

REGULATING PARKING ALONG TOWNSHIP ROADS

Ordinance #01-2001

The Board of Supervisors of the Town of Northern ordains:

Section 1 - Purpose:

The Board recognizes that certain roadways within the township’s jurisdiction can be potentially hazardous when parking occurs along its shoulders. These parked vehicles impede the flow of traffic for emergency vehicles or general traffic. The purpose of this ordinance is to identify those areas by posting signs, and to authorize the removal of such vehicles in violation of the order on the sign.

Section 2 - Definitions:

Board – The Northern Township Board of Supervisors.

Local authority - The Board assumes authority over the township’s road jurisdictions, and authorizes the Beltrami County Sheriff’s Department to enforce any applicable laws.

Towing authority – Law enforcement authority authorized to enforce the traffic laws, and also includes any private towing companies authorized by the law enforcement authority to tow vehicles on behalf of that authority.

Township road – Public roadways under the governing authority of Northern Township.

Unauthorized vehicle – Any vehicle found to be parked in violation of any local ordinances or state laws.

Section 3. Parking which may constitute a danger

No vehicle shall be parked in a manner or place that obstructs or impedes emergency vehicles or general traffic. This provision includes those vehicles believed to constitute a potential traffic hazard, as determined by the local authority.

Section 4. No parking signs

Where the local authority has determined a hazardous situation exists as a result of parked vehicles, ‘no parking-tow away zone’ signs shall be installed. No vehicle, except emergency, law enforcement, or vehicles parked temporarily for the delivery of merchandise, shall be allowed to park and may be towed in accordance with Minn. Statute Section 168B.04.

Section 5. Towing

Any vehicle which shall be parked in areas marked ‘no parking-tow away zone’, may be summarily removed without notice to the owner or operator by officers of the law, or by persons employed or designated by them, at the owner’s sole risk and expense, and stored in an appropriate impound facility. The towing company will make notice of the impoundment to the title owner of the vehicle

within 10 days of the towing. The Sheriff's department will use their standard provisions for the issuance of a ticket.

a) All administrative fees, necessary costs and expense of towing, removing or storage of such vehicles shall be first paid to the person or persons designated by the law enforcement department, by the persons claiming the vehicles before release of same.

b) The Local Authority, its agent or its employees, shall not be responsible for any damages to such vehicles removed in accordance with the provisions of this ordinance.

c) In the event that any vehicle held or stored under the direction of an officer of the law upon which there are charges for storage or towing, or both, is not reclaimed, recovered or taken by the vehicle owner thereof, there shall be deemed to be imposed upon such vehicle a possessory lien in the amount so charged and unpaid, and should the owner thereof fail to pay the same then the possessory lien may be foreclosed in the manner provided by law.

Section 6. Administrative Fee

Any person violating Sections 3 and 4 of this Ordinance shall be subject to an administrative fee of \$100.00 in addition to the charges for towing and storing of the impounded vehicle.

Section 7. Repealer

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 8. Severability

If any section, subsection, sentence, clause, or phrase of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 9. Effective Date

This Ordinance shall take effect and be in force on July 1, 2001. Approved by the Town Board of Supervisors on this 11th day of June, 2001, and signed in authentication of its passage this 11th day of June, 2001.

Passed by the Northern Town Board of Supervisors the 11th day of June, 2001.

Ayes: All

Nayes: None

Absent: None

This ordinance becomes effective on the 1st day of July, 2001.

Dan Bahr, Chairman

Jack Israelson, Supervisor

Kristi Miller, Supervisor

Dale Hoosier, Supervisor

Allen Steffen, Supervisor

ATTEST:

Mary Israelson, Clerk/Administrator