

**ORDINANCE NO. 2023-503**

**Motion By: McKee  
Seconded By: Nichols**

**AN ORDINANCE AMENDING THE TEXT OF CHAPTER 70 AND 71 OF TITLE VII OF  
THE CORCORAN CITY CODE RELATED TO TRAFFIC RULES AND PARKING  
REGULATIONS (CITY FILE 23-026)**

**THE CITY OF CORCORAN ORDAINS:**

**SECTION 1.** Amendment of the City Code. The text of Chapter 70.02 of the Corcoran City Code is hereby amended by removing the ~~stricken~~ material and adding the underlined material as follows:

**70.02 WEIGHT RESTRICTIONS**

The City Council finds that it is in the public interest to regulate the weight of vehicles on city roads and hereby adopts the following regulations:

- a. **Seasonal Weight Limits; Posting.** The Public Works Department may prohibit the operation of vehicles upon any street under the jurisdiction of the city or impose restrictions as to the weight of vehicles to be operated upon any city street when, by reason of deterioration, rain, snow, or climatic conditions, such city street may be damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weight thereof reduced. The Public Works Department shall cause to be posted on any such city street appropriate signs designating such restrictions. The city will follow the State of Minnesota Commissioner of Transportation dates of seasonal load limits. Seasonal load limits shall start with the Metro Zone and end with the Central Zone. However, the City may deem necessary to extend the date or remove the limits early as recommended by the Public Works Department.
- b. **Administrative Regulation of Trucks.** The Public Works Department shall monitor the condition of all streets under the jurisdiction of the city and the use thereof by vehicles over 9,000 pounds gross weight, which vehicles are defined as trucks for purposes of this section. Whenever the Department determines that the excessive use of any city street by trucks has or is likely to endanger public health or safety or that such use has or may damage or destroy the street due to any condition, including but not limited to, street deterioration, rain, snow, climatic conditions, soil or subsurface conditions, or sight lines, the Department may regulate, restrict, or prohibit truck traffic on the street. The Department may set conditions or limitations on the use of the street to protect public health and safety or to prevent damage to the street, including requiring that a letter of credit or other financial guarantee be posted to compensate the city for damage to the street, establishing haul routes and restricting hours of operation. Any person aggrieved by a decision of the Public Works Department regarding regulation of truck traffic under this section may appeal that decision to the City Council. The City Council may continue, modify or terminate the regulations as it deems appropriate in order to protect public health and safety and to prevent or minimize damage to the city streets.

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- c. **Weight Limits; Seasonal Restrictions.** Subdivision 1, Probation: Weight. It is unlawful to operate any vehicle or a combination of vehicles upon any public street, alley or highway within the city, between the dates set by the Commissioner of Transportation each calendar year where the gross weight on any single axle exceeds ~~8,000~~ 10,000 pounds on all city roads, unless otherwise posted, except that this limitation does not apply to emergency vehicles of public utilities used incidental to making emergency repairs to its plant or equipment within the city; nor to vehicles identified in Minnesota Statute, section 169.87, Subds. 2-6; and section 169.801 nor shall this limitation apply to roads paved with concrete.

**Subd. 1.** Posting of Signs. Upon the adoption of any prohibition or restriction as provided for in this Section, the Public Works Department and/or City Engineer shall cause to be posted or erected, signs plainly indicating the prohibition or restriction at each end of the street or alley or that portion of any street or alley affected thereby, and the prohibition or restriction is effective until after such signs so posted or erected are removed.

- d. **Restrictions Generally.** Prohibited vehicles – All motor vehicles, tractors, trailers, or any machine or instrument that is driven, pulled, pushed, or parked having axle weights over ~~four~~ five tons per axle are prohibited from traveling on any city street posted with weight restrictions in the city.

e. **Permits for Vehicles in Excess Of Weight Limitations.**

1. The Public Works Department may issue an “emergency overweight permit” authorizing an individual to travel with a vehicle having axle weight exceeding the restrictions herein set forth or otherwise posted on the street. The individual must make written application to the Public Works Department showing good cause for the emergency overweight permit. The application shall specifically describe the vehicle or vehicles, and the streets and particular routes to be traveled. Emergency overweight permits shall be valid for only a 24-hour period. If granted, the emergency overweight permit shall be carried in the vehicle and shall be open to inspection.
2. The ~~City Council~~ Public Works Director or designee may issue an “overweight permit” authorizing an individual to travel with a vehicle having an axle weight exceeding the restrictions herein set forth or otherwise posted on the street. The individual receiving such overweight permit must make written application to the ~~City Council~~ Public Works Director or designee showing good cause for the permit. The application shall specifically describe the vehicle or vehicles, the street and particular routes traveled, ~~and~~ the period of time for which the permit is requested and may require a financial guarantee be posted to compensate the City for damage to the street. The application will be reviewed by the City Engineer and the Public Works Department for recommendation, and may, at the discretion of the Public Works Director, be forwarded to the City Council for review. If granted, the permit shall be carried in the vehicle at all times and shall be open to inspection.
- ~~3. The Public Works Department may issue an “overweight permit” authorizing an individual to travel with a vehicle having axle weight exceeding the restrictions herein set forth or otherwise posted on the street. The applicant must meet the following requirements:~~
  - ~~a. Applicant must be a resident of Corcoran~~

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- ~~b. Applicant must have a valid Home Occupation permit~~
- ~~c. Permitted vehicle must be used as a commercial vehicle~~
- ~~d. Permitted vehicle must be parked at the applicant's residence in Corcoran~~
- ~~e. Permitted vehicle exceeds 4 tons per axle but no more than 5 tons per axle~~
- ~~f. Issued Permit must be maintained in the permitted vehicle~~
- ~~g. Permits will be issued on an annual basis without a fee to the applicant~~

4. 3. Issuance of an emergency overweight permit or overweight permit imposes upon the holder of the permit all responsibility for damage caused to the designated routes by such excess load and the holder of the permit shall reimburse the city for all reasonable and necessary expenditures to repair and replace the street to its former condition.

**SECTION 2.** Amendment of the City Code. The text of Chapter 71 of the Corcoran City Code is hereby amended by removing the ~~stricken~~ material and adding the underlined material as follows:

**71: PARKING REGULATIONS**

**71.01: RESTRICTED PARKING.**

- A. No person shall park a motor vehicle on any public street within the city between the months of November 1 and April 1, between the hours of 1:00 AM to 7:00 AM. Penalty, see ' 10.99
- B. No parking on any city street shall be allowed at any times if snowfall is 2" or greater. This will be in effect until such roads are plowed and snow has been removed from such roads.
- C. No vehicle of 10,000 gross weight or greater shall park on any city street unless authorized by the Police Chief or Public Works Director.

**71.02: OWNER RESPONSIBILITY.**

The registered owner of a motor vehicle shall be deemed responsible for any violation of ' 71.01.

**71.03: EMERGENCY PARKING REGULATIONS.**

- A. **Definitions.** For purposes of this section, the term "emergency" shall mean any condition upon any public street, including the presence of snow, freezing rain, sleet, ice or other phenomenon, which condition creates or is likely to create any hazardous road condition or impedes or is likely to impede the free movement of traffic, when such condition shall have been declared by the City Administrator, or a designated agent of the City Administrator.
- B. **Declaration.** Upon the existence of an emergency as defined herein, the City Administrator, or a designated agent of the City Administrator may, in the discretion of such person, declare that an emergency exists, whereupon such person shall notify any radio or television station having facilities within or near the City, and request that such

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media cooperate with the City in giving notice of such emergency to the community. The emergency regulations set forth below shall become effective two (2) hours after such notice has been given by the City to such news media.

- C. **Unlawful Acts.** During an emergency, it is unlawful for any person, as driver or operator of a vehicle, or as the registered owner of such vehicle, to park, stop or leave standing, or cause, allow, or permit to be parked, stopped or left standing, whether knowingly or unknowingly, any such vehicle upon any street until the conclusion of the declared parking emergency.

**71.04: IMPOUNDING OF VEHICLES.**

A vehicle parked in violation of this Chapter may be removed from any public street or public grounds by any police officer or City official when the vehicle is left unattended and constitutes an obstruction of traffic or hinders snow removal, street improvement, maintenance operations, firefighting, or other lawful purpose. The vehicle may be towed away to any garage, service station, or other place of safekeeping. Such vehicles shall not be released until the fees for towing and storage are paid in addition to any fine imposed for any violation of this chapter. The removal of a vehicle by or under the direction of the police officer or other City official does not prevent the prosecution of a violation of this chapter.

**SECTION 3. Effective Date**

This Ordinance shall be in full force and effect upon its adoption.

**ADOPTED** by the City Council on the 26<sup>th</sup> day of October 2023.

**VOTING AYE**

- McKee, Tom
- Bottema, Jon
- Nichols, Jeremy
- Schultz, Alan
- Vehrenkamp, Dean

**VOTING NAY**

- McKee, Tom
- Bottema, Jon
- Nichols, Jeremy
- Schultz, Alan
- Vehrenkamp, Dean

  
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Tom McKee - Mayor

**ATTEST:**

  
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Michelle Friedrich – City Clerk

City Seal