

**ORROCK TOWNSHIP
SHERBURNE COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. O-20140528

**ORDINANCE REGULATING PARKING
ON A PORTION OF 183RD STREET NW**

The Board of Supervisors of the Town of Orrock ordains:

Subdivision 1

For the purpose of this ordinance, the following terms shall have the meaning given:

- a. The term “Commercial Motor Vehicle” shall have the same meaning as such terms as defined in Minnesota Statute § 169.011, Subd. 16.
- b. The term “Park” shall be defined to include the terms stand, standing, stop and stopping.
- c. The term “Person” shall be defined to mean any individual, individuals, firm, association, syndicate, co-partnership, corporation, trust or other association of persons.
- d. The term “Semitrailer” shall have the same meaning as such terms as defined in Minnesota Statute § 169.011, Subd. 72.
- e. The term “Town” shall be defined to mean Orrock Township in the State of Minnesota.
- f. The term “Trailer” shall have the same meaning as such terms as defined in Minnesota Statute § 169.011, Subd. 86.
- g. The term “Vehicle” shall have the same meaning as such terms as defined in Minnesota Statute § 169.011, Subd. 92.

Subdivision 2

There shall be a prohibition against parking unhitched trailers or semitrailers on a portion of 183rd Street NW as provided herein:

- a. *Prohibition.* Except as otherwise provided in this Ordinance, a person shall not park any trailer or semitrailer upon that portion of 183rd Street NW from 235th Avenue NW going north to where 183rd Street NW terminates unless the trailer or semitrailer is at all times while so parked attached to a vehicle or commercial motor vehicle capable of moving the trailer or semi-trailer in a normal manner upon the highway, street, alley, public way or public place.
- b. *Temporary exception for disability.* The prohibitions of Subdivision 1.01 a. shall not apply to trailer or semitrailer which is disabled in such a manner and to such an extent that it is impossible to avoid stopping and temporarily leaving the disabled trailer or semitrailer on that portion of 183rd Street NW ordinarily used for vehicular parking. The period for any disability exception to this Ordinance shall not exceed 2 hours.
- c. *Permit requirement for temporary loading and unloading of unhitched trailers.* A trailer or semitrailer may be unattached from a vehicle or commercial motor vehicle capable of moving it and left parked upon that portion of 183rd Street NW from 235th Avenue NW going north to where 183rd Street NW terminates provided a permit is first obtained from the Township and the trailer or semitrailer is parked in accordance with the provisions of this ordinance:
 - (1) A person desiring to leave a trailer or semitrailer parked and unattached to a vehicle or commercial motor vehicle capable of moving it on 183rd Street NW from 235th Avenue NW going north to where 183rd Street NW terminates, shall obtain a Trailer Permit from the Township. The application for a Trailer Permit shall be made on a form approved by the Township and shall be accompanied by a copy of the current registration for the trailer or semitrailer and by a Township approved hold harmless waiver executed by the applicant. A Trailer Permit shall not be issued unless complete applications, including the registration and hold harmless waiver are submitted.
 - (2) The Township Supervisors, the Town Clerk and the Town Treasurer are authorized to issue Trailer Permits. The Township shall issue the Trailer Permit unless the official issuing the permit determines that the issuance of the permit would violate this ordinance or that the parking of the trailer or semitrailer would constitute traffic or other safety hazard.
 - (3) A decision of the Township Supervisor, Clerk or Treasurer to deny a Trailer Permit under this section shall be appealable to the Town Board within 10 calendar days of the date of the decision upon filing

a notice of appeal with the Town Clerk. Upon receipt of a completed appeal application, the Town Clerk shall set the matter for hearing before the Town Board and shall provide the applicant with at least 10 calendar days written notice of the hearing date that shall be mailed to the address contained on the Trailer Permit application form. The Town Board shall also provide a mailed written decision to the appellant within 10 calendar days of completing the appeal hearing. The decision of the Town Board shall be final. A fee for an appeal to the Town Board may be established by resolution of the Town Board, and if so established, shall be paid by the appellant prior to the Town Clerk deeming the appeal application complete for processing.

- (4) The parking of the unattached trailer or semitrailer shall be for purposes of loading or unloading of the trailer recreational trailer or semitrailer only in a time limit not to exceed 2 hours.
- (5) No unattached trailer or semitrailer shall be parked on 183rd Street NW from 235th Avenue NW going north to where 183rd Street NW terminates for more than 2 successive hours to load or unload.
- (6) The permit shall specify the dates permitted for loading, the dates permitted for unloading, and the address of the property adjacent to where the unattached trailer, semitrailer or recreational trailer is proposed to be parked. No unattached trailer, semitrailer or recreational trailer shall be parked 183rd Street NW from 235th Avenue NW going north to where 183rd Street NW terminates on dates other than those specified on the permit and at a location other than specified on the permit.
- (7) No more than 12 permits under this section shall be issued to one or more members of the same household each calendar year.
- (8) Permits issued under this section shall be clearly posted on the rear bumper of the trailer or semitrailer.
- (9) Permits issued under this section shall not exempt an unattached trailer or semitrailer parked on 183rd Street from any other applicable Township or state law regulating the parking use, condition, or operation of a trailer or semitrailer.

Subdivision 3

The Sherburne County Sheriff's department or other authorized representatives of the Township are hereby authorized to remove any offending trailer or semitrailer from 183rd Street NW. The trailer or semitrailer shall be towed and stored at owner's own expense. Any person(s) 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 shall occur shall constitute a separate violation.

Subdivision 4

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.

Subdivision 5

This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Subdivision 6

All ordinances, or portions of ordinances, in conflict herewith are hereby repealed to the extent of such conflict.

The Orrock Township Board of Supervisors adopts this Ordinance this _____ day of _____ 2014.

Mike Meier, Vice-Chairperson

Attested to by:

Brenda Kimberly-Maas, Town Clerk