

CHAPTER 6.
VEHICLES AND TRAFFIC - GENERAL REGULATIONS

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6.10. **Accidents.** The driver of any vehicle involved in an accident resulting in injury to or death of any person and the driver of any vehicle at the scene of the accident and the driver of any vehicle involved in an accident to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident, or as close thereto as possible, but shall than return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of state law as to the giving of information. The stop shall be made without unnecessarily obstructing traffic.

6.11. **Notify Police Department.** The driver of a vehicle involved in an accident resulting in injury to or death of any person shall, after compliance with state law, by the quickest means of communication give notice of such accident to the police department.

6.12. **Accident Report to Commissioner.** The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of \$300.00 or more, shall forward a written report of the accident to the commissioner of public safety within ten days thereof. If, in the opinion of the commissioner of public safety, the original report of any driver of a vehicle involved in an accident of which report must be made as provided in state law is insufficient he may require the driver to file supplementary reports.

6.13.- 6.20. **Reserved.**

6.21. **Persons under the Influence of Narcotics and Liquor.** No person who is a habitual user of narcotic drugs or who is under the influence of liquor shall drive or operate a vehicle within the City.

6.22. **Consumption in Vehicles.** No person shall consume liquor while an occupant of any vehicle upon any street in the City.

6.23-6.29. **Reserved.**

6.30. **Careless Driving.** No person shall operate any vehicle within the City carelessly or heedlessly in disregard of the rights or safety of others or in a manner so as to endanger or be likely to endanger any person or property.

6.31- 6.40. **Reserved.**

6.41. **Speed Regulations.** No vehicle shall be driven on any street, alley or highway in the City at a speed in excess of 30 miles per hour unless a different speed has been established by the State of Minnesota and in that case such speed limits will prevail. The council shall by resolution have the authority to alter the 30 miles per hour speed limit.

6.42. **Stopping a Vehicle.** 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 device in any of the following places:

- (a) On a sidewalk.
- (b) In front of a public or private driveway.
- (c) Within an intersection.
- (d) Within 10 feet of a fire hydrant.

- (e) On a crosswalk.
- (f) Within 20 feet of a crosswalk at an intersection.
- (g) Within 30 feet upon the approach to any flashing beacon, stop sign or traffic control sign located at the side of the roadway.
- (h) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings.
- (i) Within 50 feet of nearest rail or a railroad crossing.
- (j) Within 20 feet of the driveway entrance to any fire station and, on the side of a street opposite the entrance to any fire station, within 75 feet of the entrance when properly sign posted.
- (k) Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic.
- (l) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- (m) Upon any bridge or other elevated structure upon a highway.
- (n) Upon any bicycle path designated as such by any governmental authority.
- (o) At any place where official signs prohibit stopping.

6.43. Time Limit and Winter Parking.

6.43.1 It shall be unlawful for anyone to park motor vehicles, equipment or structures upon any street or alley in any one place for longer than 72 consecutive hours.

6.43.2 **Residential Parking.** It shall be unlawful for anyone to park motor vehicles, equipment, or structures on any street or alley in the city adjoining residential property from November 1 through March 31 between the hours of 2:00 a.m. to 6:00a.m. or until the street has been plowed to full width.

6.43.21 **Business District Parking.** It shall be unlawful for anyone to park motor vehicles, equipment, or structures in the city's downtown business district from November 1 through March 31 between the hours of 2:00 a.m. to 6:00a.m or until the street has been plowed to full width. The downtown business district is the section of Tyler Street between Bradley Street and Strong Street.

6.43.3 **Enforcement.** Any police officer may issue a city citation or remove a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic or hinders snow removal or maintenance operations. If removed, Such vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for violation of this ordinance. Issued City citations are to be paid within 10 days from the date of issuance. If citation remains unpaid after 10 days and/or vehicle continues to pose an obstruction or hinder snow removal an additional citation will be issued on the 11th day and every 30 days thereafter until the issue is remedied.

6.43.4 **Prima Facie violation.** The presence of any motor vehicle on any street when standing or parked in violation of this chapter is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

6.44. Removal of Vehicles Parked in Violation. Every police officer of the City is authorized to require the person in charge of any vehicle parked in violation of this code to move said vehicle to a place of safety and upon neglect or failure to do so, or in the case of any motor vehicle being left alone or abandoned in any such position said officer is authorized to **issue a city citation or** provide for the towing of such vehicle to the nearest convenient garage or other place of safe keeping.

6.45. Vehicles Displayed for Sale. No person shall park any vehicle on any street for the purpose of displaying it for sale for a period of time greater than 72 hours.

6.46. House Trailer Parking. No person shall, for camping purposes, leave or park a house trailer on any street or right-of-way thereof.

6.47. Peace Officer Authority to Direct Traffic. No person shall stop or park a vehicle on any street when directed to proceed by any peace officer with authority to direct traffic.

6.48. Exhibition Driving Prohibited No person shall turn, accelerate, decelerate or otherwise operate a motor vehicle within the City in a manner which causes unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing of sand or gravel, or in a manner simulating a race. Squealing or screeching sounds emitted by tires, or the throwing of sand or gravel by the tires is prima facie evidence of a violation of this section.

6.49. - 6.50. Reserved.

6.51. Speed Limitations Not Applicable to Emergency Vehicles. The speed limitations of this code shall not apply to vehicles when operated with due regard for safety, under the directions of peace officers in the pursuit or apprehension of violators of the law or persons charged with or suspected of any such violation, or to fire departments or fire patrol vehicles when traveling in response to a fire alarm or to public ambulances in emergency use or service.

6.52. Fire Alarms. When a fire alarm shall be sounded or when the warning device of any emergency vehicles shall be sounded, all vehicles upon the streets of the City shall draw to the right side of the street and permit such vehicle to pass. No vehicle of any kind shall precede fire apparatus to a fire using the same street that it is using. No vehicle shall follow fire apparatus closer than 500 feet or be parked within the block where the fire apparatus has stopped in answer to a fire alarm. No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street or private driveway to be used at any fire or alarm of fire, without the consent of the fire department official in command.

6.53.- 6.59 Reserved.

6.60. Vehicle Equipment. No person shall drive or operate a motor vehicle on any street within the City unless such vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise. It shall be unlawful to use any vehicle on any street without lighting equipment, a windshield wiper, a rear vision mirror, a horn or other warning device, front and rear bumpers and brakes as are required by the Minnesota Statutes.

6.62. **Lighting.** Every vehicle at any time from sunset to sunrise and at any other time when visibility is impaired by weather, smoke, fog or other conditions or there is not sufficient light to render clearly discernible persons and vehicles on the streets at a distance of 500 feet ahead shall display such lighted lamps and illuminating devices as are required by law.

6.63.- 6.69 **Reserved.**

6.70. **Pedestrians.** Pedestrians shall move when practicable upon the right half of crosswalks. Pedestrians shall cross streets in accordance with signals at controlled intersections. When traffic at intersections is not controlled, motor vehicles shall yield the right of way, slowing down or stopping if need be to so yield to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield. No vehicle shall pass another vehicle that has stopped at a marked crosswalk or at an intersection for a pedestrian to pass. At any point other than a crosswalk, pedestrians shall yield the right of way to motor vehicles. This shall not relieve the driver of any motor vehicle of the obligation to use due care. Pedestrians walking upon a roadway shall walk near the left side of the roadway, giving way to oncoming traffic.

6.71-6.80. **Reserved.**

6.80. **Snowmobiles and All-terrain Vehicles.** No person shall operate within the City a snowmobile or all-terrain vehicle, contrary to the provisions of Minnesota Statutes 84-169 and 171, as amended, and reference as fully and to the same extent as if set forth herein in full except as hereinafter otherwise provided.

6.82. **Definitions:**

6.82.1. **"Snowmobile"**- a self-propelled vehicle designed for travel on snow or ice steered by skis or runners.

6.82.2. **"All-Terrain Vehicle (ATV)"**- A motorized flotation-tired vehicle of not less than three low-pressure tires, but not more than six tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 600 pounds.

6.82.3. **"Public Road Right-of-Way"**- A public road right-of-way is the entire right-of-way, including the traveled portions as well as all banks, ditches, shoulders and medians of a public road right-of-way, that is not privately owned.

6.83. **City Regulations.**

6.83.1. In addition to the provisions of said Statutes, no person shall drive or operate any snowmobile or all-terrain vehicle:

- (1) At a speed in excess of the speed limit upon a street, alley or thoroughfare in the City;
- (2) Upon the private property of another without the express written consent of such other person;
- (3) In such a manner as to annoy or disturb the rest or repose of any member of the public;
- (4) On any street, alley, thoroughfare or other place in the City unless such person holds a valid current driver's license or a valid Minnesota snowmobile certificate or a valid DNR ATV safety certificate;
- (5) Abreast with one or more snowmobiles or all-terrain vehicles upon any street, alley, or thoroughfare or other place in the City;
- (6) So as to pass or attempt to pass another moving snowmobile or all-terrain vehicle while on any street, alley, thoroughfare or other place in the City;
- (7) While towing a sled, toboggan, wagon, trailer or other object unless such sled, toboggan, wagon, trailer or other object is attached to the snowmobile or all-terrain vehicle by a solid hitch;
- (8) In a careless, reckless or negligent manner, to endanger the person or property of another or to cause injury or damage there.
- (9) While under the influence of an alcoholic beverage or a controlled substance.
- (10) on City streets and alleys other than for for the sole purpose of transiting to and from locations within the City.

6.84. Prohibition from City Parks and Boulevards. The operation of snowmobiles and all-terrain vehicles in City parks and on public boulevards is prohibited.

6.85. Registration. No person may operate an all-terrain vehicle (ATV) anywhere it has first been registered with the Department of Natural Resources (DNR) pursuant to M.S. 84.922.

6.86. **Proof of Insurance.** Operators of snowmobiles and all-terrain vehicles shall carry liability insurance coverage pursuant to Minnesota Statutes 65.B.48, Subdivision 5.

6.87. **License and Safety Certificate Requirement.**

6.87.1. Subd. (1) No person shall permit the operation of an all-terrain vehicle owned by him, by a person who does not hold a valid current Minnesota driver's license or a Minnesota all-terrain vehicle safety certificate.

6.87.2. Subd. (2) No person shall operate a snowmobile who is less than 16 years of age who does not possess a valid Minnesota snowmobile safety certificate.

6.88. **Rules and Regulations Adopted by Reference.** The rules and regulations of the Minnesota Department of Natural Resources dealing with snowmobiles and all-terrain vehicles and by the Department of Transportation dealing with snowmobiles and all-terrain vehicles on streets and highways but adopted pursuant to Minnesota Statutes Chapter 15, are hereby adopted in their entirety, and incorporated herein by reference.

6.89 - 6.100 **Reserved.**

6.101. **Sidewalk Construction.** No sidewalks shall be constructed or repaired in the City of Tyler unless it is done in conformity with the City Code.

6.101.1. **Regulatory requirements.** All work shall comply with Minnesota DOT regulations as well as local ordinances and zoning requirements insofar as they apply. All new sidewalks shall be a minimum of five (5) feet wide to comply with DOT Standards.

6.101.2. **Inspection and testing.** No sidewalk project shall be completed until inspected and approved by the City. The decision as to the quality of materials and the workmanship shall solely be the responsibility of the City. Any portion of the work which is rejected by the City shall be replaced by the owner and/or contractor immediately with approved work.

6.101.3. **Responsibility.** No inspection, testing or approval by the City will in any way impose upon the City responsibility for the performance of the contractor.

6.101.4. **Underground obstructions.** No sidewalk shall be installed in such a way as to damage any underground utilities.

6.101.5. **Safety.** The owner and contractor will be solely and completely responsible for conditions of the job site, including safety of all persons or property during the performance of work.

6.102. **Removal of Existing Sidewalk.** All existing sidewalks shall be removed before the installation of a new sidewalk. All earth or other materials shall be excavated to the appropriate subgrade. All such materials removed shall be loaded, hauled and disposed of in a manner or fashion approved by the City.

6.102.2. **Subgrade.**

6.102.2.1. The subgrade shall be fully compacted.

6.102.2.2. The subgrade shall be maintained in condition until all work is completed.

6.102.2.3. If unstable soils are encountered they shall be removed and replaced with suitable material.

6.102.2.4. A sufficient quantity of top soil free from gravel and other formed materials suitable for growing grass shall be retained from the excavation or provided to the excavation site so that the area adjacent to the new sidewalk can be backfilled and seeded with said material upon completion of the project.

6.103. **Materials.**

6.103.1. **Fine Aggregate.** Fine aggregate shall consist of sand composed of clean, hard, durable, uncoated pebbles free from clay, dust, coal, soft or flaky particles, loam, shale, alkali, organic matter or other deleterious materials. Sand shall conform to MnDOT specification (2018) Section 3126.

6.103.2. **Coarse Material.** Coarse material shall consist of either crushed stone, crushed gravel, gravel or a combination thereof, and be of a uniform size. Course materials should be clean, hard and unweathered and uncoated, contain no vegetable matter, and shall conform to MnDOT specification (2018) Section 3137, Class 3.

6.104. **Expansion Joints Construction.**

6.104.1. Expansion joints shall be placed as appropriate throughout the project.

6.104.2. Concrete shall be composed of Portland cement, fine and coarse aggregate, water and an air entraining agent. The concrete shall be so proportioned and mixed as to produce a workable mixture suitable for the specific conditions of the placement in accordance with the requirements of these specifications.

6.104.3. Ready mix concrete shall conform to ASTM C94.

6.105. **Finishing the Concrete.**

6.105.1. Concrete shall be struck-off, consolidated, and finished to the sidewalk cross section shown on the standard detail.

6.105.2. Sidewalk cross-slope shall be as shown on the standard detail unless otherwise approved by the City.

6.105.3. Final surface of the sidewalk shall be lightly broomed or finished with a wood float to produce a uniform texture.

6.106. **Curing.** The finished concrete shall be cured with a liquid curing compound or covered with plastic or burlap, or other protective covering. Concrete surfaces, after the curing process has been applied, shall be kept free of any foot and vehicular traffic and all other sources of abrasions for a minimum period of 72 hours.

6.107. **Sidewalk Protection.**

6.107.1. Contractors shall protect the sidewalk against all damage prior to final acceptance of the work by the City.

6.107.2. Vehicular traffic shall be excluded from the sidewalk by erecting and maintaining barricades until the concrete is at least five days old or for a longer period of time, if directed by the City.

6.107.3.3. Sufficient burlap, canvas or other approved material shall be kept at hand at all times to prevent concrete being damaged by sudden showers or rainfall.

6.107.4. Failure to properly protect unhardened concrete will constitute cause for rejection of the concrete by the City requiring the removal and replacement of the sidewalk by the property owner.

6.107.5. All new sidewalk shall be a minimum of four inches thick. New sidewalk across driveways or driving crossings shall be a minimum of six inches thick.

6.108. **Location.** The location of sidewalks with reference to the distance from the curb, distance from houses or other structures and width of the sidewalk shall be as determined by the City on a case by case basis upon application to the City by the property owner.

6.109. **Elevation.** The elevation of the sidewalk shall be constructed in such a way as to be

uniform and regular over the entire length of the sidewalk. The sidewalk shall be constructed with a cross slope no greater than 1.5% or in such a manner as to not have standing water existing on the surface of the sidewalk.

6.110. **Criminal Penalties.**

6.110.01. **Petty Misdemeanor.** Except as specified in paragraph 6.111.05, a violation of this Chapter shall constitute a petty misdemeanor. A petty misdemeanor is punishable by a fine of up to \$300.00.

6.110.02. **Continuing Violation.** Each day that a violation occurs after notice is given to a landowner or occupant of property of the need to abate a nuisance shall constitute a separate offense.

6.110.03. **Minimum Penalty.** That the minimum penalty for a violation of this Chapter shall be a fine of \$100.00.

6.110.04. **Misdemeanor.** A violation of sections 6.30, 6.48, 6.52 and 6.81-6.88 of this Chapter is a misdemeanor with a maximum penalty of up to a \$1,000.00 fine and/or incarceration for a period of up to 90 days.