

TITLE VII: TRAFFIC CODE

Chapter

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- 71. RECREATIONAL VEHICLES**
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CHAPTER 70: TRAFFIC RULES

Section

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' 70.01 EXHIBITION DRIVING IN CITY; PROHIBITED.

(A) Exhibition driving of any motor vehicle on any public or private road or way within the city is hereby declared to be a public nuisance, and is prohibited.

(B) (1) Exhibition driving of a motor vehicle is accomplished when a motor vehicle stops, starts, accelerates or turns at an unnecessary rate of speed. It is prima facie evidence of exhibition driving when a motor vehicle is operated so as to cause tires to spin or squeal, gears to grind, debris to be thrown (e.g. rocks, gravel), engines to backfire or as to cause the motor vehicle to fishtail or skid.

(2) Exhibition driving shall also include power turns (doing a partial, complete or series of turns or spins in motor vehicle during which the rear tires are spinning and the back end of the motor vehicle slides or

skids around the front). As to two-wheeled or three-wheeled motor vehicles, exhibition driving shall include causing the front wheel to lose contact with the ground or roadway surface.

(Ord. 132, passed 6-12-1990) Penalty, see ' 70.99

' 70.02 UNREASONABLE ACCELERATION; PROHIBITED.

(A) Unreasonable acceleration of any motor vehicle on any public or private road or way within the city is hereby declared to be a public nuisance, and is prohibited.

(B) (1) *UNREASONABLE ACCELERATION OF A MOTOR VEHICLE* is hereby defined as acceleration without apparent reason and accomplished in such manner as to cause squealing or screeching sounds by the tires of the vehicle or the throwing of sand or gravel by the tires of the vehicle, or both.

(2) Prima facie evidence of such unnecessary and unreasonable acceleration shall be squealing or screeching sounds emitted by the tires or the throwing of sand or gravel by the tires of the vehicle, or both.

(Ord. 126, passed 10-10-1989) Penalty, see ' 70.99

' 70.03 DRIVING AT SPEEDS GREATER THAN POSTED; PROHIBITED.

It shall be unlawful for any person to drive a motor vehicle upon the streets of the city at a speed greater than 30 mph, and no person shall operate or halt any motor vehicle upon the streets of the city carelessly or heedlessly in disregard of the rights or safety of others, or in a manner so as to endanger any person or property. The provisions of this section shall not apply to motor vehicles when operated with due regard for safety, under the direction of peace officers in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation, nor to the Fire Department or fire patrol vehicles when traveling in response to a fire alarm, nor to public ambulances when traveling in emergencies.

(Ord. 32, passed 5-25-1936) Penalty, see ' 70.99

' 70.04 REGULATING VEHICULAR TRAFFIC.

(A) The term **VEHICLE**, as used in this section, shall include all vehicles propelled by human, animal or mechanical power, except apparatus, police patrols, hospital ambulances, United States mail wagons or trucks and vehicles which are run only on rails or tracks. The term **CONGESTED DISTRICT**, as used herein, shall include all that portion of the city lying within the platted portion thereof.

(B) (1) No person shall drive, operate, move, propel or cause to be driven, moved, operated or propelled any vehicle on any congested street, avenue or public ground or the school zone, at a speed greater than ten mph, nor upon any street, avenue, highway, boulevard or public ground within the resident portion of the congested district of the city at a speed greater than 15 mph, nor upon any street, highway, boulevard or public grounds outside of the congested district or resident portion at a speed greater than 25 mph within the city limits.

(2) At all times within the congested district, the driver shall keep the vehicle under complete control that the same may be brought to a stop within ten feet.

(C) Within the congested district, as hereinbefore designated, no person shall stop or cause to be stopped any vehicle unless the vehicle be placed at an angle of 45 degrees with the right front wheel against the curb of the street or avenue.

(D) Every motor vehicle operated within the limits of the city shall be provided with a suitable bell, horn or other device for the purpose of signaling, and shall, during the period from one hour after sunset to one hour before sunrise, display at least two lighted lamps visible from the front and one lighted lamp visible from the rear of the motor vehicle (except that motorcycles shall be required to have but one light visible from the front and one rear light), the light of which the front lamps shall be of such character and strength as to be seen from distance of 200 feet in the direction of which the motor vehicle is proceeding.

(E) Every motor vehicle operating on the streets, avenues and public grounds of the city shall be equipped with, and the driver thereof shall use a muffler and the same shall not be cut out or disconnected with the limits of the city.

(F) Every person operating a motor vehicle upon any of the streets, avenues, highways or public grounds within the limits of the city at the request or upon signal from any person driving, riding or leading any animal or upon evidence of fright of the animal so driven, ridden or led, shall bring the motor vehicle immediately to a stop, and, if traveling in the same direction, shall thereafter use reasonable caution in passing the animal, and if passing in the opposite direction, shall remain stationary so long as may be reasonably safe and necessary to allow the animal to pass; provided, however, that no person shall unreasonably obstruct or impede the right of travel on the street, avenue or public highway within the limits of the city.

(G) It shall be unlawful for any person driving or operating any motor vehicle within the corporate limits of the city to use any search light or other device for throwing or emitting a dazzling or confusing light at right angles to the direction in which the vehicle is moving.

(H) Every driver of a motor vehicle after knowingly causing an accident by collision or otherwise knowingly injuring any person, horse or vehicle, shall forthwith bring the vehicle to a full stop, return to the scene of the accident and give to any proper person demanding the same the number of his or her driver's license and registration number and his or her name and the names and residents of each and every male

occupant of the motor vehicle.

(I) The road beds or highways are primarily intended for vehicles, but pedestrians have the right to cross them in safety, and all drivers of vehicles shall exercise all proper care not to injure the pedestrians, and the pedestrians shall not carelessly or maliciously interfere with the passage of vehicles. Pedestrians crossing any street or highway at the intersection thereof shall pass over the portion of the street or avenue as is included within the lines of the sidewalk projected, and not diagonally.

(J) (1) All vehicles shall keep to the right of the center of the street except in emergencies or to avoid accident.

(2) A vehicle meeting another approaching from the opposite direction shall pass to the right.

(3) A vehicle overtaking another shall pass to the left of the overtaken vehicle and shall not pull to the right until entirely clear of it.

(4) On a highway, avenue or street divided by a boulevard, parkway, walk, sunken road or viaduct, vehicles shall keep to the right of the division.

(5) Within the congested district as herein before designated, horse-drawn or slow-moving vehicles shall keep near the right curb of the street, avenue or highway, so to allow more rapidly moving vehicles to use the right center of the street, avenue or highway.

(6) At all street intersections, vehicles, when turning to the right, shall keep to the right of the intersections of the centers of the streets, and when turning to the left, shall pass to the right of the intersections.

(7) Upon the approach of any fire apparatus, police patrol or ambulance, every vehicle shall draw up as near as practicable to the right curb of the street and remain at a standstill until the apparatus, police patrol or ambulance shall have passed.

(K) This section shall take effect and be in force from and after the passage and publication. (Ord. 25, passed 6-7-1922; Ord. 27, passed 5-6-1926) Penalty, see ' 70.99

' 70.05 U TURNS.

(A) The regulatory provisions of M.S. Chapter 169, as it may be amended from time to time, are hereby adopted as a traffic ordinance regulating the use of highways, streets and alleys within the city and are hereby incorporated in and made a part of this section as completely as if set out here in full.

(B) Operation of motor bikes in the city park is prohibited between the hours of 9:00 p.m. and 7:00 a.m. (Ord. 60, passed 9-6-1965; Ord. passed 8-14-1967)

Cross-reference:

Parks and recreation, see Chapter 96

' 70.06 THROUGH HIGHWAYS.

(A) It is hereby made the duty of the Street Commissioner to secure and erect at the entrance to a through highway, established by Chapter 72, Schedule III, stop signs of a design approved by the State Highway Department.

(B) It shall be unlawful for the driver of any vehicle to fail to stop before entering the through highway established by Chapter 72, Schedule III.

(C) This schedule shall take effect and be in force from and after its passage and publication according to law.

(Ord. 28, passed 8-4-1927) Penalty, see ' 70.99

' 70.99 PENALTY.

(A) *General.* Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to ' 10.99.

(B) *Exhibition driving in city.* Any person violating any provision of ' 70.01 shall be guilty of a petty misdemeanor. A person charged with violating ' 70.01 is not subject to incarceration, is not entitled to a trial by jury but rather shall be tried by a judge without a jury. A person convicted of violating ' 70.01 shall be punished by a fine of not more than \$200.

(C) *Unreasonable acceleration.* Any person violating any provision of ' 70.02 shall be guilty of a petty misdemeanor and shall be punished by a fine of not to exceed \$200.

Ord. 32, passed 5-25-1936; Ord. 60, passed 9-6-1965; Ord. 126, passed 10-10-1989; Ord. 132, passed 6-12-1990; Ord. 136, passed 10-21-1991; Ord. 138, passed 6-9-1992; Ord. 160, passed 8-9-2005)

(D) *Driving at speeds greater than posted.* Any person violating any of the provisions of ' 70.03 shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not less than \$2 nor more than \$100, and costs of prosecution, and in default of payment of the fine and costs, to be imprisoned until the fine and costs are paid, not to exceed 90 days.

(E) *Regulating vehicular traffic.* Any person who shall violate any of the provisions of ' 70.04 shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$100 or by imprisonment to the county jail at the City of Bemidji, Minnesota, for not more than 90 days for the offense.

(F) *One-way streets and alleys.* Violation of Chapter 72, Schedule I shall be a petty misdemeanor.

(G) *U turns.* Any violations of the statutes adopted by reference in ' 70.05 is a violation of Chapter 72, Schedule II when it occurs within the city. Any person thus violating any provision of ' 70.05 and Chapter 72, Schedule II shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed \$100 or by imprisonment in the city jail for a period not to exceed 90 days; but if a minimum fine or imprisonment is prescribed by the State Highway Traffic Act for an offense, the penalty shall apply to a person convicted of the same offense under ' 70.05 and Chapter 72, Schedule II.

(H) *Through highways.* Any person who shall violate the provisions of ' 70.06(B) shall, upon conviction therefor, be deemed guilty of a misdemeanor and shall be punished of a fine of not less than \$1 nor more than \$50, or by imprisonment in the city or county jail for not less than one day or more than 30 days.

(I) *Parking prohibited at limited times.* Any person guilty of a violation of Chapter 73, Schedule II, upon eviction thereof, shall be punished by a fine not exceeding \$10 or by imprisonment for a period not exceeding one day.

(Ord. 25, passed 6-7-1922; Ord. 28, passed 8-4-1927;

CHAPTER 71: RECREATIONAL VEHICLES

Section

- 71.01 Motorized golf carts and four-wheel all-terrain vehicles
- 71.02 Operation of snowmobiles
- 71.03 Use of city beach and dock

- 71.99 Penalty
- Appendix A: Motorized Golf Cart and Four-Wheel All-Terrain Vehicle Permit Application

complied with. All golf carts and four-wheel all-terrain vehicles and their drivers shall carry evidence of liability insurance at all times when operating a golf cart or four-wheel all-terrain vehicle on public streets.

(2) The Chief of Police of the city shall be the issuing officer for permits. The Chief shall have the power to designate on the permit the streets of the operation and hours of operation as the officer determines is in the public=s safety interest. No permit will be issued for a go-cart.

' 71.01 MOTORIZED GOLF CARTS AND FOUR-WHEEL ALL-TERRAIN VEHICLES.

(A) *Motorized golf carts or four-wheel all-terrain vehicles on city streets.*

(1) The State of Minnesota Legislature has authorized the use of motorized golf carts or four-wheel all-terrain vehicles on city streets.

(2) The City Council finds there are persons within the city who would benefit from the use.

(3) The use of the motorized carts and four-wheel all-terrain vehicles is hereby authorized subject to conditions set forth below.

(4) The provisions of M.S. ' 169.045, as it may be amended from time to time, are herewith incorporated by reference.

(B) *Use of city streets.*

(1) Motorized golf carts or four-wheel all-terrain vehicles may be operated on all city streets from sunrise to sunset when a permit has been obtained pursuant to this section and the terms of this section are

(5) Current driver=s license or reason for not

(3) Motorized golf carts or four-wheel all-terrain vehicles may not be operated on Main MN #92 or Central U.S. #2. A direct perpendicular crossing of Main MN #92 and Central U.S. #2 is permitted. Minnesota statute provides that only a person with a valid Minnesota driver=s license may operate a four-wheel all-terrain vehicle on a public street or highway.

(C) *Registration for permit.* An applicant for a motorized golf cart or four-wheel all-terrain vehicle permit shall provide the following information before a permit will be considered:

(1) Date of application;

(2) Name and address of applicant;

(3) Nature of the applicant=s physical handicap, if any;

(4) Model name, make, year and serial number of motorized golf cart or four-wheel all-terrain vehicle;

having a current license;

(6) Current insurance company, policy number and liability limits;

(7) The issuing officer may, as a condition of obtaining a permit, require that the applicant submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart or four-wheel all-terrain vehicle on the designated roadways;

(8) The applicant shall have the golf cart or four-wheel all-terrain vehicle equipped with rear view mirror, brakes, slow moving vehicle emblem attached to rear of vehicle and a visibility antenna with orange flag on top mounted vertical on the left rear of vehicle; and

(9) Annual permit fee: \$30.

(D) *Other requirements.*

(1) Motorized golf carts and four-wheel all-terrain vehicles shall display a slow moving vehicle emblem provided for in M.S. ' 169.522, as it may be amended from time to time, when operated on public streets.

(2) Every person operating a motorized golf cart or four-wheel all-terrain vehicle has all the rights and duties applicable to the driver of any other vehicle under the provisions of M.S. Chapter 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to motorized golf carts and four-wheel all-terrain vehicles, or except as otherwise specifically provided in, M.S. ' 169.045, Subdivision 7, as it may be amended from time to time.

(3) Motorized golf carts and four-wheel all-terrain vehicles shall not be operated in inclement snow, rain, fog or smoke when visibility is less than 500 feet.

(4) The Chief of Police may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this section or M.S. Chapter 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the motorized golf cart or

(D) *Violations.* No person shall operate a snowmobile or any other three-wheel or four-wheel recreational vehicle on the park property.

four-wheel all-terrain vehicle.

(5) If a licensed vehicle is disabled through mechanical failure or for needed repairs, the permit may be temporarily transferred to another golf cart or four-wheel all-terrain vehicle for a seven day period upon approval by the Chief of Police.

(6) All permits shall be issued for a specific golf carts or four-wheel all-terrain vehicles and individuals. The current permit shall be carried in the permit vehicle indicating the number and year for which issued. In addition, the permit number shall be displayed on the left rear in letters and numbers three inches high and two inches wide.

(E) *Liability.* Nothing in this section shall be construed as an assumption of liability by the city for any injuries to persons or property which may result from the operation of a motorized golf cart or four-wheel all-terrain vehicle by a permit holder or the failure by the Chief of Police to revoke the permit. (Ord. 157, passed 12-14-2004)

' **71.02 OPERATION OF SNOWMOBILES.**

(A) *Purpose.* The City Council declares that it is in the best interest of the residents of the city that the trees, shrubs and plantings at the city park be protected and that the speed of snowmobiles within the city limits be restricted.

(B) *Speed limit.* No snowmobile shall be operated within the city limits of Bagley at a speed in excess of 15 mph.

(C) *Park property.* Park property is city-owned property abutting Lake Lomond, except:

(1) The beach area;

(2) Paved streets within the park; and

(3) An extension of Red Lake Avenue north to Lake Lomond.

(E) *Effective date.* This section shall take effect and be in force after its passage and publication.

(Ord. 128, passed 1-9-1990) Penalty, see ' 71.99

' 71.03 USE OF CITY BEACH AND DOCK.

(A) Every person using the public access to Lake Lomond in the city, including the launching of any boats or other water craft thereon, shall do so in a safe and reasonable manner.

(B) No person shall leave unattended a boat or other water craft at the public beach, public access or public dock in the city. No boat or water craft shall be left or docked at the public facilities within the city overnight unless special permission from the City Council is obtained therefore.

(C) The City Street Commissioner and the city police officers are hereby authorized and empowered to perform the duties required hereunder for the proper enforcement of this section.

(D) This section shall be in effect from and after the date of its passage and publication.

(Ord. 83, passed 8-16-1971) Penalty, see ' 71.99

' 71.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to ' 10.99.

(B) Any person violating any provision of ' 71.01 shall be guilty of a petty misdemeanor.

(C) Any person violating any provision of ' 71.02 shall be guilty of a petty misdemeanor.

(D) Any person who fails to comply with or violates ' 71.03, upon conviction thereof, shall be punished by a fine not exceeding \$100, or by imprisonment for a period not exceeding 30 days.

(Ord. 83, passed 8-16-1971; Ord. 128, passed 1-9-1990; Ord. 157, passed 12-14-2004)

APPENDIX A: MOTORIZED GOLF CART AND FOUR-WHEEL ALL-TERRAIN VEHICLE PERMIT APPLICATION

City of Bagley
Motorized Golf Cart and Four-Wheel All-Terrain Vehicle Permit Application

Applicant Name _____

Applicant _____ Address _____

Driver=s License Number _____

Reason For No Driver=s License _____

Date of Birth _____

Nature of Physical Handicap, if any

Permit Vehicle Information:

Model Name/Make _____

Year _____

Serial Number _____

Insurance Company Name _____

Address _____

Policy Number _____

Liability Limits _____

Mechanical Condition Certificate Attached? Yes _____ No _____

Annual Permit Fee \$30 Date Paid _____

Physician Certificate Required? Yes _____ No _____

Conditions: _____

Approved by Chief of Police _____ Date _____

Permit #: _____ Permit Expiration Date _____

(Ord. 157, passed 12-14-2004)

CHAPTER 72: TRAFFIC SCHEDULES

Schedule

- I. One-way streets and alleys
- II. U turns
- III. Through highways

SCHEDULE I. ONE-WAY STREETS AND ALLEYS.

<i>Streets</i>	<i>Direction</i>
Alley in Block Ten, First Addition to Bagley (behind the Clearwater Nursing Service building)	South to north
Getchell Avenue northeast between Sixth Street and Seventh Street	South to north

(A) Appropriate signs will be posted to instruct the public.

(B) This schedule shall be in effect from and after its passage and publication.

(Ord. 160, passed 8-9-2005) Penalty, see ' 70.99

SCHEDULE II. U TURNS.

No vehicles shall be turned so as to proceed in the opposite direction at any point on Main Avenue between the north side of Fourth Street and the south side of Second Street, nor on Third Street between the west side of Clearwater Avenue and the east side of Getchell Avenue within the city.
(Ord. 60, passed 9-6-1965)

SCHEDULE III. THROUGH HIGHWAYS.

Trunk Highway No. 8, between the west line of Bagley Avenue and the east line of Getchell Avenue, be and the same is hereby designated as a through highway under ' 21, Chapter 412, Laws of 1927.
(Ord. 28, passed 8-4-1927)

CHAPTER 73: PARKING SCHEDULES

Schedule

- I. Parking restricted for Street Maintenance Department
- II. Parking prohibited at limited times

SCHEDULE I: PARKING RESTRICTED FOR STREET MAINTENANCE DEPARTMENT.

(A) It shall be unlawful to park on the following city streets between the hours of 3:00 a.m. and 7:00 a.m. in order to allow the Street Maintenance Department to remove snow or to otherwise maintain the streets:

<i>Street</i>	<i>From</i>	<i>To</i>
Bagley Avenue northwest	Central Street	First Street
Central Street	Sunset Avenue	Great Northern Drive
Clearwater Avenue	First Street northwest	Great Northern Drive
Clearwater Avenue northwest	First Street	Third Street
First Street north	Getchell Avenue	Bagley Avenue
First Street southwest	Main Street	Clearwater Avenue southwest
Getchell Avenue	First Street northeast	Central Street
Main Avenue	Seventh Street	Great Northern Drive

(B) Violation of this schedule shall be a petty misdemeanor.

(C) Any vehicle obstructing street cleaning and/or snow removal may be towed at the sole expense of the owner or operator.

(D) This schedule shall be in effect from and after its passage and publication.
 (Ord. 158, passed 8-9-2005) Penalty, see ' 70.99

SCHEDULE II: PARKING PROHIBITED AT LIMITED TIMES.

(A) It shall be unlawful to park over two hours between the hours of 9:00 a.m. and 5:00 p.m. on any day except Sundays and holidays on the following city streets:

<i>Street</i>	<i>From</i>	<i>To</i>
Central Street	Getchell Avenue	Clearwater Avenue
East side of Clearwater Avenue	Central Street	150 feet north of Central Street
First Street northeast	Getchell Avenue	The corner of Clearwater Avenue northwest (150 feet west of Main Avenue)
Getchell Avenue	Central Street	First Street northeast
Main Avenue	Great Northern Drive	First Street northeast
West side of Clearwater Avenue	Central Street	First Street northwest

(B) It shall be unlawful to park on the following streets at any time of day or week:

<i>Street</i>	<i>From</i>	<i>To</i>
Fourth Street northeast	Olson Avenue	200 feet west of Olson Avenue
South side of Fourth Street northwest	Bagley Avenue northwest	120 feet east of Clearwater Avenue northwest

(C) This schedule shall be in effect from and after its passage and publication.
 (Ord. 136, passed 10-21-1991) Penalty, see ' 70.99

