

ORDINANCE BILL NO. 3 FOR 1961

ORDINANCE NO. 380

AN ORDINANCE REGULATING TRAFFIC ON THE STREETS AND PUBLIC WAYS OF THE CITY OF SWEET HOME, OREGON; PROVIDING PENALTIES FOR VIOLATION HEREOF; REPEALING ORDINANCE NO. 274, DULY ADOPTED BY THE COMMON COUNCIL OF THE CITY OF SWEET HOME AND APPROVED BY THE MAYOR ON THE 8th day of June, 1954, AND ALL AMENDMENTS THERETO AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith: AND DECLARING AN EMERGENCY.

The City of Sweet Home does ordain as follows:

Section 1. Adoption of State Traffic Act. The following enumerated Motor Vehicle Laws of Oregon, together with all acts and amendments applicable to cities which are now or hereafter enacted, are hereby adopted by reference and are a part of this ordinance:

ORS 164.650	ORS 483.046 -	483.050
ORS 164.660	ORS 483.102	
ORS 166.630	ORS 483.104	
ORS 374.265	ORS 483.112 -	483.122
ORS 476.715	ORS 483.126 -	483.140
ORS 481.015	ORS 483.202 -	483.218
ORS 481.020	ORS 483.222 -	483.230
ORS 481.030	ORS 483.302 -	483.336
ORS 481.040	ORS 483.402 -	483.436
ORS 481.050	ORS 483.444 -	483.446
ORS 481.055	ORS 483.470	
ORS 481.060	ORS 483.472	
ORS 481.070	ORS 483.502 -	483.518
ORS 481.075	ORS 483.522	
ORS 481.080	ORS 483.530 -	483.540
ORS 481.155	ORS 483.544	
ORS 481.230 (5)	ORS 483.602	
ORS 481.255	ORS 483.604	
ORS 481.260	ORS 483.612	
ORS 482.010 -	ORS 483.614	
482.060	ORS 483.628	
ORS 482.300 (2)	ORS 483.630	
ORS 482.610 -	ORS 485.010 -	485.040
482.650	ORS 649.080	
ORS 483.022 -		
483.034		
ORS 483.038		

The definitions in ORS Chapter 483 shall apply, where the context requires, to all other sections of this ordinance.

Section 2. Definitions. In addition to those definitions contained in the adopted sections of the Motor Vehicle Laws of Oregon, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:

- (a) Alley. A narrow street through the middle of a block.
- (b) Bicycle. Every device propelled by human power upon which any person may ride, having two or more tandem wheels either of which is over 20 inches in diameter.
- (c) Bus stand. A fixed area in the roadway adjacent to the curb to be occupied exclusively by buses for layover in operating schedules or waiting for passengers.
- (d) Curb. The extreme edge of the roadway.
- (e) Holidays. Where used in this ordinance or on signs erected in accordance with this ordinance: Sundays, New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day, and any other legal holidays designated as such by the statutes of the state of Oregon.

- (f) Loading zone. A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials or freight.
- (g) Park or parking. The standing of a vehicle, whether occupied or not, except when a vehicle is temporarily standing for the purpose of and while actually engaged in loading or unloading.
- (h) Parkway. That portion of a street not used as a roadway or as a sidewalk.
- (i) Passenger loading zone. Reserved only for the loading or unloading of passengers and their luggage.
- (j) Pedestrian. Any person afoot.
- (k) Person. Every natural person, firm, partnership, association or corporation.
- (l) Stop. Complete cessation of movement.
- (m) Taxicab stand. A fixed area in the roadway adjacent to the curb set aside for taxicabs to stand or wait for passengers.
- (n) Traffic lane. That portion of the roadway used for the movement of a single line of vehicles.

Section 3. Powers of the City Council. The council, provided where required by the Motor Vehicle Laws of Oregon approval of the State Highway Commission has first been obtained, may by resolution establish or alter traffic controls which shall become effective upon the installation of appropriate signs, signals or other markings. Such traffic controls may designate and regulate:

- (a) The parking and standing of vehicles by:
 - (1) Classifying portions of streets upon which either parking or standing or both shall be prohibited, or prohibited during certain hours.
 - (2) Establishing the time limit for legal parking in limited parking areas.
 - (3) Designating the angle of parking if other than parallel to the curb.
 - (4) Designating city-owned or leased lots or property on which public parking will be permitted.
 - (5) Designating lots or areas within which, or streets or portion of streets along which, parking meters will be installed, and the denomination of coins to be used or deposited in parking meters.
- (b) Through streets and one-way streets.
- (c) Truck routes.
- (d) Streets where trucks, machinery or any other large or heavy vehicles exceeding specified weights shall be prohibited. Such vehicles may, however, be operated on such streets for the purpose of delivering or picking up materials or merchandise but then only by entering such streets at the intersection nearest the destination of the vehicle and proceeding no farther than the nearest intersection.
- (e) Special speed regulations for city parks and municipal parking lots.

Section 4. Authority of Police and Fire Officers.

- (a) It shall be the duty of the police department through its officers to enforce the provisions of this ordinance.
- (b) In the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of this ordinance.
- (c) Members of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

Section 5. Duty to Obey Traffic Signs and Signals.

- (a) No driver of any vehicle shall disobey the instructions of any traffic sign, signal, marker, barrier or parking meter placed in accordance with the Motor Vehicle Laws of Oregon or this ordinance, including those erected by any authorized public utility and department of this city or other authorized person, unless it is necessary to avoid conflict with other traffic or otherwise directed by a police officer.
- (b) No unauthorized person shall move, remove or alter the position of, or deface or tamper with any such sign, signal, marker, barrier or parking meter.

Section 6. Vehicles Stopping at Stop Signs. When stop signs are erected at or near the entrance to any intersection, every driver or a vehicle approaching such sign shall come to a full stop before entering any crosswalk or intersection except when directed to proceed by a police officer or traffic control signal.

Section 7. Stop When Traffic Obstructed. No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the opposite side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

Section 8. Private Marking Unlawful. It shall be unlawful for any person to letter, mark, or paint in any manner any letters, marks, or signs on any sidewalk, curb, street or alley, or to post on a parking strip anything designed or intended to prohibit or restrict parking in front of any sidewalk, dwelling house, business house, or in any alley, except in compliance with the provisions of this ordinance.

Section 9. Method of parking.

(a) No person shall stand or park a vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within 12 inches of the edge of the curb, except where the street is marked or signed for angle parking.
(b) Where parking space markings are placed on a street, no person shall stand or park a vehicle other than at the indicated direction and within a single marked space, unless the size or shape of such vehicle makes compliance impossible.
(c) Whenever the owner or driver of a vehicle discovers that such vehicle is parked immediately in front of or close to a building to which the fire department has been summoned, he shall immediately remove such vehicle from the area unless otherwise directed by police or fire officers.

Section 10. Prohibited Parking. In addition to provisions of the Motor

Vehicle Laws of Oregon prohibiting parking, no person shall park:

- (a) A vehicle upon any bridge, viaduct or other elevated structure used as a street or within a street tunnel in this city, unless marked or indicated otherwise.
(b) A vehicle in any alley except to load or unload persons or materials not to exceed 20 consecutive minutes in any two-hour period.
(c) A vehicle upon any street for the principal purpose of:
(1) Displaying such vehicle for sale.
(2) Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.
(3) Selling merchandise from such vehicle except in a duly established market place or when so authorized or licensed under the ordinances of this city.
(4) Storage, or as junkage or dead storage for more than 15 hours.
(d) A vehicle upon any parkway except where specifically authorized.

Section 11. Use of Loading Zone. No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials, freight or passengers in any place designated as a loading zone during the hours when the provisions applicable to loading zones are in effect. In no case shall the stop in unmetered loading zone for loading and unloading of passengers and personal baggage exceed five minutes, nor the loading or unloading of materials exceed 15 minutes.

Section 12. Use of Passenger Loading Zone. No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious loading or unloading of passengers in any place designated as a passenger loading zone during the hours when the provisions applicable to passenger loading zones are in effect.

Section 13. Stopping, Standing or Parking of Buses and Taxicabs Regulated. The driver of a bus or taxicab shall not stand or park such vehicle upon any street in any business district at any place other than at a bus stand or taxicab stand, respectively, except that this provision shall not prevent the driver of any taxicab from temporarily stopping for the purpose of and while actually engaged in the loading of unloading of passengers.

Section 14. Restricted Use of Bus and Taxicab Stands. No person shall stop, stand, or park a vehicle other than a bus in a bus stand or other than a taxicab in a taxicab stand, except that the driver of a passenger vehicle may temporarily stop for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

Section 15. Moving Vehicle. The moving of any vehicle within the block shall not be deemed to extend the time of parking.

Section 16. Lights on Parked Vehicle. No lights need be displayed upon any vehicle parked in accordance with this ordinance and upon a street where there is sufficient light to reveal any person or object within a distance of 500 feet upon such street.

Section 17. Exemption. The provisions of this ordinance regulating the parking or standing of vehicles shall not apply to any vehicle of a city department or public utility while necessarily in use for construction or repair work on the street or any vehicle owned by the United States while in use for the collection, transportation or delivery of United States mail.

Section 18. Use of Sidewalks. Pedestrians shall not use any roadway for travel when sidewalks abutting the same are available.

Section 19. Crossing at Right Angles. No pedestrian shall cross a street at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a marked crosswalk.

Section 20. Pedestrians Must Use Crosswalks. No pedestrian shall cross a street other than within a cross walk in blocks with marked crosswalks.

Section 21. Permits Required for Parades. No procession or parade, except a funeral procession, the forces of the United States armed forces and the military forces of this state, shall occupy, march or proceed along any street except in accordance with a permit issued by the chief of Police and approved by the city manager. Such permit may be granted where it is found that such parade is not to be held for any unlawful purpose and will not in any manner tend to a breach of the peace, cause damage or unreasonably interfere with the public use of the streets, or the peace and quiet of the inhabitants of this city.

Section 22. Funeral Procession. A funeral composed of a procession of vehicles shall be escorted by at least one person authorized to direct traffic for such purposes and shall follow routes established by the Chief of Police. Each vehicle in the procession appropriately shall be marked by flags or other designation approved by the Chief of Police.

Section 23. Drivers in Procession. Each driver in a funeral or other procession shall drive as near to the right-hand edge of the street as practical and shall follow the vehicle ahead as closely as is practical and safe.

Section 24. Driving Through Procession. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while in motion except where traffic is controlled by traffic control signals or when otherwise directed by a police officer. This provisions shall not apply to authorized emergency vehicles.

Section 25. Speed Limits in Public Parks. No person shall drive a vehicle upon any street in any public park of this city at a speed exceeding 15 miles per hour unless signs erected indicate otherwise.

Section 26. Drinking in Motor Vehicles. It shall be unlawful for any person to consume alcoholic liquor while an occupant of a motor vehicle on any street in this city.

Section 27. Reckless Driving. Any person who drives any vehicle upon a street carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property, is guilty of reckless driving and upon conviction in municipal court be imprisoned in the municipal jail for not more than 90 days, or by a fine of not more than \$500.00 or both.

(a) Upon a second or subsequent conviction by, imprisonment for not more than 6 months, or by a fine of not more than \$2,000 or both.

Section 28. Vehicles in Motion; Right-of-Way. A vehicle which has stopped or parked at the curb shall yield to moving traffic.

Section 29. Limitations of Backing. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic, and shall in every case yield the right-of-way to moving traffic and pedestrians.

Section 30. Driving on Divided Streets. Whenever any street has been divided into two roadways by leaving an intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway and no vehicle shall be driven over, across, or within any such dividing space, barrier or section, except through an opening in such physical barrier or dividing section or space provided for vehicle movement or at an intersection.

Section 31. Emerging from Vehicle. No person shall open the door of, or enter or emerge from any vehicle in the path of any approaching vehicle.

Section 32. Trains Not to Block Streets. No person shall operate any train or train of cars, or permit the same to remain standing, so as to block the movement of the traffic upon any street for a period of time longer than 10 minutes.

Section 33. Boarding or Alighting from Vehicles. No person shall board or alight from any vehicle while such vehicle is in motion.

Section 34. Riding on Motorcycles. A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is equipped to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if equipped for two persons, or upon another seat firmly attached at the rear of the operator.

Section 35. Unlawful Riding. No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employe engaged in the necessary discharge of a duty, or to a person or persons riding within truck bodies in space intended for merchandise.

Section 36. Clinging to Vehicles. No person riding upon any bicycle, motorcycle, coaster, roller skates, sled, or any toy vehicle shall attach the same or himself to any moving vehicle upon the streets.

Section 37. Use of Roller Skates Restricted. No person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any street except while crossing at a crosswalk, or upon a play street.

Section 38. Skis on Streets. No person shall use the streets for traveling on skis, toboggans, sleds or similar devices except upon play streets.

Section 39. Damaging Sidewalks and Curbs.

(a) The driver of a vehicle shall not drive upon or within any sidewalk or parkway area except to cross at a permanent or temporary driveway.

(b) No person shall place any dirt, wood or other material in the gutter or space next to the curb of any street with the intention of using the same as a driveway.

(c) No person shall remove or damage in any way any portion of any curb or move any heavy vehicle or thing over or upon a curb or sidewalk without first notifying the city engineer, and such person shall be held responsible for any and all damage.

Section 40. Obstructing Streets. No person shall park or leave any vehicle or any part thereof, or any trailer, box, ware or merchandise of any description, or any other thing that in any way impedes traffic, or obstructs the view, upon any street, including any alley, parking strip, sidewalk or curb, except by such lawful use and parking of vehicles upon streets and alleys as is allowed by this ordinance or other ordinances of this city.

Section 41. Removing Glass and Debris. Any person causing glass to be broken upon, or any party to a collision or other vehicle accident upon any street in this city shall immediately remove or cause to be removed from such street all glass and other foreign substance.

Section 42. Effect of Regulations.

(a) No parent of any minor child and no guardian of any minor ward shall authorize or knowingly permit any such minor child or ward to violate any of the provisions of this ordinance.

(b) Provisions of this ordinance relating to bicycles shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

Section 43. Bicycle Dealers. Every person engaged in the business of buying second-hand bicycles shall maintain a record of every bicycle purchased, giving the name and address of the person from whom purchased, a description of such bicycle by name or make, the frame number thereof, and the license number, if any, found thereon.

Section 44. Rental Agencies. A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and such bicycle is equipped with all equipment required by the Motor Vehicle Laws of Oregon and this ordinance.

Section 45. Emergency Vehicle. The provisions of this ordinance regulating the operation, parking and standing of vehicles shall apply to authorized emergency vehicles except as provided by the Motor Vehicle Laws of Oregon and as follows:

(a) A driver when operating such vehicle in an emergency, except when otherwise directed by a police officer or other authorized persons, may park or stand notwithstanding the provisions of this ordinance.

(b) A driver of a police vehicle or fire department or patrol vehicle when operating such vehicle in an emergency may disregard regulations governing turning in specified directions as long as he does not endanger life or property.

(c) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his reckless disregard of the safety of others.

Section 46. Penalties. In addition to any other provisions and penalties provided in this ordinance, any person violating any of the provisions of this ordinance shall upon conviction thereof be punished by imprisonment in the city jail for not to exceed 60 days or by a fine not to exceed \$300.00 or both.

Section 47. Illegal Cancellation of Traffic Citations. It shall be unlawful for any person to cancel or solicit the cancellation of any traffic citation in any manner except where approved by the municipal judge.

Section 48. Citation. For the violation of any provisions of this ordinance, any police officer may issue a citation which shall be in the nature of a notice to appear at a time and place certain. If any person fails to comply with the terms of a citation within a period of two days from the date of issuance, the chief of police may send to such person or the owner of the motor vehicle, a letter informing such person or owner of the violation with a warning that in the event such letter is disregarded for a period of 10 days a warrant of arrest will be issued.

Section 49. Repealing Conflicting Ordinances. That Ordinance No. 274 and all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 50. Emergency Clause. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety, and owing to the urgent necessity, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the mayor.

PASSED by the Council and approved by the Mayor this 11th day of April, 1961.

ATTEST:

Robert G. White

City Manager

William F. Bennett
Mayor

First Reading: March 14, 1961
Second Reading: March 28, 1961
Third Reading: April 11, 1961