

## Chapter 30

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**\*Cross reference(s)**--Any ordinance establishing traffic or parking regulations on any street or public way, including traffic schedules saved from repeal, § 1-9(a)(10); junk vehicles, § 12-61 et seq.; emission of visible air contaminants from vehicles and other internal combustion engines, § 12-141; law enforcement, ch. 16; litter thrown by persons in vehicles, § 22-136; truck loads causing litter, § 22-137; placing commercial and noncommercial handbills on vehicles, § 22-141; streets, sidewalks and other public places, ch. 24; visual obstructions at intersections, § 24-47; traffic management plan, § 36-326; nonconforming traffic generation uses, § 36-327; traffic management administrative fee, § 36-329; trip generation rates, table, § 36-330.

**State law reference(s)**--Traffic regulations, M.S.A. ch. 169; local authority, M.S.A. § 169.04.

## Traffic and Vehicles

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**Article I. In general****Sec. 30-1. Adoption of state highway traffic regulations and statutes.**

The state motor vehicle statutes, M.S.A. chs. 168, 169, 170 and 171, are adopted by reference in their entirety and made a part of this section, and are in full force and effect.

(Code 1976, § 10-101)

**Sec. 30-2. Penalty for violation of incorporated statutes.**

(a) It shall be unlawful and a violation of the requirements of section 30-1 for any person to violate within the city any provision of such statutes adopted by reference in section 30-1, and any person, upon conviction, shall be guilty of a misdemeanor, except as otherwise provided in the statutes adopted in section 30-1, in which case the provision set forth in the statutes adopted by reference shall apply.

(b) A complaint alleging violation of this chapter shall allege the appropriate section of the statute incorporated in this chapter as contrary to section 30-1.

(Code 1976, § 10-102)

**Sec. 30-3. Penalty for violation of this chapter.**

(a) Unless otherwise declared in this chapter with respect to particular offenses, it is a petty misdemeanor for any person to do any act forbidden or fail to perform any act required by this chapter; except that a violation which is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property; or a third or subsequent violation of any of the provisions of this chapter, classified therein as a petty misdemeanor, within the immediate preceding 12 months period, is a misdemeanor.

(b) A person charged with a petty misdemeanor shall not be entitled to a jury trial but shall be tried by a judge without a jury. If convicted, the individual shall be punished by a fine of not more than \$200.00.

(c) Any person convicted of a misdemeanor shall be punished by a fine of not more than \$700.00 or by imprisonment not to exceed 90 days, or both.

(Code 1976, § 10-103)

**Sec. 30-4. Liability for ordinance violations of another.**

(a) A person is liable for an ordinance violation committed by another if the individual intentionally aids, advises, hires, counsels or conspires with, or otherwise procures the other to commit the ordinance violation.

(b) A person liable under subsection (a) of this section is also liable for any other ordinance violation committed in pursuance of the intended ordinance violation if reasonably foreseeable by the individual as a probable consequence of committing or attempting to commit the ordinance violation intended.

(c) A person who intentionally aids, advises, hires, counsels or conspires with, or otherwise procures another to commit an ordinance violation and thereafter abandons the individual's purpose and makes a reasonable effort to prevent the commission of the ordinance violation prior to its commission, is not liable if the ordinance violation is thereafter committed.

(d) A person liable under this section may be charged with, and convicted of, the ordinance violation, although the person who directly committed it has not been convicted or has been convicted of some other ordinance violation or of a crime based on the same act.

(Code 1976, § 10-105)

**Sec. 30-5. Attempts.**

(a) Whoever, with intent to commit an ordinance violation, does an act which is a substantial step toward, and more than preparation for, the commission of the ordinance violation, is guilty of an attempt to commit that ordinance violation, and shall be guilty of a misdemeanor with penalties as defined in section 1-13 of this Code.

(b) An act may be an attempt, notwithstanding the circumstances under which it was performed, or the means employed to commit the ordinance violation intended, or the act itself were such that the commission of the ordinance violation was not possible, unless such impossibility would have been clearly evident to a person of normal understanding.

(c) It is a defense to a charge of attempt that the ordinance violation was not committed because the accused desisted voluntarily and in good faith and abandoned his intention to commit the ordinance violation.

(Code 1976, § 10-106)

**Secs. 30-6--30-40. Reserved.**

**Article II. Vehicle operation**

**Sec. 30-41. Stock or racing cars.**

No person shall drive or operate a stock car or racing car upon the streets and alleys within the limits of the city.

(Code 1976, § 11-713)

**Sec. 30-42. Unreasonable acceleration.**

Any act of unreasonable acceleration by any motor vehicle upon any street, road, parking lot or driving way, private or public, within the corporate limits of the city, is hereby declared to be a public nuisance and is prohibited. Acceleration which unnecessarily breaks traction between tires and the driving surface, thereby causing a squealing or screeching sound, shall constitute prima facie evidence of unreasonable acceleration.

(Code 1976, § 10-702)

**Sec. 30-43. Operation restrictions.**

During the period of time when state seasonal weight restrictions are in place, no vehicles shall operate upon the streets or highways within the city if the gross weight of any single axle exceeds 12,000 pounds, except for the Minnesota State Aid and other streets designated by city council resolution where the weight may not exceed 18,000 pounds, unless there is posted on the city street or highway an appropriate sign indicating a higher permissible gross weight. During the unrestricted period of any year, no vehicle shall operate upon the streets or highways within the city if the gross weight of any single axle exceeds 18,000 pounds unless there is posted on the city street or highway an appropriate sign indicating a higher permissible gross weight. The director of public works may prohibit the operation of vehicles upon any public street or highway within the city, or impose further restrictions as to the weight of vehicles to be operated upon such street or highway, whenever that street or highway may be seriously damaged or destroyed by vehicular use including, but not limited to, deterioration, usage, rain, snow or other climatic condition.

(Code 1976, § 10-202)

**Sec. 30-44. Permit to exceed weight limitations.**

(a) Upon obtaining a permit, any vehicle or combination of vehicles may be operated upon the highways of the city, excepting state trunk highways, in excess of the weight limits prescribed in section 30-43.

(b) The owner will apply to the director of public works for the permit. The application will set forth the routes and the conditions under which such vehicle, or combination of vehicles, may be operated. The fee for the permit will be established by city council resolution.

(c) The director of public works will issue or deny, or issue in modified form, the permit and prescribe therein the routes and the conditions for operations under each such permit, and in determining such routes and such conditions, the director of public works shall permit maximum use of the particular highways and bridges consistent with the maximum capacity of such highways and bridges as determined in accordance with highway engineering practice.

(d) The director of public works may revoke or modify the terms of any existing permit at any time in the event of operations in violation of any such permit or in the event of changed conditions requiring such action. The original or a correct copy of the permit under which operations are being conducted shall be carried at all times in the driver's cab or any vehicle, or combination of vehicles, while the same is being operated thereunder.

(Code 1976, § 10-203)

**Sec. 30-45. Motorized water vehicles.**

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Body of water* mean any creek, lake, drainage ponding area, swamp, marsh, drainage ditch, sump, canal or other accumulated standing or moving water.

*Motorized water vehicle* means any boat, canoe, watercraft or other buoyant or floating object which is propelled by a gasoline, diesel, electric, steam or other type of mechanical engine.

(b) *Operation*. No person shall operate, or cause to be operated, a motorized water vehicle upon any body of water within the corporate limits of the city.

(Code 1976, §§ 10-801, 10-802)

**Secs. 30-46--30-80. Reserved.**

### Article III. Traffic Control Devices

#### Division 1. Generally

#### Sec. 30-81. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Chief of police* means the chief of police of the city or his designee.

*Emergency vehicle* means a vehicle equipped and identified according to law and operated by the city police department and/or the city fire department and noncity vehicles upon written agreement approved by the city council.

*Emergency vehicle preemption (EVP) system* means a traffic control system designed for use by emergency vehicles to improve traffic movement by temporarily controlling signalized intersections. The EVP system is comprised of four separate components: an emitter, a detector, an indicator and a phase selector.

- (1) The *emitter* is a high intensity light source that is attached to the emergency vehicle and functions like a strobe light, pulsating at a frequency in excess of ten beats per second. As an emergency vehicle approaches the intersection, this pulsating light is received by a detector located at or near the traffic signal.
- (2) The *detector* relays the coded message to the phase selector, located in the traffic light control box, which then either holds the existing green light in favor of the approaching emergency vehicle, or accelerates the normal cycle of a signal change to provide a green light by the time the emergency vehicle reaches the intersection.
- (3) The *indicator* is a light source located near the detector which is directed toward the oncoming emergency vehicle to indicate to the driver whether or not the traffic signal has been preempted in favor of the emergency vehicle.

(Code 1976, § 10-207)

**Cross reference(s)**--Definitions generally, § 1-2.

**Sec. 30-82. Erection.**

(a) The director of public works is hereby authorized and directed to secure, post and keep traffic control signs, signals and devices in the form prescribed by the state commissioner of transportation when and as required by resolution of the city council.

(b) No driver of a vehicle, or person riding on animal or bicycle, shall disobey the instructions of any traffic control signs, signals and devices.

(Code 1976, § 10-204)

**Sec. 30-83. Existing devices.**

Existing traffic control signs, signals and devices which have been posted by direction of the city council, the chief of police or the director of public works shall be recognized as properly placed under this article until changed by proper direction of the director of public works.

(Code 1976, § 10-205)

**Sec. 30-84. Disciplinary action.**

Violation of the policies and procedures set forth in this article by any authorized person shall be cause for disciplinary action in accordance with adopted city and department policies.

(Code 1976, § 10-212)

**Sec. 30-85. Violations; penalty.**

Violation of this article shall be a misdemeanor. Each violation of this article shall be considered a separate offense.

(Code 1976, § 10-213)

**Secs. 30-86--30-110. Reserved.**

Division 2. Emergency vehicle preemption (EVP) system

**Sec. 30-111. Legislative purpose of division.**

The purpose for using the emergency vehicle preemption (EVP) system in the city is to allow emergency vehicles to perform emergency services in a safer and more timely manner by temporarily controlling motorized vehicle traffic flow at signalized intersections. The city council deems it advisable to formulate policies and procedures for the use of the EVP system which are to be followed by drivers of all emergency vehicles equipped with EVP system emitters so that pedestrians and drivers of motorized vehicles have adequate warning that emergency vehicles are changing normal traffic control timing at signalized intersections.

(Code 1976, § 10-206)

**Sec. 30-112. Conditions for using.**

(a) *Fire department.* City-owned fire department vehicles may use the EVP system while on emergency responses only. Unless otherwise provided for in this article, all other use by the department is prohibited. Conditions for the use of the EVP system become a part of the fire department standard operating procedures.

(b) *Police department.* City-owned police department vehicles may use the EVP system while on emergency responses only. Unless otherwise provided for in this article, all other use by the department is prohibited. Conditions for the use of the EVP system become a part of the police department standard operating procedures.

(c) *City, county or state maintenance personnel.* The state department of transportation, the county or city maintenance personnel, or their contractors under written agreement, may activate the EVP system only when testing or repairing the system. Sirens and flashing red lights need not be used except when the test vehicle must exceed the posted speed limits. In such instances, such test must be preapproved and coordinated through the chief of police.

(d) *Emergency vehicles not owned or operated by the city.* The use of the EVP system within the city by noncity emergency vehicles is a matter of policy for consideration by the city council. Upon formal approval of a written agreement by the city council, the participating organization or unit of government shall follow all procedures prescribed by the city in utilizing the EVP system.

(e) *Unlawful activation.* Unless specifically approved in this article, it shall be unlawful for any person to activate the EVP system in the city by any means whatsoever. This subsection specifically prohibits the installation of EVP system emitters on any vehicle not identified in subsections (a)--(d) of this section.

(Code 1976, § 10-208)

**Sec. 30-113. Operating procedures.**

(a) When the EVP system is being used by an emergency vehicle responding to an emergency situation, standard light and siren operation should be followed in accordance with department policy.

(b) When the EVP system is being used in an emergency situation where the use of sirens is not appropriate, standard emergency light operations should still be used. Increased caution and reduced speeds, particularly at intersections, are then required.

(c) Emergency personnel must be aware that the EVP system may fail to provide right-of-way at all signalized intersections due to the following:

- (1) The intersection may not be EVP system equipped.
- (2) One or more EVP system components may be inoperative.
- (3) Speed of the emergency vehicle may cause the emergency vehicle to arrive at the intersection too soon for the EVP system to cycle the signal to green.

- (4) Another emergency vehicle using EVP system may be coming from a cross-flow direction and may already have seized command of the intersection signal.
- (5) Severe weather conditions may disrupt the detection of the emitted signal, thereby preventing the EVP system from recognizing the signal preemption request.
- (6) Other conditions may exist which prevent the EVP system from operating as designed.

(d) Upon reaching the emergency destination, the EVP system emitter shall be turned off immediately to ensure that it does not inadvertently seize control of surrounding signalized intersections.

(e) Whenever the EVP system appears not to be functioning properly, it is the driver's responsibility to immediately report the defect and the location of the defective signal to the city police dispatch.

(Code 1976, § 10-209)

**Sec. 30-114. Maintenance procedures.**

(a) It shall be the city's policy to routinely test the EVP system to ensure proper functioning of the system. The chief of police shall be responsible for testing the system. During such tests, each intersection which is EVP system equipped shall be checked from all approaches. Test results will be recorded on a standardized form indicating the intersection tested, date of test, person conducting test and evaluation result. A copy of each test form shall be sent to the chief of police and the director of public works.

(b) When a traffic signal is found to malfunction during a test, the person conducting the test shall immediately notify the city police dispatch of the defect and the location of the defective signal.

(Code 1976, § 10-210)

**Sec. 30-115. Training.**

An explanation of the policies and procedures governing the use of the EVP system in the city shall be included in the basic and in-service training courses for both the city police and fire departments. Appropriate training shall also be mandated for those noncity entities authorized to utilize the EVP system within the city.

(Code 1976, § 10-211)

**Secs. 30-116--30-149. Reserved.**

**Article IV. Parking\***

**Sec. 30-150. Public lots.**

Public lots are considered to be public streets for purposes of enforcing the rules contained in this article.

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**\*Cross reference(s)**--Off-street parking areas, paved areas and loading spaces, § 36-371; sign regulations, § 36-362.

**State law reference(s)**--Stopping, standing and parking, M.S.A. § 169.32 et seq.

**Sec. 30-151. Parking signs to be erected.**

The city manager is hereby authorized and directed to secure, post and keep posted parking signs in a form prescribed by the state commissioner of highways. No driver or owner of a vehicle shall disobey the instructions of any parking sign placed in accordance with this section.

(Code 1976, § 10-301)

**Sec. 30-152. Existing parking signs.**

Existing signs which have been posted by direction of the city council, the chief of police or the city manager regulating parking of vehicles shall be recognized as properly placed under this article until changed by proper use of current city procedures.

(Code 1976, § 10-302)

**Sec. 30-153. General parking restrictions.**

No person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled part of any street or highway in this city when it is practical to stop, park or so leave such vehicle off such part of the street or highway, but in every event a clear and unobstructed width of at least 20 feet of such part of the street or highway shall be left for the free passage of other vehicles, and a clear view of such stopped vehicle shall be available for a distance of 200 feet in each direction upon such street or highway. No vehicle shall be parked continuously at any place in any public street for a period of more than 48 hours.

(Code 1976, § 10-303; Ord. No. 2222-02, § 1, 4-1-2002)

**Sec. 30-154. Parallel parking.**

No person shall stop or park or leave a vehicle in a roadway, other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curbside wheels of the vehicle within 12 inches of the edge of the roadway, and not closer than four feet to another vehicle parked at the curb, except that upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks or signs.

(Code 1976, § 10-304)

**Sec. 30-155. Parking in alleys.**

Vehicles other than trucks shall not be parked in public alleys, and trucks shall not be so parked for a longer period of time than is necessary to load or unload commodities, and then not to exceed 30 minutes.

(Code 1976, § 10-311)

**Sec. 30-156. Parking on one-way streets.**

A vehicle may be brought to a stop on the left side of a highway on one-way streets.

(Code 1976, § 10-312)

**Sec. 30-157. Parking and operation of vehicles on private parking lots.**

No person shall operate a motor vehicle on any private parking lots within the city at a speed greater than is safe and reasonable under the conditions of traffic then existing therein, and in no event at a speed exceeding 15 miles per hour. Parking of vehicles on such lots shall conform to any stalls or positions for parking designated on the surface of the parking area, and no vehicle shall be parked or allowed to stand in any area of such parking lot which has been designated or is used for a lane for moving traffic so as to interfere with the movement of traffic thereon. The city manager may post signs at any entrances to a private parking lot from a public street, which shall designate one-way traffic for entrance or exit, and the driver of any vehicle entering or leaving any such lot shall comply with any one-way signs so posted.

(Code 1976, § 10-314)

**Sec. 30-158. Snow removal parking restrictions.**

(1) Definition of Street: Street as used in this section shall mean the entire right-of-way, including sidewalks, boulevards, curb and gutter as well as the traveled portion of any City street, alley, highway, thoroughfare, county road, or state highway within the City of St. Louis Park.

(2) Snow Fall Parking Restrictions:

- a. Except as provided in Subparagraph (b) and (c) herein, no person shall park a vehicle on any public street at any time when the city declares a snow emergency, until the snow emergency has been cancelled by the city or the street has been plowed to the curb.
- b. The City Manager or designee is authorized to establish and maintain a listing of the public streets which are not subject to the snow emergency parking ban. The exempted streets will generally be high density residential streets without or very limited off-street parking.
- c. The City Manager or designee is authorized to issue parking permits allowing on-street parking in front of the permittee's residence when the snow emergency parking ban is in effect. The permits may only be issued to City residents who do not have off-street parking available to them. No more than two no fee vehicle permits will be issued for each residential dwelling unit.
- d. The City Manager or designee may authorize the issuance of up to two additional parking permits for a fee, as set by Council, when either the residential dwelling does not have adequate off-street parking or does not have any off-street parking and the permits for more than two vehicles is determined to be appropriate. One parking permit for a caregiver vehicle may be approved in accordance with this section. Each permit issued under this section will be for an identified vehicle and must be displayed on such vehicle. Vehicles with permits must be parked in front of the permittee's residence.

- (3) Obstruction of Street by Private Snow Plowing Removal Prohibited. No person shall deposit any snow or ice, plowed or removed from private property, onto a public street.
- (4) Parking Interference with Clean-Up Snowplowing. No person shall park any vehicle on a public street within 50 feet of any area of a public street which is unplowed after City equipment has previously plowed snow and ice from other portions of said street, nor otherwise park in such a manner as to interfere with City clean-up snowplowing operations.
- (5) Off-Street Parking Areas and Private Streets. No person who is an owner or manager of the premises shall allow or permit snow and ice accumulation in an area of required off-street parking under the provisions of the Zoning Ordinance or a special permit issued thereunder or private streets established under a special permit in such a manner as to reduce such private street area or the number of parking stalls available for such use, commencing 24 hours after the cessation of snowfall.
- (6) Special Posted Snow Removal Parking Restrictions. In addition to the snow emergency parking ban set forth in Subsection (2) herein, the City Manager or designee is authorized to post no parking signs for snow removal along public streets of the City where snow removal operations will require the use of the entire width of the street by snow plowing and snow removal equipment. Such signs shall be posted at frequent intervals at least four (4) hours prior to the time when snow removal commences on the street so posted, and such signs shall be removed promptly after completion of the snow removal operation. Snow removal shall be done on any street so posted as soon as possible following a lapse of four (4) hours after posting the signs. No person shall park any vehicle, nor leave any vehicle which was parked at the time of posting for a period of more than two (2) hours thereafter, of any block on any street so posted during the time the said signs are posted thereon, and it shall be unlawful for any person other than an authorized representative of the City or Police Department of the City to remove said signs.
- (7) Public Safety Parking Restrictions. The City Manager or designee is authorized to impose parking restrictions on City streets as necessary in the event curbside snow accumulations cause streets to become impassable to emergency vehicles or snow removal equipment in conjunction with on-street parking.
- (8) Towing of Vehicles. In addition to the penalty provision imposed for a violation of this section, vehicles parked on a public street in violation of any provision of this section may be towed and impounded.

(Code 1976, § 10-315; Ord. No. 2251-03, § 1, 10-7-2003; Ord. No. 2460-14, §1, 11-28-14)

**Sec. 30-159. Public works maintenance parking restrictions.**

(a) No person shall stop, park or leave standing any vehicle, whether attended or unattended, upon any public right-of-way when right-of-way has been posted for parking prohibition during any maintenance within such right-of-way. Posting shall consist of temporary signs placed at reasonable intervals as to be easily acknowledged by the general public and shall be placed a minimum of 12 hours prior to the scheduled time of maintenance.

(b) The designation of maintenance parking restrictions shall be the responsibility of the city and may be enforcement through the issuance of appropriate citations and, if required, the towing, at the owner's expense, of the vehicle in violation.

(Code 1976, § 10-315.101)

**Sec. 30-160. Special parking permit for persons with disabilities and for persons residing in the vicinity of St. Louis Park Senior High School.**

(a) **Purpose.** The purpose of this section is to provide a permit exempting residents from no-parking restrictions on streets immediately adjacent to the homes of disabled persons and persons residing in the vicinity of St. Louis Park Senior High School.

(b) **Application.** The person requesting the permit shall make application to the city on a form provided by the city. The city shall review the application with the assistance of fire, police, risk management and traffic engineering officials, and such other members of the city staff as may be required.

(c) **Regulations.** When the applicant has complied with the regulations of this section, a permit shall be issued by the city, unless it is determined that parking in the no-parking zone would result in undue traffic congestion, be unduly disruptive to the normal activities of citizens, create an unreasonable risk to persons or property, or otherwise be detrimental to the public health, safety, morals or welfare. When the application for a permit is denied, the reasons therefor shall be given.

(d) **Exception.** This permit does not exempt vehicles from the provisions of section 30-153 regarding 12-hour parking restrictions.

(Ord. No. 2198-01, § 1, 5-21-2001)

**Secs. 30-161. Parking Distance from Driveways and Alleys.**

No person shall park a vehicle on a public street, except in compliance with the directions of a police officer, within five (5) feet of a public or private driveway or alley. The five (5) foot distance shall be measured from a point which is the intersection of the projected street curb line and the projected nearest edge of the driveway or alley.

(Ord. No. 2283-04, 11-30-2004)

**Secs. 30-162--30-200. Reserved.**

**Article V. Snowmobiles\***

**Sec. 30-201. Public streets and lands.**

No person shall operate a snowmobile on municipal streets. No person shall operate a snowmobile on any publicly owned lands including, but not limited to, schools, park property, playgrounds, recreation areas and golf courses.

(Code 1976, § 10-504)

**Cross reference(s)**--Streets, sidewalks and other public places, ch. 24.

**\*State law reference(s)**--Snowmobiles, M.S.A. § 84.81 et seq.

**Article VI. Self-propelled wheeled devices****30-210. Definition.**

The term “self-propelled wheeled device” shall mean a non-motorized platform, flat board, shoe, or similar object mounted on wheels and designed or intended to propel a rider by human power or force of gravity including, but not limited to scooters, skate boards, rollerskis, rollerskates and in-line skates. These devices do not include a wheelchair or similar device operated by a disabled person as a substitute for walking, or bicycles, wagons, or strollers.

**30-211. Prohibited Acts and Regulations**

It shall be unlawful for any person to ride or operate a self-propelled wheeled device under any of the following conditions:

- (a) On private property of another, unless written permission has been obtained from the owner, occupant or person in control of the property.
- (b) On public or private property that has been posted prohibiting the operation of self-propelled wheeled devices.
- (c) On any state highway located within the City of St. Louis Park.
- (d) In a careless, reckless or negligent manner so as to be likely to endanger the safety of any person or the property of any other person.
- (e) In any area within the city while being pushed, pulled or in any way propelled by any motorized vehicle or bicycle.
- (f) In a skate park during prohibited hours.
- (g) Contrary to the rights and duties applicable to the driver of any vehicle pursuant to Minnesota Statutes, Chapter 169, except for those provisions therein which by their nature cannot reasonably be applied to such devices.

(Ord. No. 2283-04, 11-30-2004)

**Article VII. Mobility sharing operations****Division 1. Generally****30-212. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bicycle* shall have the meaning specified in Minnesota Statute Section 169.011.

*Motorized foot scooter* shall have the meaning specified in Minnesota Statute Section 169.011.

*Vehicle* shall have the meaning specified in Minnesota Statute Section 169.011.

*Low power vehicle* shall include motorized foot scooters, and any other powered transportation device expressly identified as such pursuant to city council action. A current list of any devices added to and included in this definition shall be kept on file by the director of engineering, and will be made readily available for public inspection.

*Bicycle sharing* shall mean any rental or lending services that:

- (1) Allows bicycle riders to temporarily use bicycles available from a fleet in exchange for a fee or other form of direct or indirect compensation; and
- (2) Encourages, allows, or is susceptible to bicycle vending, renting, or lending from public right of way or other city property.

*Low power vehicle sharing* shall mean any rental or lending services that:

- (1) Allows low power vehicle riders to temporarily use low power vehicles available from a fleet in exchange for a fee or other form of direct or indirect compensation; and
- (2) Encourages, allows, or is susceptible to low power vehicle vending, renting, or lending from public right of way or other city property.

*Car sharing* shall mean any rental or lending services that:

- (1) Allows qualified drivers to temporarily use vehicles available from a fleet in exchange for a fee that is based on mileage and/or duration of use; and
- (2) Conducts its vehicle vending from parking spaces located in the public right of way. Car sharing does not mean a vehicle rental or lending service using a daily rental charge or requiring a minimum twenty-four (24) hour rental period.

*Mobility sharing* shall mean any one, any combination of, or all of the following:

- (1) Bicycle sharing
- (2) Low power vehicle sharing
- (3) Car sharing

**Sec. 30-213. Impounding authorized.**

(a) Bicycles or low power vehicles may be impounded by any police officer, duly authorized city employee, or city-licensed impoundment contractor because:

- (1) The bicycle or low power vehicle was found unattended and blocking traffic or public infrastructure, or otherwise compromising public safety.
- (2) The bicycle or low power vehicle is part of an unpermitted mobility sharing operation and is found in violation of one or more provisions of Division 3 of this article.
- (3) The bicycle or low power vehicle is found in violation of one or more of the terms of a contract or license issued under Division 3 of this article.

(b) All bicycles or low power vehicles found in violation of this section are subject to impoundment without warning.

(c) "Impoundment" or "impound" as used in this article means removal of a bicycle or low power vehicle to a temporary storage location or designated impound facility by the city, or by a city-licensed impoundment contractor, in response to authorization from a police officer, traffic control agent, or other city employee who is designated by the director of engineering to act under this section.

(d) Not more than seventy-two (72) hours after impoundment of any bicycle or low power vehicle, the city shall attempt notice to the owner of the device, as disclosed by readily identifiable owner contact information attached to the bicycle. The notice shall be attempted by telephone, electronic mail, or U.S. mail. The notice shall outline the impoundment and redemption process. If a bicycle is redeemed prior to the submission of notice, or if the city is unable to readily identify the owner, then the notice need not be sent. Saturdays, Sundays, and city holidays are to be excluded from the calculation of the seventy-two (72) hour period.

(e) All bicycles or low power vehicles impounded under this section shall be subject to an impounded fee that is sufficient to offset the city's costs of enforcement and storage for each such device.

**Sec. 30-214. Sale of impounded bicycles.**

Any bicycle lawfully coming into the possession of the city and remaining unclaimed by the owner for a period of at least thirty (30) days may be sold to the highest bidder at public auction or sale following reasonable published notice.

**Sec. 30-215. Sale of impounded low power vehicles.**

Any low power vehicle lawfully coming into the possession of the city and remaining unclaimed by the owner for a period of at least thirty (30) days may be sold to the highest bidder at public auction or sale following reasonable published notice.

**Secs. 30-216--30-230. Reserved.**

**Division 2. Operation****Sec. 30-231. State bicycle laws apply.**

The operation of a bicycle upon any public street, alley, highway, sidewalk, or other public property in the city shall be governed by the provisions of Minnesota Statutes, Section 169.222 together with this chapter.

**Sec. 30-232. State operation laws apply.**

The operation of each form of low power vehicle upon a public street, alley, highway, sidewalk, or other public property in the city shall be governed by the corresponding provisions of Minnesota Statutes, Chapter 169.

**Secs. 30-233--30-250. Reserved.****Division 3. Mobility sharing operations****Sec. 30-251. Contract or license required.**

(a) Notwithstanding any other provision to the contrary, no person shall engage in the business of mobility sharing from public right of way or other city property without a valid contract or license agreement with the city. As used in this chapter, the words “contract” or “license” shall mean a written contract or agreement issued by the engineering director, with formal approval by the city council.

(b) Any bicycle or low power vehicle that is part of a mobility sharing operation not authorized by contract or license under this section shall be deemed an unpermitted bicycle or unpermitted low power vehicle. Any person in possession of an unpermitted bicycle or low power vehicle may ride such device into and through the city, subject to all applicable state and local laws and rules, including but not limited to any ordinances promulgated by Three Rivers Park District and the Minneapolis Park and Recreation Board. All unpermitted bicycles or low power vehicles must be attended by the same user at all times while on public right of way or other city property. As used in this article, “attended” means a readily identifiable user is located within five feet of the bicycle.

(c) A maximum of three (3) mobility sharing contracts or licenses shall be allowed within the city.

**Sec. 30-252. Control of right of way.**

Contracts or licenses issued pursuant to this chapter shall not operate so as to transfer ownership or control of the public right of way to mobility sharing operators, or to any other party.

**Sec. 30-253. Compliance with laws.**

Mobility sharing operators and consumers shall comply with all applicable federal, state, and local laws, as they may be amended from time to time.

**Sec. 30-254. Attachment of bicycles prohibited.**

Bicycles that are part of any mobility sharing operation shall not, for any length of time, be secured, attached, or connected to a bicycle rack, or any other immovable object with a lock unless expressly permitted under city contract or license.

**Sec. 30-255. Attachment of low power vehicles prohibited.**

Low power vehicles that are part of any mobility sharing operation shall not, for any length of time, be secured, attached, or connected to a bicycle rack, or any other immovable object, with a lock unless expressly permitted under city contract or license.

**Sec. 30-256. Exclusive use of bicycle sharing stations.**

Bicycles that are part of any mobility sharing operation shall not be parked, for any length of time, in a designated, city-permitted bicycle sharing station unless such bicycle is permitted by a valid contract or license under Section 30-251. All city-permitted bicycle sharing stations will be clearly identified.

**Sec. 30-257. Exclusive use of low power vehicle sharing stations.**

Low power vehicles that are part of any mobility sharing operation shall not be parked, for any length of time, in a designated, city-permitted low power vehicle sharing station unless such low power vehicle is permitted by a valid contract or license under Section 30-251. All city-permitted low power vehicle sharing stations will be clearly identified.

**Sec. 30-258. Enforcement.**

(a) Bicycles or low power vehicles may be deemed to be part of a mobility sharing operation based on any of the following: marketing or advertising associated with a business logo attached to the device; marketing or advertising associated with the overall appearance of the device; the existence of a locking mechanism that can be unlocked for a fee or other form of direct or indirect compensation; or any other indicator that would lead a reasonable person to believe that the device is used for mobility sharing as defined in this chapter.

(b) Any bicycle or low power vehicle deemed to be part of a mobility sharing operation that is found illegally parked, left unattended on public right of way or other city property for a period of more than fifteen (15) minutes, or otherwise in violation of the terms of a valid city contract or license, shall be subject to impoundment under Division 1 of this article.

(c) Any bicycle or low power vehicle deemed to be part of a mobility sharing operation that is left unattended on private property shall be subject to impoundment under Division 1 of this article. Impoundment shall not occur unless, and until, a qualifying request to remove the device is made by the owner or authorized representative of such property.

(d) In addition to any other remedy available at equity or law, failure to comply with the provisions of this Article VII, or with the terms of any contract or license issued pursuant to the provisions of Section 30-251, may result in impoundment as provided in this article, license revocation, suspension or cancellation, administrative fines, restrictions, or penalties as provided in Chapter 1 of this code.

**Secs. 30-259--30-290. Reserved.**

(Ord. No. 2557-19, 4-15-19)