to direct all traffic within the city, either in person or by means of visible or audible signal, in conformity with this chapter and the state traffic laws. During a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the police department may direct traffic as conditions require notwithstanding the provisions of this chapter and the state traffic laws. Officers of the fire department may direct or assist the police in directing traffic at the scene of a fire or in the immediate vicinity. It shall be unlawful to interfere with such duties by officers.

701.409 PENALTY

Any person convicted of violating sections 701.02, 701.03, 701.07, or 701.08 of this ordinance is guilty of a misdemeanor. Violation of any other provision of this chapter shall be a petty misdemeanor.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be in full force and effective January 1, 2010, and after its passage and publication as required by law.

ADOPTED by the City Council of Dayton this 8th day of September, 2009.

Motion was made by Council member McNeil, seconded by Council member Forseth where up on a vote was taken as follows:


Ayes: D. Anderson, K. Anderson, Hoke, Forseth, and McNeil

Nays: None Motion declared passed.



Mayor

ATTEST:



City Clerk

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