

ORDINANCE NO. 104
AN ORDINANCE OF THE CITY OF NEW YORK MILLS, MINNESOTA
REGULATING THE USE & STORAGE OF LARGE MOTOR VEHICLES IN
RESIDENTIAL DISTRICTS

I. FINDINGS & PURPOSE

A) Findings

The Council finds that the presence in residential neighborhoods of excessively large motor vehicles and certain motor vehicles that by their design, type, or characteristics, have a detrimental and blighting impact upon the residential quality and character of such neighborhoods. The council also finds that these vehicles intrude upon the aesthetics and visual peace and quiet of a residential neighborhood, that they can impair the free flow of traffic on residential streets and by their size are detrimental to residential traffic safety, that they often create excessive noise for such surroundings, that their presence tends to encourage uses that are inappropriate in residential areas, and that their presence therefore is likely to have a negative impact upon residential property values. For similar reasons, the Council finds that the parking and storage of, as well as maintenance/repair work done to large vehicles and trailers also has a detrimental and blighting impact upon residential areas.

The council also finds that large motor vehicles have a negative impact on the useful life of city streets.

B) Purpose

Therefore, the purpose of this ordinance is to prohibit or restrict in residential districts, the parking or storage of vehicles and trailers that by virtue of their excessive size or by virtue of their design, type, or characteristics, are incompatible with such districts, and to thereby reduce the blighting and negative impacts of such vehicles and trailers in those districts.

II. RESTRICTIONS

A) Truck Parking

It is unlawful to park a semi-trailer, truck-tractor, or combination thereof, or any vehicle designed, used, or maintained for towing other motor vehicles or equipment, upon any street, alley, private road, parking lot, driveway, or upon any public or private property which is within an area zoned as a residential district, for any amount of time.

1) Exceptions

- a) Aforementioned vehicles are exempt from the restrictions only for the purpose of loading or unloading the same, within a short and reasonable amount of time.
- b) Regularly scheduled delivery service vehicles (i.e. Schwans, UPS, etc), City

vehicles, refuse disposal vehicles, vehicles designed for moving or delivery vans (provided these vehicles are engaged in the process of moving or delivering) emergency vehicles, and school buses are exempt from these restrictions, provided they do not occupy residential space for more than a short and reasonable amount of time.

III. OTHER

- A) If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.
- B) All ordinances heretofore in force and effect and inconsistent with the provisions hereof are hereby repealed to the extent that they are altered by this ordinance.
- C) The presence of any vehicle on any street when standing or parked in violation of this ordinance is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

IV. PENALTIES

- A) Any person violating the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than One Thousand Dollars (\$1,000) and/or by imprisonment not to exceed thirty (30) days.
- B) Any attempt to conceal violations of this ordinance will not be tolerated.

V. EFFECTIVE DATE OF ORDINANCE

- A) This ordinance shall become effective upon adoption and publication.

Randy Clarksean
Mayor
May 13, 2003

ATTEST:

Jodi Ericksrud
City Clerk
May 13, 2003