

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING REGULATIONS FOR PARKING MOTOR VEHICLES
ON RESIDENTIAL PROPERTY IN THE CITY OF CLINTON**

Findings.

1. There have been several people in the City of Clinton who have been parking their motor vehicles in their front or back yards not upon their driveway or other impervious surface;
2. The types of motor vehicles which are being parked on non-impervious surfaces includes motor vehicles which are not in driveable condition, in a state of dissemblance, or otherwise an eyesore to neighbors and other residents of the City of Clinton; and
3. The Clinton City Council believes that it is in the best interests of the residents of the City of Clinton to modify its Ordinance in order to place further restrictions on where people can park their motor vehicles in the City of Clinton.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CLINTON ORDAINS AS FOLLOWS:

1. That Clinton City Ordinance No. _____ is hereby enacted to read as follows:

**“SECTION I.
DEFINITIONS**

Subdivision 1. For the purposes of this Ordinance, the terms defined in this section shall have the meanings ascribed to them.

Subdivision 2. “Approved parking surface” means a ground surface no less than eight feet in length and six feet in width that is made entirely of gravel, asphalt, concrete, brick, or stone, or a combination of these materials, and sits entirely on private property. The length and width of an approved parking surface must be perpendicular measurements.

Subdivision 3. “Garage” means an enclosed, permanent structure that is able to store one or more vehicles.

Subdivision 4. “Motor vehicle” means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires. Motor vehicle does not include an electric personal assistive mobility device as defined by Minnesota Statute or a vehicle moved solely by human power. Motor vehicle includes an inoperable or disassembled motor vehicle.

Subdivision 5. “Parking” means letting a vehicle stand continuously in one place for more than eight hours in any 24-hour period except during a snow emergency declared pursuant to Ordinance No. 11-05.

Subdivision 6. "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

**SECTION II.
APPROVED PARKING SURFACE REQUIRED**

No person, other than a peace officer engaged in official duties, shall park or keep a motor vehicle upon private property within the City of Clinton unless the motor vehicle is parked entirely within a garage or entirely upon an approved parking surface. An owner or possessor of property shall not allow any motor vehicle to be parked or kept upon the property if the act of parking would be in violation of this Ordinance. The tires and any

other portion of the motor vehicle touching the ground must be entirely situated either within a garage or upon an approved parking surface.

**SECTION III.
PUBLIC NUISANCE AFFECTING REFUSE**

It is a public nuisance affecting refuse for any motor vehicle to be parked or kept in violation of this Ordinance.

**SECTION IV.
CORRECTION ACTION BY THE CITY OF CLINTON**

The City of Clinton may abate or correct any nuisance herein defined through use of the procedure described in Ordinance No. 01-10, subd. VIII.

**SECTION V.
PENALTY**

Any violation of this Ordinance is a misdemeanor.

**SECTION VI.
ENFORCEMENT**

In the event of a violation of any provision of this Ordinance, the City Clerk or Mayor may issue a citation in a form acceptable to the Big Stone County Court Administrator. Such citation shall give due notice to the violator of the nature, time and place of the violation and shall inform the violator when to appear in court.

**SECTION VII.
SEVERABILITY CLAUSE**

If any provision of this Ordinance or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

**SECTION VIII.
EFFECTIVE DATE**

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

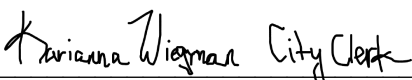
PASSED AND ADOPTED this 15th day of April, 2019.

CLINTON CITY COUNCIL



Greg Basta, Mayor

ATTEST:



Karianna Wiegman, City Clerk