

ORDINANCE 58

AN ORDINANCE REGULATING TRAFFIC ON HIGHWAYS AND STREETS AND DEFINING CERTAIN CRIMES IN THE USE AND OPERATION OF VEHICLES, REGULATING PARKING ON HIGHWAYS AND STREETS, AND PROVIDING FOR TRAFFIC SIGNS AND SIGNALS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF BIRD ISLAND, COUNTY OF RENVILLE AND STATE OF MINNESOTA, AND REPEALING ALL ORDINANCES INCONSISTENT HERewith

The Village Council of the Village of Bird Island do ordain:

ARTICLE I WORDS AND PHRASES DEFINED

Section 1. "Definitions" The following words and phrases when used in this ordinance shall for the purpose of this ordinance, have the meanings respectively ascribed to them in this article.

- (1) "Motor vehicle"—Every motor vehicle which is self-propelled and not deriving its power from overhead wires.
- (2) "Motorcycle"—Every motor vehicle having a saddle for the use of the rider and designed to travel on no more than three wheels in contact with the ground but excluding a tractor.
- (3) "Schoolbus"—Every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school.
- (4) "Person"—Every natural person, firm, copartnership, association or corporation.
- (5) "Driver"—Every person who drives or is in actual physical control of a vehicle.
- (6) "Owner"—A person who holds the legal title to a vehicle or in the event of a vehicle is subject of an agreement for the conditional sale of lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this ordinance.
- (7) "Street or highway"—The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic.
- (8) "Private road or driveway"—Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.
- (9) "Thru Highway"—Every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and where stop signs are erected as provided in Chapter 464 of the Session Laws of Minnesota for 1937.
- (10) "Business district"—The territory contiguous to and including a highway when 50 per cent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.
- (11) "Residence district"—The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improvement with residences or residences and buildings in use for business.

ARTICLE II SPEED RESTRICTIONS

Section 2. "Speed Restrictions." (a) No person shall drive or operate a motor vehicle or motorcycle on any street or highway within the corporate limits of the village of Bird Island, Renville County, Minnesota, at a speed greater than is reasonable and prudent under the conditions then existing; provided, however, that no person shall drive or operate a vehicle upon a street or highway within the Village of Bird Island at more than thirty (30) miles per hour, in any business or residential section.

ARTICLE III RIGHT-OF-WAY AT INTERSECTIONS

Section 3. "The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any person approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver, having so yielded and having given a signal when and as required by this ordinance and by statutory law, may make such left-hand turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left-hand turn."

Section 4. (a) The driver of a vehicle shall stop as required by this ordinance at the entrance to a thru highway or street and shall yield the right-of-way to other vehicles which have entered the intersection from said through highway or street or which are approaching so closely on said through highway or street as to constitute an immediate hazard, but said driver having so yielded, may proceed and the drivers of all other vehicles approaching the intersection on said through highway shall yield the right-of-way to the vehicle so proceeding into or across the through highway.

(b) The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrances thereto although not a part of a thru highway and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

Section 5. "Driver entering highway shall yield right-of-way." The driver of a vehicle entering or crossing a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on said highway.

ARTICLE IV PARKING OF VEHICLES UPON STREETS AND HIGHWAYS WITHIN THE VILLAGE OF BIRD ISLAND

Section 6. (a) No driver, operator or owner of a motor vehicle or motor cycle shall park said motor vehicle or motorcycle in the center of the street on any of the streets or highways within the corporate limits of the village of Bird Island.

(b) All motor vehicles or motorcycles parked on any of the streets within the corporate limits of the village of Bird Island, shall park facing the curb at an angle of forty-five degrees, save and except as provided in subdivision D of Section 6, Article IV.

(c) No trucks shall be permitted or allowed, and it is hereby declared unlawful for the owner, operator or driver of any truck to park his said truck anywhere on or along Main Street, between the points of the intersection of Main Street and Park Street, and intersection of Main and F Streets, provided, however, that this Section shall not apply to pick-up trucks, nor shall it apply to transportation trucks or any other trucks parking or stopping on said Street for the purpose of unloading or loading goods, wares or merchandise.

(d) It shall be unlawful to stop or park any motor vehicle or motorcycle on, along or upon H Street, also known as State Trunk Highway #212, unless said motor vehicle is parked parallel to the curb.

(e) It shall be unlawful and no trucks shall be permitted to park either parallel to the curb or at an angle, anywhere along, over and upon H Street, also known as State Trunk Highway #212 within the corporate limits of the village of Bird Island.

(f) It shall be unlawful and no trucks, motor vehicles or motorcycles shall stop or park upon H Street, also known as State Trunk Highway #212, or any part thereof or the right-of-way thereof, between the points where said H. Street is intersected by Elm Street and Maple Street.

ARTICLE V
STOPPING, STANDING AND PARKING

Section 7. "Police Officials May Move Cars." (a) Whenever any police officer finds a motor vehicle or motorcycle standing upon a highway in violation of any of the foregoing provisions of this ordinance, such officer is hereby authorized to remove such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a proper position of parking or stopping.

Section 8. "Where stops are prohibited." (a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control devise, in any of the following places:

1. On a sidewalk.
2. In front of a public or private highway.
3. Within an intersection.
4. Within ten feet of a fire hydrant.
5. On a crosswalk.
6. Within ten feet of a crosswalk at an intersection.
7. Within twenty feet upon the approach to any stop sign located at the side of the street or highway.
8. Within twenty feet of a driveway entrance to any fire station.
9. At any place where official signs prohibit stops.

10. No person shall, for camping purposes, leave or park a house trailer on or within the limits of any highway or street or on any highway or street right-of-way except where signs are erected designating the place as a camp site.

ARTICLE VI
DRIVING WHILE UNDER INFLUENCE OF INTOXICATING LIQUORS, OR NARCOTICS

Section 9. (a) It shall be unlawful for any person to drive or operate a motor vehicle or motorcycle over and upon any street or highway within the village of Bird Island under the influence of intoxicating liquors or narcotics.

(b) Any person who drives any motor vehicle or motorcycle in such a manner as to indicate either a willful or a wanton disregard for the safety of persons or property, is guilty of reckless driving.

ARTICLE VII
EQUIPMENT AND HEADLIGHTS

Section 10. (a) Every motor vehicle other than a motorcycle shall be equipped with two headlights, one on each side of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in Chapter 464, Session Laws of Minnesota for 1937.

(b) Every motorcycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of Chapter 464, Session Laws of Minnesota for 1937.

Section 11. "Real Lights." (a) Every motor vehicle upon any street or highway within the Village of Bird Island at any time from one-half hour after sunset to a half hour before sunrise and at other times when there is not sufficient

light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead shall display lighted lamps and illuminating devices as required by Chapter 464, Session Laws of Minnesota for 1937.

ARTICLE VIII
OBSTRUCTING USE OF STREET OR HIGHWAY

Section 12. It shall be unlawful for any person to keep, maintain, park or store any machinery or any personal property of any nature or description upon any street or street right-of-way or upon any highway or highway right-of-way, within the corporate limits of the Village of Bird Island, so as to interfere with or impede the use of said street or highway for traveling and traffic purposes. Provided, however, that any person so desiring to use any street or highway or their right-of-way for the purpose of maintaining, keeping or storing any such machinery or personal property thereon, shall first obtain a written permit from the village council of the Village of Bird Island.

ARTILCLE IX
PENALTY

Section 13. "Penalties." (a) It shall be and is a misdemeanor for any person to violate any of the provisions of this ordinance.

(b) Every person convicted of a misdemeanor and a violation of any of the provisions of this act, shall be punished by a fine of not more than \$100.00 or by imprisonment for not more than ninety days.

ARTILCLE X
REPEAL

Section 14. (a) All ordinances inconsistent herewith, are hereby declared repealed.

Passed by the Village Council this 4th day of August, 1938.

C.H. Doyle, Mayor

Gustave Steffen, Village Clerk

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