

ORDINANCE NO. 68, FOURTH SERIES

AN ORDINANCE AMENDING REDWOOD FALLS CODE OF ORDINANCES §9.20 AND §9.21, AND ADDING A NEW SECTION 9.22 ENTITLED “PRESUMPTIONS.”

THE CITY COUNCIL OF REDWOOD FALLS ORDAINS:

SECTION 1. That Redwood Falls City Code of Ordinances §9.20 shall be amended by amending and inserting the following provisions, in their entirety, in lieu thereof:

~~§ 9.20 MAINTENANCE STANDARD FOR COMMERCIAL PARKING LOTS.~~

~~It is a misdemeanor for any person to maintain a parking lot for the use of its customers, employees, officers or agents or for the purpose of leasing spaces therein to others, unless the same shall be paved with concrete or bituminous blacktopping or treated with road oil to prevent dust, dirt and other debris from being blown out of or about the lot.~~

§ 9.20 ELECTRIC VEHICLE CHARGING STATION PARKING.

Subd. 1. Electric Vehicle Parking Only. No person shall stop, stand, or park a vehicle other than an electric vehicle within any space marked or signed as reserved for “electric vehicle parking while charging only” except when necessary to avoid conflict with other traffic or in compliance with the specific direction of a police officer or traffic control device.

Subd. 2. Charging Required. It is unlawful to park or permit to be parked any electric vehicle in a space with an electric vehicle charging station that is marked as “electric vehicle parking while charging only” if such electric vehicle is not in the process of charging, except when necessary to avoid conflict with other traffic or in compliance with the specific direction of a police officer or traffic control device.

Subd. 3. Definitions.

- A. The words and terms defined in Minnesota Statutes, § 169.011, as amended from time to time, shall be applicable to this section.
- B. “Electric Vehicle Charging Station” means a public parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle, and that is 1) publicly owned and publicly available (e.g. on-street parking, public parking lots), or 2) privately owned and publicly available.
- C. “Electric Vehicle Parking Space” means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

- D. “Non-electric Vehicle” means any motor vehicle that does not meet the definition of “electric vehicle” as defined in Minn. Stat. § 169.011 as it may be amended from time to time.

SECTION 2. That Redwood Falls City Code of Ordinances §9.21 shall be amended by amending and inserting the following provisions, in their entirety, in lieu thereof:

~~§ 9.21. PRESUMPTIONS.~~

~~In any matter charging a violation of any provision of this chapter or any other provision of the Code of Ordinances governing the stopping, standing or parking of a vehicle, proof that the particular vehicle described in the complaint was stopping, standing or parking in violation of this chapter or any other provision of the Code of Ordinances, together with proof that the defendant was at the time of the violation the registered owner of the vehicle, shall constitute in evidence prima facie presumption that the registered owner of the vehicle was the person who parked or placed such a vehicle at the point where and for the time during which the violation occurred. It shall be no defense that the vehicle was parked illegally by another, unless proof is presented that the vehicle had been stolen and had not been returned to the registered owner by the date of the violation. This section shall not apply to registered owners transferring vehicle ownership prior to the date of the violation.~~

§ 9.21 MAINTENANCE STANDARD FOR COMMERCIAL PARKING LOTS.

It is a misdemeanor for any person to maintain a parking lot for the use of its customers, employees, officers or agents or for the purpose of leasing spaces therein to others, unless the same shall be paved with concrete or bituminous blacktopping or treated with road oil to prevent dust, dirt and other debris from being blown out of or about the lot.

SECTION 3. City of Redwood Falls City Code of Ordinances Chapter 9 is amended to include a new section 9.22, which shall read as follows:

§ 9.22. PRESUMPTIONS.

In any matter charging a violation of any provision of this chapter or any other provision of the Code of Ordinances governing the stopping, standing or parking of a vehicle, proof that the particular vehicle described in the complaint was stopping, standing or parking in violation of this chapter or any other provision of the Code of Ordinances, together with proof that the defendant was at the time of the violation the registered owner of the vehicle, shall constitute in evidence prima facie presumption that the registered owner of the vehicle was the person who parked or placed such a vehicle at the point where and for the time during which the violation occurred. It shall be no defense that the vehicle was parked illegally by another, unless proof is presented that the vehicle had been stolen and had not been returned to the registered owner by

the date of the violation. This section shall not apply to registered owners transferring vehicle ownership prior to the date of the violation.

SECTION 4. Effective Date. This Ordinance becomes effective from and after its passage.

PASSED AND ADOPTED by the City Council of the City of Redwood Falls, Minnesota this 4th day of January, 2021.

ATTEST:

Keith Muetzel
City Administrator

Tom Quackenbush
Mayor

(City Seal)

Subscribed and sworn to before me this
4th day of January 2021.

Notary Public

Introduction: 12/15/2020
Posting: 12/23/2020
Adopted:
Approval Published: