

SUB-ANALYSIS

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CHAPTER 7

STREETS AND SIDEWALKS GENERALLY

**(THIS CHAPTER CONTAINS PROVISIONS AS TO SCOPE
AND APPLICATION RELATING TO CHAPTERS 7, 8
AND 9 AS WELL AS THIS CHAPTER.)**

SECTION 7.01. TRAFFIC AND PARKING CONTROL.

Subd. 1. Council Action. No device, sign or signal shall be erected or maintained for traffic or parking control unless the Council shall first have approved and directed the same, except as otherwise provided in this Section, provided, that when traffic and parking control is marked or sign-posted, such marking or sign-posting shall attest to Council action thereon.

Subd. 2. Temporarily or Experimentally Restricting or Directing Traffic and Parking, Curb Painting.

A. When clearly marked or sign-posted, traffic and parking may be temporarily restricted for any public or private purpose. The Chief of Police is hereby authorized to temporarily restrict traffic and parking in accordance herewith.

B. Restricted or prohibited use of parking and traffic lanes may be designated by painting the same upon streets and curbs. Such work shall be done under the direction of the Chief of Police, as authorized by the Council, and in compliance with provisions of Chapters 7, 8 and 9.

C. It is unlawful to use traffic or parking lanes contrary to sign-posting or marking authorized and described in this Section.

SEC. 7.02. SCOPE AND ORDERS OF A PEACE OFFICER.

Subd. 1. Scope. The provisions of Chapters 7, 8 and 9 relate exclusively to the streets, alleys and private roads in the City, and the operation and parking of vehicles refer exclusively to the operation and parking of vehicles upon such streets, alleys and private roads.

Subd. 2. Orders of a Peace Officer. It is a misdemeanor for any person to willfully fail or refuse to comply with any lawful order or direction of any peace officer invested by law with authority to direct, control or regulate traffic.

SEC. 7.03. APPLICATION.

Subd. 1. The provisions of Chapters 1, 8 and 9 applicable to the drivers of vehicles upon the streets shall apply to the drivers of all vehicles including, but not limited to; those owned or operated by the United States, this State, or any county, city, town, district or any other political subdivision of the State, subject to such specific exemptions as set forth in Chapters 7, 8 and 9 with reference to authorized emergency vehicles.

Subd. 2. Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a roadway shall be subject to the provisions of Chapters 7, 8 and 9 applicable to the driver of a vehicle, except those provisions which by their nature can have no application. Provisions specifically referring to bicycles shall be in addition to other provisions of these Chapters applying to vehicles.

SEC. 7.04. ICE AND SNOW ON PUBLIC SIDEWALKS.

Subd. 1. Ice and Snow a Nuisance. All snow and ice remaining upon public sidewalks is hereby declared to constitute a public nuisance and shall be abated by the owner or tenant of the abutting private property within twelve (12) hours after such snow or ice has ceased to be deposited.

Subd. 2. City to Remove Snow and Ice. The City may cause to be removed from all public sidewalks, beginning twenty-four (24) hours after snow or ice has ceased to fall, all snow and ice which may be discovered thereon, and it shall keep a record of the cost of such removal and the private property adjacent to which such accumulations were found and removed.

Subd. 3. Cost of Removal to be Assessed. The City Clerk-Treasurer shall, upon direction of the Council, and on receipt of the information provided for in the preceding Subdivision, extend the cost of such removal of snow or ice as a special assessment against the lots or parcels of ground abutting on walks which were cleared, and such special assessment shall at the time of certifying taxes to the County Auditor be certified for collection as other special assessments are certified and collected.

Subd. 4. Civil Suit for Cost of Removal. The City Clerk-Treasurer shall, in the alternative, upon direction of the Council, bring suit in a court of competent jurisdiction to recover from the persons owning land adjacent to which sidewalks were cleared, as provided in Subdivision 2 hereof, the cost of such clearing and the cost and disbursements of a civil action there for.

Subd. 5. City Clerk-Treasurer to Report Sidewalks Cleared. The City Clerk-Treasurer shall present to the Council at a meeting after snow or ice has been cleared from the sidewalks as provided in Subdivision 2 hereof the report of the City thereon, and shall request the Council to determine by resolution the manner of collection to be used as provided in Subdivisions 3 or 4 of this Section.

Source: City Code
Effective Date: 9-1-75

Subd. 6. Placing Snow or Ice in Public Street or on Other City Property.

A. It is unlawful for any person, not acting under a specific contract with the City, to:

1. Remove snow from private property or alleys and place the same on a public street in such quantity or in such manner as to cause a hazard to travel without adequate arrangements for the immediate removal thereof;

2. Deposit snow on other City property except as may be designated by the Street Department from time to time.

B. Within the C-2 General Commercial District, as defined in City Code, Chapter 11, it shall not be a violation of this Section to clear snow from pedestrian pathways in a timely manner for removal by the City in the ordinary course of clearing City streets.

Source: Ordinance No. 215, 2nd Series
Effective Date: 6-29-94

SEC. 7.05. REGULATION OF GRASS, WEEDS AND TREES IN STREETS.

Subd. 1. City to Control Tree Planting (Standards.) The City shall have control and supervision of planting shrubs and trees upon, or overhanging, all streets or other public property. The City may establish and enforce uniform standards relating to the species and types of trees to be planted, placement and the maintenance and removal thereof. Such standards shall be kept on file in the office of the City Clerk-Treasurer and may be revised from time to time by action of the Council upon the recommendation of the City Clerk-Treasurer.

Subd. 2. Permit to Plant or Remove Trees. It is a misdemeanor for any person to plant or remove any tree upon or overhanging streets, without first procuring from the City a permit in writing to do so.

Subd. 3. Duty of Property Owners to Cut Grass and Weeds and Maintain Trees and Shrubs. Every owner of property abutting on any street shall cause the grass and weeds to be cut from the line of such property nearest to such street to the center of such street. If the grass or weeds in such place attain a height in excess of 6 inches it shall be prima facie evidence of a failure to comply with this Subdivision. Every owner of property abutting on any street shall, subject to the provisions herein requiring a permit therefor, trim, cut, remove, and otherwise maintain all trees and shrubs in unhazardous and healthy condition, from the line of such property nearest to such street to the center thereof.

Subd. 4. City May Order Work Done. The City may in cases of failure to comply with this Section, perform such work with employees of the City, keeping an accurate account of the cost thereof for each lot, piece or parcel of land abutting upon such street.

Subd. 5. Assessment. If maintenance work described in the foregoing Subdivision is performed by the City, the City Clerk-Treasurer shall forthwith upon completion thereof ascertain the cost attributable to each lot, piece or parcel of abutting land. The City Clerk-Treasurer shall, at the next regular meeting thereof, present such certificate to the Council and obtain its approval thereof. When such certificate has been approved it shall be extended as to the cost therein stated as a special assessment against such abutting land and such special assessment shall, at the time of certifying taxes to the County Auditor, be certified for collection as other special assessments are certified and collected.

Source: Ordinance No. 6, 2nd Series
Effective Date: 3-12-76

SEC. 7.06. CONSTRUCTION AND RECONSTRUCTION OF ROADWAY SURFACING, SIDEWALK AND CURB AND GUTTER.

Subd. 1. Methods of Procedure.

A. Abutting or affected property owners may contract for, construct or reconstruct roadway surfacing, sidewalk or curb and gutter in accordance with this Section if advance payment is made therefor or arrangements for payment considered adequate by the City are completed in advance.

B. With or without petition by the methods set forth in the Local Improvement Code of Minnesota Statutes, presently beginning with Section 429.011, as the same may from time to time be amended.

Subd. 2. Permit Required. It is a misdemeanor to construct a sidewalk, curb and gutter, driveway, or roadway surfacing in any street or other public property in the City without a permit in writing from the Building Inspector. Application for such permit shall be made on forms approved and provided by the City and shall sufficiently describe the contemplated improvements, the contemplated date of beginning of work, and the length of time required to complete the same, provided, that no permit shall be required for any such improvement ordered installed by the Council. All applications shall be referred by the Building Inspector to the Engineering Department and no permit shall be issued until approval has been received from such Department. All such applications shall contain an agreement by the applicant to be bound by this Chapter and plans and specifications consistent with the provisions of this Chapter and good engineering practices shall also accompany the application. A permit from the City shall not relieve the holder from damages to the person or property of another caused by such work.

Subd. 3. Specifications and Standards. All construction and reconstruction of roadway surfacing, sidewalk and curb and gutter improvements, including curb cuts, shall be strictly in accordance with specifications and standards on file in the Engineering Department and open to inspection and copying there. Such specifications and standards may be amended from time to time by the City, but shall be uniformly enforced.

Subd. 4. Inspection. The Building Inspector shall inspect such improvements as deemed necessary or advisable. Any work not done according to the applicable specifications and standards shall be removed and corrected at the expense of the permit holder. Any work done hereunder may be stopped by the Inspector if found to be unsatisfactory or not in accordance with the specifications and standards, but this shall not place a continuing burden upon the City to inspect or supervise such work.

Source: City Code
Effective Date: 9-1-75

SEC. 7.07. STREET OPENINGS OR EXCAVATION. It is a misdemeanor for any person, except a City employee acting within the course and scope of his/her employment or a contractor acting within the course and scope of a contract with the City, to make any excavation, opening or tunnel in, over, across or upon a street or other public property without first having obtained a written permit from the City Engineer as herein provided. As used in this Section, the term City shall not include the Public Utilities Commission of the City of Hibbing.

Source: Ordinance No. 15, 2nd Series
Effective Date: 8-24-76

Subd. 1. Application. Application for a permit to make a street excavation shall describe with reasonable particularity the name and address of the applicant, the place, purpose and size of the excavation, and such other information as may be necessary or desirable to facilitate the investigation hereinafter provided for, and shall be filed with the City Engineer.

Subd. 2. Investigation and Payment of Estimated Costs. Upon receipt of such application the City Engineer shall cause such investigation to be made as he/she may deem necessary to determine estimated cost of repair, such as back-filling, compacting, resurfacing and replacement, and the conditions as to the time of commencement of work, manner of procedure and time limitation upon such excavation. The foregoing estimated costs shall include permanent and temporary repairs due to weather or other conditions, and the cost of such investigation shall be included in such estimate.

Source: City Code
Effective Date: 9-1-75

Subd. 3. Issuance of Permit. The City Engineer shall issue such permit after (1) completion of such investigation, (2) payment by the applicant in advance of all estimated costs as aforesaid, unless applicant shall have furnished the City with an annual payment bond as provided in Subparagraph A, below, (3) agreement by the applicant to the conditions of time and manner as aforesaid, and, (4) agreement in writing by the applicant to pay all actual costs of repairs over and above such estimate, including all costs of such investigation. Provided, however, that no such advance payment, annual payment and performance bond or agreement in writing to pay all actual costs of repairs over and above such estimate including costs of such investigation shall be required from either the Public Utilities Commission of the City of Hibbing, Independent School District No. 701, St. Louis County or the State of Minnesota.

A. Annual Payment Bond. In lieu of payment by the applicant as provided in this Subdivision, applicant may furnish an annual payment and performance bond which shall be the greater of (1) \$10,000.00 or (2) the amount of all investigation and estimated costs computed pursuant to Subdivision 2 for all such work to be made by applicant within the twelve month period commencing with the date of the payment and performance bond. All such bonds are subject to the prior approval of the City Attorney.

Source: Ordinance No. 15, 2nd Series
Effective Date: 8-24-76

Subd. 4. Repairs. All temporary and permanent repairs, including back-filling, compacting and resurfacing shall be made, or contracted for, by the City in a manner prescribed by the City Engineer, and an accurate account of costs thereof shall be kept.

Source: City Code

Effective Date: 9-1-75

Subd. 5. Cost Adjustment. If applicant shall have made an advance payment of all estimated costs pursuant to Subdivision 3 of this Section within sixty (60) days following completion of such permanent repairs, the City Engineer shall determine actual costs of repairs, including cost of investigation, and prepare and furnish to such permit holder an itemized statement thereof and claim additional payment from, or make refund to, the permit holder, as the case may be. Such payment made within sixty (60) days following completion of permanent repairs shall be without interest.

Source: Ordinance No. 15, 2nd Series

Effective Date: 8-24-76

Subd. 6. Alternate Method of Charging. In lieu of the above provisions relating to cost and cost adjustment for street openings, the City may charge on the basis of surface square feet removed, excavated cubic feet, or a combination of surface square feet and excavated cubic feet, on an established unit price uniformly charged. In lieu of the above provisions relating to the cost or investigation, the City may establish an investigation fee for each excavation, provided that the same shall be uniformly enforced, and further providing that an investigation fee of a larger sum may be established for non-business hours.

Subd. 7. Unlawful Act. It is a misdemeanor for any person to make a false statement in an application for a permit.

Source: City Code

Effective Date: 9-1-75

SEC. 7.08. VACATION OF STREETS.

Subd. 1. No public grounds or streets shall be vacated except upon the Council's own motion or upon the petition directed to the Council of a majority of the owners of property on the line of such public grounds or streets residing within the City, and completion of the procedure hereinafter specified. Such petition shall set forth the reasons for such desired vacation, accompanied by a plat of such public grounds or streets proposed to be vacated, a check for the vacation fee of \$107.00, and such petition shall be verified by the oath of a majority of the petitioners residing within the City.

Source: Ordinance No. 282, 2nd Series

Effective Date: 04-03-2003

Subd. 2. If, in the discretion of the Council, it is expedient that the matter be proceeded with, it may order the petition filed for record with the City Clerk-Treasurer, order a hearing on such petition and fix the time and place of such hearing.

Subd. 3. The City Clerk-Treasurer shall give notice of such hearing by publication once at least fifteen (15) days in advance of such hearing, and by mail to the last known address of all of the owners of property on the line of such public grounds or streets proposed to be vacated at least ten (10) days in advance of such hearing, such last known addresses to be obtained from the office of the County Auditor. Such notice shall in brief state the object of such hearing, the time, place and purpose thereof, and the fact that the Council, or a Board or Commission designated by them shall hear the testimony and examine the evidence of the parties interested.

Subd. 4. The Council, after hearing the same, or upon the report of such Board or Commission designated to hold such hearings, may by resolution passed by unanimous vote of all members, declare such public grounds or streets vacated, or deny such petition. The resolution, if granting the petition, shall be certified by the City Clerk-Treasurer and shall be filed for record and duly recorded in the office of the Register of Deeds in and for St. Louis County, Minnesota.

SEC. 7.09. OBSTRUCTIONS, FIRE, DUMPING, SIGNS AND OTHER STRUCTURES.

Subd. 1. Obstructions. It is a misdemeanor for any person to place, deposit, display or offer for sale, any fence, goods or other obstructions upon any street or other public property without first having obtained a written permit from the Council, and then only in compliance in all respects with the terms and conditions of such permit, and taking precautionary measures for the protection of the public.

Subd. 2. Fires. It is a misdemeanor for any person to build or maintain a fire upon a roadway.

Subd. 3. Dumping in Streets. It is a misdemeanor for any person to throw or deposit in any street or any other public place any nails, dirt, glass, tin cans, metal scraps, garbage, leaves, grass or tree limbs, shreds or rubbish, or to employ any water containing salt or other injurious chemical thereon. It is a violation of this Section to haul any soil or material, not adequately enclosed or covered, thereby permitting the same to fall upon the streets.

Subd. 4. Signs and Other Structures. It is a misdemeanor for any person to place or maintain a sign or other structure in the traveled or untraveled portion of any street or other public property without first having obtained a written permit from the Council. In a district zoned for commercial or industrial enterprises special permission allowing an applicant to erect and maintain signs overhanging the street may be granted upon such terms and conditions as may be set forth in the zoning or construction provisions of the City Code.

Source: City Code
Effective Date: 9-1-75

SEC. 7.10. LIMITING TIME OF RAILWAY-STREET CROSSING OBSTRUCTION. It is unlawful for any person operating or in charge of a railroad train, car, engine, or other railroad equipment, or combination of such equipment, to permit the same to be parked or left standing upon any street crossing so as to close such crossing to vehicular traffic for a longer period than ten (10) minutes.

SEC. 7.11. BICYCLE REGISTRATION. In order to use the streets and sidewalks, the owner of any bicycle shall be required to register such bicycle with the State of Minnesota.

Source: Ordinance No. 101, 2nd Series
Effective Date: 10-30-82

SEC. 7.12. SCHOOL PATROL.

Subd. 1. Appointment. The Council is hereby authorized to appoint upon recommendation of the Superintendent of the School District or the Principal of each school, persons from and among the students attending various schools in the City to serve without compensation as school patrol officers.

Subd. 2. Powers and Duties. School patrol officers appointed under authority of this Section shall have the same powers as any police officer to regulate traffic in the vicinity of the school from which they are chosen. Their duties shall extend to regulating such traffic at intersections near such school for the prevention of injury to school children and other pedestrian traffic.

SEC. 7.13. REQUIREMENT OF SEWER AND WATER MAIN SERVICE LATERAL INSTALLATION.

Subd. 1. Requirement of Sewer and Water Laterals. No petition for the improvement of a street shall be considered by the Council if such petition contemplates constructing therein any part of a pavement or stabilized base, or curb and gutter, unless all sewer

and water main installations shall have been made therein, including the installation of service laterals to the curb, if the area along such street will be served by such utilities installed in the street.

Subd. 2. Sewer System Service and Water Main Service Laterals. No sewer system shall be hereafter constructed or extended unless service laterals to platted lots and frontage facing thereon shall be extended simultaneously with construction of mains.

Subd. 3. Waiver. The Council may waive the requirements of this Section only if it finds the effects thereof are burdensome and upon such notice and hearing as the Council may deem necessary or proper.

SEC. 7.14. LOAD LIMITS. The City Clerk-Treasurer, upon the recommendation of the Engineering Department, may from time to time impose upon vehicular traffic on any part or all of the streets such load limits as may be necessary or desirable. Such limits, and the specific extent or weight to which loads are limited, shall be clearly and legibly sign-posted thereon. It is unlawful for any person to operate a vehicle on any street in violation of the limitation so posted.

SEC. 7.15. PRIVATE USE OF PUBLIC STREETS AND PARKING LOTS.

Subd. 1. Authority, Permission and Procedure. Upon an application duly made to the City Clerk-Treasurer and reviewed and recommended by the Chief of Police, the Council may in its discretion, grant special permission whereby on-street parking or the use of City-owned parking lots or ramps or public sidewalks may be temporarily or permanently prohibited or restricted for private reasons and purposes (including, but not limited to, establishment of private or "leased" parking, "loading zones", or display of merchandise on sidewalks) at such places, on such terms and for such compensation as the Council may deem just and equitable. In establishing the amount of such compensation to be paid to the City, the Council shall consider the amount of space, location thereof, loss of parking meter revenues, if any, public inconvenience, and hazards to persons or property. Upon complaint of any aggrieved person at any time and by reason of any specific special permission so granted, the Council shall at its next regular meeting after receipt of such complaint, call a hearing thereon to be held after ten (10) days' notice in writing to applicant, complainant, and such other persons as may appear to have interests therein. After such hearing the Council shall decide whether to terminate, continue or re-define the terms of such permission and such decision shall be final and binding on all persons directly or indirectly interested therein, except that the Council may, on its own motion, reconsider the same.

Subd. 2. Public Vehicles. Free and reserved on-street parking shall be limited to City-owned and operated vehicles.

Subd. 3. Forbidden Practices. It is unlawful for any person to park or otherwise infringe upon a grant of right under this Section, when clearly and distinctly marked or sign-posted. It is unlawful for any person not granted such right to assert the same, or for any grantee of such right to exceed the same under claim thereto.

Source: Ordinance No. , 2nd Series
Effective Date:

SEC. 7.16. SPECIAL EVENTS.

Subd. 1. Definition. The term "Special Event" refers to a social event which shall include, but not be limited to, a parade, public assembly, performance, meeting, contest, exhibit, concert, athletic competition or presentation, community event, block party, or ceremony, and which event is to be held:

A. wholly or partially on property owned or maintained by the City; or

B. on a street or sidewalk located within the city and will likely result in the obstruction of such streets or sidewalks or will likely compromise the ability of the City to respond to a public safety emergency; or

C. on any other property, but requires for its successful execution the provision and coordination of City services to a degree over and above that which the City routinely provides.

The definition of "Special Event" is not intended to include:

- an activity held solely on private property and which does not otherwise require, for its successful execution, the provision and coordination of City services to a degree equal to and/or over and above that which the City routinely provides.
- programmed activities provided or managed by the City, i.e. recreational and senior center programs.
- any event that would otherwise fall within the definition of a special event held in a city park but which involves fewer than 25 people.
- First Amendment activity on city streets or sidewalks (including those in parks) that will not likely result in the obstruction of city streets or sidewalks nor compromise the ability of the City to respond to a public safety emergency; or

- Permitting of sports fields, sports facilities, or park shelters, recreation or senior centers; or
- Funeral and wedding processions.

Source: Ordinance No. 386, 2nd Series
Effective Date: 05-05-2011

Subd. 2. Special Event Permit Required. It is unlawful to sponsor or participate in a special event for which no permit has been obtained from the City or to conduct such special event in a manner not in accordance with the granted permit.

Subd. 3. Special Event Street Vendors Permit Required. It is a misdemeanor for any person to place, deposit, display or offer for sale any goods upon a street or other public or private property during a special event without first obtaining a written permit from the City, and then to conduct such business only in compliance with the terms and conditions of such permit, taking precautionary measures for the protection of the public.

Subd. 4. Procedure and Granting. Permits shall be granted in compliance with policies established from time to time by resolution of the Council.

Source: Ordinance No. 215, 2nd Series
Effective Date: 6-29-94

SEC. 7.17. REGULATION OF TREES, SHRUBS, FENCES, STRUCTURES OR OTHER OBSTRUCTIONS INCLUDING VISUAL OBSTRUCTIONS IN UTILITY AND DRAINAGE FACILITY EASEMENTS.

Subd. 1. The Council finds that the obstruction of utility and drainage facility easements by trees, shrubs, fences, structures, and other types of obstructions including visual obstructions prevents said easements from being used for their intended purposes and affects public health and public safety by preventing or impeding efficient and timely repairs and maintenance of utilities or drainage facilities and by obstructing visibility in and around said easements.

Subd. 2. Trees, shrubs, fences, structures and other obstructions. It is a misdemeanor for any person to have, keep or allow trees, shrubs, fences, structures and other obstructions including visual obstructions in utility and drainage facility easements in the City.

Subd. 3. Duty of Property Owners to Remove Trees, Shrubs, Fences, Structures and other Obstructions. Every owner of property whose property is subject to a utility or drainage facility easement shall cause to be removed any trees, shrubs, fences, structures or other obstructions including visual obstructions in any utility or drainage facility easement in the City.

Subd. 4. City May Order Work Done. The City may, in cases of failure to comply with this Section, perform such work with employees of the City, its agents, employees of the Hibbing Public Utilities Commission, and its agents, keeping an accurate account of the case thereof for each lot, piece or parcel of land abutting upon such utility or drainage facility easement.

Subd. 5. Assessment. If work described in the foregoing Subdivision is performed by the City or the Hibbing Public Utilities Commission, the City Clerk-Treasurer shall forthwith upon completion thereof ascertain the cost attributable to each lot, piece or parcel of abutting land. The City Clerk-Treasurer shall, at the next regular meeting thereof, present such certificate to the Council and obtain its approval thereof. When such certificate has been approved it shall be extended as to the cost therein stated as a special assessment against such abutting land and such special assessment shall, at the time of certifying taxes to the County Auditor, be certified for collection as other special assessments are certified and collected.

Source: Ordinance No. 280, 2nd Series
Effective Date: 01-12-2003

SEC. 7.18. SECONDARY HONORARY NAMES FOR STREETS.

Subd. 1. Basic criteria for consideration. The City Council may consider a petition to designate a secondary honorary name for an existing street or portion of existing street in the City upon such petition meeting the following basic criteria:

A. At least 70% of the number of owners of real property (as shown on the City Assessor's records) adjoining the street or portion of street proposed for such honorary naming shall have signed such petition; and,

B. The person whose name is proposed for such honorary naming shall have resided in the City of Hibbing at least five continuous or non-continuous years during their lifetime, during which time such person shall have preferably resided on the street in question; and,

(
C. Report attached to the Petition to include the following:

- (1) The historical significance of the person whose name is proposed to be the secondary honorary name for the street;
- (2) Such person's history of contributions to the City of Hibbing, County of St. Louis, State of Minnesota;
- (3) Such person's history of residence in the City, including duration and location of such residence; and,
- (4) History of the street, including its existing name.

Subd. 2. Upon the City Council receiving such petition, it may designate the petitioned secondary honorary name for the existing street.

Source: Ordinance No. 315, 2nd Series
Effective Date: 01-26-2005

(Sections 7.19 through 7.98, inclusive, reserved for future expansion.)

(Pages 292 through 299 reserved)

(Jun 25, 2005)

SEC. 7.99. VIOLATION A MISDEMEANOR OR PETTY MISDEMEANOR.

Every person violates a section, subdivision, paragraph or provision of this Chapter when he/she performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as follows:

Subd. 1. Where the specific section, subdivision, paragraph or provision specifically makes violation a misdemeanor, he/she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he/she shall be punished as for a misdemeanor; where he/she stands convicted of violation of any provision of this Chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, within the immediate preceding 12-month period for the third or subsequent time, he/she shall be punished as for a misdemeanor.

Subd. 2. As to any violation not constituting a misdemeanor under the provisions of Subdivision 1 hereof, he/she shall be punished as for a petty misdemeanor.

Source: City Code
Effective Date: 9-1-75