

**SPRING LAKE PARK
ORDINANCE X**

**ORDINANCE AMENDING CHAPTERS 7.04 AND 7.08 OF THE SPRING LAKE
PARK CITY CODE RELATING TO TRAFFIC AND PARKING REGULATIONS**

NOW THEREFORE, be it ordained by the Council of the Spring Lake Park, in the State of Minnesota, as follows:

SECTION 1:**AMENDMENT** “7.04.010 General Provisions” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

7.04.010 General Provisions

- A. *State Statutes Adopted By Reference.* The regulatory provisions of Minn. Stat. Ch. 168, 169, and 171, ~~as they may be amended from time to time, together with applicable provisions of Minn. Stat. Ch. 84 relating to snowmobiles and off-road vehicles as they may be amended from time to time.~~ are hereby adopted as a traffic code regulating use of highways, streets, and alleys within the city, ~~and are hereby incorporated and made a part of this title as completely as if set out here in full.~~
- B. *Definitions.* For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALL-TERRAIN VEHICLE or **ATV**. ~~Trail bikes, mini bikes, amphibious vehicles, and other powered devices other than snowmobiles and state licensed motor vehicles, used at least partially for travel on natural terrain, but not “special mobile equipment” defined in M.S. § 168.011(22), as it may be amended from time to time~~ A motorized flotation-tired vehicle with at least three, but not more than six, low-pressure tires designed for off-road use.

DEADMAN THROTTLE or **SAFETY THROTTLE**. A device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.

ELECTRIC-ASSISTED BICYCLE or **E-BIKE**. A bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, and which meets the definition of an electric-assisted bicycle under Minnesota law. Electric-assisted bicycles are classified as follows: Class 1, a bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour; Class 2, a bicycle equipped with a motor that may be used exclusively to propel the bicycle and that

ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour; and Class 3, a bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour.

ELECTRIC MOTORCYCLE or E-MOTO. A motorized device exceeding e-bike classifications; treated as a motor vehicle.

NATURAL TERRAIN. Areas other than roadways or driveways (private or public), parking lots, and other areas the surface of which has been intentionally modified for motor vehicle operation thereon.

OFF-ROAD VEHICLE or ORV. Includes ATVs, UTVs, and similar motorized vehicles not licensed for highway operation.

OPERATE. ~~With regard to an ATV, t~~ To ride in or on and control the operation of an ATV vehicle.

OPERATOR.

1. In general. Includes every individual who shall operate a vehicle as the owner thereof, or as agent, employee, or permittee of the owner, or any individual who is in active physical control of a vehicle.
2. For ATVs. Every person who operates or is in actual physical control of an ATV.

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

PARKED or STOPPED. The standing of a vehicle, whether occupied or not, upon a street, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers or loading or unloading merchandise, or in obedience to traffic regulations, signs, or signals, or involuntary stopping of the vehicle by reasons or causes beyond the control of the operator.

PERSON. Includes an individual, partnership, corporation, the state and its agencies and subdivisions, and any body of persons, whether incorporated or not.

PUBLIC PROPERTY. Property that may be used by all of the public subject to reasonable regulation by a governmental body. This type of property includes city parks or parking lots and school parking lots or yards.

SEMI-PUBLIC PROPERTY. Private property generally open for use by the public but not owned or maintained by a governmental body. This type of property includes, without limitation, church property, shopping center property, and other property generally used by patrons of a commercial or private business establishment.

STREET. Any public street, avenue, road, alley, or highway located in the city and established for the use of vehicles.

UTILITY TASK VEHICLE or UTV or SIDE-BY-SIDE. A motorized off-road vehicle with four or more low-pressure tires, a steering wheel, and seating for two or more occupants side-by-side.

VEHICLE. Any device in, on, upon, or by which any person or property is or may be transported upon a public highway Every device by which a person or property is or may be transported upon a roadway, except as excluded by state law.

- C. General Compliance; Unreasonable Acceleration; Prima Facie Violations.
1. General compliance. Every person operating a vehicle shall comply with all applicable state traffic laws and traffic control devices.
 2. Obedience to lawful orders. No person shall fail or refuse to comply with any lawful order or direction of a police officer or traffic control device.
 3. Unreasonable acceleration. No person shall unreasonably and unnecessarily accelerate a motor vehicle so rapidly and abruptly that a tire or tires break traction with the street surface, causing a squealing sound or dislodging sand, gravel, or other objects by the tires. Unreasonable or unnecessary acceleration is prohibited on any public street or highway or on any private property within the city.
 4. Prima facie violations. It shall be a prima facie violation of this paragraph if a motor vehicle is observed accelerating in a manner so as to cause squealing or screeching sounds of the tires, fishtailing of the vehicle, or the throwing of sand, gravel, or other materials by the tires of the vehicle, or any combination of the herein described actions.
 5. Careless operation. No person shall operate any vehicle in a careless, reckless, or negligent manner so as to endanger or be likely to endanger any person or property.
 6. Riding restrictions. No person shall ride on any portion of a vehicle not designed or intended for the use of passengers. No person riding a bicycle, electric-assisted bicycle, or similar device shall attach themselves to or be drawn by any motor vehicle.

SECTION 2: AMENDMENT “7.04.020 Seasonal Road Restrictions” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

7.04.020 Seasonal Road Restrictions

- A. *Road Restrictions; ~~Council~~ Authority.* Whenever any street, alley, or public highway

of the city, by reason of deterioration, rain, snow, or other climatic conditions, will be seriously damaged or destroyed unless the use, operation or movement of vehicles thereon is prohibited or permissible weights thereon reduced, the City Council or its designee, may by resolution or administrative order prohibit the operation of vehicles thereon or impose restrictions as to the weight of vehicles to be operated thereon. Seasonal load restrictions may be implemented to coincide with or mirror restrictions established by the Minnesota Department of Transportation.

B. *Notice Requirement.* Notice of prohibition or any restriction imposed under Paragraph A hereof shall be made in the manner provided in M.S. §169.87 and by posting printed signs at each end of the restricted streets and other places as the City ~~Council shall~~ deems advisable. The City may also provide notice through its website or other customary communication methods. Thereafter, it shall be unlawful for any person to use, operate or move any vehicle or combination of vehicles in and upon such street or public highway in the City contrary to the prohibitions set forth in such resolution and notice.

C. *Restrictions.*

1. It is hereby prohibited to operate trucks having a gross weight of more than 10,000 pounds on the following designated streets:

Street	From	To
81st Avenue	University Avenue Service Drive	Terrace Road NE

2. The above weight restrictions shall not apply to trucks making deliveries to, and refuse trucks making collections at, residences and businesses at the street(s) set forth in Paragraph C,1. The above weight restrictions set forth in Paragraph C,1 shall not apply to vehicles parked in residential districts in accordance to SLPC 16.20.120 Paragraph B.

D. *Exception; Permission And Bond Required.* If any person shall desire to use an alley, street, or public highway of the city in a manner not authorized by reason of prohibitions or restrictions as are imposed under this section, the City Council or its designee may, at its discretion, grant permission upon such conditions as it may prescribe, provided that the person shall first furnish to the city a ~~bond or certified check with good and sufficient corporate surety thereon~~ cash deposit, letter of credit or other financial security acceptable to the city, guaranteeing to secure the payment of all costs of putting the street in as good condition as it was before prohibition or restriction, ~~that bond or certified check and the amount thereof to be approved by the City Council in an amount determined by the city.~~ The City Administrator or designee is authorized to approve such permits administratively.

E. *Police; Right Of Weight Inquiry.* Any police officer having reason to believe that the weight of a vehicle and load is unlawful is hereby authorized to require the driver to stop and submit to weighing of the same either by means of portable or stationary scales, and may require that the vehicle be driven to the nearest public scales. Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to

weighing or who fails or refuses when directed by an officer, upon a weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of this section shall be guilty of a misdemeanor.

SECTION 3: **AMENDMENT** “7.04.030 All-Terrain Vehicles” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

7.04.030 ~~All-Terrain~~Off-Road Vehicles

A. *Operating Restrictions.*

1. *Location restrictions; ~~ATV~~ORV without motor vehicle license.* Except as herein specifically permitted and authorized, it is unlawful for any person to operate an off-road vehicle (ORV)~~ATV~~ not licensed as a motor vehicle within the limits of the city:
 - a. On the portion of any right-of-way of any public highway, street, road, trail, or alley used for motor vehicle travel;
 - b. On a public sidewalk provided for pedestrian travel;
 - c. On boulevards within any public right-of-way;
 - d. On private property of another without specific permission of the owner or person in control of that property;
 - e. On any other public or semi-public place, except as may be specifically permitted by other provisions of this code; or
 - f. On that portion of the St. Paul Waterworks Easement.
2. *Operating prohibitions; all ~~ATV~~ORVs.* It is unlawful for any person to operate an ~~ATV~~ORV not licensed for highway use or an ~~ATV~~ORV licensed for highway use when operating on natural terrain within the limits of the city:
 - a. At any place, while under the influence of alcohol or drugs as defined in M.S. Ch. 169A, as it may be amended from time to time, which is hereby incorporated herein by reference;
 - b. At a rate of speed greater than reasonable or proper under all surrounding circumstances;
 - c. At any place in a careless, reckless, or negligent manner or heedlessly in disregard of the rights or 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;
 - d. During the hours from 9:00 p.m. to 9:00 a.m. on any day;
 - e. So as to tow any person or thing except through use of a rigid tow bar attached to the rear of the ~~ATV~~ORV;
 - f. Within 100 feet of any skating rink or sliding area where the operation would conflict with use or endanger other persons or property; or
 - g. On posted private property.

- B. *Equipment Requirements.* It is unlawful for any person to operate an **ATV/ORV** any place within the limits of the city unless it is equipped with the following:
1. Standard mufflers which are 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 an **ATV/ORV** motor;
 2. Brakes adequate to control the movement of and to stop and hold the **ATV/ORV** under any condition of operation;
 3. A safety or so-called “deadman” throttle in operating condition or manufacturer-installed safety system, as applicable to the vehicle type;
 4. 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 intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness and under normal conditions. The head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming **ATV/ORV** operator. The **ATV/ORV** shall also be equipped with at least one red tail lamp having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions; and
 5. Reflective material at least 16 square inches, on each side, ~~forward of the handlebars or steering device~~ of an **ATV/ORV** ~~and~~ at the highest practical point, and on any towed object, as to reflect light at a 90-degree angle.
- C. *Locking Ignition.* Every person leaving an **ATV/ORV** on a public or semi-public place shall lock the ignition, and remove the key and take the same with him or her.
- D. *Unlawful Use.* It is unlawful to intentionally drive, chase, run over, or kill any animal with an **ATV/ORV**.
- E. *Additional Safety Requirement.* For ORVs designed to carry more than one occupant, the number of occupants shall not exceed the number of seats provided by the manufacturer, and seatbelts shall be used where installed.

SECTION 4:**AMENDMENT** “7.04.040 Snowmobiles” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

7.04.040 Snowmobiles

- A. ~~*State Statutes Adopted By Reference.* The provisions of M.S. §§ 84.81 – 84.89, 168.011(4), 168.012(3), 171.01(39), and 171.03, as they may be amended from time to time, are hereby specifically adopted by the city (Reserved).~~
- B. *Use Prohibitions.*

1. *Public property.*

- a. Snowmobiles may not be operated upon or within any city park of the city.
- b. Snowmobiles may not be operated upon Laddie Lake within the city.
- c. Snowmobiles may not be operated upon city streets or city rights-of-way within the city.
- d. Snowmobiles may not be operated upon any other public property owned or controlled by the City, except as may be specifically authorized.

2. *Private property.* No person shall operate a snowmobile on any privately owned property unless ~~he or she~~ the person has received the express permission of the owner of that property.

C. *Hours Of Operation.* No person shall operate a snowmobile within the city either on public or private property except between the hours of 8:00 a.m. and 10:00 p.m.

D. *Muffler Required.* Snowmobiles must be equipped with a muffler as required by M.S. § 84.871, as it may be amended from time to time, whether the snowmobile is used on either public or private property.

E. *Operation; Careless or Reckless Driving Prohibited.* No person shall operate a snowmobile within the City in a careless, reckless, or negligent manner, or in a manner that endangers or is likely to endanger any person or property.

SECTION 5:**AMENDMENT** “7.04.050 Bicycles” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

7.04.050 Bicycles

A. *(Reserved)*

B. *(Reserved)*

C. *Operating Restrictions.*

- 1. *Interference with pedestrians.* No person shall ride or propel any bicycle or electric-assisted bicycle upon any sidewalk in a manner so as to interfere with any pedestrian thereon. Pedestrians shall have the right-of-way at all times.
- 2. *Control and prudence.* No person shall ride or propel any bicycle or electric-assisted bicycle upon a public street, highway, or sidewalk except in a prudent and careful manner and unless the person shall be capable of efficient control and operation of the bicycle or electric-assisted bicycle. ~~;~~ ~~nor shall any person propelling or operating a bicycle upon a public street, highway, or sidewalk carry any other person upon that bicycle~~ A person may carry another individual only if the bicycle or electric-assisted bicycle is designed and equipped for more than one rider.
- 3. *Speed and safety.* No bicycle or electric-assisted bicycle shall be ridden faster

than is reasonable and proper, but every bicycle or electric-assisted bicycle shall be operated with reasonable regard to the safety of the operator and other persons upon the streets and other public highways of the city. On sidewalks and shared-use paths, operation shall not exceed 10 miles per hour, unless otherwise posted.

4. *After 10:00 p.m.* No person under the age of 16 years shall ride or propel a bicycle or electric-assisted bicycle upon any street, highway, or sidewalk at night after the hour of 10:00 p.m.

D. Equipment Requirements ~~;*Lights.*~~

1. *Lights.* No bicycle shall be permitted on any street or other public highway between 30 minutes after sunset and 30 minutes before sunrise, without a head light visible from the front thereof for not less than ~~200~~500 feet indicating the approach or presence of the bicycle, firmly attached to the bicycle and properly lighted, nor without a red tail light, or in lieu thereof, a reflector attached to and visible from the rear of the bicycle for a distance of not less than ~~200~~500 feet.
2. *Brakes.* Every bicycle or electric-assisted bicycle shall be equipped with a brake capable of stopping the device within a reasonable distance under normal conditions.
3. *Audible signal.* A bicycle or electric-assisted bicycle operated on a sidewalk or shared-use path shall be equipped with a bell or other audible device capable of giving a signal audible for a reasonable distance.
4. *E-bike label.* Electric-assisted bicycles shall display the classification number (Class 1, 2, or 3) in a location visible to the operator.

E. Traffic Rules And Signs Apply.

1. *Traffic signs.* Persons riding bicycles or electric-assisted bicycles shall observe all traffic signs and stop at all stop signs.
2. *Observe traffic rules.* Every person riding or propelling a bicycle or electric-assisted bicycle upon any public street, highway, or sidewalk shall observe all traffic rules and regulations applicable thereto, and shall turn only at intersections, signal for all turns, ride at the right-hand side of the street or highway, pass to the left when passing overtaken vehicles that are slower moving, and shall pass to the right when meeting.

F. Location Restrictions.

1. *Sidewalks.* Bicycles and Class 1 and Class 2 electric-assisted bicycles are permitted unless otherwise posted. Class 3 electric-assisted bicycles are prohibited on sidewalks unless expressly authorized.
2. *Shared-use paths and trails.* Class 1 and Class 2 electric-assisted bicycles are permitted. Class 3 electric-assisted bicycles are permitted only where specifically designated.
3. *Prohibited devices.* Electric motorcycles, electric dirt bikes, and similar high-powered devices are prohibited on sidewalks, trails, and other areas designated for bicycles.

SECTION 6:**AMENDMENT** “7.04.060 Median Safety” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

7.04.060 Median Safety

- A. *Purpose.* The purpose of this section is to promote public safety by reducing conflicts between pedestrians and vehicular traffic at high-volume intersections. This section is intended to regulate the time, place, and manner of conduct in roadway medians and is not intended to regulate speech or expressive activity.
- B. *Prohibition.*
1. No person shall be on a median within 300 feet of a high-traffic intersection unless the person is in the process of legally crossing the roadway through a safety zone or crosswalk. This prohibition applies to both the median on the arterial roadway and the median on the intersecting roadway. ~~A person shall not be considered in the process of legally crossing a roadway, and it shall be prima facie evidence of a violation of this section, if a person stays on a median through two consecutive opportunities to cross the roadway in accordance with the crossing signal and state law. This may include a change in the traffic control signal or lack of traffic, as applicable. A person is not considered to be in the process of legally crossing the roadway if the person remains on a median longer than reasonably necessary to safely cross; or fails to proceed across the roadway during an available pedestrian crossing phase or safe crossing opportunity.~~ A person is not considered to be in the process of legally crossing the roadway if the person remains on a median longer than reasonably necessary to safely cross; or fails to proceed across the roadway during an available pedestrian crossing phase or safe crossing opportunity.
 2. No operator of a motor vehicle shall park, stop, or leave standing a vehicle at any high traffic intersection where prohibited or suddenly decrease the speed of said vehicle or deviate from a traffic lane for the purpose of ~~responding to~~ interacting with a person violating Paragraph B,1.
- C. *Exceptions.* The prohibitions in Paragraph B shall not apply to any of the following:
1. Any person engaged in law enforcement, fire or emergency medical personnel ~~or rescue activities, including aiding an injured or disabled vehicle or person performing official duties.~~
 2. Any person engaged in the emergency repair of a vehicle.
 3. Any public works staff or public contractor engaged in the maintenance, repair or improvement of a roadway or related public facilities.
 4. Any public utility workers installing, maintaining, repairing or removing public utilities.
 5. Streets or portions thereof that have been closed pursuant to a permit or other express authorization from the City.
- D. *Penalty.* A violation of this section is a petty misdemeanor offense. A person may be charged with a misdemeanor offense if that person violates this section within 12 months of the first of two prior median safety violations. The City may also enforce

this section through administrative citation, as authorized by SLPC 3.20.

SECTION 7: **AMENDMENT** “7.08.010 General Provisions” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

7.08.010 General Provisions

A. *Parking Regulations; Council Authority.*

1. The City Council is authorized to regulate the parking or stopping of vehicles within the city, including establishment of no parking zones and regulation of the length of time the parking may be permitted.
2. In establishing or changing parking zones or restrictions, the Council shall pass a resolution adequately describing and defining the parking zone or restrictions. The resolution shall be published once in the official city paper, and a sign giving notice of the regulations shall be posted upon or at the entrance of the parking zone, after which time it shall be in force and effect.

B. *State Law Adopted by Reference. The regulatory provisions of Minnesota Statute Ch. 169 relating to stopping, standing and parking of vehicles, as they may be amended from time to time, are hereby adopted by reference and made a part of this Chapter as if fully set forth herein.*

C. *Emergency Parking Regulations. The Police Chief, ~~or the City Public Works Director,~~ Administrator, Clerk/Treasurer, ~~or their designee~~ is hereby authorized to ~~forbid~~ prohibit the parking of vehicles for temporary periods at any location within the city in ~~case~~ the event of an emergency ~~at any place within the city.~~*

SECTION 8: **AMENDMENT** “7.08.020 Parking Restrictions” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

7.08.020 Parking Restrictions

- A. *Parking; Time Limit.* It shall be unlawful for any person to leave, park, permit, or allow any motor vehicle to stand or remain upon any city street or right-of-way for more than 24 hours at any time. For purposes of enforcement, a vehicle shall be presumed to have remained in the same location if it has not been repositioned in a manner indicating active use. The City may mark or otherwise document a vehicle and its location to establish compliance with this section. Movement of a vehicle for the

purpose of avoiding enforcement without substantially relocating the vehicle shall not constitute compliance.

B. Large Trucks And Commercial Vehicles; Parking Restricted.

1. *Legislative findings.* The City Council finds that the parking of large trucks, tractors, and other commercial vehicles on the streets and rights-of-way within the city, for other than temporary parking for delivery or unloading, creates an unnecessary risk of personal injury, and often produces excessive noise.
2. *Prohibition.* It is a violation of this chapter for any person to leave, park, permit, or allow any motor vehicle described below upon any public street or right-of-way:
 - a. Commercial vehicles or trucks ~~with over one ton carrying capacity~~ having a gross vehicle weight rating (GVWR) in excess of 10,000 pounds;
 - b. Tractors used for hauling trailers;
 - c. Trailers (the type pulled by tractor); or
 - d. Commercial buses, except 1) that school buses used in the transportation of children to and from school, which may be parked upon the street or public right-of-way between the hours of 9:00 a.m. and 2:00 p.m. during the school year; and 2) public transit vehicles, including fixed-rout, paratransit and on-demand or microtransit services, while actively engaged in passenger loading or unloading.
3. *Exception.* Temporary parking of the above motor vehicles for delivery or unloading ~~is exempted from this paragraph~~ provided such activity is actively occurring and the vehicle is not left unattended for longer than reasonably necessary to complete the delivery or unloading.

C. Recreational Vehicles and Trailers. No person shall park or permit to be parked any recreational vehicle, camper, motorhome, or non-commercial trailer upon any public street or right-of-way for more than 24 hours, except for the purpose of active loading or unloading.

D. Property Standing On Right-Of-Way Restricted. No property of any kind or description, except motor vehicles, together with property lawfully attached thereto, may be parked, stored, or permitted to stand upon any city street or right-of-way at any time, except as the same may be permitted by act of the City Council.

E. Interference With Access Prohibited.

1. It shall be unlawful for any person to leave, park, or permit any motor vehicle to be parked in front of or in a manner or place that interferes with or hinders access by persons or vehicles ~~to park or permit to be parked any vehicle~~ in a place or manner so as to obstruct or hinder access to any driveway, whether the same are public or private.
2. No vehicle shall be parked within ten (10) feet of either side of a curbside mailbox, as measured along the edge of the roadway or curb line, between the hours of 8:00 a.m. and 6:00 p.m., Monday through Saturday, except on federal holidays when mail is not delivered. This restriction is intended to ensure unobstructed access by authorized mail delivery vehicles.
3. No vehicle shall be parked in a manner that obstructs or impedes the normal

flow of traffic or access by emergency vehicles.

- F. *Seasonal Restrictions.* It shall be unlawful for any person to park or permit to be parked any vehicle upon any city street between the hours of 2:00 a.m. and 8:00 a.m. from November 1 through March 31. It shall also be unlawful for any person to park any vehicle upon any city street following a snowfall of two inches or more in depth regardless of the time of day, until such time as the snow has been plowed curb to curb. The Administrator, Clerk/Treasurer or Public Works Director, or their designee, may declare a snow emergency and impose temporary parking restrictions as necessary to facilitate snow removal operations.

SECTION 9:AMENDMENT “7.08.030 Administration And Enforcement” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

A M E N D M E N T

7.08.030 Administration And Enforcement

- A. *Violations.* It shall be unlawful to cause, allow, permit, or suffer any vehicle to be parked or stopped in violation of the provisions of any resolution regulating parking of vehicles or this chapter. The registered owner of a vehicle unlawfully parked shall be responsible therefor. Proof that a vehicle was parked or stopped in violation of this Chapter, together with proof that the defendant was at the time the registered owner of the vehicle, shall constitute prima facie evidence that the registered owner committed or authorized the violation. This type of violation ~~shall constitute~~ may be enforced as a petty misdemeanor or through administrative citation, as authorized by SLPC 3.20. Violations of Minnesota Statutes adopted by reference in this chapter may be enforced in the same manner as violations of this chapter.
- B. *Removal Of Vehicles In Violation.* The Police Department is hereby authorized and empowered to remove or cause to be removed any vehicle parked, stored, stalled, or standing on city streets in violation of any of the provisions of this chapter. A vehicle may be removed without prior notice when it is left unattended and constitutes an obstruction to traffic, interferes with snow removal or emergency operations, is parked in violation of seasonal restrictions or otherwise creates a hazard to public safety. These vehicles may be removed by towing or otherwise and be stored in garages or outdoor storage areas by persons, individuals, or firms engaged in the general garage or towing business within the city. The vehicles shall not be removed from the place stored until the owner or ~~his or her~~ their authorized agent shall have fully paid the costs incurred for towing and storage to the person or firm who has furnished that service.
- C. *Unclaimed Vehicles; Storage Lien.* In the event that any vehicle held or stored is not claimed or recovered by the owner thereof, there is deemed to be imposed upon that vehicle a possessory lien for the amount of the costs incurred for towing and storage. The lien shall be foreclosed in the manner provided by law for the foreclosure of possessory liens.

D. ~~Registered Owner Responsible. The registered owner of any vehicle parked or stored in violation of any of the provisions of this chapter shall be presumed to have parked or permitted the same to have been parked, stored, or allowed to stand.~~ Parking Enforcement Officers. Pursuant to Minnesota Statutes § 168B.035, the City Council or the Chief of Police may appoint one or more parking enforcement officers as necessary to enforce the provisions of this Chapter. Parking enforcement officers shall be subordinate to the Chief of Police or the Chief’s designee. A **PARKING ENFORCEMENT OFFICER** is an individual utilized by a law enforcement agency to provide parking enforcement and administrative or clerical assistance and who is not a sworn and licensed peace officer. Parking enforcement officers shall not enforce general criminal laws and do not have authority to make custodial arrests or carry a firearm in the performance of duties. Parking enforcement officers are authorized to issue administrative citations and notices of violation for parking offenses.

SECTION 10: EFFECTIVE DATE This Ordinance shall take effect and be in full force following its adoption and publication according to law.

PASSED AND ADOPTED BY THE SPRING LAKE PARK COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Wendling	_____	_____	_____	_____
Councilmember Goodboe- Bisschoff	_____	_____	_____	_____
Councilmember Dircks	_____	_____	_____	_____
Councilmember Moran	_____	_____	_____	_____
Mayor Nelson	_____	_____	_____	_____

Presiding Officer

Attest

Robert Nelson, Mayor, Spring Lake
Park

Daniel R. Buchholtz, Administrator,
Clerk/Treasurer, Spring Lake Park