

**ORDINANCE FOR THE REGULATION OF TRAFFIC AND MOTOR VEHICLES
ORDINANCE NUMBER 6**

**STATE OF MINNESOTA
DRESBACH TOWNSHIP
WINONA COUNTY**

The Board of Supervisors of the Township of Dresbach hereby ordains:

Section 1 – Purpose. The Board of Supervisors of Dresbach Township finds it is necessary that restrictions be placed upon the parking of vehicles upon township roads, streets, highways and thoroughfares, in order to promote the health, safety and welfare of the citizens of the Township, and to promote the flow of traffic without impeding passage.

Section 2 – Definitions. Unless the context clearly indicates otherwise, the words, combination of words, terms and phrases used in this Ordinance shall have the meaning set forth in the following paragraphs:

1. **“Township Right-of-way (ROW)”** shall mean all roadways over which the Township has jurisdiction and all areas in which the Township has an interest including but not limited to all platted or dedicated roadways and drainage and utility easements.
2. **“Driver”** shall mean the person driving or in control of the vehicle or the person who was driving or in control of the vehicle when it was parked, stopped or stood.
3. **“Owner”** shall mean the person, firm, or corporation, partnership, Limited Liability Company, association, or any other legally recognized entity that holds legal title of the vehicle on the date of the alleged violation as evidenced by the vehicle’s registration.
4. **“Vehicle”** shall mean any motorized or non-motorized device in, upon, or by which any person or property is or may be transported or drawn, including, but not limited to: automobiles, trucks, motorcycles, busses, recreational vehicles, snowmobiles, and trailers.
5. **“Commercial Vehicle”** shall mean all vehicles exceeding a gross vehicle capacity of 9,000 pounds or an overall length of twenty-five feet (25’).
6. **“Roadway”** shall mean a public road, street, highway or thoroughfare including the traveled portion, shoulders, ditches and medians.
7. **“Impounded”** shall mean the removal of a vehicle from a public roadway to a storage facility or impound lot by a contract for towing, in response to an authorization from a law enforcement official or authorized representative of the Township.

Section 3 – Presumptions. It shall be assumed that any parked vehicle was parked by the owner or by an individual that had permission of the owner.

Section 4 – Enforcement. The provisions of this Ordinance shall be enforceable by law enforcement officials with authority in the Township or authorized representatives of the Township.

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Section 5 – Parking, Stopping, Standing.

Subdivision 1. General. It shall be unlawful for the owner and/or driver of a vehicle to stop, stand, or park the vehicle in any of the following places except when necessary to avoid a conflict with other traffic or in compliance with the directions of a law enforcement officer or traffic control device:

- a. In front of a public or private driveway.
- b. Within an intersection.
- c. Within thirty feet (30') of any stop sign.
- d. In any manner on any roadway so as to interfere with or interrupt the passage of other vehicles.
- e. At any place where official signs prohibit stopping, standing, or parking.
- f. Where temporary signs are posted by law enforcement officials or by some other official acting at the direction of the Town Board, reading "No Parking By Police Order," as long as such signs are in place.
- g. Alongside or opposite any excavation or obstruction when stopping, standing, or parking would obstruct traffic.
- h. On the traveled side of the roadway of any vehicle stopped or parked at the edge or curb of a roadway.
- i. Upon any roadway in such a manner or condition as to leave available less than twelve feet (12') of the width of the roadway for the free movement of vehicular traffic.
- j. Upon any roadway for the principle purpose of displaying such vehicle for sale.
- k. Upon any roadway for the purpose of conducting repairs, maintenance, or washing of such vehicle except as necessary in an emergency.
- l. In any manner in front of public boat ramp/river entrance.

Subdivision 2. Commercial Vehicle. It shall be unlawful for the owner and/or driver of a commercial vehicle to park, stand or stop the commercial vehicle on a roadway within the Township at any time except when necessary to avoid a conflict with other traffic or, when acting in compliance with, the directions of a law enforcement officer or a traffic control device. In no case shall the owner and/or driver of a commercial vehicle park, stop, or stand a commercial vehicle in the course of a pick-up, delivery, or service call in such a manner as to violate any provisions of the other sections or subdivisions of this Ordinance.

Subdivision 3. Private Property. No vehicle shall be parked on any public or private property that is sodded or landscaped and is maintained as a boulevard or open yard space on the Township ROW without permission of the owner of the property.

Section 6 – Invalid Ruling. If a court of proper jurisdiction shall find any portion of this Ordinance unconstitutional or otherwise invalid, all remaining provisions shall remain in effect and shall not be affected by the ruling on the invalid section.

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Section 7 – Exceptions. This ordinance shall not apply to the following circumstances:

- a. Police cars, ambulances, fire department vehicles and other emergency vehicles responding to emergency calls.
- b. Vehicles being used for the installation, repair or maintenance of electric power lines, telephone lines or natural gas lines, or vehicles parked in connection with ongoing survey operations.
- c. Township, County or State vehicles parked in connection with official business.

Section 8 – Penalties.

Subdivision 1. Impoundment. Any vehicle that is left parked, stopped, or standing in violation of any provision of this Ordinance may be impounded without notice to the owner and/or driver. All necessary costs and expenses of towing and storage of vehicles found in violation of this Ordinance are to be paid by persons claiming the vehicle prior to release from impoundment. Any owner and /or driver violating any provision of this Ordinance shall be liable to Dresbach Township for all costs of enforcement, including court cost and reasonable attorney's fees.

Subdivision 2. Punishment. Any person found in violation of any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by penalty established in State statute for a misdemeanor, as may be amended from time to time.

Section 9 – Effective Date. This Ordinance shall take effect from and after its passage and publication according to law.

Passed by the Town Board of Dresbach this 1 day of December, 2020

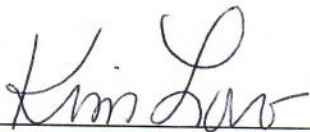
In favor: Dave McCann, Nick Erdmann, Brant Amble

Opposed: N/A

Dresbach Township



Dave McCann, Chairman



Kim Low, Clerk/Treasurer

