

CHAPTER 5: TRAFFIC AND MOTOR VEHICLES

ORDINANCE 51 PARKING REGULATIONS 51-1
Section 51.01 STATE LAW INCORPORATED 51-1
Section 51.02 DOUBLE PARKING 51-1
Section 51.03 NO PARKING ZONES..... 51-1
Section 51.04 LIMITED PARKING ZONES 51-1
Section 51.05 STREETS, ALLEYS AND SIDEWALKS 51-1
Section 51.06 OVERNIGHT PARKING 51-1
Section 51.07 WINTER PARKING..... 51-1
Section 51.08 PARALLEL PARKING..... 51-1
Section 51.09 SEMI TRAILER, TRAILER, TRUCK TRACTOR AND COMMERCIAL
MOTOR VEHICLE PARKING..... 51-2
Section 51.10 IMPOUNDMENT 51-3
Section 51.11 PENALTIES..... 51-4

CHAPTER 5: TRAFFIC AND MOTOR VEHICLES

ORDINANCE 51 PARKING REGULATIONS

Section 51.01: STATE LAW INCORPORATED. The regulatory parking provisions of Minnesota Statutes, Chapter 169, as amended, copies of which are available at the City Clerk/Administrator's office, are adopted as part of this Ordinance.

Section 51.02: DOUBLE PARKING. Double parking shall be permitted on all City streets, other than Railroad Avenue (Highway 238), only for loading or unloading.

Section 51.03: NO PARKING ZONES. The City Council may designate certain streets or alleys or portions of them as "No Parking Zones" and shall mark by appropriate signs any zones so established.

Section 51.04: LIMITED PARKING ZONES. The City Council may designate certain municipal parking lots, streets or alleys or portions thereof as "Limited Parking Zones" and shall mark by appropriate signs any zones so established.

Section 51.05: STREETS, ALLEYS AND SIDEWALKS. No vehicle, trailer or other object shall be parked (a) upon any street or alley or in a manner which leaves less than ten (10) feet of the roadway for the free movement of traffic, or (b) upon any sidewalk.

Section 51.06: OVERNIGHT PARKING. No vehicle, trailer or other object shall remain parked for more than forty-eight (48) hours upon any municipal parking lot, street or alley, and any vehicle which is moved less than one (1) block shall be deemed to have remained stationary. It is unlawful to remove any mark made by a police officer to determine the length of time a vehicle, trailer or other object remained parked.

Section 51.07: WINTER PARKING. To protect the citizen's general health, safety and welfare and to facilitate snow removal, it shall be unlawful to park or permit any vehicle, trailer or other object to remain parked upon any alley or street from November 1st to April 15th between the hours of 2:00 a.m. and 6:00 a.m. during any snow fall which accumulates over one and one-half (1½) inches.

Section 51.07 amended on 10/7/08

Section 51.08: PARALLEL PARKING. Unless angle or other parking is designated by appropriate signs, every vehicle parked upon any street with a curb shall be parked parallel to the curb with the parked vehicle's right-hand wheels within twelve (12) inches of the curb, and every vehicle on any street without a curb shall be parked parallel to the right of the main traveled portion of the road or street in such a way to not interfere with the free flow of traffic.

CHAPTER 5: TRAFFIC AND MOTOR VEHICLES

Section 51.09: SEMI TRAILER, TRAILER, TRUCK TRACTOR AND COMMERCIAL MOTOR VEHICLE PARKING.

Subd.1: Definitions. As used in this section the following terms shall mean:

- a) Semi Trailer. Every vehicle without mode of power designed for carrying persons or property and for being drawn by vehicle and so constructed that some part of its weight and some part of its load rests upon or is carried by another vehicle.
- b) Trailer. Every vehicle without mode of power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon another towing vehicle.
- c) Commercial Motor Vehicle. “Commercial motor vehicle” means a motor vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle: 1) has a gross vehicle weight of more than 26,000 pounds; or 2) has a towed unit with a gross vehicle weight of more than 10,000 pounds and the combination of vehicles has a combined weight of more than 26,000 pounds.
- d) Gross Vehicle Weight. “Gross vehicle weight” means the greater of: 1) the unloaded weight of a vehicle or the unloaded weight of a truck-tractor and semi-trailer combination, plus the weight of the load, or 2) the value specified by the manufacturer as the maximum gross weight or gross vehicle weight rating.
- e) Truck Tractor. Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicles and load so drawn.
- f) Street or Highway. The entire width between the boundary lines of any way or place when any part thereof is open to the use of the public as a matter of right or purpose of vehicular traffic.
- g) Residential District. All that territory defined as either single family residential or multiple family residential districts in the zoning ordinance for the City of Albany.

Subd. 2: Declaration of Nuisance. The parking of the vehicles as defined in Subdivision 1, Section (a), (b), (c), and (f) in an area of the City zoned R-1, R-2, R-3, R-4 or R-MH is found to create a nuisance and detrimental influence upon the public health, safety, prosperity, good order and general welfare of such district by obstructing the view of streets and of private properties, bringing unhealthful and annoying odors and materials into the residential neighborhoods, creating cluttered and otherwise unsightly areas, preventing the full use of residential streets, residential parking, introducing commercial advertising signs into areas where commercial advertising signs are otherwise prohibited, and otherwise adversely affecting residential property values in the neighborhood patterns. It shall be unlawful for any person owning, driving, or in charge of a vehicle as defined in Subdivision 1, Section (a), (b), (c), and

CHAPTER 5: TRAFFIC AND MOTOR VEHICLES

(f), to park the same in a district zoned R-1, R-2, R-3, R-4 or R-MH nor within a 100 feet of any residence for more than 60 minutes. It shall also be unlawful for any person owning, driving, or in charge of a truck with refrigeration unit running to park the same in a zoned district R-1, R-2, R-3, R-4, or R-MH or within 200 feet of any residence for more than 60 minutes. It shall be unlawful for any person owning, driving or in charge of a truck tractor to park the same in zoned district R-1, R-2, R-3, R-4, or R-MH or within 200 feet of any residence for more than 60 minutes with the engine running. However, it shall not be unlawful for the owner or operator of a truck tractor or a trailer, other than a semi trailer, to park the same on a driveway or other hard surfaced parking pad of a residential dwelling owned or inhabited by the same person. Semi trailers shall not be parked on a driveway or parking pad regardless of whether they are attached to a truck tractor.

Subd. 3: Cattle Truck Parking. It shall be unlawful to leave standing upon any street or public ally, any cattle truck or vehicle regularly used for transporting livestock for a period exceeding one hour.

Subd. 4: Overnight Parking. No trailer or other object shall remain parked for more than forty-eight (48) hours upon any street or alley. Any trailer, which is moved less than one (1) block, shall be deemed to have remained stationary in violation of this subdivision. It is unlawful to remove any mark made by a Police Officer to determine the length of time a trailer or other object remained parked.

Subd. 5: Restrictions Cumulative. The restrictions of this Ordinance relating to the parking of truck tractors, commercial vehicles, semi trailers, and trailers are not to be construed as exclusive, but rather as in addition to the parking restrictions which apply to all motor vehicles generally, as provided by the state law or other Ordinance provisions.

Subd. 6: C-1 and C-2 District Parking. It shall be unlawful for any person owning, driving, or in charge of a vehicle as defined in Subdivision 1, Section (a) or (c), individually or in combination, to park the same in the C-1 District or the C-2 District for any length of time, except during periods when the vehicle is being actively loaded or unloaded.

Section 51.09 amended on 4/24/19

Section 51.10 IMPOUNDMENT. Any vehicle left parked or standing in violation of this Ordinance or the laws of the State of Minnesota may be towed away pursuant to the provisions of Minn.Stat. 169.041, as amended. Any motor vehicle towed away and impounded under this Ordinance or State law may be claimed or recovered after payment to the towing authority of all towing and storage charges. Impound fees are as established in Appendix A. The City, its agents and employees, shall not be responsible for any damage done during towing and impoundment under this Ordinance or State law.

Section 51.09 amended on 1/4/06

Subd. 1: Notice of Impoundment. Within forty eight (48) hours after a vehicle has been impounded, the Chief of Police shall send written notice to the owner of the impounded vehicle at his or her last known address as shown by the records of the Department of Public Safety. If

CHAPTER 5: TRAFFIC AND MOTOR VEHICLES

the owner is unknown to the Chief of Police or an address cannot be found, the Chief of Police shall publish at least once in the City's official newspaper notice of the impounding, the license number of vehicle, the motor vehicle number of the impounded vehicle, and the name and type of vehicle impounded.

Subd. 2: Sale of Vehicle. If after the expiration of sixty (60) days after mailing or publishing the notice set out in Subd. 1 the vehicle is not redeemed by the owner or the owner's agent, the City shall proceed to sell the impounded vehicle at public auction after first giving at least twenty (20) days notice of such sale by publication in the City's official newspaper of the time and place of the sale. The notice shall describe the vehicle to be sold, with reasonable certainty, by manufacturer's trade name or make, motor vehicle number, license number, and any other specifically identifying information, and the notice shall state to whom, if anyone, the records of the Department of Public Safety show the car belongs, and if the name of the owner is unknown, that fact shall be stated in the notice. If the name of the owner is known, the City shall send that person a copy of the published notice immediately after publication of the notice. The City shall credit any money it receives after the sale to the City's general fund. At any time within one (1) year after the sale, if the former owner of the vehicle which has been sold appears, upon application to the City Council and presentation of satisfactory proof that the person was the owner of the vehicle sold, that person shall be paid the proceeds of such sale, less the necessary expenses thereof, and less the towing, impounding and storage charges as the Council establishes in Appendix A.

Subd. 3: Release of Towed Vehicle. Once all fines are paid in full, the City Police Department may release the vehicle to the respective party and the towing company impound lot shall then notify the City Police Department of the date and to whom the vehicle was released.

Section 51.11: PENALTIES

Subd. 1: Parking Citation. A parking citation shall be issued to the owner or operator of any vehicle in violation of this Ordinance or State law. All parking citations shall indicate the nature of the violation, the amount of the fine, the method by which the fine may be paid, and the procedure by which the violator may obtain a hearing to contest the issuance of the parking citation. Any person violating this Ordinance or the State laws designated under it shall be guilty of a petty misdemeanor. Four (4) parking violations within one (1) calendar year shall constitute a misdemeanor.

Subd. 2: Fines. Violation of any City Ordinance parking violation shall be as established in Appendix A.

Subd. 3: Fine Collection. The City Clerk/Administrator is authorized to receive, process, and make records of all parking citations issued and fines paid, shall deposit all fines in the City's general fund and shall submit summarized monthly reports to the City Council of all fines collected.