

**TITLE VII: TRAFFIC CODE**

Chapter

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## Hamburg - Traffic Code

## Traffic Rules

### CHAPTER 70: TRAFFIC RULES

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### **GENERAL PROVISIONS**

#### **§ 70.01 STATE LAW ADOPTED.**

The regulatory provisions of M.S. Chapter 169 as same exists as of the date of adoption of this chapter, and all laws supplemental thereto or amendatory thereof, are hereby adopted as a traffic ordinance regulating the use of highways, streets, and alleys within the city and are hereby incorporated in and made a part of this title as completely as if set out here in full. Further, there shall be kept in the office of the City Clerk-Treasurer three copies thereof, each marked "city."

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(‘82 Code, § 4-506) (Ord. 75, passed 8-6-74)

### *DRIVING REGULATIONS*

#### **§ 70.30 VEHICLE OWNED BY OTHER; CONSENT REQUIRED.**

No person shall drive a motor vehicle in the city belonging to another without the owner’s consent.  
(‘82 Code, § 4-504) (Ord. 75, passed 8-6-74) Penalty, see § 70.99

#### **§ 70.31 LOCK IGNITION.**

Every person parking a motor vehicle upon a public street, alley, or parking lot in the city shall lock the ignition, remove the key, and take the key with him or her.  
(‘82 Code, § 4-505) (Ord. 75, passed 8-6-74)

#### **§ 70.32 CARELESS DRIVING PROHIBITED.**

Any person who drives any vehicle in such a manner on any public or private grounds or parking lot or on the frozen surface of any body of water within the corporate limits of the city or adjacent to the corporate limits of the city so as to indicate a disregard for the safety of persons or property shall be guilty of careless driving.  
(‘82 Code, § 4-507) (Ord. 75, passed 8-6-74) Penalty, see § 70.99

#### **§ 70.33 TRUCK ROUTES; WEIGHT RESTRICTIONS.**

(A) The meaning of any term herein which is defined in M.S. § 169.01, as amended from time to time, shall have the meaning as defined in that state statute. The meaning of any other term used herein, not defined by the state statute, shall have its common usage and meaning.

(B) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

**TRUCK.** Includes farm equipment such as tractors, combines, wagons, and the like.

(C) The following classifications of public roads are hereby established within the city:

(1) *Restricted streets or alleys.* Restricted streets or alleys shall include all of the public streets and alleys within the city which are not otherwise designated as truck routes; and

(2) *Truck routes.* Truck routes are hereby established as the streets set forth in Chapter 73, Schedule I, of this code.

(D) No person, firm, or corporation shall operate, tow, or park any vehicle or any combination of vehicles with a gross weight in excess of five tons per axle on any restricted public street or alley.

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(E) Vehicles in excess of nine tons per axle which are otherwise lawful under Minnesota Statutes to travel on state highways not in excess of nine tons shall be permitted upon streets designated as truck routes provided they do not violate any other traffic or parking law, statute, or ordinance.

(F) Subject to posted seasonal road restrictions, the operation of trucks is permitted upon any street when necessary to reach a destination point which is not located on a truck route, provided that a truck route is used until reaching the intersection on the truck route nearest the destination point and provided that the truck is making a delivery to a resident of the city and returns directly to a truck route.

(G) The operation of the following trucks is exempt from this section:

(1) Emergency vehicles;

(2) Trucks owned or operated by the city, public utilities, and any contractor or materialman while engaged in the repair, maintenance, or construction of the streets, street improvements, or street utilities;

(3) The operation of trucks upon officially established detours;

(4) When a duly authorized law enforcement officer in the performance of his or her duties directs or orders the truck to use a street not located within the truck route; and

(5) Licensed school buses.

(H) The City Council may from time to time, by motion adopted by a majority vote of the Council, designate certain streets as truck routes or vacate prior truck routes and direct the Street Superintendent to accordingly place or remove proper signs upon those streets and their intersections. ('82 Code, § 4-508) (Ord. 75, passed 8-6-74; Am. Ord. 106, passed 5-10-88) Penalty, see § 70.99

### **§ 70.34 SCHOOL BUSES.**

(A) The drivers of all school buses shall, when receiving or discharging any school children, extend the stop signal arm and cause the red flasher lights to flash, except when receiving or discharging any school children in front of any school.

(B) The driver of any vehicle upon a street or highway in the city, upon meeting or overtaking from either direction any school bus which has stopped on a public thoroughfare for the purpose of receiving or discharging any school children, shall stop the vehicle immediately upon the extension of a stop signal arm by the school bus, and shall remain stopped until the school bus driver retracts the stop signal arm and/or causes the red lights to cease flashing but may then proceed with due caution for the safety of the children.

('82 Code, § 4-509) (Ord. 75, passed 8-6-74)

### **§ 70.35 IMPROVED STREETS; CHAINS, SPIKES, AND THE LIKE RESTRICTED.**

It shall be unlawful for any person, firm, association, or corporation to operate any tractor, engine,

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or other machine having metal lugs or chains upon the outside surface of its wheels upon any street, alley, sidewalk, or crosswalk which has been improved by having a surface covering placed thereon of concrete asphalt, macadam, asphalt oil, or any other such substance, or to drive or permit to be driven any horse or other draft animal shod with sharp culks, spikes, cleats, or other sharp attachments along any of the streets, alleys, sidewalks, or crosswalks in this city which have been so improved.

(‘82 Code, § 4-516) (Ord. 75, passed 8-6-74) Penalty, see § 70.99

### **§ 70.36 EXHIBITION DRIVING PROHIBITED.**

(A) No person shall operate any motor vehicle with unnecessary exhibition of speed on any public or private way within the city limits.

(B) Prima facie evidence of unnecessary exhibition of speed shall be any or all of the following:

(1) Unreasonable squealing or screeching sound emitted by the tires;

(2) The throwing of sand or gravel by the tires of the vehicle; or

(3) Unreasonable skid, sway, or slide upon acceleration or stopping.

(‘82 Code, § 4-523) (Ord. 54, passed - -; Am. Ord. 81, passed 5-4-76) Penalty, see § 70.99

## ***TRAFFIC-CONTROL DEVICES***

### **§ 70.50 UNAUTHORIZED POSTING OF TRAFFIC-CONTROL DEVICES PROHIBITED.**

It shall be unlawful for any person other than an employee of the State Highway Department, County Highway Department, or City Engineer or Police Department to erect, post, or maintain or display any traffic-control sign or signal, or parking restriction or limitation sign on any of the streets, highways, public alleys, public parking lots, or public thoroughfares in the city.

(‘82 Code, § 4-517) (Ord. 75, passed 8-6-74) Penalty, see § 70.99

### **§ 70.51 SIMULATED TRAFFIC-CONTROL DEVICES PROHIBITED.**

It shall be unlawful for any person or persons other than a State Highway Department employee, County Highway Department employee, or City Engineer or Police Department employee to erect, post, maintain, or display any signs resembling any State Highway Department, County Highway Department, or city traffic-control sign or signal or parking limitation sign upon any of the streets, highways, public parking lots, public alleys, or public thoroughfares in the city.

(‘82 Code, § 4-509) (Ord. 75, passed 8-6-74) Penalty, see § 70.99

### **§ 70.52 FALSE OFFICIAL ORDER SIGNS PROHIBITED.**

It shall be unlawful for any person or persons other than employees of the State Highway

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Department, County Highway Department, or City Engineer or Police Department to erect, post, maintain, or display any sign or signs, not simulating or resembling any traffic-control sign or signal or parking restrictions or limitation sign, but bearing the words "By Police Order," "By Order of the Chief of Police," or otherwise denoting or claiming official sanction, upon any of the streets, highways, public alleys, public parking lots, or other public thoroughfares in the city.

('82 Code, § 4-519) (Ord. 75, passed 8-6-74) Penalty, see § 70.99

## ***BICYCLES***

### **§ 70.65 TRAFFIC RULES APPLY.**

(A) Every person riding or propelling a bicycle upon any street or public thoroughfare in the city shall observe all traffic rules and regulations applicable thereto as the same are set forth in M.S. Chapter 169, and all laws supplemental thereto or amendatory thereof, as same are incorporated by reference by § 70.01 of this code.

(B) The same include, but are not limited to, the following.

(1) Persons riding bicycles shall observe all traffic signs and signals and shall stop at all stop signs.

(2) Persons riding bicycles shall ride as near to the right side of the roadway or sidewalk as practicable and pass to the left when passing overtaken vehicles and individuals.

(3) Persons riding bicycles upon a roadway shall not ride more than two abreast.

(4) No person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself or herself to any vehicle upon any roadway.

(5) No person shall ride a bicycle upon any sidewalk within the business district which shall consist of the streets as set forth in Chapter 74, Schedule I of this code, and all city parking lots.

(6) Whenever any person is riding a bicycle upon a sidewalk other than in the business district, that person shall yield the right of way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian.

(7) All bicycles shall have brakes, lights, and reflectors as required by M.S. Chapter 169.

(8) No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handle bars.

('82 Code, § 4-521) (Ord. 75, passed 8-6-74) Penalty, see § 70.99

### **§ 70.66 OPERATING RULES.**

Every person riding or propelling a bicycle upon any street or other public thoroughfare in the city

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shall also be subject to the following:

(A) No bicycle shall carry more than one person, unless it shall have two or more driving sprockets, in which event as many riders as driving sprockets shall be allowed, or unless there shall be a specially constructed seat mounted on the bicycle in which event an adult driver of a bicycle may carry one child in each such seat;

(B) No bicycle shall be ridden faster than is reasonable and proper, but every bicycle shall be operated with reasonable regard for the safety of the operator and all other persons upon the sidewalks, streets, and other public thoroughfares of the city;

(C) Every person riding or propelling a bicycle upon any street or other public thoroughfare in the city shall turn only at intersections and shall signal all turns; and

(D) No bicycle shall be permitted on any street or other public thoroughfare in the city which has any wheel thereof which is more than 30 inches in diameter or which has a seat thereon which is elevated more than 12 inches above the frame of the bicycle.

(‘82 Code, § 4-521) (Ord. 75, passed 8-6-74) Penalty, see § 70.99

### **§ 70.99 PENALTY.**

(A) Any person who violates any provision of this title for which no other penalty is provided shall be subject to the penalties as set forth in § 10.99 of this code.

(B) Any person violating any provision of § 70.33 shall, upon conviction thereof, be guilty of a misdemeanor.

(‘82 Code, § 4-508) (Ord. 106, passed 5-10-88)

(C) Each day that a sign as described in §§ 70.50 through 70.52 is so maintained or displayed shall constitute a distinct and separate offense hereunder.

(‘82 Code, § 4-520) (Ord. 75, passed 8-6-74)

## Traffic Rules



## Parking Regulations

### CHAPTER 71: PARKING REGULATIONS

#### Section

- 71.01 Obstruction of traffic prohibited
- 71.02 Overtime and overnight parking
- 71.03 Snow removal; parking restrictions
- 71.04 No parking and limited parking zones; designation
- 71.05 Commercial vehicles
- 71.06 Illegally parked vehicles; removal and disposition
- 71.07 Uniform parking ticket

#### **§ 71.01 OBSTRUCTION OF TRAFFIC PROHIBITED.**

No person shall park or double park a vehicle on any street or alley within the city in any way whereby the vehicle shall obstruct the normal flow of traffic.  
(‘82 Code, § 4-510) (Ord. 36, passed 5-3-55) Penalty, see § 10.99

#### **§ 71.02 OVERTIME AND OVERNIGHT PARKING.**

##### (A) Business district.

(1) The business district streets shall consist of the streets as set forth in Chapter 74, Schedule I, of this code, and all city parking lots.

(2) No person shall park or leave standing any vehicle, whether attended or unattended, in the business district, for a period of more than 12 hours, or other periods of time as may be designated by majority vote of the City Council.

##### (B) Residential district.

(1) The residential district streets shall consist of all streets not listed as part of the business district in Chapter 74, Schedule I, of this code.

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(2) No person shall leave standing or park any vehicle, whether attended or unattended, upon any public residential district street for a period of time longer than 24 consecutive hours, or other periods of time as may be designated by a majority vote of the City Council.

(‘82 Code, § 4-511) (Ord. 75, passed 8-6-74; Am. Ord. 109, passed 1-8-91) Penalty, see § 10.99

### **§ 71.03 SNOW REMOVAL; PARKING RESTRICTIONS.**

No person shall park or leave standing any vehicle, whether attended or unattended, upon any public street or public parking lot from 2:00 a.m. and until such time as that street or parking lot is cleared of snow.

(‘82 Code, § 4-512) (Ord. 75, passed 8-6-74; Am. Ord. 109, passed 1-8-91) Penalty, see § 10.99

### **§ 71.04 NO PARKING AND LIMITED PARKING ZONES; DESIGNATION.**

The Council may also from time to time, by motion adopted by a majority vote, designate certain streets or portions thereof as no parking zones or as limited parking zones as to period of time and purpose (such as snow removal and otherwise) and direct the Street Commissioner or the Chief of Police to accordingly place proper signs thereon and/or appropriately paint the curbs thereby to indicate their character.

(‘82 Code, § 4-513) (Ord. 75, passed 8-6-74)

### **§ 71.05 COMMERCIAL VEHICLES.**

No person shall park or leave standing any truck (1.5 tons or larger), bus, or commercial vehicle, whether attended or unattended, upon any public street for a period of time of more than one hour in the business district as described in Chapter 74, Schedule I, of this code, or two hours in any part of the city, unless same is in the actual process of being loaded or unloaded, nor park same so as to block any public street or alley at any time.

(‘82 Code, § 4-514) (Ord. 75, passed 8-6-74) Penalty, see § 10.99

### **§ 71.06 ILLEGALLY PARKED VEHICLES; REMOVAL AND DISPOSITION.**

(A) If any persons shall violate the terms and provisions hereof, the City Police or authorized persons as shall be designated by motion of the City Council, on discovery of the violations, may forthwith remove or cause to be removed that vehicle from the place where found to any public or private garage within the city or to some other place as shall be designated by motion of the City Council, and that vehicle shall not be delivered to the owner thereof until the cost of the removal, together with the cost of the storage of the vehicle, shall have been paid to the City Clerk-Treasurer and/or the Chief of Police.

(B) In the event that the owner of the vehicle shall not pay the cost of removal or storage charges within ten days subsequent to the removal thereof to the garage, the Chief of Police, or other authorized person as shall be designated by motion or contract of the City Council, shall be considered to be an abandoned motor vehicle and disposed of as provided in Chapter 92.

(‘82 Code, § 4-515) (Ord. 75, passed 8-6-74)

## **Parking Regulations**

### **§ 71.07 UNIFORM PARKING TICKET.**

(A) A uniform parking ticket approved and established by the Chief of Police shall be provided and shall be used on all overtime parking violations in the city. This parking ticket shall give due notice to the violator of the nature, time, and place of his or her violations and shall instruct the violator to pay to the City Clerk-Treasurer, in absence of adoption of a rule establishing a traffic violation bureau, in full satisfaction of the violation the amount that shall be assessed therefor by the City Clerk-Treasurer, within five days of the issuance of the parking ticket, or within that five days, in lieu of payment of the fine, to enter a plea of not guilty to the offense.

(B) Provided, the penalty shall not exceed \$5 except that the City Clerk-Treasurer may levy a penalty for tardiness, and the duly levied penalty for tardiness is not to exceed \$1 per day for each day's tardiness not to exceed a maximum of \$10, and provided further that any violator may pay a fine of \$5 for a first offense to the City Clerk-Treasurer if same is paid within five days and the violator signs an appearance, plea of guilty, and waiver statement.

(C) Furthermore, any duties and/or rights hereby granted herein to the Chief of Police under this section or any other section of this title, may be exercised by the Sheriff or any Deputy Sheriff of the county.

('82 Code, § 4-522) (Ord. 75, passed 8-6-74) Penalty, see § 10.99

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## Snowmobiles

### CHAPTER 72: SNOWMOBILES

#### Section

- 72.01 Definitions
- 72.02 Registration requirement
- 72.03 Operation restrictions; locations and hours
- 72.04 State regulations adopted by reference
- 72.05 Operating regulations
  
- 72.99 Penalty

#### § 72.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**COMMISSIONER.** The Commissioner of Natural Resources acting directly or through his or her authorized agent.

**OPERATE.** To ride in or on and control the operation of a snowmobile.

**OPERATOR.** Every person who operates or is in actual physical control of a snowmobile.

**OWNER.** A person, other than a lien holder, having the property in or title to a snowmobile entitled to the use or possession thereof.

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

**REGISTER.** The act of assigning a registration number to a snowmobile.

**SNOWMOBILE.** A self-propelled vehicle designed for travel on snow or ice or a natural terrain, steered by wheels, skis, or runners.  
(‘82 Code, § 4-550) (Ord. 60, passed 11-19-70)

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### **§ 72.02 REGISTRATION REQUIREMENT.**

Except as provided in M.S. § 84.82(6), no person shall operate any snowmobile upon any public street, alley, public lot, lake, or stream within the city limits unless that snowmobile has been registered in accordance with provisions of M.S. §§ 84.81 to 84.915, as they may be amended from time to time. ('82 Code, § 4-551) (Ord. 60, passed 11-19-70)

### **§ 72.03 OPERATION RESTRICTIONS; LOCATIONS AND HOURS.**

(A) No person shall operate a snowmobile upon any public street, alley, lot, lake, or stream, within the city limits, between the hours of 10:00 p.m. and 6:00 a.m.; provided, however, that if the snowmobile is being driven for the purpose of going in the most direct, practicable route possible from a point outside the city limits to the residence of the operator, or other place inside the city limits to a specific destination outside the city limits, then, and for that purpose only, operation of snowmobile between the aforementioned hours shall be lawful.

(B) No person shall operate a snowmobile or trespass on any private property, within the city limits, without the written consent of the owner.

(C) No snowmobile shall be operated upon any public street, alley, lot, lake, or stream in the city limits unless it is equipped with at least one head lamp and one tail lamp, and with brakes which conform to standards prescribed by rule of the Commissioner of Natural Resources pursuant to the authority vested in him or her by M.S. § 84.86. Furthermore, every snowmobile shall be at all times equipped with a muffler in good working order which blends the exhaust noise into the overall vehicle noise and is in constant operation to prevent excessive or unusual noise, and no person shall use a muffler cut-out, bypass, or similar device. The exhaust system shall not emit or produce a sharp popping or cracking sound.

(D) A snowmobile may be operated upon a public street or alley other than as provided above in an emergency during the period of time when and at locations where snow upon the street or alley renders travel by automobile impractical.

('82 Code, § 4-552) (Ord. 60, passed 11-19-70; Am. Ord. 118, passed 3-23-99) Penalty, see § 72.99

### **§ 72.04 STATE REGULATIONS ADOPTED BY REFERENCE.**

The regulatory provisions of M.S. Chapter 169 contained therein, and exhibition driving, except for those relating to required equipment, and except those which by their nature have no application, and M.S. §§ 84.81 to 84.915, as they may be amended from time to time, and all laws supplemental or amendatory thereto, and any and all rules and regulations promulgated by the Commissioner of Natural Resources pursuant to Laws 1969, Chapter 695, are hereby applicable to snowmobiles and are hereby incorporated in and made a part of this chapter as completely as if set out herein in full.

('82 Code, § 4-553) (Ord. 60, passed 11-19-70)

### **§ 72.05 OPERATING REGULATIONS.**

In addition to the laws, rules, and regulations as set forth in § 72.04 above and made applicable to snowmobiles thereby, it shall be unlawful for any person to drive or operate any snowmobile in the

### **Snowmobiles**

following unsafe or harassing ways at any place within the city limits:

- (A) At a rate of speed greater than the posted city street speed limits;
  - (B) In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto;
  - (C) While under the influence of intoxicating liquor or narcotics or habit forming drugs;
  - (D) In a manner so as to create loud and excessive noise or in any way which shall unduly disturb the peace and privacy of the residents of the city or in any manner create a public nuisance thereby;
  - (E) Without a lighted head and tail light when required for safety; or
  - (F) In any tree nursery or planting in a manner which damages or destroys growing stock.
- (‘82 Code, § 4-554) (Ord. 60, passed 11-19-70; Am. Ord. 118, passed 3-23-99) Penalty, see § 72.99

### **§ 72.99 PENALTY.**

Any person violating any provision of this chapter or any regulation of the Commissioner of Natural Resources shall be guilty of a petty misdemeanor and punished according to § 10.99 of this code.

(‘82 Code, § 4-555) (Ord. 118, passed 3-23-99)

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## Traffic Schedules

### CHAPTER 73: TRAFFIC SCHEDULES

Schedule

I. Truck routes

#### SCHEDULE I. TRUCK ROUTES.

Truck routes are hereby established as the following public streets in the city.

<i>Street</i>	<i>Location</i>
Broadway Avenue	From its intersection with Jacob Street to the west city limits
Henrietta Avenue	From its intersection with Railroad Street to its intersection with Jacob Street
Jacob Street	From the north city limits to the south city limits
Louisa Street	From its intersection with Henrietta Avenue to its intersection with Sophia Avenue
Park Avenue	From its intersection with Railroad Street to the east city limits
Railroad Street	From its intersection with Sophia Avenue to its intersection with Henrietta Avenue
Sophia Avenue	From its intersection with Railroad Street to the driveway to the outfield of the baseball park

('82 Code, § 4-508) (Ord. 75, passed 8-6-74; Am. Ord. 106, passed 5-10-88)

***Cross-reference:***

*Truck routes; weight restrictions, see § 70.33*

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## Parking Schedules

### CHAPTER 74: PARKING SCHEDULES

Schedule

I. Business district; residential district

#### **SCHEDULE I. BUSINESS DISTRICT; RESIDENTIAL DISTRICT.**

(A) *Business district.* The business district streets shall consist of the following streets:

<i>Street or Lot</i>	<i>Location</i>
All city parking lots	
Henrietta Avenue	From Railroad Street to Jacob Street
Maria Avenue	From Railroad Street to Louisa Street
Railroad Street	From Sophia Avenue to Henrietta Avenue
Sophia Avenue	From Railroad Street to Louisa Street

(B) *Residential district.* The residential district streets shall consist of all streets not listed in division (A) of this schedule.

('82 Code, § 4-511) (Ord. 75, passed 8-6-74; Am. Ord. 109, passed 1-8-91)

***Cross-reference:***

*Overtime and overnight parking, § 71.02*