

**TOWN OF BECKER
SHERBURNE COUNTY, MN**

**ORDINANCE 2022-01
PARKING ORDINANCE**

AN ORDINANCE ENACTING PARKING RESTRICTIONS IN BECKER TOWNSHIP

SECTION 1. DEFINITIONS

Township Right-of Way (ROW) – The term “Township ROW” as used in this ordinance is defined to mean the following:

- The entire ROW of a town road including, the traveled portions, banks, ditches, shoulders, and medians,
- The ROW as defined under Minn. Stat. 237.162. Minn. Stat. § 237.162 defines the public ROW as the area on, below, or above a public roadway, highway, street, cartway, bicycle lane...including other dedicated ROW for travel purposes and utility easements of local government units, and
- Any area in which the Township has an interest, including all platted or dedicated ROW, and drainage easements.

Owner – The term “Owner” as used in this ordinance is defined to mean the person, firm, or corporation that holds legal title on the date of any alleged violation as evidence by the official records of the Minnesota Department of Public Safety.

Vehicle - The term "Vehicle" as used in this ordinance is defined to mean cars, trucks, trailers, semi tractors and trailers, school buses, motorcycles, snowmobiles, bicycles, all-terrain vehicles, fish houses, recreational camping vehicles, and all vehicles required to be licensed by the State of Minnesota.

Parked – The term “Parked” as used in this ordinance is defined to mean parked and/or stopped.

SECTION 2. PURPOSE

The purpose of this ordinance is to ensure safe travel and to allow routine maintenance activities to be completed on the Township ROW.

SECTION 3. PRESUMPTIONS

It shall be presumed that any parked vehicle was parked by the owner or by an individual that had permission of the owner.

SECTION 4. PARKING REGULATIONS

A) Restrictions

No person shall park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the specific directions of a peace officer or traffic control device in any of the following locations on the Township ROW:

1. In any manner that obstructs the flow of traffic or interferes with the safe passage of other vehicles,
2. In any manner that restricts and/or obstructs the access to other public and/or private properties.
3. On a sidewalk or trail,

4. In front of a public or private driveway,
5. Within an intersection,
6. Within ten feet of a mailbox,
7. On a crosswalk,
8. Within 20 feet of a crosswalk at any intersection,
9. Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of the roadway,
10. Within 50 feet of the nearest rail of railway crossing,
11. Alongside or opposite any street excavation or obstruction when such stopping, or parking would obstruct traffic,
12. On the roadway side of any vehicle parked at the edge or curb of a street,
13. At any place where official signs prohibit or restrict parking,
14. In any alley, except for loading or unloading and then only so long as reasonably necessary for such loading and unloading to or from adjacent premises,

B) Commercial Vehicles

No motor vehicle and/or trailer over one-ton capacity bearing commercial license plates shall be parked on the Township ROW which is zoned residential, except when such vehicle is engaged in loading and unloading or rendering a service in the area involved.

C) Overnight Parking

No vehicle shall be parked on the Township ROW for more than twenty-four (24) consecutive hours.

D) Vehicles for Sale

No vehicle shall be parked for sale or exchange on the Township ROW. The vehicle shall be in violation of this ordinance when found with a sign indicating that it is for sale or exchange.

E) Private Property

No vehicle shall be parked on any public or private property that is sodded or landscaped and is maintained as a boulevard or open yard space on the Township ROW without permission of the owner of the property.

F) Illegally Parked Vehicles

Any vehicle parked on the Township ROW deemed to be illegally parked by the Sheriff's Office shall be considered a violation of this ordinance.

G) Winter Parking

1. Winter parking shall be in effect from November 1 of the current year through April 15 of the following year. During that time no vehicle shall be parked on the Township ROW.
2. No vehicle shall be parked on the Township ROW after a snowfall of two (2) inches or more for dates outside the winter parking period. The vehicles may be returned to the Township ROW after the Township ROW has been plowed and/or cleared of snow.

H) Vehicle Idling

No vehicle shall be parked with the motor running or the refrigeration unit motor running for a period longer than 15 minutes during the hours from 11 PM – 6 AM on the Township ROW or on a private driveway which is platted and is less than 10 acres in size.

SECTION 5. PENALTIES

1. Any owner violating any provisions of this ordinance shall be guilty of a petty misdemeanor as defined by Minnesota Statute §609.02, Subd. 4A as from time to time amended, including the cost of prosecution. Each day a violation occurs shall constitute a separate violation.
2. The Sherburne County Sheriff’s Office and/or other authorized representatives of the Township are authorized to have any vehicle removed that is in violation of this ordinance. The owner of the vehicle shall be responsible for all costs associated with having the vehicle removed and stored.

SECTION 6. INVALID RULING

If a court of proper jurisdiction shall find any portion of this ordinance unconstitutional or otherwise invalid, all remaining provisions shall remain in effect and shall not be affected by the ruling on the invalid section.

SECTION 7. EXCEPTIONS

Exceptions to the listed parking regulations within this ordinance can be authorized by the Sheriff’s Office and/or other authorized representatives of the Township.

SECTION 8. REPEAL

Becker Township’s Winter Parking ordinance 2018-03 and all ordinances, or portions of ordinances in conflict herewith are hereby repealed.

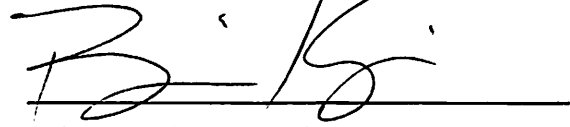
SECTION 9. EFFECTIVE DATE

The effective date of this Ordinance is October 17th, 2022.

Adopted this 17th day of October, 2022 by the Town Board of Supervisors of the Town of Becker.

	Yea	Nay
Brian Kolbinger, Chair	<u> X </u>	_____
Brad Wilkening, Vice-Chair	<u> X </u>	_____
Luke Babler	_____	<u> X </u>
Robin Boros	<u> X </u>	_____
Joe Danielson	<u> X </u>	_____

**Becker Town Board
Town of Becker
Sherburne County, Minnesota**



Brian Kolbinger, Chair



Lucinda Messman, Clerk

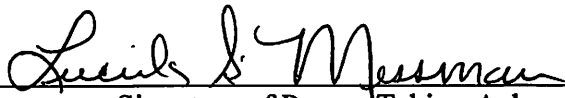
Drafted By:
Ben Wikstrom, Planning Consultant
Becker Township
PO Box 248
Becker, MN 55308

Reviewed By:
Kelli Bourgeois, Esq. Township Attorney
Bourgeois Law Office
21101 145th St NW
Elk River, MN 55330

STATE OF MINNESOTA
COUNTY OF SHERBURNE} ss.

The foregoing instrument was acknowledged before me this 17th day of October, 2022, by

Brian Kolbinger, the Chairman of the Becker Town Board.



Signature of Person Taking Acknowledgement

