

Title 10**VEHICLES AND TRAFFIC****Chapters:**10.04 General Provisions10.08 Traffic-Control Devices10.12 Traffic Rules10.16 Parking10.20 Motorcycles, Bicycles, Roller Skates, Coaster Sleds and Toy Vehicles10.24 Weight Limits10.30 Portable storage**Chapter 10.04****GENERAL PROVISIONS****Sections:**

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10.04.010 Definitions.

For the purpose of this title the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“Authorized emergency vehicles” means vehicles of the police department, vehicles of the Commonwealth Attorney’s office when on official business, and ambulances on an authorized emergency run.

“Boulevard” means any legally designated street at which cross traffic is required to stop before entering or crossing such boulevard.

“Business district” means any portion of any street between two consecutive intersections in which fifty (50) percent or more of the frontage on either side of the street is used for business purposes.

“Crosswalk” means that portion of the roadway included within the extension of the sidewalk across any intersection, and such other portions of the roadway between two intersections, as may be legally designated as crossing places and marked by stanchions, paint lines, or otherwise.

“Curb” means the boundary of that portion of the street used for vehicles whether marked by curbstones or not.

“Intersection” means that part of the public way embraced within the extensions of the street lines of two or more streets which join at an angle whether or not one such street crosses the other.

“Official traffic-control devices” means all signs, signals, warnings, directions, markings, and devices placed or erected or maintained by authority of the city council.

“One-way street” means a street on which vehicles are permitted to move in one direction only.

“Operator” means every person who is in actual physical control of the guidance, starting, and stopping of a vehicle.

“Park” means, when applied to vehicles, to leave a vehicle standing, whether occupied or not, for a period of time longer than is necessary to receive or discharge passengers or property.

“Pedestrian” means any person afoot.

“Play street” means any street or portion thereof so designated by the city council and reserved as a play area for children, from which all traffic is barred, except vehicles to and from abutting properties.

“Police department” means the police department or other persons or agency authorized to perform the duties of Section 10.04.030 or any other acts necessary to implement and enforce this title.

“Public way” means the entire width between property lines of every way, dedicated passway, or street set aside for public travel, except bridle paths and foot paths.

“Reverse turn” means to turn a vehicle on any street in such a manner as to proceed in the opposite direction.

“Right-of-way” means the privilege of the immediate and preferential use of the street.

“Roadway” means that portion of any street, improved, designated, or ordinarily used for vehicular travel.

“Sidewalk” means that portion of the street between the curb and the property line intended for the use of pedestrians.

“Stopping” means, as applied to vehicles, to stop a vehicle longer than is actually necessary to receive or discharge passengers.

“Street” means every public way, including alleys.

“Traffic” means pedestrians, ridden or herded animals, vehicles, buses, and other conveyances, individually or collectively, while using any street for the purpose of travel.

“Vehicle” means every device in, on, or by which any person or property is or may be transported or drawn on any street except devices moved by human power or used exclusively on stationary rails or tracks. (CC § 70.01)

10.04.020 Obedience to traffic directions--Required.

A. It is unlawful for any person to fail or refuse to comply with any lawful order, signal, or direction given by a uniformed police officer, or to fail or refuse to comply with any of the traffic regulations of this title.

B. The provisions of this title shall apply to the driver of any vehicle owned or used in the service of the United States government, this state, county, or city, and it is unlawful for any such driver to violate any of the provisions of this title, except as otherwise permitted in this title or by state statute.

C. Every person propelling any pushcart or riding a bicycle or an animal on any roadway, and every person driving any animal on any roadway, and every person driving any animal-drawn vehicle shall be subject to the provisions of this title applicable to the driver of any vehicle, except those provisions of this title which by their very nature can have no application. (CC § 70.02)

10.04.030 Police department--Powers and duties.

It shall be the duty of the police department to direct all traffic in conformance with this title and to enforce the traffic regulations as set forth in this title, to make arrests for traffic violations, to investigate accidents, and to cooperate with other officers of the city in the administration of the traffic laws, and in developing ways and means to improve traffic conditions. (CC § 70.03)

10.04.040 Enforcement authority.

Authority to direct and enforce all traffic regulations of the city in accordance with the provisions of this title and to make arrests for traffic violations is given to the police department, and, except in case of emergency, it is unlawful for any other person to direct or attempt to direct traffic by voice, hand, whistle, or any other signal. (CC § 70.04)

10.04.050 Temporary regulations.

When required for the convenience and safety of the public and to alleviate unusual traffic problems, the city council or any authorized city official shall, at his/her discretion, have authority to impose such traffic regulations as he/she may deem necessary for temporary periods not to exceed two weeks. If these temporary regulations are necessary for a period longer than two weeks, the city clerk shall be notified in writing of the extended order. (CC § 70.05)

Chapter 10.08

TRAFFIC-CONTROL DEVICES

Sections:

- 10.08.010 Signal legends.
- 10.08.020 Traffic-control devices--Establishment and maintenance.
- 10.08.030 Signals--Obedience.
- 10.08.040 Signals--Interference.
- 10.08.050 Unauthorized signals or markings.
- 10.08.060 Device to be legible and in proper position.
- 10.08.070 Temporary disregard of devices by police officers.

10.08.010 Signal legends.

Whenever traffic is regulated or controlled exclusively by a traffic-control sign or signs exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights for purposes of traffic control, the following colors only shall be used, and these terms and lights shall indicate and be obeyed as follows:

A. Green Alone or "Go." Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. However, vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection at the time such signal is exhibited.

B. Steady Yellow Alone or "Caution" When Shown Following the Green or "Go" Signal. Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection. Vehicular traffic facing a steady yellow signal may enter and clear the intersection.

C. Red Alone or Double Red or "Stop." Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line, and shall remain standing until green or "Go" is shown alone.

D. Flashing Red Alone. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line, and shall not again proceed until it can do so without danger.

E. Flashing Amber Alone. Vehicular traffic facing the signal shall reduce its speed and proceed cautiously across the intersection controlled by such signal.

F. "Yield Right-of-Way." Vehicular traffic facing the "Yield Right-of-Way" sign shall bear the primary responsibility of safely entering the primary intersecting or merging right-of-way. All traffic facing the sign shall yield the right-of-way to all vehicles and pedestrians within such primary intersecting or merging right-of-way. No vehicle facing a "Yield Right-of-Way" sign shall enter the merging or intersecting right-of-way at a speed in excess of fifteen (15) miles per hour, except that this speed limit shall not apply to vehicles entering an expressway.

G. Lane Lights. When lane lights are installed over any street for the purpose of controlling the direction of flow of traffic, vehicular traffic shall move only in traffic lanes over which green arrows appear. However, when flashing amber lights appear above a lane all left turns shall be made from that lane. Where red arrows appear above such lanes, vehicles shall not move against them. If flashing amber lights show above a lane, that lane shall be used only for passing and for left turns unless a sign at such place prohibits such turn.

H. The operator of any vehicle traveling along any street intersecting another street, subject to control by a properly authorized stop sign, shall bring such vehicle to a complete stop and shall make no attempt to drive upon, into or across such streets protected by a stop sign, unless such vehicle can be driven without danger of collision with any other vehicles. (CC § 70.20)

10.08.020 Traffic-control devices--Establishment and maintenance.

A. The city council shall establish the character and location of all traffic-control devices including, but not limited to, stop signs, no parking signs, and electrical control devices. The city director of public works is

empowered to install and maintain such devices.

B. All traffic-control devices, including signs, shall be employed to indicate one particular warning or regulation, shall be uniform, and as far as possible shall be placed uniformly. All traffic-control devices and signs shall conform to required state specifications. (CC § 70.21)

10.08.030 Signals—Obedience.

A. It is unlawful for the driver of any vehicle to disobey the signal of any official traffic-control device placed in accordance with the provisions of this title or of a traffic barrier or sign erected by any of the public departments or public utilities of the city, or any electric signal, gate, or watchman at railroad crossings, unless otherwise directed by a police officer. However, the type and the right to or necessity for such barrier or sign must be approved by the city.

B. Such sign, signal, marking, or barrier shall have the same authority as the personal direction of a police officer. (CC § 70.22)

10.08.040 Signals—Interference.

No person shall without authority attempt to or in fact alter, deface, injure, knock down, or remove any official control device or any railroad sign or signal, or any inscription, shield, or insignia thereon, or any part thereof. (CC § 70.23)

10.08.050 Unauthorized signals or markings.

A. It is unlawful for any person to place, maintain, or display on or in view of any street any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic device or railroad sign or signal which attempts or purports to direct the movement of traffic, or which conceals or hides from view or interferes with the effectiveness of any official control device or any railroad sign or signal. No person shall place or maintain, nor shall any public authority permit on any street, any traffic sign or signal bearing any commercial advertising. Nothing in this section shall be construed as restricting any public department or public utility of the city in any emergency or temporarily from marking or erecting any traffic barrier or sign whose placing has been approved by the city.

B. Every such prohibited sign, signal, or marking is declared to be a public nuisance and the city is empowered forthwith to remove it or cause it to be removed. (CC § 70.24)

10.08.060 Device to be legible and in proper position.

No provision of this title for which signs or any other traffic-control device is required shall be enforceable against an alleged violator if at the time and place of the alleged violation the required device was not in proper position and sufficiently legible to be seen by an ordinarily observant person. (CC § 70.25)

10.08.070 Temporary disregard of devices by police officers.

In an emergency any police officer may at his/her discretion disregard traffic-control lights or signals or established regulations in order to facilitate the movement of traffic. (CC § 70.26)

Chapter 10.12

TRAFFIC RULES

Sections:

Article I. Generally

- 10.12.010 Obstructing traffic.
- 10.12.020 Reverse or u-turns.
- 10.12.030 Backing vehicles.
- 10.12.040 Vehicles crossing sidewalks.
- 10.12.050 Speed limit.
- 10.12.060 Required lights on vehicles.
- 10.12.070 Glaring lights.
- 10.12.080 Muffler required.
- 10.12.090 Proper license plates required.
- 10.12.100 Operator of vehicle to drive carefully.

- 10.12.110 Right-of-way of emergency vehicles--Following emergency vehicles--Driving over fire hose.
- 10.12.120 Smoke emission or other nuisance.
- 10.12.130 Unlawful use of horn, siren and the like.
- 10.12.140 Mechanical loudspeakers.
- 10.12.150 Retail vending from vehicles--Door-to-door solicitation.
- 10.12.160 Permitting unlawful operation.

Article II. Trucks

- 10.12.170 Trucks--Operation generally.
- 10.12.180 Prohibition of certain cargo--Exceptions.
- 10.12.190 Cargo to be covered.

Article III. Accidents

- 10.12.200 Duty of operator.
- 10.12.210 Accident report.

Article I. Generally

10.12.010 Obstructing traffic.

A. It is unlawful to operate any vehicle or permit it to remain standing in any street in such manner as to create an obstruction thereof.

B. It is unlawful for the operator of any vehicle to enter any intersection or crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding the indication of any traffic-control signal which may be located at the intersection or crosswalk.

C. Any intersection deemed by the city to be of special or critical importance to the movement of traffic shall be marked in a distinctive manner in order to indicate its importance. Should the operator of any vehicle enter any intersection so marked when there is insufficient room on the other side of the intersection to accommodate the vehicle, the indication of any traffic-control signal notwithstanding, he/she shall be deemed to have violated this subsection rather than subsection B of this section. (CC § 71.01)

10.12.020 Reverse or u-turns.

The operator of any vehicle shall not turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety without interfering with other traffic. (CC § 71.02)

10.12.030 Backing vehicles.

It is unlawful for the operator of any vehicle to back the vehicle at any intersection for the purpose of executing a turning movement. A vehicle from any parking position shall be backed by the operator in such manner as to proceed on the same side of the roadway in the lawful direction of travel. (CC § 71.03)

10.12.040 Vehicles crossing sidewalks.

A. It is unlawful for the operator of any vehicle to drive within any sidewalk space except at a permanent or temporary driveway or by special permit from the city council or any authorized city official.

B. It is unlawful for the operator of any vehicle to drive the vehicle out of any alley, driveway, building, or lot and across a sidewalk, or its extension across the alley, unless the vehicle has been brought to a complete stop immediately prior to crossing the sidewalk or its extension. On entering the roadway from the alley, driveway, or building the operator shall yield the right-of-way to all vehicles approaching on the roadway. The operator of any vehicle intending to cross a sidewalk and turn into an alley from the roadway may do so at low speed and with caution. (CC § 71.04)

10.12.050 Speed limit.

No operator of any vehicle upon any street of the city shall drive at a greater speed than is reasonable or prudent, having regard for the traffic, the use of the highways, and the prevailing conditions; providing, that the maximum rate of speed at any time shall be twenty-five (25) miles per hour. (CC § 71.05)

10.12.060 Required lights on vehicles.

A. During the period from one-half hour after sunset to one-half hour before sunrise, all two-wheel motor vehicles and bicycles shall display in front at least one headlight, and all other motor vehicles at least two headlights. All motor vehicles shall display in the rear at least one red light (tail light), and bicycles shall have an adequate and effective red reflector.

B. Violation of this section may be excused if the vehicle has the proper physical equipment but has suffered a light failure which has been corrected during the period between citation and trial, and the repair is exhibited. (CC § 71.06)

10.12.070 Glaring lights.

It is unlawful for the operator of any vehicle, driving the hours when lights are required, to operate such vehicle with the rays of its headlights projecting ahead on the high beam when other vehicles are approaching from the opposite direction within five hundred (500) feet, nor shall they follow any vehicle under the same provisions. (CC § 71.07)

10.12.080 Muffler required.

It is unlawful to operate any motor vehicle on any street, unless such motor vehicle is equipped with a sufficient and suitable muffler in good working condition, or when such muffler is cut-out or removed. No cut-out shall be so arranged or connected as to permit the operation or control thereof by the operator of any motor vehicle while operating such vehicle. (CC § 71.08)

10.12.090 Proper license plates required.

It is unlawful to operate any motor vehicle on any street without a license plate, or with any license plate that has expired, was issued for any other vehicle, or is improperly used in any manner. (CC § 71.09)

10.12.100 Operator of vehicle to drive carefully.

A. The operator of any vehicle upon a highway shall operate the vehicle in a careful manner, with regard for the safety and convenience of pedestrians and other vehicles upon the highway.

B. No person shall willfully operate any vehicle on any highway in such a manner as to injure the highway. (CC § 71.35)

10.12.110 Right-of-way of emergency vehicles--Following emergency vehicles--Driving over fire hose.

A. Upon the approach of an emergency vehicle equipped with, and operating, one or more flashing, rotating, or oscillating red or blue lights visible under normal conditions from a distance of five hundred (500) feet to the front of such vehicle; or when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way, immediately drive to a position parallel to, and as close as possible to, the edge or curb of the highway clear of any intersection, and stop and remain in such position until the emergency vehicle has passed, except when otherwise directed by a police officer or firefighter.

B. Upon the approach of any emergency vehicle operated in conformity with the provisions of subsection A of this section, the operator of every vehicle shall immediately stop clear of any intersection and shall keep such position until the emergency vehicle has passed, unless directed otherwise by a police officer or firefighter.

C. No operator of any vehicle, unless he is on official business, shall follow any emergency vehicle being operated in conformity with the provisions of subsection A of this section closer than five hundred (500) feet, nor shall he/she drive into, park the vehicle into, or park the vehicle within the block where the vehicle has stopped in answer to an emergency call or alarm, unless he/she is directed otherwise by a police officer or firefighter.

D. No vehicle, train, or other equipment shall be driven over any unprotected hose of a fire department when the hose is laid down on any street, private driveway, or track for use at any fire or fire alarm unless the fire department official in command consents that the hose be driven over. (CC § 71.36)

10.12.120 Smoke emission or other nuisance.

Every vehicle when on a highway shall be so equipped as to make a minimum of noise, smoke, or other nuisance, to protect the rights of other traffic, and to promote the public safety. (CC § 71.37)

10.12.130 Unlawful use of horn, siren and the like.

It is unlawful to sound any horn, siren, or similar instrument, except by proper public and emergency authorities, in such a manner as to constitute a nuisance thereby. The horn shall be used strictly as a warning

signal to vehicular and pedestrian traffic. (CC § 70.06)

10.12.140 Mechanical loudspeakers.

It is unlawful to use any mechanical loudspeaker or other device or amplifier or noise-maker on any moving or standing vehicle within the city for advertising or other purposes. (CC § 70.07)

10.12.150 Retail vending from vehicles--Door-to-door solicitation.

It is unlawful for any firm, person, or corporation to operate within the city limits any vehicle for the purpose of vending any product from such vehicle or solicit the sale of any product from door to door without a permit issued by the city council or their duly authorized representative on such conditions as they may determine. (CC § 70.08)

10.12.160 Permitting unlawful operation.

It is unlawful for the owner, or any other person employing or otherwise directing the operator of any motor vehicle, to require or knowingly permit the operation of such vehicle within the city in any manner contrary to this chapter, or any other regulations properly adopted by the city. (CC § 70.09)

Article II. Trucks

10.12.170 Trucks--Operation generally.

- A. No truck shall be operated on the streets of the city with a load in excess of the lawful limits.
- B. No vehicle shall be operated upon any street or public way of the city unless such vehicle is so constructed or equipped with covering material to prevent the contents from escaping.
- C. The owner and the operator of any truck have the same responsibility for compliance with this section. (WFC § 520.3)

10.12.180 Prohibition of certain cargo--Exceptions.

A. It is unlawful to operate or cause to be operated any freight-carrying truck or any vehicle containing such substances as earth, sand, gravel, rocks, construction material, scrap metal, junk, tree limbs, brush, garbage, refuse or any other like material on the streets of the city which does not have as its destination a residence located within the city, a public or private park area located within the city, or a permanent street division structure located within the city (such as a grass-covered "island" separating the flow of traffic on a street.)

B. It is unlawful to operate or cause to be operated on any street within the city any truck which would create a hazard to the health and safety of any person or animal located within the city, or which is hazardous to any property located in the city, including, but not limited to, the surface of any road or driveway, mailboxes, motorized vehicles, private yards and trees and other foliage, except to the extent that this subsection conflicts with subsection A of this section. (RO 92-3 (part))

10.12.190 Cargo to be covered.

A. It is unlawful to operate on any street within the city any vehicle containing such substances as earth, sand, gravel, rocks, construction material, scrap metal, tree limbs, brush, garbage, waste, refuse or any other like material likely to be scattered during operation unless the substances are covered with a tarpaulin or other covering in such a manner as to prevent them from being scattered.

B. Any such vehicle shall be so constructed and loaded as to prevent the scattering, sifting, leaking or dropping of such substances on the streets while it is operated thereon. (RO 92-3 (part))

Article III. Accidents

10.12.200 Duty of operator.

It shall be the duty of the owner of, operator of, or passenger in any motor vehicle which is involved in an accident in which any person is injured or property damaged to stop immediately and ascertain the extent of the injury or damage and render such assistance as may be needed. (CC § 71.20)

10.12.210 Accident report.

The operator, owner, or passenger involved in an accident resulting in the injury or death of any person, or an accident in which property is damaged, shall immediately report the accident or property damage to the police department. (CC § 71.21)

Chapter 10.16

PARKING

Sections:

Article I. Generally

- 10.16.010 Obstructional parking--Double parking.
- 10.16.020 Manner of parking.
- 10.16.030 Limitations of stopping and parking.
- 10.16.040 Restrictions and prohibitions on designated streets.
- 10.16.050 Parking restricted to allow street cleaning.
- 10.16.060 Parking time limited--Towing authorized.
- 10.16.070 Parking on parade route.
- 10.16.080 Parking on off-street facility.
- 10.16.090 Illegal parking--Owner responsibility.
- 10.16.100 Parking in parks.
- 10.16.110 Display of parked vehicle for sale.
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- 10.16.150 Prima facie proof of person in control.
- 10.16.160 Parking of recreational or commercial vehicles.

Article II. Impounding

- 10.16.170 Impoundment of vehicles authorized--Redemption.
- 10.16.180 Required notice to owner.
- 10.16.190 Sale of vehicle.

Article III. Snow Emergency

- 10.16.200 Announcement of snow emergency.
- 10.16.210 Termination of emergency.
- 10.16.220 Snow emergency routes.

Article I. Generally

10.16.010 Obstructional parking--Double parking.

A. It is unlawful for any person to leave any vehicle or any other thing that may be a nuisance, obstruction, or hindrance in or on any street, alley, or sidewalk within the city either during the day or night.

B. It is unlawful for any person to stop or park any vehicle on the roadway side of any other vehicle stopped or parked at the edge or curb of a street. (CC § 72.01)

10.16.020 Manner of parking.

A. It is unlawful for the operator of any vehicle to stop or park the vehicle in a manner other than with its right-hand side toward and parallel with the curb, except that where parking is permitted on the left side of a one-way street, the left-hand side shall be so parked, and except for commercial loading and unloading on one-way streets.

B. No vehicle shall be parked or left standing on any street unless its two right wheels are within six inches of and parallel with the curb, except that on one-way streets where parking is permitted on the left side the two left wheels are to be within six inches of and parallel with the curb.

C. No vehicle shall be backed to the curb on any street, except that wagons and trucks may do so when loading and unloading provided that such loading and unloading and delivery of property and material shall not

consume more than thirty (30) minutes. Such backing of trucks or wagons is prohibited at all times and on all streets in the city where any truck or wagon so backed interferes with the use of the roadway of moving vehicles or occupies road space within ten (10) feet of the center line of the street.

D. The city may establish diagonal parking at certain places, requiring the parking of vehicles at a certain angle to the curb and within a certain portion of the roadway adjacent thereto. However, diagonal parking shall not be established where the roadway space required therefor would be within ten (10) feet of the center line of any street. Such diagonal parking places shall be designated by suitable signs, and shall indicate by markings on the pavement the required angle and the width of the roadway space within which such vehicle shall park.

E. It is unlawful for the operator of any vehicle to so park such vehicle that any part thereof shall extend beyond the lines marking the side or the rear of the space assigned for one vehicle. (CC § 72.02)

10.16.030 Limitations of stopping and parking.

It is unlawful for the operator of any vehicle to stop or park such vehicle except in a case of real emergency or in compliance with the provisions of this traffic code or when directed by a police officer or traffic sign or signal at any time in the following places:

A. On the mainly-traveled portion of any roadway or on any other place in the roadway where vehicles stand in any manner other than as specified in Section 10.16.020;

B. On a sidewalk;

C. In front of sidewalk ramps provided for handicapped persons;

D. In front of a public or private driveway;

E. Within an intersection or crosswalk, or within thirty (30) feet thereof;

F. At any place where official signs prohibit stopping or parking. This does not apply to police officers when operating properly identified vehicles during the performance of their official duties;

G. Within thirty (30) feet of any flashing beacon, traffic sign, or traffic-control device;

H. At any place where the standing of a vehicle will reduce the usable width of the roadway for moving traffic to less than sixteen (16) feet;

I. On any public park, or traffic island, or upon the unpaved portion of any public right-of-way within the city;

J. No person shall move a vehicle not lawfully under his/her control into any such prohibited area. (CC § 72.03)

10.16.040 Restrictions and prohibitions on designated streets.

A. The provisions of this chapter prohibiting the stopping and parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control devices.

B. The provisions of this chapter imposing a time limit on parking shall not relieve any person from his/her duty to observe other and more restrictive provisions prohibiting or limiting the stopping or parking of vehicles in specific places or at specified times.

C. When signs are erected in compliance with the provisions of subsection F of this section giving notice thereof, no person shall park a vehicle at any time on any street so marked by official signs.

D. When a curb has been painted in compliance with the provisions of subsection F of this section, no person shall park a vehicle at any time at or adjacent to any curb so marked.

E. When signs are erected in compliance with the provisions of subsection F of this section, in each block giving notice thereof, no person shall park a vehicle between the hours specified by official signs on any day

except Sundays on any street so marked.

F. 1. The city shall determine on what streets or portions thereof stopping or parking shall be restricted or prohibited. Whenever under authority of or by this title or any other ordinance any parking limit is imposed or parking is prohibited on designated streets, or parking areas are restricted to handicapped parking, appropriate signs shall be erected giving notice thereof. However, in lieu of erecting such signs or in conjunction therewith, the face and top of a curb or curbs at or adjacent to which parking is prohibited at all times may be painted a solid yellow color;

2. No such regulations or restrictions shall be effective unless the signs have been erected and are in place or the curbs are painted yellow at the time of any alleged offense, except in the case of those parking restrictions which by their very nature would not require such signs and markings.

G. When signs are erected in compliance with subsection F of this section in each block giving notice thereof, no person shall park a vehicle for a time longer than specified on official signs any day except Sunday and on any street so marked. (CC § 72.04)

10.16.050 Parking restricted to allow street cleaning.

The city is authorized to designate street cleaning areas and shall provide suitable signs and markings on the street to be cleaned, restricting parking on that particular day. It is unlawful for the operator of any vehicle to stop on any street so designated. (CC § 72.05)

10.16.060 Parking time limited--Towing authorized.

A. It is unlawful for anyone to park in any one place any vehicle on any of the public ways or streets of the city for a period of twenty-four (24) hours or longer. Any vehicle left parked in any one place on any of the public ways or streets of the city for a period of twenty-four (24) hours or longer shall be deemed abandoned, and shall be subject to all existing regulations of the city pertaining to abandoned motor vehicles.

B. No person shall park any vehicle on any street within the city for more than ten minutes between the hours of 2:00 AM and 5:00 AM.

10.16.070 Parking on parade route.

A. The city council or any authorized city official shall have the authority, whenever in his/her judgment it is necessary, to prohibit or restrict the parking of vehicles along a street or part thereof constituting a part of the route of a parade or procession, to erect temporary traffic signs to that effect, and to prohibit and prevent such parking.

B. It is unlawful to park or leave unattended any vehicle in violation of such signs or directions. (CC § 72.07)

10.16.080 Parking on off-street facility.

A. It is unlawful for the driver of a motor vehicle to park or abandon the vehicle or drive on or otherwise trespass on another's property, or on an area developed as an off-street parking facility, without the consent of the owner, lessee, or person in charge of such property or facility.

B. If at any time a vehicle is parked, abandoned, or otherwise trespass in violation of subsection A of this section, the owner, lessee, or person in charge of the property or facility may have the unauthorized motor vehicle removed in accordance with the provisions of this title.

C. Every property owner or operator of an off-street parking facility shall post signs stating thereon that the property or parking lot or facility is privately owned and that unauthorized vehicles will be removed at the owner's expense before exercising the authority granted in subsection B of this section. (CC § 72.08)

10.16.090 Illegal parking--Owner responsibility.

The fact that any motor vehicle which is illegally parked is registered in the name of a person, firm or corporation shall be considered prima facie proof that such person, firm or corporation was in control of the vehicle at the time of such parking. (CC § 72.09)

10.16.100 Parking in parks.

It is unlawful for any person to park any motor vehicle in or on any section of any public park, playground, play lot, or tot lot within the city not designed as a parking area or designed and regularly maintained as a

roadway. However, nothing contained in this section shall be construed as prohibiting the parking of a motor vehicle parallel to a designated and regularly maintained roadway in any such park or playground where at least two wheels of the motor vehicle are resting on such roadway. (CC § 72.10)

10.16.110 Display of parked vehicle for sale.

It is unlawful to park a motor vehicle displayed for sale or a motor vehicle on which demonstrations are being made on any street. (CC § 72.11)

10.16.120 Parking with handicapped permits.

A. Any other provision to the contrary notwithstanding, a motor vehicle bearing a decal in its front windshield issued by the county clerk pursuant to appropriate county ordinances for handicapped persons, when operated by a handicapped person or when transporting a handicapped person, may be parked in a designated handicapped parking place, or when parked in a metered parking space may be parked for two hours for no fee, or when parked where any parking limit is imposed may be parked for two hours in excess of the parking limit. The motor vehicle may be parked in a loading zone for that period of time necessary to permit entrance or exit of the handicapped person to or from the parked vehicle, but in no circumstances longer than thirty (30) minutes.

B. This section shall not permit parking in a "no stopping" or "no parking" zone nor where parking is prohibited for the purpose of creating a fire lane or to accommodate heavy traffic during morning, afternoon, or evening hours, nor permit a motor vehicle to be parked in such a manner as to constitute a traffic hazard. (CC § 72.12)

10.16.130 Parking on private property.

It is unlawful to park any motor vehicle on any private property without the consent of the owner of the property. (CC § 72.13)

10.16.140 Parking on unpaved areas.

No motor vehicle shall be parked on any unpaved area of any lot within the city. (CC § 151.056)

10.16.150 Prima facie proof of person in control.

The fact that any motor vehicle which is illegally parked is registered in the name of a person, firm, or corporation shall be considered prima facie proof that such person, firm, or corporation was in control of the motor vehicle at the time of such parking. (CC § 72.14)

10.16.160 Parking of recreational or commercial vehicles.

A. **Scope.** All persons, including individuals, firms, and corporations owning or controlling property in the city, shall be subject to the requirements of this chapter, and shall conform to its provisions and be subject to the penalties imposed by it.

B. Definitions.

"Commercial vehicle" means any truck with a manufacturer's rating of one and one-quarter tons or over, or any truck or trailer of any size used primarily for business, or any other vehicle containing readily visible tools, business equipment or supplies.

"Owner" means the holder of any interest of record in the subject property.

"Recreational vehicle" means any and all boats, trailers, campers, motor homes, or similar types of recreational vehicles, but shall not include passenger vans which do not have more than four single-tired wheels.

C. Parking Restrictions.

1. No owner shall park a recreational vehicle or a commercial vehicle on any street within the city;
2. No owner shall park or leave, nor allow any other person to park or leave, a recreational vehicle or a commercial vehicle on the owner's property or any other property within the city, unless the recreational vehicle or the commercial vehicle is inside a garage or other structure permitted by city ordinance. (Ord. 116-95 § 1: CC § 72.15)

Article II. Impounding

10.16.170 Impoundment of vehicles authorized--Redemption.

A. All police officers are empowered to authorize the impoundment of a vehicle violating vehicle-related ordinances after a citation has been issued.

B. A vehicle slated for impoundment will be tagged and placed under control of the police department. Should a vehicle be moved without the consent and approval of the police department a warrant shall be issued immediately for the violator's arrest.

C. All fines, fees, and charges must be paid in full before a release of impoundment can be issued for the vehicle's release. (CC § 72.25)

10.16.180 Required notice to owner.

A. When a motor vehicle has been involuntarily towed or transported pursuant to order of police, other public authority, or private person or business for any reason or when the vehicle has been stolen or misappropriated and its removal from the public ways has been ordered by police, other public authority, or by private person or business, or in any other situation where a motor vehicle has been involuntarily towed or transported by order of police, other authority, or by private person or business, the police, other authority, or private person or business shall attempt to ascertain from the State Transportation Cabinet the identity of the registered owner of the motor vehicle or lessor of a motor carrier as defined in KRS Chapter 281 and within ten (10) business days of the removal shall, by certified mail, attempt to notify the registered owner at the address of record of the make, model, license number, and vehicle identification number of the vehicle, of the location of the vehicle, and of the requirements for securing the release of the motor vehicle.

B. If a vehicle described in subsection A of this section is placed in a garage or other storage facility, the owner of the facility shall attempt to provide the notice provided in subsection A of this section by certified mail to the registered owner at the address of record of the motor vehicle or lessor of a motor carrier as defined in KRS Chapter 281 within ten (10) business days of recovery of, or taking possession of the motor vehicle. This notice shall contain the information as to the make, model, license number, and vehicle identification number of the vehicle, the location of the vehicle, and the amount of reasonable charges due on the vehicle. When the owner of the facility fails to provide notice as provided herein, the motor vehicle storage facility shall forfeit all storage fees accrued after ten (10) business days from the date of tow. This subsection shall not apply to a tow lot or storage facility owned or operated by the city. (CC § 72.26)

10.16.190 Sale of vehicle.

Any person engaged in the business of storing or towing motor vehicles in either a private capacity or for the city who has substantially complied with the requirements of this title shall have a lien on the motor vehicle for the reasonable or agreed charges for storing or towing the vehicle as long as it remains in his/her possession. If after a period of forty-five (45) days, the reasonable or agreed charges for storing or towing a motor vehicle have not been paid, the motor vehicle may be sold to pay the charges after the owner has been notified by certified mail ten (10) days prior to the time and place of the sale. If the proceeds of the sale of any vehicle pursuant to this section are insufficient to satisfy accrued charges for towing, transporting, and storage, the sale and collection of proceeds shall not constitute a waiver or release of responsibility for payment of unpaid towing, transporting, and storage charges by the owner or responsible casualty insurer of the vehicle. This lien shall be subject to prior recorded liens. (CC § 72.27)

Article III. Snow Emergency

10.16.200 Announcement of snow emergency.

Whenever the city council or any authorized city official finds that falling snow, sleet, or freezing rain will create a condition which makes it necessary that the parking of motor vehicles on snow emergency routes be prohibited, or whenever it is found on the basis of a firm forecast of snow, sleet, or freezing rain that the weather conditions so forecasted may create a condition making it necessary that such parking be prohibited, the council or city official is authorized to announce such prohibition, to become effective at a time specified by it. After the effective time of such prohibition no person shall park any vehicle or permit any vehicle to remain parked on a snow emergency route. However, if a fall of snow, sleet, or freezing rain occurs after eleven p.m. and prior to six a.m., and the city council or any authorized city official has not announced prior to eleven p.m. that parking on snow emergency routes is to be prohibited after a specified time, a vehicle parked on a snow emergency route may remain so parked until seven a.m. following such fall. The prohibition of parking announced by the city council or any authorized city official under the authority of this section shall remain in effect until the council or city official announces the termination of the snow emergency, in part or in whole, after which the prohibition of parking authorized by this section shall no longer be in effect. (CC § 72.40)

10.16.210 Termination of emergency.

Whenever the city council or any authorized city official shall find that some or all of the conditions which gave rise to the snow emergency prohibition no longer exist, the council or city official is authorized to declare the termination of the emergency, in part or in whole, effective immediately on announcement. If such announcement is made other than between six a.m. and eleven p.m., it shall be repeated between those hours. (CC § 72.41)

10.16.220 Snow emergency routes.

The term "snow emergency route" means any route designated by the city council or any authorized city official. On such street or highway designated as a snow emergency route, special signs shall be posted to this effect. (CC § 72.42)

Chapter 10.20

MOTORCYCLES, BICYCLES, ROLLER SKATES, COASTER SLEDS AND TOY VEHICLES

Sections:

- 10.20.010 Operation of bicycles.
- 10.20.020 Operation of motorcycles and motorscooters.
- 10.20.030 Skating and coasting.
- 10.20.040 Clinging to vehicles.

10.20.010 Operation of bicycles.

- A. No person shall operate a bicycle on the sidewalks of the city.
- B. No person shall operate a bicycle on any section of a public park, playground, play lot or tot lot, except on a roadway or in a parking area.
- C. No operator of any bicycle shall carry another person on such bicycle. (CC § 73.01)

10.20.020 Operation of motorcycles and motorscooters.

- A. No operator of any motorcycle, motorscooter or power-driven bicycle shall carry another person except on a seat attached thereto or in a side car attached to the vehicle.
- B. No operator of a motorcycle, motorscooter, or power-driven bicycle shall operate such vehicle in any public park, except on a roadway or in a parking area.
- C. No operator of a motorcycle, motorscooter, or power-driven bicycle shall operate such vehicle in any play lot or tot lot. (CC § 73.02)

10.20.030 Skating and coasting.

Except on streets which may be declared from time to time as "play streets" by the city and protected by barriers or official signs, it is unlawful for any person on skates or riding on a coaster sled or toy vehicle of any kind, to go on any roadway except at a crosswalk. (CC § 73.03)

10.20.040 Clinging to vehicles.

- A. No person while riding on a bicycle, coaster sled, roller skates or any toy vehicle shall cling to any moving vehicle on any street, or fasten or attach the vehicle on which he/she is riding thereto.
- B. No person shall ride on the projection, running board or fenders of any vehicle. (CC § 73.04)

Chapter 10.24

WEIGHT LIMITS

Sections:

- 10.24.010 Weight limit established.
- 10.24.020 Exemptions.
- 10.24.030 Signs required.
- 10.24.040 Vehicle certification required.
- 10.24.050 Violation--Penalty.

10.24.010 Weight limit established.

No person shall operate on any roadway within the city any motor vehicle which exceeds twenty-one thousand (21,000) pounds gross weight, including the load, provided however, special permits may be granted by the city council or their duly appointed representative on such conditions, regulations and subject to such fees as may be set by the city council. (CCO 1975-2 § 1)

10.24.020 Exemptions.

This chapter shall not extend to any motor vehicles which enter the city for purposes of delivering goods, merchandise or other property or service to completed residences within the limits of the city nor to moving van type trucks moving residents into or out of the city. (CCO 1975-2 § 2)

10.24.030 Signs required.

Signs indicating such weight limitations described in this chapter shall be erected at appropriate locations by the city. (CCO 1975-2 § 3)

10.24.040 Vehicle certification required.

Any person operating a motor vehicle in excess of ten thousand (10,000) pounds gross weight shall carry a certification of the weight of the vehicle and the weight of the load. Such certification shall be in accordance with any regulation requirements established by the city council. (CCO 1975-2 § 4)

10.24.050 Violation--Penalty.

Any person who violates any provision of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00.) (CCO 1975-2 § 5)

CHAPTER 10.30.**PORTABLE STORAGE CONTAINERS**

10.30.01	Purpose of Ordinance
10.30.02	Application of Ordinance
10.30.03	Definitions
10.30.04	Permits and Conditions
10.30.05	Exceptions
10.30.06	Fees
10.30.07	Advertising
10.30.08	Enforcement
10.30.09	Fees and Penalties
10.30.10	Effective Date

10.30.01 PURPOSE OF ORDINANCE.

The purpose of this Ordinance is to regulate and limit the time and place of the location of portable storage containers, sometimes called Portable On Demand Storage (PODS), trailers used for storage, or temporary storage structures, on residentially zoned property in the City.

10.30.02 APPLICATION OF ORDINANCE.

This ordinance shall apply to all real estate located within the bounds of the City of INDIAN HILLS, with the exception of lots zoned and used for commercial or industrial purposes.

10.30.03 DEFINITIONS.

Portable Storage Containers shall mean and include any type of temporary storage structure, including but not limited to the following:

- a.. Portable On Demand Storage devices sometimes known as PODS;
- b. Vehicles or trailers whose primary purpose on the property is to store personal property;

- c. Temporary building or structures, not otherwise covered by the restrictions of the Land Development Code;
- d. Dumpsters (defined as movable containers that are used to store items or debris pending removal from the property) moved and emptied no less frequently than monthly, are not covered by this ordinance;
- e. A single Portable Storage Containers capable of not holding more than a maximum of one cubic yard shall not be subject to this ordinance.
- f. Trash cans capable of holding not more than 100 gallons shall not be subject this ordinance.
- g. This ordinance shall not apply to a Portable Storage Container which is located in an enclosed area, such as an enclosed garage.
- h. The fact that a Portable Storage Container is without wheels is immaterial so long as the container is designed for and is capable of being moved or relocated.

10.30.04 **PERMIT AND CONDITIONS.**

No Portable Storage Containers as defined herein shall be allowed to be located on or remain on any residentially zoned real estate in the City of INDIAN HILLS without first securing from the City a permit.

- a. A Permit shall be issued for a maximum of fourteen (14) days from the earlier of (i) the date of issuance or (ii) the date on which the Portable storage container was located upon the property.
- b. No more than two permits shall be issued for the location of a Portable Storage Container on the same lot during the same calendar year where the lot is under the same ownership.
- c. Periods of three days or less shall not be counted where a Portable Storage Container is returned to the property for the purpose of unloading.
- d. The City Clerk or his/her designee shall provide Application/Permit forms for the purpose of securing a Permit.
- e. There shall be subtracted from the fourteen (14) days otherwise allowable two days for each one day that the Portable Storage Container is located on the property without a valid permit.
- f. A permit shall state the date of issuance and an expiration date.
- g. The container shall not be placed on public property.

10.30.05 **EXCEPTIONS.**

In the case of emergencies, such as floods, wind storms, fires or other acts of God, and man made disasters such as sewage back-ups, water leaks, electrical overloads and other such events that damage property, code enforcement officials shall not be allowed to enforce the provisions of this ordinance and shall make reasonable allowance for the extension of all time periods, limits on numbers of containers, locations of containers on the property or other appropriate waivers where necessary to assist in recovery, restoration, mitigation of further damage and construction efforts. A permit is still required.

10.30.06 **FEES.**

At the time a Permit is issued, the applicant shall pay a fee to the City of Ten Dollars, payable within thirty days of application. In the event that the permit is not obtained within two (2) days after the container is placed on the property without a permit, the permit fee shall be Fifty (\$50.00) Dollars.

10.30.07. **ADVERTISING.**

The Portable Storage Container shall contain no commercial advertising or graffiti. The name, address, and telephone number of the provider of the container may be shown thereon. Any graffiti on the container shall be removed within forty-eight (48) hours.

10.30.08 **ENFORCEMENT.**

This Ordinance may be enforced by any Citation Officer of the City of INDIAN HILLS, or by the Indian Hills Police Department, or as a civil matter by a designee of the INDIAN HILLS City Council.

10.30.09 FEES AND PENALTIES.

Any person, firm, corporation, or other entity violating this ordinance, or any provision thereof, shall be subject to a civil fine of not less than \$100.00 for each such violation, and each day on which a violation exists or occurs shall be deemed a separate violation for which a separate fine may be assessed. A separate fine shall apply to each day the Portable Storage Container remains on the property after the expiration of the Permit.

10.30.10 EFFECTIVE DATE.

This Chapter 10.30 shall take effect upon its passage, approval and publication as required by law. (Ord. 07-04, 8-07)