

**ORDINANCE NO.: 110**

**BALDWIN TOWNSHIP  
SHERBURNE COUNTY, MINNESOTA**

**AN ORDINANCE REGULATING PARKING**

THE BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP DOES HEREBY ORDAIN:

**Section 1.** The Parking Ordinance adopted by the Town Board on December 1, 2003 is hereby repealed in its entirety.

**Section 2.** The Baldwin Township Parking Ordinance shall read as following

**Ordinance 110  
PARKING**

**SECTION:**

- 110-1: Purpose:
- 110-2: Definitions
- 110-3: Presumption
- 110-4: General Parking Prohibitions
- 110-5: Overnight Parking
- 110-6: Winter Parking
- 110-7: Immovable Vehicles and Trailers
- 110-8: Recreational Vehicles
- 110-9: Commercial Vehicles
- 110-10: Abandoned Motor Vehicles
- 110-11: Exceptions
- 110-12: Enforcement
- 110-13: Penalty
- 110-14: Severability

**110-1: PURPOSE:** The Town, in the exercise of its authority over roads, sidewalks, trails, and other public grounds owned by the Town; and to protect public, health, safety, and welfare; does hereby adopt the following regulations for parking upon public roads within the Town.

**110-2: DEFINITIONS:** the following terms shall have the meanings given them herein for the purpose of this Ordinance:

**Boulevard:** The portion of the road right-of-way between the curb line or edge of the roadway and the property line.

**Motor Vehicle (or vehicle):** Any device in or upon or by which any person or property is or may be transported or drawn upon a road, highway, alley, or trail and does include trailers, motorcycles, snowmobiles, bicycles, all-terrain vehicles, golf carts, and all vehicles required to be licensed.

**Motor Vehicle, Operable:** A motor vehicle able to start and move under its own power and steer, have front and back license plates, and current registration tabs, fully intact windshield, working headlights, taillights, and turn signals, and tires that are inflated according to motor vehicle's standards.

**Public Works Supervisor:** The person employed by Baldwin Township as the Public Works Supervisor.

**Recreational Vehicle:**

- A. Any vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses;
- B. Any structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation;
- C. Any portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle; and
- D. Any folding structure, mounted on wheels and designed for travel, recreation, and vacation use.

**Right-of-way:** Land acquired by reservation or dedication intended for public use, and intended to be occupied or which is occupied by a road, sidewalk, trail, pedestrianway, railroad, utility lines, oil or gas pipeline, water line, sanitary sewer, storm sewer, or other similar uses.

**Road:** A public roadway providing access by pedestrians and vehicles to abutting properties, whether designated as an avenue, street, highway, road, circle, court, place, lane, boulevard, or parkway, or however otherwise designated.

**Roadway:** The portion of road right-of-way improved for vehicular travel.

**Sidewalk (also trail):** A paved path for pedestrians and/or bicycles and similar non-motorized recreational equipment at the side of a roadway.

**Town or Township:** Baldwin Township, Minnesota.

**Town Board:** The Baldwin Township Board of Supervisors.

**110-3: PRESUMPTION.** As to any vehicle parking in violation of this Ordinance when the driver thereof is not present, it shall be presumed that the owner parked the same or that the driver was acting as the agent of the owner.

**110-4: GENERAL PARKING PROHIBITIONS:**

- A. **Obstructing Any Road or Public Right-of-Way:** No vehicle shall be parked, permitted to stand, or obstruct any road or public right-of-way within the Town in any of the following places:
1. Within an intersection;
  2. On or within 20 feet of a crosswalk at any intersection;
  3. Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of the roadway;
  4. Within 50 feet of the nearest rail of railway crossing;
  5. In a location that is not parallel to the curb or edge of a public road, unless legally designated;
  6. Greater than five feet from the curb or edge of a public road unless legally designated and no portion of a parked vehicle may extend beyond 10 feet from the curb or edge of the public road;
  7. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
  8. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
  9. At any place where official signs prohibit or restrict stopping, parking or both;
  10. Within the public right-of-way on any boulevard which has been curbed or within the ditch of a rural section roadway, unless within a residential driveway not exceeding 24 feet wide when the distance between the garage

and the road right-of-way is less than 12 feet and the intrusion does not extend to within 5 feet of the traveled roadway;

11. Between any adjacent parallel roadways which are part of a road or highway.
12. Those areas as specified by Minnesota Statutes 169.34.

**B. Parking Zones:**

1. The Town Board may, by resolution, designate roads, or portions thereof, as no parking zones, fire lanes, or as five minute, 10 minute, 15 minute, 30 minute, one hour, two hour, or three hour parking zones, which unless otherwise provided within the resolution, such restrictions shall apply every day of the week, including Saturdays, Sundays, and holidays.
2. The Public Works Supervisor is authorized to prohibit parking of all vehicles for temporary periods in case of emergency, street maintenance, or public events at any place within the town.
3. All designated zones pursuant to this subsection 1 and Section 2 of this Section shall be appropriately marked at the direction of the Public Works Supervisor.

**110-5: OVERNIGHT PARKING.** Except in areas designed for such parking by signs erected by the Town or as may be allowed by approval of the Town Board, no person shall:

1. Park a vehicle upon a public road in the Town for more than 24 consecutive hours.
2. Park a vehicle upon a Town owned parking lot or other Town owned property for any purpose, including camping, between the hours of 10:00 P.M. and 6:00 A.M.

**110-6: WINTER PARKING.** No vehicle shall be parked upon any public roads, boulevards, ditches, and rights-of-way in the Town between November 1 and April 30, including, but not limited to, Saturdays, Sundays, and holidays.

**110-7: IMMOVABLE VEHICLES AND TRAILERS.** Vehicles and trailers incapable of movement under their own propulsion shall not be parked or stored on public roads, boulevards, ditches, and rights-of-way within the Town.

**110-8: RECREATIONAL VEHICLES.** It is unlawful for any person to leave or park a recreational camping vehicle on or within the limits of any road or right-of-way for a continuous period in excess of 24 hours, during which said vehicles shall not be occupied as living quarters.

**110-9: COMMERCIAL VEHICLES.** Parking of vehicles Class 3 or gross vehicle weight of 14,001 pounds or larger and commercially licensed trailer upon residential public roads is prohibited except when such vehicle is engaged in loading and unloading or rendering service to the adjacent property or as otherwise allowed by this Ordinance.

**110-10: ABANDONED MOTOR VEHICLES:** Any vehicle that remains upon any public road in the Town for more than 48 consecutive hours, or any vehicle lacking vital component parts or is in an inoperable condition such that it has no substantial potential for further use consistent with its usual functions as defined by Minnesota Statutes 168B.011, Subd. 2, shall be deemed to be abandoned and may be immediately removed in accordance with this Ordinance.

**110-11: EXCEPTIONS:** This Ordinance shall not apply to the following circumstances:

- A. Town vehicles parked in connection with official business.
- B. Law enforcement, fire, and medical emergency vehicles, or public or private utility vehicles parked in connection with official duties.

**110-12: ENFORCEMENT:**

- A. Any vehicle parked in violation of this Ordinance ~~is declared a nuisance and~~ may be summarily abated by impounding the vehicle by or under the direction or at the request of the Sherburne County Sheriff's Office or Public Works Supervisor in accordance with Minnesota Statutes 168B.04.
- B. Before the owner or their agent is permitted to remove a vehicle from the place of storage, the owner shall:
  - 1. Furnish satisfactory evidence to the person in charge of the storage area of their identity and ownership of the vehicle; and
  - 2. Pay any charge for the towing and storage of the vehicle.

**110-13: PENALTY:** Any person violating any of the provisions of this Ordinance shall be guilty of a petty misdemeanor punishable by up to the maximum sentence allowed by law for such offense.

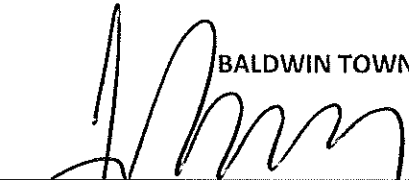
**110-14: SEPARABILITY:** If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provisions of this Ordinance not specifically included in said judgment.


Section 2. This Ordinance shall become effective after passage and publication.

ADOPTED by the Board of Supervisors of Baldwin Township this 4<sup>th</sup> day of December, 2023.

MOTION BY: *Rush*  
SECONDED BY: *Case*  
IN FAVOR: *All*  
OPPOSED: *none*

*Jeff Holm Absent*  
*Bryan Lawrence Absent*  
*3-0 vote*

  
BALDWIN TOWNSHIP  
\_\_\_\_\_  
Jay Swanson, Chair

ATTEST:  
  
\_\_\_\_\_  
Joan Heinen, Town Clerk/Treasurer