

SECTION 5

605.000.     **REGULATIONS FOR THE USE OF ALLEY WAYS.**

605.001.     **MAPS.** See attached map of improved and unimproved alleys in the City.

605.002.     **USE OF IMPROVED ALLEYS.** No person shall park a vehicle within an alley in such manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley, in such position as to block the driveway entrance to any abutting property. The speed limit in alleys shall be ten (10) miles per hour.

605.003.     **USE OF UNIMPROVED ALLEYS.** Person's may use adjacent unimproved alleys as long as:

1.     No permanent structures are placed in an alley way.
2.     Use does not prevent others from accessing their property from the alley way if needed.
3.     Nothing is planted in the alley way.

605.004.     **ENFORCEMENT.** Any police officer may remove a vehicle from an alley to a garage or other place of safety when the vehicle is in violation of this Section. A person who is entitled to possession of an impounded vehicle shall have the right to a post-impoundment hearing to determine probable cause to impound the vehicle under this Section if such a person files a written demand for the hearing within five days after impounding, excluding Saturdays, Sundays, and legal holidays. The demand shall be made to the City Administrator of the city, who shall serve as the hearing officer for such purposes. The hearing shall be conducted within 24 hours of the written demand therefore unless such person agrees to a later hearing. Not more than 72 hours after impoundment of a vehicle which has not been redeemed, the City Administrator shall mail a notice to the registered owner of the vehicle, if such may be secured through the license number, at the address provided by the motor vehicle license agency of the state or province in which the vehicle is registered. The notice shall contain the full particulars about the impoundment, the procedure for redemption, and the opportunity for a hearing to test the propriety of the impoundment. A similar notice shall be available at the police department and shall be conspicuously posted at the place of impoundment. If the hearing officer determines that there is no probable cause for the impoundment under the code, the city shall pay the towing and storage charges and the vehicle shall be released forthwith to the person entitled to possession. In every other case, the vehicle shall be released only when the fees for towing and storage are paid by the person recovering possession.

605.005.     **PENALTY.** Any person who fails to comply with the terms and conditions of the Ordinance is guilty of a Misdemeanor and punishable by such fine and jail term and other conditions as are set by Law for Misdemeanors in the State of Minnesota, pursuant to Minnesota Statutes Section 609.02, Subdivision 3.