

## CHAPTER 70: TRAFFIC RULES

### 70.01: STATE PROVISIONS ADOPTED.

The regulatory provisions of M.S. Chapters 169 and 171 Annotated, together with all amendments thereto, are hereby adopted as a traffic code regulating use of highways, streets and alleys within the city and are hereby incorporated and made a part of this section as completely as if set out herein full.

The penalty for violations of the provisions of state statutes adopted by reference in this section shall be identical with the penalties provided for in the statutes for the same offence.

### 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 it 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.

- 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 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 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~~
- ~~b. Applicant must have a valid Home Occupation permit 70-3~~
- ~~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 formed condition.

- f. The City Council shall set fees for the issuance of the above permits, from time to time by Council Resolution.

**Penalty.** A person convicted of a violation of this Ordinance, shall be guilty of a misdemeanor and punished by a fine of not more than \$1,000, imprisonment for a term not exceeding ninety (90) days, or any combination thereof; provided, however, that if the violation is declared to be a petty misdemeanor, the penalty shall be a fine not to exceed \$300. Additionally, a person convicted of a violation of this Ordinance shall pay the costs of prosecution

**Commented [MP1]:** Check with PD on civil penalty.