

ORDINANCE NO. 01

AN ORDINANCE RELATING TO AND REGULATING THE PARKING OF VEHICLES ON THE STREETS AND ROADS IN THE TOWN OF NESSEL TOWNSHIP, CHISAGO COUNTY, MINNESOTA, PROVIDING FOR THE REMOVAL OF VEHICLES THEREON AND MAKING CHARGES FOR THE SAME AND PROVIDING FOR THE IMPOSITION OF A POSSESSORY LIEN THEREON AS WELL AS FOR PENALTIES FOR THE VIOLATION THEREOF.

THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF NESSEL ORDAINS:

SECTION 1. PARKING OF MOTOR VEHICLES.

- 1. TRUCKS, TRAILERS, RECREATIONAL VEHICLES, MOTOR HOMES, AND BUSES.** No truck, trailer, recreational vehicle, motor home, camper, boat, bus or school bus shall be parked within the road right of way on any highway, road or street within the Town of Nessel for more than ninety (90) minutes, or for any additional time than is necessary to load or unload.
- 2. PASSENGER VEHICLES.** No passenger vehicle shall be parked on any road or street within the Town of Nessel for more than twenty-four (24) consecutive hours.
- 3. PASSAGE INTERFERENCE.** No motor vehicle, truck, or trailer shall occupy the driven portion of any road or street in the Town so as to interfere with or interrupt the passage of other cars or vehicles.
- 4. WINTER PARKING RESTRICTION.** The parking of any motor vehicle upon any road or street in Nessel Township is prohibited between the hours of 2:00 a.m. and 9:00 a.m. from November 1st through April 1st of each year.
- 5. SNOWFALL RESTRICTION.** No motor vehicle, or obstruction of any kind, shall be parked on any highway, street or road within the Town of Nessel after a snowfall of one (1) inch or more which necessitates the plowing and removal of snow until such time as the plowing and snow removal is completed. No motor vehicle, trailer, or other obstruction shall be located within two (2) feet of any street, highway or road right of way after a snowfall of one (1) inch until such time as the plowing and snow removal has been completed.
- 6. VARIANCES.** Sections above may be varied based upon unique circumstances presented to the Town Board, and the minutes or hours requested for a variance shall not exceed 48 hours. The Town Board may require additional conditions in granting the variance.
- 7. STREET MAINTENANCE, REPAIR OR EMERGENCY.** The Township may temporarily prohibit vehicular parking or traffic upon any public street at such times as street maintenance, street improvements or a public safety emergency exists on or near such streets.

8. **POSTING.** No person shall park or drive a vehicle on a public street after it has been posted with signs installed by the Township or their authorized agent, prohibiting vehicular parking or traffic pursuant to this Ordinance.

SECTION 2. ENFORCEMENT. When any Township Board Member or peace officer finds a vehicle standing or parked on any highway, street or road in violation of this Ordinance, such officer is hereby authorized to move such vehicle or require the driver or other person in charge of the vehicle to move the same. When any police officer finds a vehicle unattended and standing or parked in violation of this Ordinance, such officer is hereby authorized to provide for the removal of such vehicle and remove the same to the nearest convenient garage, outdoor area or other place of safety, and such vehicle shall not be removed therefrom until reasonable costs of moving and storing the same have been fully paid. In the event that any vehicle held or stored under the direction of a police officer upon which there are charges for storage or towing, or both, is not reclaimed, recovered or taken by the vehicle owner thereof, there shall be deemed to be imposed upon such vehicle a Possessory Lien in the amount so charged and unpaid, and should the owner thereof fail to pay the same, then the Possessory Lien may be foreclosed in the manner provided by law.

SECTION 3. PENALTIES. Every person convicted of a violation of any provision of this Ordinance, that person may be punished by a fine of not more than \$300.00, and the cost of prosecution may be added.

SECTION 4. SEVERABILITY. Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part held to be invalid.

Approved:

Michelle Meis, Chairman

Attest:

Kelli Storck, Clerk

Town Board Supervisors:
Michelle Meis, Chairman
Betsy Rising, Supervisor
John Paitl, Supervisor
Branden Mell, Supervisor
Stanley Iskierka, Supervisor

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SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect and be in full force from and after its passage and publication.

Passed by the Town Board of the Township of Nessel, Chisago County, Minnesota, this 9th day of February 2021.