

# *Canosia Township*

4896 Midway Road  
Duluth, Minnesota 55811  
Voice/Fax 218-729-9833

---

---

Town Board: Chairman Scott Campbell, Supervisor Kevin Connick, Supervisor Jeff Lundholm  
Clerk Susan Krasaway, Treasurer Dave Beaudette

## **ORDINANCE #2013-1**

### **An Ordinance Establishing Parking Regulations for the Town of Canosia**

The board of supervisors for the Town of Canosia ordains:

#### **SECTION 1: PURPOSE.**

The purpose of this ordinance is to protect and enhance the safe and convenient use of the public streets and parking area, preserve the safe use of them by emergency response vehicles and maintenance vehicles, provide for fair and orderly use of them, and protect the welfare and rights of all by regulating parking the Town of Canosia, in accordance with Minnesota Laws, including MSA 169.04.

#### **SECTION 2: DEFINITIONS.**

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

- A. Gender. Words denoting one gender shall include the other
- B. Singular-plural. Words in either singular or plural shall include the other.
- C. Tense. Words denoting the present tense shall include the future.
- D. Authorized Emergency Vehicle. Authorized Emergency Vehicle shall mean a vehicle being operated by a fire department, an ambulance being used in the course of ambulance business, a publicly owned police vehicle, a privately owned vehicle being used for the purpose of carrying out the government or public safety business of the unit of government to which the operator is responsible.
- E. Authorized person. Authorized person shall mean a person who is authorized by law or by action of the Board of Supervisors of the Town of Canosia to enforce this ordinance, or a licensed police officer who is on duty with jurisdiction to act in the Town of Canosia.
- F. Owner. Owner means a person who holds the legal title of a vehicle, or has the right to possess the vehicle under a lease, condition purchase contract, or other sales device, or who possesses the vehicle in the presence of an authorized person.
- G. Roadway. Roadway means the portion of a street which is improved, designed, or ordinarily used for vehicular travel. It is usually part of a street.
- H. Sidewalk. A sidewalk is part of a street or public property that is used or intended to be used for pedestrian travel.
- I. Sign. Sign means a device bearing printed instructions which advise the public of traffic or parking regulations, regardless of its size, color or location.

- J. Street. Street means the entire width between boundary lines of any way, place or transportation easement any part of which is open to the use of the public, as a matter of right, for purposes of vehicle traffic. Street includes a highway or cartway.
- K. Vehicle or Motor Vehicle. Vehicle or motor vehicle means any device in, upon, or by which any person or property is, or may be transported or drawn upon a street, except for devices intended and designed to be moved only by human power.
- L. Parking Area. Parking Area means any street or publicly owned property used or intended to be used for parking one or more vehicles.
- M. Park or Parking. Park or parking means the standing without moving of a vehicle, whether occupied or not, upon a highway or parking area, other than temporarily stopped in obedience to a traffic control device or official, or momentarily stopped while a person is actually entering or leaving the vehicle.

### **SECTION 3: CONCURRENCE.**

The valid and applicable parking regulation of the State of Minnesota and St. Louis County remain in force and effect, and this ordinance is intended to be an addition to them that is specific to regulation of parking in the Town of Canosia, all in accordance with MSA 169.04.

### **SECTION 4: GENERAL PROHIBITION.**

No person shall park a vehicle within a street or public parking area in such a manner or location that impedes, blocks, or stops the use of the street, or impairs or diminishes the safety of the use thereof. This section does not apply to an authorized emergency vehicle, nor to government authorized road construction or maintenance vehicles being reasonably used for a government purpose.

### **SECTION 5: PROHIBITED ACTS.**

No person shall park a vehicle in the following areas:

- A. On a sidewalk
- B. In front of or blocking a driveway.
- C. Within an intersection or on a crosswalk.
- D. Within 25 feet of the entrance to the Canosia Fire Hall on either side of Martin Road.
- E. At any place where a sign or sign erected by the action of the Town of Canosia prohibit parking.
- F. Within 50 feet of a fire hydrant, fire plug, or other device installed by the Town of Canosia to supply water to the fire department equipment when needed for fire suppression.
- G. On the street within 100 feet of the point where the roadway meets the waterline at the Industrial Road public boat landing.
- H. On the roadway within 100 feet of the point where the waterline meets the roadway of Carmen Way at the Pike Lake boat landing.
- I. Within 10 feet of any point where the Canosia Recreation Area parking area, or any driveway to the parking area, meets Martin Road.

- J. In any street or parking area for the purpose of camping, lodging, sleeping or residing therein, unless authorized by Resolution of the Board of Supervisors of Canosia.

#### **SECTION 6: FAILURE TO MOVE.**

It is a violation to fail immediately move any vehicle that is parked in violation of this or any law when directed to do so by authorized person.

#### **SECTION 7: LIABILITY OF OWNER.**

If any vehicle is found upon a street or parking area in violation of any provision of this or other ordinance of the Town of Canosia which regulates parking, and the identity of the driver is not know, the owner or person in whose name such vehicle is registered with the State of Minnesota shall be held prima facie responsible for such violation.

#### **SECTION 8: IMPOUNDMENT OF VEHICLES**

All authorized person are hereby empowered to move, remove and impound in accordance with Minnesota State Law, any vehicle parked in violation of this or any other ordinance, and before the owner shall redeem and retrieve the vehicle, he must pay all cost, fees, fines, and charges incurred in the enforcement of the parking ordinance.

#### **SECTION 9: ENFORCEMENT**

This ordinance shall be administered and enforced by authorized person, as defined herein. The Board of Supervisors may designate an authorized person having the following qualifications:

1. He/she is an agent, official, or employee of the Town of Canosia
2. He/she possesses the full rights of citizenship or permanent resident, and has never forfeited such right.
3. He/she is at least 23 years of age.
4. He/she has a valid driver's license.
5. He/she is familiar with the provisions of this ordinance.

The designation of an authorized person of the board shall be by resolution duly passed, and is effective upon passage and filing by the clerk.

#### **SECTION 10: PENALTY.**

Violation of this ordinance shall be a misdemeanor, unless the authorized person shall designate it a petty misdemeanor in writing upon the notice and/or summons issued at the time of violation. The penalty shall be set by a fee schedule, passed by resolution of the boards and filed with the clerk, which may be amended from time to time.

**SECTION 11: SEVERABILITY.**

If any part of this ordinance is determined to be invalid by a court of proper jurisdiction, all remaining provisions shall continue in full force and effect.

**SECTION 12: EFFECTIVE DATE.**

This ordinance shall take effect on the day following its publication.

Passed by the Board of Supervisors of Canosia Township this 4<sup>th</sup> day of December, 2013.

\_\_\_\_\_  
Chairman Scott Campbell

\_\_\_\_\_  
Supervisor Kevin Comnick

\_\_\_\_\_  
Supervisor Jeff Lundholm

Attest: \_\_\_\_\_  
Susan Krasaway, Clerk