

CHAPTER 630

PARKING REGULATIONS

Section

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630.01 Diagonal Parking.

The City by resolution may designate any street or portion of street as a street where diagonal parking is allowed. On any such street every vehicle parked shall be parked with the front of the vehicle facing the curb or the edge of the travel portion of the street at an angle of approximately 45 degrees.

630.02 Parallel Parking.

Unless otherwise designated all motor vehicles on all other streets in the City of Waconia shall be parked parallel to the curb or edge of the roadway in accordance with law.

630.03 General and Business District Time Limits.

Subd. 1. No person shall park or leave standing any motor vehicle or trailer other than a truck, bus, or commercial vehicle, whether attended or unattended, upon any of the portions of the following described public streets for a period of more than ninety minutes between the hours of 8:00 a.m. and 6:00 p.m., except on Sundays and holidays:

The north side of Main Street between Elm Street and Maple Street.

The south side of Main Street between Elm Street and Vine Street.

The north and south sides of First Street between Elm Street and Maple Street.

Elm Street between Lake Street and Second Street.

Olive Street between Main Street and Second Street.

The east side of Vine Street between First Street to the alley between Second Street and Third Street.

Subd. 2. No motor vehicle or trailer whatsoever shall be parked on the street set forth in Subd. 1 hereof at any time between the hours of 2:00 a.m. and 6:00 a.m.

Subd. 3. No motor vehicle or trailer shall in any case be parked upon any street in any one place or in any municipal or public parking lot for a longer continuous period than 24 hours. Notwithstanding anything in the preceding sentence to the contrary, such 24 hour time limit shall not apply to trailers from May 1st to May 20th and October 1st to October 20th of each year so as to allow for seasonal transition of recreational equipment.

630.04 Parking of Commercial Vehicles.

No person shall park or leave standing any truck (1-1/2 ton or larger), bus or commercial vehicle, whether attended or unattended, on any public street for a period of time of more than one hour in the business district, as described in the immediately preceding section, or two hours in any other part of the City of Waconia unless same is in the actual process of being loaded or unloaded.

630.05 Disposition of Illegally Parked Vehicles.

The City police or sheriff's deputy, or his/her designee, on discovery of a violation of this Chapter, may remove or cause to be removed an illegally parked vehicle from the place where found to any public or private garage within the City in accordance with the provisions of this Section 630.05. Such vehicle shall hereinafter be referred to as an "Impounded Vehicle".

Subd. 1. Notice of Taking and Sale of Impounded Vehicles.

- A. First Notice. When an Impounded Vehicle is taken into custody, the City shall give notice of the taking within five (5) days of taking the Impounded Vehicle into custody.
- B. Second Notice. If an Impounded Vehicle remains unclaimed after thirty (30) days from the date the first notice was sent or published, a second notice shall be sent or published.
- C. Contents of Notices.

- 1) All notices shall state the date and place of the taking and the place where the Impounded Vehicle is being held, as well as the year, make, model and serial number of the Impounded Vehicle if such information can be reasonably obtained.
- 2) All notices shall inform the owner and any lien holders of their right to reclaim the Impounded Vehicle under this Chapter and Minn. Stat. 168B.01 et seq.
- 3) All notices shall state that failure of the owner or lien holders to exercise their right to reclaim the Impounded Vehicle and its contents within the appropriate time allowed under this Chapter and Minnesota Law will be deemed a waiver by them of all right, title, and interest in the Impounded Vehicle and contents and a consent to the transfer of title to a disposal or sale of the Impounded Vehicle and contents pursuant to the requirements of this Chapter and Minn. Stat. 168B.01 et seq.
- 4) The Second Notice shall include the date, time and place of the auction or sale of the Impounded Vehicle.

D. Notice by Mail or Publication. All notices regarding Impounded Vehicles shall be sent by certified mail, return receipt requested, to the registered owner and to all readily identifiable lien holders of record. If the City is unable to determine with reasonable certainty the identity and address of the registered owner and all lien holders, notices shall be published once in a newspaper of general circulation in the City.

Subd. 2. Reclaiming Impounded Vehicles. The owner or any lien holder of an Impounded Vehicle shall have a right to reclaim the Impounded Vehicle from the City upon payment of all charges resulting from taking the Impounded Vehicle into custody including towing and storage charges. Fees are set forth in Chapter 1100 of this Code. If the registered owner of the Impounded Vehicle claims the vehicle and pays the towing charge and other associated fees within five (5) days of impoundment, the storage charges shall be waived.

Subd. 3. Reclaiming Impounded Vehicles: Sale after Forty-five (45) Days. An Impounded Vehicle is eligible for disposal or sale forty-five (45) days after the second notice is sent or published.

Subd. 4. Implied Consent to Sell. A registered owner who fails to claim the Impounded Vehicle within forty five (45) days after the second notice is sent or published shall be deemed to waive any right to reclaim the Impounded Vehicle and to have consented to the disposal and/or sale of the vehicle and its contents and transfer of title pursuant to this Chapter and Minnesota Law.

Subd. 5. Sales Receipt for Purchase of Impounded Vehicle. If an Impounded Vehicle is disposed of or sold at auction or sale, the purchaser shall be given a receipt in a form prescribed by the registrar of motor vehicles which shall be sufficient title to dispose of the Impounded Vehicle. The receipt shall also entitle the purchaser to register the Impounded Vehicle and receive a certificate of title, free and clear of all liens and claims of ownership. Pursuant to Minn. Stat. 168B.08, before such a vehicle is issued a new certificate of title, it must receive a motor vehicle safety check.

Subd. 6. Sale Proceeds. At the time of any sale or auction and if sold, the City shall reimburse itself for the cost of towing, preserving and storing the Impounded Vehicle, and all administrative, notice and publication costs incurred in impounding and selling the Impounded Vehicle pursuant to this Chapter and Minn. Stat. 168B.01, et seq. Any remainder after the proceeds of a sale or auction

shall be held for the registered owner of the vehicle or entitled lien holder for 90 days and thereafter, if not claimed, deposited in the general fund of the City.

Section 630.06. Parking Vehicles for Sale.

Subd. 1. Purpose. It is appropriate and necessary to regulate the parking of vehicles for sale in the City of Waconia to assure public health, safety and welfare by preventing congestion and traffic hazards; to prevent unauthorized use and trespass on vacant property; to prevent damage and erosion problems associated with off-road motor vehicle travel on unimproved surfaces; and to preserve civic beauty.

Subd. 2. Definitions. For purposes of this Section 630.06, the terms “Motor Vehicle”, “Person”, “Private Property”, and “Public Property”, shall have the meanings given them in Waconia City Code Section 710.30, subdivision 1.

Subd. 3. Public Property. No person shall park a motor vehicle on public property that displays a sign on or near the motor vehicle indicating the motor vehicle is for sale, consignment, lease, trade or exchange or that displays a sign on or near the motor vehicle with identifying information intended to facilitate the sale, consignment, lease, trade or exchange of the motor vehicle (e.g. “Call xxx-xxxx”).

Subd. 4. Private Property. No owner or occupant of private property shall allow a motor vehicle to be parked on the private property, and no person shall park a motor vehicle on private property, that displays a sign on or near the motor vehicle indicating the motor vehicle is for sale, consignment, lease, trade or exchange or that displays a sign on or near the motor vehicle with identifying information intended to facilitate the sale, consignment, lease, trade or exchange of the motor vehicle (e.g. “Call xxx-xxxx”) unless one of the following exceptions is met:

- A. The motor vehicle with the display sign is parked on a motor vehicle sales lot in the B-1 District that meets the requirements of Section 900.05, Subd. 1, F, 4, e; or
- B. The motor vehicle with the display sign is parked on private property in full compliance with each of the following requirements:
 - 1) The motor vehicle is registered to either the owner or occupant of the private property on which it is parked;
 - 2) The motor vehicle is parked on a hard surface designed and improved as off-street parking for automobiles; and
 - 3) No more than one motor vehicle with a display sign is parked on a lot (as the term “lot” is defined in Waconia City Code Section 900.04) at any given time.

Subd. 5. Exception for Motor Vehicles Passing Through the City. Subdivisions 3 and 4 of this Section 630.06 shall not apply to a motor vehicle displaying a prohibited sign if the motor vehicle is: i) moving in a manner intended by its manufacturer; or ii) parked anywhere within the City for less than 12 continuous hours during any 30-day period.

631.01 No Parking, Stopping or Standing Zones.

The City Council, or its designee, may designate certain streets or portions of streets as no parking or no stopping or standing zones and may limit the hours in which the restrictions apply. It is unlawful to stop, stand or park a vehicle on any street or highway where the City Council, or its designee, has established a No Parking Zone and such zone is marked by sign or yellow curb, except when necessary to avoid conflict with other traffic, in compliance with the directions of a police officer, in the event of an emergency vehicle which must go through traffic, or for the purpose of forming a funeral procession.

631.02 Time Limit Parking Zones.

The City Council may by resolution designate certain areas where the right to park is limited during hours specified. The City Engineer shall cause appropriate signs to be posted designating each zone. During the hours specified on the sign, no person shall park a vehicle in any limited parking zone for a longer period than specified.

632.01 Truck Zones and Loading Zones.

Subd. 1. Establishment. The City Council may by resolution establish spaces and streets as loading zones or truck zones between the hours of 6:00 a.m. and 9:00 p.m. as the Council may specify in the resolution. The City Engineer shall cause said zones to be designated by appropriate signs.

Subd. 2. Truck Zone Prohibitions. During truck zone hours, no person shall stop, stand, or park any vehicle except a truck in a truck zone. No person shall stop, stand, or park a truck in a truck zone during truck zone hours except to receive or discharge passengers or freight and then only for a period no longer than is necessary for that purpose.

Subd. 3. Loading Zone Prohibitions. During loading zone hours, no person shall stop, stand or park any vehicle in a loading zone except to receive or discharge passengers or freight and then only for a period no longer than is necessary for that purpose. No person shall occupy a loading zone with a vehicle other than a truck for more than five minutes during such hours.

Subd. 4. Property Owner Initiative. Any person desiring the establishment of a loading zone or truck zone abutting premises occupied by him shall make written application therefor to the City Council. If the Council grants the request, the proper city officers shall bill the applicant for the estimated cost of placing signs and of painting the curb. When the amount is paid to the City Clerk, the necessary signs shall be installed and the curb shall be painted.

Subd. 5. Semi-Trailer Parking. No person shall allow a semi-trailer to stand or be parked unattached to a tractor unit for any length of time on any street in the City except in an emergency in order to change tractors.

Subd. 6. No Truck Parking Zones. The Council may by resolution establish "No Truck Parking" zones in the business district and the City Engineer shall cause appropriate signs to mark any zones so established. Such zones shall be established in the business district where heavy traffic by trucks or other traffic congestion makes parking by trucks a hazard to the safety of vehicles or pedestrians. No person shall park a truck of more than 1-1/2 ton capacity between the hours designated upon any street in any such zone.

Subd. 7. No Unauthorized Vehicle Zones. The City Council may by resolution establish "no unauthorized vehicle" zones in the business district upon its own motion or at the request of any property owner. Any person desiring the establishment of such a zone shall make written application therefor to the City Council. If the Council grants the request, the proper City Officers shall bill the applicant for the estimated cost of placing appropriate signs on the property. When the amount is paid to the City Clerk, the necessary signs shall be installed. Such zones may be established in any location in the business district and any unauthorized vehicles parked in such zones shall be subject to ticketing and removal with the cost of removal and storage to be paid by the owner of such vehicle.

633.01 Bus Stops and Taxi Stands.

Subd. 1. Designation. The City Council by resolution may designate spaces on streets in the City where vehicles engaged in carrying passengers for hire should stand or park. The City Engineer shall cause appropriate signs to be erected to designate any bus stop or taxi stand so established.

Subd. 2. Parking Restrictions. Except for the purpose of unloading and loading passengers, no driver of any vehicle other than a bus shall stand or park in a bus stop and no driver of any vehicle other than a taxicab shall stand or park in a taxi stand.

Subd. 3. Bus and Taxi Parking. No driver of any bus shall stand or park his bus upon any street except at a bus stop. Except for the purposes of loading or unloading passengers, no driver of any taxicab shall stand or park on any street except at a taxi stand.

634.01 Winter Parking.

Subd. 1. Winter Parking. No person shall park or leave standing any vehicle, whether attended or unattended, upon any avenue, street or highway within the City between the hours of 12 Midnight and 8:00 a.m. from November 1 through April 1.

Subd. 2. Exceptions to Winter Parking System. The winter parking system described in Subd. 1, above, shall not apply and, instead, there shall be no parking whatsoever

between the hours of 2:00 a.m. and 6:00 a.m. from November 1 through April 1 of each winter season on the following portions of the following streets:

Main Street between Pine and Maple Streets;

First Street between Spruce and Maple Streets;

Second Street between Vine and Elm Streets;

Vine Street between Second and the alley running between Lake and Main Streets;

Olive Street between Third and the alley between Lake Street and Main Streets;

Maple Street between First and Main Streets;

Elm Street between Third and Main Streets;

Pine Street south of Minnesota Trunk Highway No. 5;

Eighth Street;

Industrial Boulevard;

Industrial Boulevard West;

Mill Lane.

Subd. 3. Handicapped Vehicles. Any vehicle displaying a valid temporary or permanent handicapped identification certificate or insignia issued by the Minnesota Department of Public Safety pursuant to Minnesota Statutes Section 169.345 or any other valid temporary or permanent handicapped identification certificate or insignia issued by another state within the United States shall be exempt from the winter parking restrictions set forth in Subd. 1, above, but shall be subject to all other parking regulations set forth in this Chapter.

Subd. 4. Parking Lots. Parking in public parking lots in the City shall be prohibited upon the accumulation of two (2) inches or more of snow and until such time as the snow has been completely cleared from the parking lot.

Subd. 5. Alleys, Sidewalks, and Public Grounds. No vehicle shall be parked on any public alley for more than fifteen minutes at any time during the period from November 1 to April 1 of each winter season. No vehicle shall ever be parked on any sidewalk or public ground at any time.

635.01 Penalties.

Subd. 1. Penalties. Any person who violates any provision of this Chapter 630 is guilty of a petty misdemeanor. Except as provided in Subd. 3 below, the penalty for parking violations shall be \$10.00 for the first parking offense and \$20.00 for any subsequent parking offense within a one (1) year period. Such penalty is to be paid by the violator to the City Clerk within seven (7) days from the date of issuance of the parking ticket. In addition, an assessment of \$20.00 shall be added to any such penalty in the case of a violation of Section 634.01 of this Code to reimburse the City for the costs of removal and storage pursuant to Section 634.01, Subd. 4. An additional penalty may be levied for tardiness in payment, such additional penalty not to exceed \$1.00 per day for each day of tardiness to a maximum of \$10.00.

Subd. 2. Uniform Parking Ticket. Except as provided in Subd. 3 below, a uniform parking ticket approved and established by the City Police or Sheriff's Department shall be provided and shall be used on all parking violations in the City of Waconia. Such parking ticket shall give due notice to the violator of the nature, time, and place of his violation and shall instruct the violator to pay to the City Clerk in full satisfaction or in lieu of paying such fine, to enter a plea of not guilty with the Carver County Traffic Violation Bureau.

Subd. 3. Vehicles Parked for Sale. The penalty for violating any provision of Section 630.06, *Parking Vehicles for Sale*, shall be \$300.00. The uniform parking ticket provisions shall not apply to violations of Section 630.06 and notice of the violation may be given by any method.

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07/07/08 Ord. 601, Amend 630.05 in Entirety
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11/02/09 amend 630.03 and 630.04
09/6/16 634.01, Subd. 6 Deleted; 635.01 Entirety