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MEMO

TO: Sunfish Lake Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney
DATE: March 28, 2019
**RE: Resolution Prohibiting The Parking Of Vehicles On Charlton Road In The
City Of Sunfish Lake; April 2, 2018 Council Meeting – Agenda Item 7(a)**

Section 1. Background. Charlton Road from CSAH 63 (Delaware Avenue) to Minnesota State Highway 62 (MN-62) in the City of Sunfish Lake is a Fire Apparatus Access Road under Chapter 5 of the Minnesota State Fire Code. The Council asked the Fire Chief to address the no parking issue and to consider designation of the road as a no parking – fire lane. Under Section 5.03.3 of the Minnesota State Fire Code, the “Fire Code Official” has the authority to designate the road as a fire lane. The State Fire Code defines the Fire Code Official as “the fire chief or other designated authority charged with the administration and enforcement of the code, or a duly authorized representative.

The Fire Chief (Fire Code Official) has determined that Charlton Road from CSAH 63 (Delaware Avenue) to Minnesota State Highway 62 (MN-62) in the City of Sunfish Lake shall be a no parking – fire lane road and zone and has so designated Charlton Road as a no parking – fire lane road and zone. This designation becomes effective October 1, 2019. See the attached memo from the Fire Chief. The memo contains the designation.

Section 2. Council Action. At the April 2, 2019 Council meeting, the Council is asked to adopt the attached Resolution Prohibiting the Parking of Vehicles on Charlton Road. The resolution confirms and ratifies the designation of Charlton Road as a fire lane and prescribes that appropriate signage shall be installed along Charlton Road that reads: NO PARKING – FIRE LANE. The resolution becomes effective October 1, 2019.

Attachments:

- Resolution Prohibiting the Parking of Vehicles on Charlton Road
- Memo from Fire Chief designating Charlton Road a NO PARKING – FIRE LANE

**CITY OF SUNFISH LAKE
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. _____

**A RESOLUTION PROHIBITING THE PARKING OF VEHICLES ON CHARLTON
ROAD IN THE CITY OF SUNFISH LAKE**

WHEREAS, the City of Sunfish Lake is a statutory City and a municipal corporation; and

WHEREAS, the City derives its police power to regulate City street parking from Minnesota Statutes, Section 412.221, Subd. 6, Section 169.04, Section 169.06, Subd. 3 and Section 169.34 (a)(14); and

WHEREAS, the City has the power to designate a road as a NO PARKING – FIRE LANE pursuant to the Minnesota State Fire Code.

WHEREAS, the City also derives its police power to prohibit parking from City Code Section 701.01, Subd. 1, which provides as follows:

Subd. 1. Powers of Council to Designate Permanent “No Parking” Zones or Limit Time of Parking. Pursuant to Minnesota Statutes 169.04, the City Council is authorized to designate certain streets or portions of streets as “No Parking” zones and to designate certain streets or portions of streets where the right to park is limited during specified hours. In establishing or changing permanent “No Parking” zones or parking restrictions, the City Council shall pass a resolution or ordinance at a meeting adequately describing and defining said “No Parking” zones or parking restrictions. No Person shall park a vehicle in a designated “No Parking” zone or park a vehicle in any limited parking zone for a longer period than so specified.

WHEREAS, the Fire Chief has designated Charlton Road from CSAH 63 (Delaware Avenue) to Minnesota State Highway 62 (MN-62) in the City of Sunfish Lake as a NO PARKING – FIRE LANE road pursuant to Section 503.3 of the Minnesota State Fire Code.

WHEREAS, for safety reasons and in light of the fact that Charlton Road has been designated as a NO PARKING – FIRE LANE, the City desires to prohibit parking of vehicles on Charlton Road from CSAH 63 (Delaware Avenue) to Minnesota State Highway 62 (MN-62) in the City of Sunfish Lake.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SUNFISH LAKE, MINNESOTA:

1. Parking of vehicles, including trailers, are hereby prohibited on Charlton Road from CSAH 63 (Delaware Avenue) to Minnesota State Highway 62 (MN-62) in the City of Sunfish Lake. No person shall park a vehicle, including trailers, on Charlton Road from CSAH 63 (Delaware Avenue) to Minnesota State Highway 62 (MN-62) in the City of Sunfish Lake.

2. Charlton Road from CSAH 63 (Delaware Avenue) to Minnesota State Highway 62 (MN-62) in the City of Sunfish Lake is hereby designated and confirmed as a NO PARKING – FIRE LANE road and as a NO PARKING – FIRE LANE zone. The City Council ratifies and approves the decision of the Fire Chief to designate Charlton Road from CSAH 63 (Delaware Avenue) to Minnesota State Highway 62 (MN-62) in the City of Sunfish Lake as a NO PARKING – FIRE LANE road and zone.
3. The term “vehicle” shall have the same meaning as contained in Minnesota Statute Section 169.011, Subd. 92.
4. The City shall install appropriate signage for the No Parking zone. The signage shall comply with Chapter 169 of the Minnesota Statutes. All signs upon placement shall be in full force and effect under the laws of the State of Minnesota, Chapter 169. The City engineer directed to install the appropriate signage. The signage shall state: NO PARKING – FIRE LANE and shall comply with Section 503.3 of the Minnesota State Fire Code.
5. This resolution shall become effective October 1, 2019.

Passed this 2nd day of April, 2019.

Dan O’Leary, Mayor

ATTEST:

Catherine Iago, City Clerk

MEMO

TO: Sunfish Lake Mayor and Councilmembers

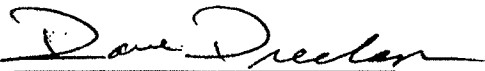
FROM: Dave Dreelan, Fire Chief and Fire Code Official

DATE: March 18, 2019

RE: Designation of Charlton Road as a NO PARKING – FIRE LANE road and zone

As acting Fire Chief for the City of Sunfish Lake and as acting Fire Code Official for the City of Sunfish Lake, I have determined that Charlton Road from CSAH 63 (Delaware Avenue) to Minnesota State Highway 62 (MN-62) in the City of Sunfish Lake shall be a NO PARKING – FIRE LANE road and zone. I hereby designate Charlton Road from CSAH 63 (Delaware Avenue) to Minnesota State Highway 62 (MN-62) in the City of Sunfish Lake as a NO PARKING – FIRE LANE road and zone.

This designation shall become effective October 1, 2019.

A handwritten signature in cursive script, appearing to read "Dave Dreelan", written in dark ink.

Dave Dreelan, Fire Chief