

ORDINANCE NO. _____85_____

AN ORDINANCE REGULATING THE PARKING OF MOTOR VEHICLES
IN THE CITY LIMITS OF NEW GERMANY

The City Council of the City of New Germany, Carver County, Minnesota does hereby Ordain that Ordinance No. 48 and No. 49 and any other ordinance relating to this issue are rescinded and do by ordain:

Section 1.

Overtime Parking and Parking of Commercial Vehicles. No person shall park or leave any motor vehicle, whether attended or unattended, upon any public street, public alleyway or public lot for a period of time longer than twenty-four (24) consecutive hours. No trucks with standard body weighing more than 1 ton designated shall be parked on any public street or public alleyway between the hours of 6:00 p.m. and 6:00 a.m. No person shall park or leave any motor vehicle weighing more than 1 ton gross weight unless it is in the process of being loaded or unloaded so as to block any public street or public alleyway at any time.

Section 2.

Designation of No Parking Zones and Limited Parking Zones. The City Council of the City of New Germany may also from time to time, designate certain streets and alleys or portions thereof, as "No Parking" Zones or as Limited Parking Zones for a period of time. These Zones would be properly marked to reflect their parking character.

Section 3.

Prohibition on Public Streets and Alleyways and Failure to Remove: Penal Offense. It is unlawful for any person to abandon a motor vehicle in the right-of-way of public streets and public alleyways within the corporate limits of the city of New Germany. No person shall park or leave any motor vehicle in a wrecked, junked, partially dismantled or inoperative condition in a right-of-way of any street or alley, provided that a reasonable time, not to exceed 24 hours from the time of disability is permitted for the removal of or servicing of a disabled vehicle in an emergency caused by an accident or sudden breakdown of the vehicle. Any person who fails, neglects or refuses to remove an abandoned, wrecked, junked, partially dismantled or inoperative vehicle or to house such vehicle and abate such nuisance, shall be guilty of a penal offense.

Section 4.

Vehicle Sales. No Vehicle for sale by owner or his agent shall be parked or left on the street or alleyway for the purpose of displaying said vehicle with the intent to sell it.

Section 5.

Parking Restrictions During Snow Removal. During the winter months of each year, no motor vehicle shall be parked on either side of any street or alleyway within the City limits following a snowfall of one (1) inch or more, or otherwise interfere with snow

removal operations. After the snow removal is complete, parking can again be resumed upon those streets and alleyways that have been cleaned of snow.

Parking Restrictions During Winter Months. No parking will be allowed on any public street or alleyway within the city limits of the City of New Germany from November 1st through March 31st from 2:00 a.m. to 7:00 a.m. The winter parking rule is in effect when snow on the ground exceeds 1".

Section 6.

Disposing of Illegally Parked Vehicles.

If any persons shall violate the terms and provisions of this ordinance, such authorized persons shall be designated by motion of the City Council, upon discovery of such violation, the council may direct the vehicle to be removed from the place where it was found and be placed in any public or private garage within the city or as designated by the city council; the said vehicle shall not be released or delivered to the owner thereof until the cost of above removal has been satisfied; this may include removal, storage and towing charges, these fees shall be paid to the city clerk. In the event that the owner of such vehicle refuses to pay the abovementioned fees within 10 (ten) days subsequent to the removal thereof, such other authorized person as designated by the motion of the city council, shall forthwith cause said vehicle to be sold at public auction to the highest bidder for cash. Before such sale a posted notice 10 (ten) days prior, shall be posted giving notice of such sale and a copy of sale notice will be mailed to the owner thereof by certified mail, if his address can be ascertained, no less than 5 (five) days prior to such sale. Said Notice shall state the time and place of such sale, the accrued costs of removal, storage and any other related costs and that said sale is made pursuant to the provisions of the Ordinance. At the time of such sale, and if sold, the City Clerk or other legally designated official is hereby authorized and directed to make, execute and deliver to the purchaser a certificate of sale or such vehicle and shall apply the proceeds of the sale to the costs and expenses of the sale, then to the payment of such storage and removal costs, and the residue thereof shall be forwarded to the owner if his name and address can be ascertained. In the event that his name and address cannot be ascertained, the same shall be paid to the city clerk to be held by him pending demand by the owner.

Section 7

Penalty Provisions.

Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed Three Hundred Dollars (\$300.00) and/ or by imprisonment in the County Jail for a period of time not to exceed ninety (90) days.

Section 8

This Ordinance shall be in effect from and after its publication, according to law.

Adopted and approved this 22 day of November, 2006 by the City Council of the City of New Germany.

Mayor, Pete Pederson

ATTEST:

City Clerk, Joan Guthmiller