

PUBLISHED JANUARY 15, 2014

OFFICIAL PROCEEDINGS

Excerpt from the minutes of the Duluth City Council meeting held on Monday, January 13, 2014, at 7:00 p.m. in the Council Chamber, City Hall, Duluth, Minnesota.

ORDINANCE NO. 10273

AN ORDINANCE AMENDING TERMS FOR ISSUANCE OF YEARLY STREET OBSTRUCTION PERMITS, AMENDING SECTION 45-18.1 OF THE DULUTH CITY CODE, 1959, AS AMENDED.

The city of Duluth does ordain:

Section 1. That Section 45-18.1 of the Duluth City Code, 1959, as amended, is hereby amended to read as follows:

Sec. 45-18.1. Yearly permit for certain types of vehicular obstructions.

(a) Notwithstanding any provision in this Article to the contrary, the city engineer may issue yearly vehicular obstruction permits allowing vehicles for which such permits have been issued to obstruct street, alleys or sidewalks subject to the restrictions set forth herein. Such permit shall authorize such obstructions only when the city engineer determines that such obstruction is reasonably necessary to allow the permit holder to construct, repair, improve or demolish a building or structure immediately adjacent to the affected street, alley or sidewalk. The fee for such permit shall be set in accordance with Section 31-6(a) of this Code. No such permit shall be issued unless the applicant has first filed a bond and insurance required by Section 45-19 in this Article. Such permit shall authorize a vehicle displaying such permit to obstruct streets, alleys or sidewalks where such obstruction meets the following criteria:

(1) No obstruction shall last longer than eight hours, and the permittee shall not obstruct that area or the surrounding 100 feet for at least five days thereafter;

(2) No part of any street or alley shall be obstructed unless one unobstructed lane of traffic at least 12 feet wide is maintained in each direction, and, in the case of sidewalks, at least a five foot width of sidewalk or boulevard shall remain unobstructed for pedestrian passage;

(3) No excavations shall be involved;

(4) The area obstructed shall not exceed 350 square feet, at any location;

(5) No mobile machinery shall be moved onto an obstructed sidewalk;

(6) Only equipment and mobile machinery needed for maintenance purposes may be placed in a street or alley;

(7) All street and alley obstructions must be signed and/or protected by traffic control devices as set forth in the Minnesota manual on uniform traffic control devices and its appendices;

(8) Such permit shall not be valid to permit obstruction of any street, alley or sidewalk within 50 feet of any property owned or controlled by the permit holder or any entity legally related to the permit holder;

(9) The city engineer may impose any other conditions on the permit deemed necessary to protect public safety, including a requirement that the city be notified of street obstructions;

(b) In addition to the permit authorized by this Section, the holder of such permit shall be required to take out permits pursuant to this Article for any obstruction or excavation not meeting the criteria set forth in Subdivision (a) of this Section;

(c) The holder of a permit issued under this Section shall post such permit or a copy thereof on each vehicle using said permit to authorize any applicable obstruction.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.
(Effective date: February 14, 2014)

Councilor Julsrud moved passage of the ordinance and the same was adopted upon the following vote:

Yeas: Councilors Boyle, Filipovich, Fosle, Gardner, Hanson, Julsrud, Larson, Russ and President Krug -- 9

Nays: None -- 0

ATTEST:
JEFFREY J. COX, City Clerk

Passed January 13, 2014
Approved January 13, 2014
DON NESS, Mayor