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Amending Chapter 152, Traffic Code - Regulations and Enforcement by City Departments, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1

Chapter 152 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 152.01. Traffic law enforcement.

The department of police shall enforce all traffic laws of the city and of the State of Minnesota applicable to traffic in this city. Officers of said department are authorized to direct and control traffic in conformance with said traffic laws; provided, however, that in event of a fire or other emergency to expedite traffic, or to protect and safeguard pedestrians, officers of the police and fire departments may direct traffic as conditions may require, notwithstanding the provisions of said traffic laws to the contrary.

(Code 1956, § 129.06)

Sec. 152.02. Coordination of traffic matters.

(a) The planning administrator shall fully inform and consult with the traffic engineer regarding all matters before the planning commission relating to traffic safety and so inform the planning commission. The traffic engineer shall consult with the department of police prior to making those decisions which have an effect upon traffic law enforcement.

(b) The department of police shall inform and consult with the traffic engineer regarding traffic law

enforcement, accident records reports and violation information related to the safety and effectiveness of traffic control devices.

Sec. 152.03. Traffic records.

The department of police shall, insofar as is practicable, maintain records of accidents. Such records shall be available, consistent with existing law, for use and study by the traffic engineer.
(Code 1956, § 129.07)

Sec. 152.04. Traffic-control devices.

(a) The traffic engineer, as far as practicable, shall place and maintain city traffic-control devices, except as hereinafter provided, upon such highways and streets, as he or she may deem necessary, to carry out and to make effective the provisions of the Traffic Code and the traffic laws of this city and state, and/or to regulate, warn or guide traffic. ~~He~~ The traffic engineer shall, before placing any of said traffic-control devices upon state trunk highways, first obtain the consent and permission of the commissioner of the Minnesota Department of Transportation. All such traffic-control devices shall, as far as practicable, conform to the state manual and specifications.

(b) The maintenance of electrically operated traffic signals shall be the duty and responsibility of the department of public works, and the timing of such signals shall be set or directed by the traffic engineer.
(Code 1956, §§ 129.08, 133.01)

Sec. 152.04.1. Traffic signal preemption system--Declaration of policy.

The Council of the City of Saint Paul finds and determines that it is in the public interest to allow authorized emergency vehicles, which are not owned or operated by the city, and as defined in Minn. Stat. § 169.011, subd. 53, to use the city's traffic signal preemption system when such noncity vehicles are responding to an emergency. In order to control and regulate the use of such system for that purpose, the council finds that public safety and welfare would best be served by having the ~~director~~ department of public works promulgate rules and regulations for the access and use of such system under standards and guidelines set forth in sections 152.04.1 through 152.04.5.
(C.F. No. 99-136, § 1, 3-3-99)

Sec. 152.04.2. Same--Definitions.

(a) *Director*. The term "director" shall mean the director of public works, and his or her designee or designees.

(b) *Emergency*. The term "emergency" shall mean and include an unforeseen event, condition, or combination of circumstances which requires immediate action or remedy to protect an individual's or community's health, safety, welfare, peace or property.

(c) *Emergency vehicle*. The term "emergency vehicle" shall mean and include those vehicles as defined under Minnesota Statutes § 169.01, subd. 5.

(d) *Person*. The term "person" shall mean and include any person, firm, corporation, or other entity or association, together with the officers, agents and employees of such firms, corporations or entities. The term shall include both the individual operator of a vehicle as well as, where applicable, the entity which employs or contracts for the operator's services, or which contracts with the city for the use of the systems.

(e) *System*. The term "system" shall refer to the traffic signal preemption system.

(f) *Traffic signal preemption system*. The term "traffic signal preemption system" shall mean a system designed for use by emergency vehicles to improve traffic movement by temporarily controlling signalized intersections. The preemption system is comprised of the following components: an emitter, a detector and a phase selector. The emitter (a high intensity light source) is attached to the emergency vehicle and functions like a strobe light, pulsating at a frequency in excess of ten (10) "beats" per second. As an emergency vehicle

approaches an intersection controlled by this system, the emitter's pulsating light is received by a detector that is located at or near the traffic signal. The detector then relays the coded message to the phase selector, located in the traffic light control box, which then either holds an existing green light in favor of the approaching emergency vehicle or accelerates the normal cycle of a signal change to provide a green light for the emergency vehicle before the vehicle enters the intersection.
(C.F. No. 99-136, § 1, 3-3-99)

Sec. 152.04.3. Same--Prohibitions.

(a) It shall be unlawful for a person to use or interfere with the traffic signal preemption system, unless: (i) either such person has entered into a contract with the city which allows such use, or the person is an employee of the City of ~~St.~~ Saint Paul who is using the system pursuant to such employment; and (ii) an emergency exists and there is a threat of immediate danger to life or property which reasonably requires the use of the system in order to protect the life, safety, health, or property of one (1) or more persons.

(b) It shall be unlawful for a person, having entered into a contract with the city authorizing the use of the system, to use or interfere with the system in violation of the terms and conditions of that contract or in violation of any of the rules and regulations promulgated by the director of the department of public works for the use of such system.

(c) This section shall not apply to persons who are performing inspection, maintenance or repair work on the system with the express prior authorization by the director.
(C.F. No. 99-136, § 1, 3-3-99)

Sec. 152.04.4. Same--Authority to promulgate rules and regulations.

The director is hereby authorized to promulgate and, from time to time, amend rules and regulations for the use of the system. In doing so, the director shall seek the advice and recommendations of the department of fire and safety services and the department of police. Such rules and regulations shall when promulgated be filed in the office of the city clerk, and there kept available for public inspection, and additionally shall be available in the department of public works. Copies shall also be sent to the department of fire and safety services and the department of police. Such rules and regulations shall have the force and effect of law, and shall be promulgated in accordance with the following standards and guidelines:

(a) Such rules and regulations shall not be inconsistent with any of the terms or conditions of sections 152.04.1 through 152.04.5.

(b) Such rules and regulations shall promote the public health, safety and welfare.

(c) All vehicles using the system shall have proper equipment to safely use such system.

(d) All drivers of vehicles using the system shall be properly licensed and trained in the safe use of such system, and shall at all times follow applicable driving rules, including those governing emergency vehicles.

(e) Such rules and regulations shall take into account, in allowing the use of the system, the safety of the driver and passengers of the emergency vehicle, the drivers and passengers of other vehicles and pedestrians, and the protection of personal and real property, both public and private.

(f) The rules and regulations may provide that use of the system by non-city users is subordinate to the city's use, and in the event of any conflict, that the city's use shall take precedence. This includes the city's use of the system for inspection, maintenance or repair purposes.

(g) The rules and regulations may require that non-city users of the system pay a fee to allow the city to recover its costs and expenses.

(h) The rules and regulations shall contain the model form of agreement authorized by section ~~154.04.5~~ 152.04.5.

(i) The rules and regulations may provide for the inspection, maintenance and repair of the system.
(C.F. No. 99-136, § 1, 3-3-99)

Sec. 152.04.5. Authority to enter into contracts.

The director is hereby authorized to enter into contracts with persons, other than the city, that own and/or operate emergency vehicles in order to carry out the purposes and provisions of sections 152.04.1 through 152.04.5, and in compliance with such sections and the rules and regulations which may be promulgated hereunder. Such contracts shall contain such provisions as may in the discretion of the director carry out the purposes of such sections and of the rules and regulations promulgated by the director, and protect the city and its interests as well. Such provisions shall include, but are not limited to, a requirement that the city and its officers, agents and employees be indemnified and that such obligation of indemnification shall be insured (unless the contracting party is another governmental body which is under state law self-insured); and that such contract shall be terminated in the event of a breach of its terms and conditions, or in the event of a violation of the rules and regulations promulgated hereunder by the director. The director may prepare and include a model form of agreement for inclusion in the rules and regulations promulgated under section 152.04.4, but may vary its terms and conditions in individual cases as necessary to carry out the terms and provisions of sections 152.04.1 through 152.04.5.
(C.F. No. 99-136, § 1, 3-3-99)

Sec. 152.05. Roadway surface markings.

The city traffic engineer is authorized and directed to designate, maintain and prohibit, as far as practicable, by appropriate devices, marks or lines, upon the surface of street or roadway at intersections of streets and highways, pedestrian crosswalks where, in his or her judgment, there is particular danger to pedestrians crossing such roadway, and at such other places as he traffic engineer may deem necessary and beneficial to traffic safety and control in the city.
(Code 1956, § 129.09)

Sec. 152.06. Safety zones.

The traffic engineer is authorized and directed to establish safety zones of such kind and character and at such locations as he or she may deem necessary for the protection of pedestrians.
(Code 1956, § 129.10)

Sec. 152.07. Traffic lanes.

The traffic engineer is hereby authorized and directed to mark lanes for traffic on street pavements in such manner and at such locations as he or she may deem advisable, not inconsistent with the traffic laws of this city and state and consistent with the state manual and specifications.
(Code 1956, § 129.11)

Sec. 152.08. Turn regulations.

(a) The traffic engineer is hereby authorized and directed to determine those intersections or other places or locations at which vehicles making a turn to the left or a turn to the right, or both, constitute a serious hindrance to traffic. Upon such determination, the traffic engineer is hereby authorized to prohibit any vehicle from making a turn to the left or a turn to the right, or both, and, when such turns are prohibited, shall erect appropriate signs consistent with the state manual and specifications.

(b) The traffic engineer is hereby authorized and directed to determine the course to be followed by vehicles turning at intersections or elsewhere, and upon such determination is hereby permitted to place markers, letters, buttons or signs within or adjacent to intersections, or at other street locations, indicating the course traffic is to follow.
(Code 1956, § 129.12)

Sec. ~~152.12~~ 152.09. Parking Limitations; ~~no parking areas~~.

(a) "No parking" areas. The traffic engineer is hereby authorized to establish "No Parking" areas, either full-time or during certain prescribed hours and days, upon any public street or alley, or part or portion of such streets or alleys, where, in the judgment of said traffic engineer, the elimination of parking may facilitate the movement of traffic, reduce traffic hazards or eliminate a hindrance to traffic. ~~Except for the establishment of "No Parking" areas where parking is otherwise prohibited by law, including, but not limited to, the prohibitions contained in Section 157.02 of the Legislative Code, the traffic engineer is only authorized to establish "No Parking" areas in the downtown area after a request has been made for the particular restriction by the fire chief or where there exists a hotel entrance, cab stand, bus stop or construction area. In order to establish "No Parking" areas at other locations in the downtown areas defined, below, the traffic engineer must obtain the approval of the city council unless such establishment is specifically authorized by the Legislative Code. Upon the establishment of such "No Parking" areas, the city traffic engineer shall erect and thereafter maintain, as far as practicable, signs indicating that no parking is permitted as such signs may prescribe. Whenever possible, consistent with the purpose for the establishment of the "No Parking" area, the prohibition on parking shall be not apply after 6:00 p.m., after 11:00 a.m. on Saturdays or on Sundays and holidays. Such "No Parking" designation shall take precedence over and shall supersede prior designations of limited time zones. Whenever such areas involve state trunk highways, the permission of the Minnesota Department of Transportation shall be secured prior to, the erection of any such "No Parking signs. the least restrictive possible for conditions while permitting effective traffic law enforcement.~~

(b) ~~Limited time parking areas~~. The traffic engineer is authorized to establish "limited time parking" areas upon any public street or alley, or part or portion of such streets or alleys, where, in the judgment of said traffic engineer, the traffic and parking situation justifies the establishment or revision of parking time limits. Limited-time parking areas are described as those areas within which parking of vehicles is limited to a prescribed length of time mean parking of vehicles is limited by duration, either full-time or for a portion of a day or by day of the week. Parking meters are a form of limited-time parking.

1. Limited-time parking shall apply for days identified with no exceptions for Sundays or Holidays, except for parking meter operations under Section 160.04.

2. For regulation purposes under limited-time parking any vehicle moved a distance of not more than two (2) blocks during the limited parking period shall be deemed to have remained stationary and will be considered in violation.

(Code 1956, § 129.16)

Sec. ~~152.09~~. Loading zones.

(a) ~~The traffic engineer is authorized and directed to determine and designate the location of on-street freight loading zones and, upon such determinations, is authorized to place and maintain appropriate signs and markings indicating the same and prohibiting parking thereat other than that permitted by said signs.~~

(b) ~~Commercial vehicles may park at spaces indicated by signs and curb and sidewalk markings as a loading zone for the purpose of loading or unloading only, but shall leave such space promptly upon completion of that operation and shall not park for more than thirty (30) minutes at any one time.~~

(Code 1956, § 129.13)

Sec. ~~152.13~~152.10. Parking meters.

~~The traffic engineer shall, insofar as practicable, erect and maintain parking meters in accordance with the provisions of Chapter 160, except as otherwise provided herein.~~

(a) The City Council shall approve rates, time limits and parking meter zones for parking meters in Saint Paul and may add to or modify said parking meter zones by resolution. The traffic engineer shall, insofar as practicable, erect and maintain parking meters in accordance with City Council approvals and with the

provisions of Chapter 160, except as otherwise provided herein.
(Code 1956, § 147.02)

(b) Each parking meter shall measure the permissible predetermined period of time and shall operate in the following manner: Each said parking meter shall be so constructed as to display a signal showing legal parking upon the deposit of coins of the United States of America, or use of other approved payment method in such amounts as designated for said metered area and for a period of time conforming to the parking limit and each meter shall, by its device, clearly set out and continue operation from the time of depositing payment until the expiration of the time fixed for said meter for lawful parking. Each said meter shall also be arranged so that, upon the expiration of said parking limit, it will indicate that the lawful parking period has expired.
(Code 1956, § 147.01)

(c) *Meter fee.* The payment required to be deposited as provided herein is levied and assessed as a fee to cover the cost of inspection and regulation, control and operation involved in the inspection, installation, operation, control and use of the parking spaces and parking meters and involved in checking and regulating the parking and traffic of vehicles in the metered areas as determined by the city council.
(Code 1956, § 147.11)

Sec. 152.11. Taxi stands.

(a) The traffic engineer is authorized to establish taxicab stands on such public streets in such places and in such numbers as he shall determine to be the greatest benefit and convenience to the public.

(b) Where taxicab stands have been established, the traffic engineer is authorized to designate with appropriate signs and markings taxicab zones at the curb as are necessary and desirable on the basis of traffic movement or safety. The designation of taxicab zones shall take precedence over prior designations of metered areas or limited time zones, whether by ordinance or other action.
(Code 1956, § 129.15)

Sec. 152.11. Parking privileges for the physically disabled.

(a) *Physically disabled parking zones, Residential areas.* The traffic engineer may establish special parking zones for the physically disabled upon request immediately adjacent to requestor's usual place of residence, and shall adopt rules and regulations to carry out the provisions of this section, including the requirement that applicants may be required to pay for all or a part of the cost of providing the necessary signing. Such zones shall be designated and marked by suitable signs.
(Code 1956, § 144.20)

(b) *Physically disabled parking zones, Non-residential areas.* The traffic engineer may, at his or her discretion, establish parking zones on public streets in non-residential areas that are reserved for the physically disabled in unique circumstances where the demand for disability parking is great, and where disability parking cannot be accomplished on private property. The traffic engineer shall adopt rules and regulations to carry out the provisions of this section, including the requirement that the requesting party may be required to pay for all or a part of the cost of providing the necessary signing. Such zones shall be designated and marked by suitable signs.
(Ord. No. 16438, 5-11-78)

Sec. 152.10 152.12. Bus loading stations Loading zones.

(a) The traffic engineer is authorized to establish the location of bus loading locations zones on public streets (whether for freight or passengers) in such places and in such number manner as he shall determine to be of the provide the greatest benefit and convenience to the public. Upon such determinations the traffic engineer is authorized to place and maintain appropriate signs and markings indicating the same and prohibiting parking there other than permitted by said signs.

(b) Where bus loading locations have been established, the traffic engineer is authorized and directed to mark

~~with appropriate signs and markings bus stop zones at the curb as are necessary and desirable on the basis of traffic movement or safety. The designation of bus stops shall take precedence over any existing parking control, whether by ordinance or other action.~~

(a) Commercial Vehicles. Commercial vehicles may park at spaces indicated by signs and curb and sidewalk markings as a loading zone for the purpose of loading or unloading only, but shall leave such space promptly upon completion of that operation and shall not park for more than thirty (30) minutes at any one time.
(Code 1956, § 129.13)

(b) Bus loading stations. The designation of bus stops shall take precedence over any existing parking control, whether by ordinance or other action.
(Code 1956, § 129.15) (Code 1956, § 129.16)

(c) Taxi Stands. The designation of taxicab zones shall take precedence over prior designations of metered areas or limited time zones, whether by ordinance or other action.
(Code 1956, § 129.15) (Code 1956, § 129.16)

(d) Other Types of Loading Zones. The traffic engineer may establish other types of loading zones for the purposes of passenger loading as is reasonable for the area. Such uses considered may include but are not limited to school bus loading, and school parent pick-up loading.
(Code 1956, § 129.14)

Sec. 152.13. Special purpose or specific vehicle parking.

The traffic engineer may establish parking zones on public streets that are reserved for specific purposes or vehicles. Such zones shall be designated and marked by suitable signs. Reservation of parking on the public streets under this section shall be limited to public uses and in such manner that the reservation of curb space does not unduly impact other general uses. Such uses considered may include but are not limited to fire, police or commuter services.

Sec. 152.14. Stop signs, etc.

The traffic engineer is authorized to determine and to designate those intersections or streets, or portions thereof, where traffic or hazardous conditions necessitate the erection of stop, yield or other regulatory and warning signs or devices, and to erect appropriate signs.
(Code 1956, § 129.18)

Sec. 152.15. Signs, etc.

Whenever, by any of the provisions of this code, signs, markings or devices are required to give effect to such provision, it shall be the duty of the traffic engineer, insofar as practicable, to erect appropriate signs, markings or devices, and penalty provisions shall not be enforced in the absence of such signs, markings or other devices.
(Code 1956, § 129.19)

Sec. 152.16. Temporary and experimental regulations.

The traffic engineer is authorized and empowered to promulgate temporary regulations to give effect to the traffic laws of the city and state, and to that end is authorized and empowered to test the effectiveness of such temporary regulations directing traffic and test all types of traffic-control devices, including parking meters, under actual conditions of traffic. Such temporary regulations shall, upon the erection of appropriate signs or signals by the traffic engineer, have the same force and effect of the traffic laws. However, no such temporary or experimental regulation shall remain in effect for more than ninety (90) days from its inception unless within such ninety-day period an ordinance is introduced before the council of the City of Saint Paul which would have the effect of making such regulation part of the permanent traffic laws of this city.
(Code 1956, § 129.20)

Sec. 152.17. Detours and bypasses.

The city traffic engineer is authorized to install all necessary signs, regulations and traffic-control devices, including, but not limited to, parking regulations, to provide proper temporary bypasses and detours. The department of police shall be notified immediately when detours and bypasses requiring traffic-control devices are installed.

(Code 1956, § 129.21)

Sec. 152.18. Special permits.

(a) *Excess weight or load:*

(1) The director of the department of public works may, in his discretion, upon application in writing and good cause being shown therefor, issue a special permit, in writing, authorizing the applicant to move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in the Minnesota Highway Traffic Regulation Act, Chapter 169 of Minnesota Statutes, or otherwise not in conformity with the provisions of said act, upon streets and highways under the jurisdiction of the city.

(2) The application for any such permit shall specifically describe the vehicle or vehicles and load to be moved and the particular highways for which permission to so use is requested, and the time of the trip for which such permit is requested.

(3) The director of the department of public works is authorized to issue or withhold such permit at his discretion; or, if such permit is issued, to limit or prescribe conditions of operation of such vehicle or vehicles, when necessary to assure against undue damage to the road foundations, surfaces or structures, and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure.

(4) Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting such permit, and no person shall violate any of the terms or conditions of such special permit.

(b) *Block parties, community festivals, special events, marches, demonstrations and public gatherings.* All permits issued for block parties, community festivals or special events shall be issued pursuant to Chapter 366 of the Legislative Code. All permits issued for marches, demonstrations and public gatherings shall be issued pursuant to Chapter 366A of the Legislative Code.

(c) *Maintenance of vehicle and/or trailer for use in public demonstration.* Subject to the conditions set forth below, the director of the department of public works may permit the temporary use of a portion of a public street for the purpose of maintaining a vehicle and/or trailer to be used by participants of public demonstrations for the purpose of providing a shelter from the inclement weather, subject to these conditions:

(1) Permits may be issued only during the months of October through March.

(2) Permission may not exceed forty-five (45) consecutive days.

(3) The proposed use will not unreasonably obstruct or interfere with the use of the street and sidewalks for travel.

(4) The proposed use shall not unreasonably interfere with the rights of abutting owners.

(5) The proposed use will not unreasonably obstruct ingress to and egress from adjacent properties or any place of business or employment.

(6) All applications shall be accompanied by ~~evidence satisfactory to the director that the city is protected by public liability insurance naming the applicant and the City of Saint Paul as joint insureds with limits of liability as follows~~ a certificate of insurance or self-insurance:

a. ~~*Bodily injury insurance*, including death, in an amount of not less than three hundred thousand dollars (\$300,000.00) for damages arising out of bodily injury to or death of one person and subject to that same limit~~

for each person in a total amount of not less than five hundred thousand dollars (\$500,000.00) on account of any one accident; and, Verifying that an insurance policy has been issued to the applicant by an insurance company licensed to do business in the state, or a form of self insurance acceptable to the city;

b. Property damage insurance in an amount not less than one hundred thousand dollars (\$100,000.00) for all damages to or destruction of property in any one accident subject to that limit per accident, further subject to a total amount of not less than three hundred thousand dollars (\$300,000.00) for all damages to or destruction of property during the policy period. Verifying that the applicant is insured against claims for personal injury, including, death, as well as claims for property damage arising out of the (i) use and occupancy of the right-of-way by the applicant, its officers, agents, employees and permittees; and (ii) placement and use of facilities and equipment in the right-of-way by the applicant, its officers, agents, employees, and permittees, including, but not limited to, protection against liability arising from completed operations, damage of underground equipment and collapse of property;

c. Naming the city as an additional insured as to whom the coverages required herein are in force and applicable and for whom defense will be provided as to all such coverages;

d. Requiring that the director be notified thirty (30) days in advance of cancellation of the policy or material modification of a coverage term;

e. Indicating comprehensive liability coverage, automobile liability coverage, workers compensation and umbrella coverage in amounts established by the city risk manager in amounts sufficient to protect the city.

(d) *Revocation of permits.* Any permit issued under this section may be revoked at any time by the director with concurrence of the city council upon a determination that any of the conditions set forth above have been violated or not complied with.
(Code 1956, §§ 130.09, 136.01; Ord. No. 17013, 4-28-83; Ord. No. 17411, §§ 1, 2, 10-21-86; C.F. No. 92-795, § 1, 7-7-92)

Sec. 152.19. Signs and signals on bridge piers or street obstructions.

(a) *Signs or signals required.* No person, firm or corporation shall hereafter erect or maintain in any street or public place in the City of Saint Paul any bridge supporting pier or other similar obstruction unless the same shall be equipped with a sign or signal of the type required in paragraph (b), selected by the director of the department of public works.

(b) *Type.* The director of the department of public works, upon request, shall determine the type or types of sign or signal to be installed or maintained on any such pier. ~~Copies of said plans for selected signs or signals shall be filed in the office of the director.~~

(c) *Cost.* The cost of installation, operation and maintenance of said sign or signal shall be defrayed by the person, firm or corporation maintaining said pier or obstruction in the street.
(Code 1956, § 140)

Section 2

This ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.