

Ordinance No. 2023-01

AN ORDINANCE REGARDING SNOW AND ICE REMOVAL IN THE CITY OF TURTLE LAKE:

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TURTLE LAKE, MCLEAN COUNTY, NORTH DAKOTA, AS FOLLOWS:

**1.01. Depositing of Snow or Ice on City Streets or Sidewalks Prohibited.**

1. No person shall deposit or cause any snow or ice to be deposited upon or against:
  - a. any city street or sidewalk.
  - b. public or private property so as to create a traffic hazard or to interfere in any manner with the vision or view of a driver of a motor vehicle or pedestrian at or near street intersections or where traffic merges or near school/pedestrian crossings.
  - c. any fire hydrant or traffic signal control device or traffic sign or appurtenance; or any loading and unloading area of a public transportation system or emergency access land.
2. No person shall deposit any snow or ice removed from any parking lot, filling station area, driveways, or from any other private property upon any public or city property or city street or sidewalk.
3. This Ordinance shall not apply to:
  - a. Snow shoveled from sidewalks to the street or alley in the downtown business district, provided the downtown property has no place other than the sidewalk and street to put the snow.
  - b. City Employees, while in the course of their employment for the city, may place snow on the streets or alleys while removing snow from the city.

**1.02. Street Cleaning – Snow Removal**

Whenever the city auditor, governing body, or public works superintendent deem it necessary to clear snow or ice, or clean streets using sweepers or other methods, the City's ordinances that regulate parking of automobiles, trucks, and other motor vehicles will be suspended. During this time, it will be unlawful to park or leave any automobile, truck, or motor vehicle on these streets pursuant to the following regulations:

1. The snow and ice removal ordinance applies from Oct. 1 through April 15, and any other time if declared an emergency by the city, which shall be known as the snow removal season.

2. During this time, no vehicle, truck, trailer, equipment, or other personal property of any kind may be parked on any street designated on the snow emergency route.
3. The following streets or portions of streets are hereby designated as Snow Emergency Routes and will be the first routes cleared by the city after any snow event. This route provides emergency access to the Turtle Lake Ambulance Service and Community Memorial Hospital, and is considered a priority for snow removal, street sanding, and ice removal. The city shall post signs along this route designating it an Emergency Snow Route, which is described as:
  - a. All of Putnam Street
  - b. All of Burke and South Avenues.
  - c. Kundert St. From South Ave. to 4<sup>th</sup> Avenue West.
  - d. 5<sup>th</sup> Ave. West and Kundert St. to 5<sup>th</sup> Ave West and Walnut St.
  - e. 5<sup>th</sup> Ave. West to Sellon St.
  - f. South Ave. to Sellon St. and 4<sup>th</sup> Ave.
  - g. 4<sup>th</sup> Ave. West and Kundert St. to Sellon St.
4. Priorities after Emergency Routes. After clearing the streets comprising the snow emergency routes, the following will be cleared in the listed order of priority:
  - a. Main Street
  - b. secondary streets (non-emergency routes)
  - c. all other areas not previously stated will be cleared as weather, equipment, and time allow.
5. In the case of a snow event, all vehicles, trucks, trailers, equipment, and other personal property stored or resting upon the public streets must be removed therefrom by 7:00 A.M. the day following any snow event to allow snow removal equipment to operate without obstruction.

### **3.0216. Penalty.**

The penalty for violation of this ordinance shall be a fine in an amount to be established periodically by resolution of the city commission. For a third or subsequent violation, the city may impound the vehicle that is the subject of the violation and shall assess all costs incurred to the owner or operator, which shall be in addition to the required fine. In determining whether a violation is a first, second, third, or subsequent offense, only violations cited during the current snow removal season shall be considered.

In prosecuting parking violations of this ordinance proof that the vehicle listed in the complaint was parked in violation of this section and that the defendant was the

registered owner of the vehicle, gives rise to a rebuttable presumption that the defendant was the person who parked the vehicle in violation of this section.

WHEREUPON, the Motion was passed and the ordinance declared adopted this \_ day of October 9, 2023.

**First Reading:** September 11, 2023

Voting Aye: Dianne Zenker, Stacie Adams, Tim Britton, Jeramie Love

Voting Nay: None

**Second Reading:** October 9, 2023

Voting Aye: Dianne Zenker, Tim Britton, Jeramie Love, David Freborg,  
Stacie Adams

Voting Nay: None

**Passed and Approved:** October 9, 2023

City of Turtle Lake

  
\_\_\_\_\_  
Dianne Zenker, President

ATTEST:

  
\_\_\_\_\_  
Darwin Saari, City Auditor