

CITY OF PALMER, ALASKA
ORDINANCE NO. 99

AN ORDINANCE REPEALING ORDINANCES NUMBERED 16, 32, 38, 43, 61, 63, 67, 76 and 85; PROVIDING FOR THE GENERAL REGULATION OF TRAFFIC.

THE CITY OF PALMER, ALASKA, ORDAINS, as follows:

Section 1. Definition of Words and Phrases. The following words and phrases when used in this Ordinance shall, for the purpose of this ordinance, have the meaning respectively ascribed to them as follows:

ALLEY. A public thoroughfare within the ordinary meaning of alley not designated for general travel and primarily used as a means of access to the rear of residences and business establishments.

ARTERIAL STREET OR HIGHWAY. Every street or highway or portion thereof at the entrances to which vehicular traffic from intersecting streets or highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this ordinance, except that signs are not required where traffic signals are in operation.

AUTHORIZED EMERGENCY VEHICLE. Vehicles of the fire department, police vehicles, and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the chief of police of this City.

BICYCLE. Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over twenty inches (20") in diameter, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.

BUSINESS DISTRICT. The territory contiguous to and including the public street or highway when fifty per cent (50%) or more of the frontage thereon on either side thereof for a continuous distance of three hundred feet (300') or more is occupied by buildings in use for business.

CENTRAL BUSINESS TRAFFIC DISTRICT. All streets and portions of streets within the area described as follows:

All that area bounded on the south by City Limits, on the north by Gulkana, on the west by west boundary of Matanuska Street and on the east by east boundary of Colony Street.

COMMERCIAL VEHICLE. Every vehicle designed, maintained, or used primarily for the transportation of persons for hire, compensation, or profit, or designed, maintained, or used primarily for transportation of property.

CONTROLLED ACCESS STREET OR HIGHWAY. Every highway, street, or roadway in respect to which owners or occupants of abutting property or lands or other persons have no legal right of access to or from the same, except at such points only, and in such manner, as may be determined by the public authority having jurisdiction over such highway, street, or roadway.

CROSSWALK.

(a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street or highway measured from the curbs, or, in the absence of curbs, from the edges of the traversable roadway.

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface or by signs placed at each end of the designated pedestrian crossing.

CURB LOADING ZONE. A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

DRIVER. A rider or leader of any animal, or any person who pushes, drives, propels, operates, or is in actual physical control of a vehicle.

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DRIVEWAY. That portion of street area which provides access to an off-street vehicular facility through a depression in the constructed curb or, when there is no constructed curb, that area in front of such vehicular facility as is well defined or as is designated by authorized signs or markings.

HOURS OF DARKNESS. The hours from one-half hour after sunset to one-half hour before sunrise, and any other time when persons or objects may not be clearly discernible at a distance of five hundred feet (500').

INTERSECTION.

(a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or in the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two roadways thirty feet (30') or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty feet (30') or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

LANED ROADWAY. A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

MOTORCYCLE. Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the road, but excluding a tractor.

MOTOR TRUCK OR TRUCKS. Every motor vehicle designed or used for the transportation of commodities, merchandise, produce, freight or animals, or for drawing or pulling one or more independent vehicles or trailers in the transportation of commodities, merchandise, produce, freight, or animals.

MOTOR VEHICLE. Any vehicle which is self-propelled.

OFFICIAL STANDARD TIME. Whenever certain hours are named herein, they shall mean standard time or daylight saving time as may be in current use in this city.

OFFICIAL TRAFFIC CONTROL DEVICES. All signs, symbols, markings and devices not inconsistent with this ordinance placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

PARK. When prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily to avoid traffic conflict or in obedience to traffic regulations.

PASSENGER LOADING ZONE. A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

PEDESTRIAN. Any person afoot.

POLICE OFFICER. Every officer of the city police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

PRIVATE ROAD. Every way or place in private ownership and used for vehicular traffic by the owner and those having express or implied permission from the owner, but not by other persons.

PUBLIC HOLIDAYS. New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day, and those holidays as are designated by the State of Alaska.

RAILROAD. A carrier of persons or property upon cars, operating upon stationary rails.

RAILROAD TRAIN. A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails.

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RESIDENCE DISTRICT. The territory contiguous to and including the public street or highway not comprising a business district when the property on such public street or highway is, in the main, improved with residences or residences and buildings for use in business.

RIGHT OF WAY. The privilege of immediate use of the roadway.

ROADWAY. That portion of a street or highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term roadway as used herein shall refer to any such roadway separately but not to all such roadways collectively.

SAFETY ZONE. The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

SEMI-TRAILER. Every vehicle without motor power designed to be drawn by a motor vehicle or truck-tractor, so constructed that an appreciable part of its weight and that of its load rests upon and is carried by such motor vehicle or truck-tractor.

SIDEWALK. That portion of a street between the curb lines or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

STOP. When required, means complete cessation of movement.

STOPPED, STOPPING OR STANDING. When prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

STREET OR HIGHWAY. The entire width between the boundary lines of every way, publicly maintained, when any parts thereof is open to the use of the public for purposes of vehicular traffic.

TRAFFIC. Pedestrians, ridden or herded animals, vehicles, or other conveyances, either singly or together, who are using any street or highway for purposes of travel.

TRAFFIC-CONTROL SIGNAL. Any traffic device, whether manually, electrically, or mechanically operated, by which traffic alternately is directed to stop or proceed, or otherwise controlled.

TRAFFIC DIVISION. The traffic division of the police department of this city, or in the event a traffic division is not established, then said term whenever used herein shall be deemed to refer to the police department of this city.

TRAILER. Any vehicle without motor power designated to be, or attached to, another vehicle, so constructed that no appreciable part of its weight rests upon or is carried by such other vehicle.

TRUCK LOADING ZONE. A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight or material.

TRUCK-TRACTOR. Any motor truck, as herein defined, designed and used primarily for drawing a semi-trailer.

"U" TURN. Turning a vehicle on an arc of approximately one hundred eighty degrees (180°) to permit travel in the opposite direction on the same roadway.

VEHICLE. Every device in, upon, or by which any person or property is or may be transported or drawn upon a street or highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

Section 2. Police Administration. It shall be the duty of the police department to enforce all street and highway traffic regulations of this city and of the State applicable to street and highway traffic in this city, to make arrests

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for traffic violations, to investigate accidents, make report of traffic accidents, conduct studies of such accidents and determine remedial measures, and annually to prepare a traffic report which shall be filed with the mayor. Such reports shall contain information on traffic matters in this city as follows: (1) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data. (2) The number of traffic accidents investigated and other pertinent data on the safety activities of the police. (3) Plans and recommendations of the police department for future traffic safety activities.

Section 3. Vehicles for Hire -- Definitions. For the purposes of this Ordinance, the following terms shall be deemed and construed to have the meaning respectively described to them in this section, unless from the particular context it clearly appears that some other meaning is intended:

(a) MOTOR BUS. Every vehicle operating over established routes or on charter carrying seven or more passengers.

(b) SIGHTSEEING VEHICLE. Every vehicle used for the transportation of passengers for compensation over the streets of the City of Palmer, whether or not over defined routes, for sightseeing purposes for showing points of interest.

(c) TAXICABS. Every motor vehicle having a seating capacity of nine passengers or less, as per the manufacturer's rating, used for the transportation of passengers for hire, and not operated over a fixed and defined route.

(d) CHAUFFEUR. Every person driving or operating any vehicle licensed under the for hire provisions of this ordinance.

(e) OPERATOR. Every person, corporation, partnership, joint venture, or other form of business organization, their lessees, receivers, or trustees engaged in the operation of transporting the public for hire.

Section 4. Licenses.

(a) No person shall operate a taxicab, motor bus, or sightseeing vehicle under a business name or style or individual name without first obtaining a non-transferable license therefor. The license shall be issued upon certification of the chief of police, who is hereby designated the licensing authority, that all of the provisions of this ordinance pertaining to public vehicles have been complied with.

(b) Chauffeur's License. No person shall drive a vehicle licensed under this ordinance while said vehicle is in commercial use until he shall have first obtained a chauffeur's license from the City of Palmer. The chief of police shall be the issuing authority for all temporary and permanent chauffeur's licenses. If the application for a chauffeur's license indicates that the applicant meets the qualifications for a license, the chief of police shall issue a temporary license pending completion of the investigation of the applicant's background and qualifications. This temporary license shall expire by its own terms at the end of 45 days from the date of issuance. If upon completion of the necessary investigation, the applicant meets all of the requirements and qualifications as established in this ordinance, the chief of police shall issue a permanent chauffeur's license renewable annually on or before the 1st day of January of each year, under the provisions of this ordinance. If, in the opinion of the chief of police, the applicant does not meet the requirements and qualifications established by this ordinance, he may deny the issuance of either a temporary or permanent chauffeur's license. When the chief of police shall refuse to issue either a temporary or permanent chauffeur's license, he shall do so in writing, stating briefly and concisely the reasons for such decision. Any applicant desiring to appeal from the decision of the chief of police in denying either a temporary or a permanent chauffeur's license shall within 10 days from receipt of the written decision above mentioned file with the city clerk a written notice of appeal, stating the order or decision from which the appeal is taken. The City Clerk, upon receipt of any such notice of appeal shall set the date of a public hearing before the city council. The city clerk shall, upon setting the date for the public hearing before the city council, notify the appellant and the chief of police of the time and place of such hearing. The notice of the time and place of the hearing shall be given within 10 days from the date of the hearing and not less than 3 days prior to the hearing. The chief of police, upon notice of the public hearing, shall file with the city clerk a statement setting forth sufficient information to apprise the applicant

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of the factual basis for the decision for which appeal is taken. The city clerk shall, upon demand of the applicant, deliver one copy of said statement to the applicant. After the public hearing hereinbefore required, the city council shall have the power to modify, revoke, rescind, or affirm the order from which the appeal is taken, or may enter its own order as may be justified under the circumstances.

(c) Character Requirements for Licensees and Chauffeurs. Every person, including all officers, agents, servants, employees, and chauffeurs of any corporation or company licensed as provided in this ordinance shall possess the following qualifications:

- (1) Ability to read and write the English language.
- (2) Nonaddiction to the use of intoxicants or narcotics.
- (3) Good moral character and repute.
- (4) No conviction of a felony for 10 years previous to the date of application; no conviction at any time of a felony or misdemeanor involving moral turpitude or assault with deadly weapon or use of, or traffic in, narcotic drugs or traffic in women for immoral purposes.

In addition to the requirements set forth in this ordinance, all chauffeurs shall possess a current State driver's license; a physician's certificate as to physical ability to operate a for hire vehicle; demonstrated familiarity with traffic laws of the City of Palmer and the State; and shall be 21 years of age or over.

(d) Fingerprints, Photographs, Etc. All applicants for taxicab business licenses and chauffeur's licenses under the provisions of this ordinance shall make application on blanks furnished by the police department and shall submit, together with his application, the necessary fees, photograph of applicant, and a full set of fingerprints to be taken by the police department. This requirement shall also apply to officers, agents, servants and employees of corporations or companies, associations and partnerships.

Section 5. Revocation and Suspension of Taxicab Business Licenses and Chauffeur's Licenses; Hearing; Appeal. The chief of police shall have the power, after a public hearing as hereinafter provided, to revoke or suspend any taxicab business license issued under the provisions of this ordinance when the licensee has filed a false statement in his application; or has been convicted of any violation of the provisions of this ordinance; or shall have been convicted of a felony; or has been convicted of a misdemeanor involving moral turpitude, or assault with a deadly weapon, or use of, or traffic in, narcotic drugs, or traffic in women for immoral purposes. The Chief of police shall have the power, after public hearing as hereinafter provided, to revoke, or suspend any temporary or permanent chauffeur's license issued under the provisions of this ordinance when said chauffeur has filed a false statement in his application; or has been convicted of any violation of the provisions of this ordinance; or shall have been convicted of a felony; or has been convicted of a misdemeanor involving moral turpitude, or assault with a deadly weapon, or use of or traffic in narcotic drugs, or traffic in women for immoral purposes; or has been convicted of driving while under the influence of intoxicating liquor, or under the influence of narcotic or hypnotic drugs; or has been convicted of reckless driving, negligent driving, speeding, leaving the scene of an accident; or is a habitual offender of the traffic laws and ordinances of the City of Palmer or the State of Alaska. Before suspending or revoking any taxicab business license or temporary or permanent chauffeur's license, the chief of police shall set the time and place for a public hearing. The chief of police shall notify the licensee or chauffeur of the time and place for the hearing and the charges against him. The time of the public hearing shall be not less than 3 days nor more than 10 days after the written notice is mailed or delivered to the licensee. The licensee involved shall be entitled to be represented by counsel and shall call witnesses in his own behalf. After the public hearing hereinabove required, the chief of police may suspend either the taxicab business license or the temporary or permanent chauffeur's license for a specified period of time, or may revoke said license. Any licensee desiring to appeal from the decision of the chief of police in suspending or revoking either a taxicab business or a temporary or permanent chauffeur's license shall within 10 days from receipt of the written decision above mentioned file with the city clerk a written notice of appeal, stating the order or decision from which the appeal is taken. The city clerk, upon receipt of any such notice of appeal, shall set the date of a public hearing before the city Council. The city clerk shall, upon setting the date for the public hearing before the city council, notify the appellant and the chief of police of the time and place of such hearing. The notice of the time and place of the hearing shall be given within 10

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days from the date of the hearing and not less than 3 days prior to the hearing. After the public hearing hereinabove required, the city council shall have the power to modify, revoke, rescind, or affirm the order from which the appeal is taken, or may enter its own order as may be justified under the circumstances.

Section 6. Taxicab Business License; Required Fee; Nontransferable. No persons shall operate taxicabs under a business name or style or individual name without first obtaining a nontransferable license therefor. The licenses shall be issued upon certification of the chief of police, who is hereby designated as the issuing authority, and who shall determine that all of this ordinance pertaining to public vehicles has been complied with. The yearly fee for said license shall be Twenty-Five Dollars (\$25.00). Before any taxicab business license is issued pursuant to this ordinance, the applicant therefor shall furnish one or more policies or certificates of insurance issued by an insurance company authorized to do business in the State of Alaska providing indemnity for the insured in the amount specified herein and agreeing to pay within the limits of said amount to any judgment creditor recovering final judgment (other than the employee of the insured) for personal injury, including death, and damages to property suffered during the license year in which said insurance is in effect, resulting from the negligent operation, maintenance or use of said license vehicle. The minimum of said insurance liability as to any one licensed public vehicle shall be:

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|---|-------------|
| 1. On account of injury to or death of any person in any one accident - | \$20,000.00 |
| 2. On account of any one accident resulting in injury to or death to more than one person - | 100,000.00 |
| 3. On account of damage to property in any one accident - | 5,000.00 |

Said policy or policies of liability insurance shall be approved as to substance and form by the city clerk and shall be filed with the city clerk. Every such insurance policy or certificate shall contain a clause obligating the insurer or surety to give the city clerk, by registered mail or certified mail, at least 15 days written notice before the cancellation, expiration, lapse or other termination of such insurance. A placard approved by the city clerk stating the limits of insurance liability and the area in which said insurance liability applies shall be posted in a place designated by the chief of police in the interior of all vehicles licensed pursuant to this ordinance.

Section 7. Fares and Charges. The city council may regulate the fares and charges for the use of any motor vehicle licensed pursuant to this ordinance. Before any such regulations shall be effective, the city council shall hold a public hearing. Notice of this hearing shall be given to all owners of vehicles affected by the regulations. Fares shall be at all times posted in a conspicuous place in the interior of the vehicle, and said fares shall be nondiscriminatory. Receipt for fares must be given upon request of the passengers. The provisions of this section pertaining to regulation of fares shall not apply to public vehicles operating pursuant to a franchise. No less than twice a year, and more frequently if required by the circumstances, the police department shall inspect all vehicles issued a license pursuant to this ordinance for compliance with the standards of this ordinance, and other ordinances of the City of Palmer. No vehicle shall be licensed until it is inspected by the police department and found to be in a safe, satisfactory and sanitary condition for the transportation of passengers. Any vehicle as licensed as provided herein which has been involved in a collision or accident shall be inspected by the police department before it can again be used in service. Notice of such collision or accident shall be given to the police department. Private automobile mechanics may be employed for inspection purposes to examine vehicles. The expense in employing private automobile mechanics may be charged against the owner of said vehicle. The chief of police may prohibit the use of any vehicle which is found in an unsafe or unsanitary condition, or is otherwise unfit or unsuited for public patronage.

Section 8. Hours. No chauffeur shall remain in control of any for hire vehicle for a period of more than 12 consecutive hours and shall not return to work until another 8 hours have elapsed. It shall be the intent of this section that no chauffeur shall have other full-time employment.

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Section 9. Duty to Serve the Public.

(a) No chauffeur shall refuse or neglect to convey any orderly person or persons upon request unless previously engaged or unable or prohibited by the provisions of this ordinance to do so, if the proper fee is tendered or offered for payment by such person or persons.

(b) Chauffeurs are prohibited from soliciting passengers for hire, and from inviting business or customers, or from attracting attention from members of the public by word of mouth, signal, nods, or other signs from the taxicab while moving or going up to the curb for that purpose.

Section 10. Number of Licenses. The chief of police, with council approval, after public hearing and after notice to all taxicab business licensees, shall have the power to determine from time to time the maximum number of taxicabs required. The chief of police may issue taxicab business and vehicle licenses not to exceed the total number authorized and approved by the city council. The city council shall consider the public necessity and convenience and shall arrive at their decision by consideration of the demands for such service as shown by records of all taxicab business licensees, the effect on traffic congestion, whether the safe use of streets for vehicular and pedestrian traffic will be impaired, and any other facts which may be deemed relevant.

Section 11. Taxicab Regulations. All taxicabs must conform in the following requirements:

(a) Bear in letters not less than two inches high on each side of the taxicab the firm name of the licensed operator. Detachable signs are not permitted. Bear a vehicle numbered sign by the chief of police and placed in designated location on the taxicab.

(b) Display in the interior of the taxicab the photograph, name and chauffeur's license number of the driver.

(c) Reserved for future material.

(d) Every taxicab shall at all times be equipped with a light of not less than two candlepower within such taxicab, so arranged as to illuminate the entire passenger compartment, which light shall be kept lighted at all times while any passengers are being loaded into or unloaded from any such vehicle, from one-half hour after sunset of any day until one-half hour before sunrise of the next day, and no shades or blinds shall be drawn over the windows of any such vehicle while the same is occupied.

(e) In the event any taxicab is, for any reason, disqualified or no longer used as a taxicab, all signs and markings and any other device or insignia indicating that such automobile is a taxicab, shall be removed prior to utilization of such vehicle for any other purpose. No private vehicle shall bear any insignia, markings, or lights which tend to indicate such vehicle is or has been a taxicab as defined herein.

Section 12. Dispatch Office and Records. Reserved for future material.

Section 13. Emergency and Experimental Regulations. The chief of police is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of the city and to make and enforce temporary or experimental regulations to cover parking control or emergencies or special conditions. Except parking regulations, no such temporary or experimental regulations shall remain in effect for more than ninety (90) days. Every such temporary or experimental regulation shall be submitted to the City Council at the council's regular meeting prior to the enforcement of such regulation, and in the event the council disapproves its enforcement, the police department shall not thereafter enforce such regulation.

Section 14. Authority of Police and Fire Department Officials. Officers of the police department are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws, provided that, 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 the traffic laws. 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.

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Section 15. Required Obedience to Traffic Regulations. It is a misdemeanor for any person to do any act forbidden or fail to perform any act required by this ordinance, and any person or firm convicted of a violation of any provision of this ordinance shall be punished by a fine of not more than Three Hundred Dollars (\$300.00) or by imprisonment for not more than thirty (30) days or by both such fine and imprisonment.

Section 16. Obedience to Police and Fire Department Officials. No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official.

Section 17. Persons Propelling Pushcarts or Riding Animals to Obey Traffic Regulations. Every person propelling any pushcart or riding an animal upon a roadway, and any person driving any animal drawn vehicle, shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this ordinance which, by their very nature, can have no application.

Section 18. Use of Coasters, Roller Skates and Similar Devices Restricted. No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and, when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply to any street while set aside as a play street as authorized by ordinances of this city.

Section 19. Public Employees to Obey Traffic Regulations. The provisions of this ordinance shall apply to the driver of any vehicles owned by or used in the service of the United States Government, the State of Alaska, or the City of Palmer, and it shall be unlawful for any driver to violate any of the provisions of this ordinance, except as otherwise permitted in this ordinance or by State statute.

Section 20. Authorized Emergency Vehicles.

(a) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

(b) The driver of an authorized emergency vehicle may:

1. Park or stand, irrespective of the provisions of this ordinance.
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
3. Exceed the stated or posted speed limit so long as he does not endanger life or property.
4. Disregard regulations governing direction of movement or turning in specified directions.

(c) The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of said vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle, as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmosphere conditions from a distance of five hundred feet (500') to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display red light visible from in front of the vehicle.

(d) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequence of his reckless disregard for the safety of others.

Section 21. Operation of Vehicles on Approach of Authorized Emergency Vehicles.

(a) Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet (500') to the front of such vehicle other than a police vehicle when operated as an authorized emergency

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vehicle, and when the driver is giving audible signals by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(b) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the streets or highways.

Section 22. Immediate Notice of Accident. The driver of a vehicle which is in any manner involved in an accident resulting in injury or death of any person, or property damage to an apparent Twenty-five Dollars (\$25.00) or more, shall immediately by the quickest means of communication give notice of such accident to the police department if such accident occurs within the city; and no vehicle involved in such accident shall be moved until the police have investigated and given permission for such removal.

Section 23. Driver to Remain at Scene of Accident. The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident, and shall forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of this ordinance.

Section 24. Duty to Give Information and Render Aid. The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address, and the registration number of the vehicle he is driving, and shall, upon request, exhibit his operator's or chauffeur's license to the person struck, or the driver or occupant of or person attending any vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the making of arrangements for the carrying of such person, to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that such treatment is necessary, or if such carrying is requested by the injured person.

Section 25. Duty upon Striking Unattended Vehicle. The driver of any vehicle which collided with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking, and a statement of the circumstances thereof.

Section 26. Duty upon Striking Fixtures upon a Street, Highway or Alley. The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a street, highway or alley shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact, and of his name and address, and of the registration number of the vehicle he is driving, and shall, upon request, exhibit his operator's or chauffeur's license, and shall make report of such accident when and as required by this ordinance.

Section 27. Written Report of Accident. The driver of a vehicle which is in any manner involved in an accident resulting in injury to or death of any person, or total property damage to an apparent extent of Twenty-five Dollars (\$25.00) or more shall make written report, at police headquarters, on forms furnished by the City, within 24 hours after the accident.

Section 28. When Driver Unable to Report.

(a) Whenever the driver of a vehicle is physically incapable of giving immediate notice of an accident as required in Section 22 above and having another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall give, or cause to be given, the notice not given by the driver.

(b) Whenever the driver is physically incapable of making a written report of an accident as required in Section 27 above and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall, within five days after learning of the accident, make such report not made by the driver.

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Section 29. Written Accident Reports Confidential. All written accident reports made by drivers, owners, or occupants of vehicles involved in accidents as required in Sections 27 and 28 shall be without prejudice to the individual so reporting and shall be for the confidential use of the police department, except that a police department may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident. No such report shall be used as evidence in any trial, civil or criminal, arising out of any accident, except that the police department shall furnish upon demand of any person who has, or claims to have, made such a report, or upon demand of any court, a certificate showing that the specified accident report has or has not been made to the police department solely to prove the compliance or failure to comply with the requirements that such a report be made to the department.

Section 30. Interference at Scene of Accident Prohibited. No person shall proceed to the scene of an accident or other emergency, or stop and park a vehicle, or congregate in the vicinity thereof so as to interfere with police officers or other persons performing their duties at the scene of such accident or other emergency, or for the purpose of advertising or offering any service.

Section 31. Compliance with State Laws.

(a) No person shall operate any vehicle, or permit the same to be operated, on any street or highway unless the same complies with the laws of the State of Alaska.

(b) No person shall operate any vehicle unless he is licensed as an operator or chauffeur as required by the State of Alaska and unless he has any license so granted in his possession at all times while operating a vehicle, and no person shall violate any condition or privilege of such license. No person shall permit an unlicensed driver to operate any vehicle owned by him.

(c) No person whose operator's or chauffeur's license has been suspended, revoked, or refused shall drive a vehicle, under circumstances where the pertinent license is required, while such license is suspended, revoked or refused.

Section 32. Authority to Install Traffic Control Devices. The city may place and maintain traffic control signals, signs and devices when and as required under the traffic ordinances of this city to make effective the provisions of said Ordinances, and may place and maintain such additional traffic control devices as may be deemed necessary to regulate traffic under the traffic ordinances of this city or under State law, or to guide or warn traffic.

Section 33. Specifications for Traffic Control Devices. All traffic control signals, signs, and devices shall so far as practicable conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways". All signs and signals required hereunder for a particular purpose shall, so far as practicable, be uniform as to type and location throughout the city. All traffic control devices so erected and not inconsistent with the provisions of State law or this ordinance shall be official traffic control devices.

Section 34. Obedience to Official Traffic Control Devices. The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the traffic ordinances of this city, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this ordinance.

Section 35. When Traffic Devices Required for Enforcement. No provision of this ordinance for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected and placed.

Section 36. Traffic Control Signal Legend. When traffic is controlled by a traffic control signal exhibiting the words "Go", "Caution", or "Stop", or exhibiting different colored lights successively, one at a time, or with arrows, the following colors only shall be used and said terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green alone or "Go".

1. Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

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2. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk, unless pedestrian control signals are in operation.

(b) Yellow alone or "Caution" when shown following the green or "Go" signal.

1. Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.

2. No pedestrian facing such signal shall enter the roadway until the green or "Go" is shown unless authorized to do so by a pedestrian "Walk" signal.

(c) Red alone or "Stop".

1. Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and shall not proceed straight through or turn left until green or "Go" is shown alone.

2. No pedestrian facing such signal shall enter the roadway until the green or "Go" is shown unless authorized to do so by a pedestrian "Walk" signal.

3. Vehicular traffic facing the signal when only one lane of traffic is facing the signal and, if two or more lanes of traffic are facing the signal in the same direction, vehicular traffic in the right lane only, may, after stopping, cautiously proceed to make a right turn, with proper care to avoid accident, but shall yield the right of way to pedestrians lawfully within a crosswalk, and to other traffic lawfully using the intersection.

(d) Red with green arrow.

1. Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right of way to pedestrians lawfully within the crosswalk and to other traffic lawfully using the intersection.

2. No pedestrian facing such signal shall enter the roadway until the green or "Go" is shown unless authorized to do so by a pedestrian "Walk" signal.

(e) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

Section 37. Pedestrian-Control Signals. Whenever special pedestrian-control signals exhibiting the words "Walk" or "Wait" or "Don't Walk" are in place, such signals shall indicate as follows:

(a) "Walk". Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right of way by drivers of all vehicles.

(b) "Wait" or "Don't Walk". No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the "Walk" signal shall proceed to a sidewalk or safety zone while the "Wait" signal is showing.

Section 38. Flashing Signal. Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

(a) Flashing red (stop signal). When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(b) Flashing yellow (caution signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or pass such signal only with caution.

Section 39. Display of Unauthorized Sign, Signals or Markings.

(a) No person shall place, maintain, or display upon or in view of any street or highway any unauthorized sign, signal, marking, or device which purports to be, or is an imitation of, or resembles an official traffic control device or

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railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal.

(b) No person shall place or maintain nor shall any public authority permit upon any street or highway any traffic sign or signal bearing thereon any commercial advertising.

(c) This section shall not be deemed to prohibit the erection upon private property adjacent to streets or highways of signs giving using directional information and of a type that cannot be mistaken for official signs, with prior written permission of the police department.

(d) Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the street or highway is hereby empowered to remove the same or cause it to be removed without notice.

Section 40. Interference with Official Traffic Control Devices. No person shall without lawful authority attempt to or in fact alter or deface, injure, knock down, or remove any official traffic control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any part thereof.

Section 41. Playstreets.

(a) The chief of police shall have authority to declare any street or part thereof a playstreet and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

(b) Whenever authorized signs are erected indicating a street or part thereof as a playstreet, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed areas, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

Section 42. Crosswalks and Safety Zones. The chief of police is hereby authorized:

(a) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where, in his opinion, there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.

(b) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

Section 43. Traffic Lanes.

(a) The chief of police is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

(b) Where such traffic lanes have been marked, it shall be unlawful for the driver of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane, except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

Section 44. Streets closed to Traffic.

(a) The chief of police shall be authorized to close streets to traffic.

(b) Whenever any street is closed to the use of traffic and the same is so indicated by authorized signs or barriers, no vehicle shall proceed into said street or any portion thereof except as directed by said signs. Whenever a street is closed, notice shall immediately be given to the fire chief.

Section 45. Basic Speed. No person shall drive a vehicle upon a street or highway at a speed greater than is reasonable or prudent, having due regard for the traffic on, and the surface and width of, the street or highway, and in no event at a speed which endangers the safety of persons or property.

Section 46. Definition of Prima Facie Speed Limits.

(a) The speed of any vehicle upon a street or highway not in excess of the limit specified in this ordinance established as authorized in this ordinance is lawful unless clearly proved to be in violation of the basic rule declared in the preceding section.

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(b) The speed of any vehicle upon any street or highway in excess of any of the limits specified in this ordinance or established as authorized in this ordinance is prima facie unlawful unless the defendant establishes by competent evidence that any such speed in excess of said limits did not constitute a violation of the basic rules declared in the preceding section hereof at the time, place and under the conditions then existing.

Section 47. Prima Facie Speed Limits. The prima facie limits referred to above are as follows and the same shall be applicable unless changed as authorized in this ordinance and, if so changed, then only when signs have been erected giving notice thereof, in which event the speed designated on the sign shall be the prima facie limit:

- (a) Fifteen miles per hour.
 - 1. In any alley.
 - 2. When passing any school building between the hours of 8:00 a.m. and 5:00 p.m. on school days or when crossing any marked school crossing during such hours, or while within any marked school zone, such zone to extend one hundred fifty feet in either direction from any marked school crossing.
 - 3. When properly signed as required by this ordinance in curves, corners, or at intersections where traffic and engineering studies indicate such limit is advisable.
- (b) Twenty miles per hour. (For Future Reference.)
- (c) Twenty-five miles per hour.
 - 1. Through any business district or residence district except on arterial streets and except as otherwise provided herein.
- (d) Thirty miles per hour. (For Future Reference.)

Section 48. Authority to Increase Speed Limits. Whenever the chief of police determines upon the basis of an engineering and traffic investigation that a speed greater than twenty-five miles per hour would facilitate the orderly movement of vehicular traffic and would be reasonable and safe on any street or highway otherwise subject to a prima facie limit of twenty-five miles per hour under this ordinance, the chief of police may determine and declare a prima facie speed limit of thirty, thirty-five, forty, forty-five, or fifty miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie speed limit shall be effective when appropriate signs giving notice thereof are erected upon said street or highway provided the Council first has approved such determination.

Section 49. Minimum Speed. It shall be unlawful for any person to operate a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic at the point of operation thereof, except when a reduced speed is necessary for safe operation or in compliance with any law, rule or regulation.

Section 50. Regulation of Speed by Traffic-Control Signals. The chief of police is authorized to regulate the timing of traffic-control signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance with the speeds otherwise applicable within the district or at intersections under this ordinance.

Section 51. Required Position and Method of Turning at Intersections. The driver of a vehicle intending to turn at an intersection shall do so as follows:

- (a) Right turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway.
- (b) Left turns on two-way roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.
- (c) Left turns on other than two-way roadways. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

Section 52. Signals Required for Turning and Stopping.

(a) No person shall turn a vehicle from a direct course or move right or left upon a roadway unless such movement can be made with reasonable safety and then only after the giving of an appropriate signal in the manner provided herein. Any signal of intention to turn right or left shall be given continuously during the last fifty feet traveled by the vehicle before turning.

(b) No person shall stop or suddenly decrease the speed of his vehicle on a street or highway without first giving an appropriate signal in the manner provided herein.

(c) All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

1. Left turn. Hand and arm extended horizontally beyond the side of the vehicle.
2. Right turn. Hand and arm extended upward beyond the side of the vehicle.
3. Stop or sudden decrease of speed. Hand and arm extended downward beyond the side of the vehicle.

(d) The signals herein required shall be given either by means of the hand and arm or by a signal lamp or mechanical signal device of an approved type, but when the body of the vehicle or the body or load on any vehicle projects thirty-two inches or more to the left of the center of the steering wheel, or under any condition when a hand or arm signal would not be visible both to the front and rear of such vehicle or vehicles then such vehicle or vehicles must be equipped with and said signals must be given by such a lamp or device.

Section 53. Authority to Place and Obedience to Turning Markers.

(a) The chief of police is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance.

(b) When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

Section 54. Authority to Place Restricted Turn Signs.

(a) The chief of police is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or "U" turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

(b) Whenever authorized signs are erected indicating that no right or left or "U" turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

Section 55. Limitations on Turning Around. A driver of a vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not upon any other street so turn a vehicle, except at an intersection and unless such movement can be made in safety and without interfering with or delaying other traffic.

Section 56. Left and "U" Turns Prohibited.

(a) It shall be unlawful to drive a vehicle across or to make a "U" turn upon any street or highway at any place other than at an intersection or street end, or to make a "U" turn on any street or intersection in the central business traffic district or any business district.

(b) It shall be unlawful to make a left turn across or upon any street or highway, except at an intersection, in the central business traffic district. It shall be unlawful to make a left turn across or upon any street or highway, except at an intersection, when the making of such left turn interferes with or unduly delays traffic.

Section 57. Authority to Sign One-Way Streets and Alleys.

(a) The chief of police may designate any one-way street or alley and when so designated the chief of police shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

(b) Upon those streets and parts of streets and in those alleys designated as one-way, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

(c) The chief of police is hereby authorized to determine and designate streets, parts of streets, or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers, or other devices to give notice thereof. The chief of police may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

(d) It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers, or other devices so placed in accordance with this ordinance.

Section 58. Arterial Streets or Highways. The chief of police may designate and describe arterial streets or highways and when so designated it shall be the duty of the chief of police to place and maintain a "stop" sign on each and every street or highway intersecting such arterial street or highway or intersecting that portion thereof described and designated as such unless traffic at any such intersection is controlled at all times by traffic-control signals, provided, however, that at the intersection of two such arterial streets or highways or at the intersection of an arterial street and a heavy traffic street not so designated, "stop" signs shall be erected at the approaches of either of said streets as may be determined by the chief of police on the basis of an engineering and traffic study.

Section 59. Intersection Where Stop Required. The chief of police is hereby authorized to determine and designate intersections where particular hazard exists upon other than arterial streets or highways and to determine whether vehicles shall stop at one or more entrances to any such intersection, and shall erect a "stop" sign at every such place where a stop is required.

Section 60. Specifications for Stop Signs. Every sign erected pursuant to the two preceding sections shall bear the word "Stop" in letters not less than eight inches in height and such sign shall at night time be rendered luminous by steady or flashing internal illumination, or by a fixed flood light projected on the face of the sign or by efficient reflecting elements on the face of the sign. Every stop sign shall be located as near as practicable at the nearest line of the crosswalk on the near side of the intersection or, if none, at the nearest line of the roadway.

Section 61. Vehicles to Stop at Stop Signs. When "stop" signs are erected as herein authorized at or near the entrance to any intersection, every driver of a vehicle approaching a stop sign shall stop before entering the crosswalk on the near side of the intersection or in the event there is no crosswalk shall stop at a clearly marked "stop" line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection except when directed to proceed by a police officer or traffic-control signal.

Section 62. Emerging from Alley, Driveway, or Building. The driver of a vehicle emerging from an alley, driveway, or building shall stop such vehicle immediately to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, yielding the right of way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

Section 63. Stop When Traffic Obstructed. No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other 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.

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Section 64. Yield Right of Way Signs.

(a) The chief of police is hereby authorized to determine and designate intersections where particular hazard exists upon other than arterial streets or highways and to determine whether vehicles shall yield right of way at one or more entrances to any such intersection, and shall erect "yield right of way" signs at every such approach to an intersection so determined.

(b) Every sign erected pursuant to this section shall be located as near as practical at the nearest line of the crosswalk on the near side of the intersection or, if none, at the nearest line of the roadway.

(c) The driver of any vehicle upon approaching any "yield right of way" sign at the entrance to a street or highway or intersection shall slow down and stop if necessary and shall yield the right of way to other vehicles which have entered the intersection from an intersecting street or highway or which are approaching so closely on the intersecting street or highway as to constitute an immediate hazard.

Section 65. Obedience to Signal Indicating Approach of Railroad Train.

(a) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty feet but not less than fifteen feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirement shall apply when:

1. A clearly visible electric or mechanical device gives warning of the immediate approach of a railroad train.
2. A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train.
3. A railroad train approaching within approximately fifteen hundred feet of a street or highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard.
4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(b) No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.

Section 66. Following Fire Apparatus Prohibited. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet or drive into or park such vehicle within a block where the fire apparatus has stopped in answer to a fire alarm.

Section 67. Crossing Fire Hose. No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street or highway or private driveway, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

Section 68. Driving Through Funeral or other Procession. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this ordinance. This provision shall not apply at the intersections where traffic is controlled by traffic-control signals or by police officers.

Section 69. Drivers in a Procession. Each driver in a funeral or other authorized procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.

Section 70. Funeral Processions to be Identified. A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the traffic division.

Section 71. When Permits Required for Parades or Processions. No procession or parade, excepting the armed forces of the United States or the State of Alaska, and the forces of the police and fire departments, shall occupy, march, or proceed along any street except in accordance with a permit issued by the chief of police and such other regulations as are set forth herein which may apply.

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Section 72. Vehicles on a Sidewalk. The driver of a vehicle shall not drive within any sidewalk area except at a permanent or a temporary driveway.

Section 73. Limitations on 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, except that under no circumstances shall the driver of a vehicle back the same into or through an intersection.

Section 74. 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 designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear side of the operator.

Section 75. Riding on or Boarding or Alighting From Vehicles.

(a) No person riding upon any bicycle, roller skates, sled, or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

(b) No person shall board or alight from any vehicle while such vehicle is in motion.

(c) 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 employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.

(d) No person shall enter or leave a vehicle from the left-hand side thereof in any business district, on any arterial street, or any street or highway upon which traffic lanes are established, or whenever such action represents a safety hazard; provided, however, that such prohibition shall not apply to a vehicle angle parked nor to authorized emergency vehicles.

Section 76. Carrying Animals on Outside of Vehicles. It shall be unlawful for any person to transport any living animal on the running board, fenders, hood or other outside part of any vehicle, unless suitable harness, cage, or enclosure be provided and so attached as to protect such animal from falling or being thrown therefrom.

Section 77. Driving Through Safety Zones Prohibited. No vehicle shall at any time be driven through or within a safety zone.

Section 78. Controlled or Limited Access. No person shall drive a vehicle onto or from any controlled access or limited access roadway except at such entrances and exits as are established by public authority.

Section 79. Railroad Trains not to Block Streets. It shall be unlawful for the directing officer or the operator of any railroad train to direct the operation of or to operate the same in such manner as to prevent the use of any street or highway for purposes of travel for a period of time longer than five minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching.

Section 80. Driving on Right Side of Roadway.

(a) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

1. When overtaking and passing another vehicle proceeding in the same direction under the limitations specified in this ordinance.

2. When placing a vehicle in a lawful position for, and when such vehicle is lawfully making a left turn.

3. Upon a roadway designated and sign posted for one-way traffic.

4. When the right half of the roadway is obstructed or is under construction or repair.

(b) The chief of police is hereby authorized to determine and designate any street or highway or any portion of a street or highway where the volume of traffic or the vertical or other curvature of the roadway renders it hazardous to drive on the left side of such roadway. The chief of police shall have two parallel white strips painted upon the pavement along any such designated street or highway. When such markings or signs and markings are in place, the driver of a vehicle shall not drive along the street or highway to the left thereof, but this shall not prevent turning to the left across any such markings at any intersection.

(c) It is unlawful to drive any vehicle upon any street or highway which has been divided into two or more roadways by means of a physical barrier or by means of a divided section of not less than two feet in width delineated by curbs, lines, or other markings on the roadway, except to the right of such barrier or dividing section, or to make any left turn or "U" turn on any such divided street or highway, except in a crossover or intersection.

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Section 81. Meeting of Vehicles. Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

Section 82. Following or Overtaking a Vehicle.

(a) The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, and shall not again drive to the right side of the roadway until safely clear of such overtaken vehicle.

(b) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

1. When the vehicle overtaken is making or about to make a left turn;
2. Upon a street or highway when unobstructed pavement not occupied by parked vehicles, of sufficient width for two or more lines of moving vehicles in each direction;
3. Upon a one-way street or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.

(c) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic and conditions of the street or highway.

Section 83. Limitations on Overtaking and Passing.

(a) The driver of a vehicle shall not drive to the left side of the center line of a roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety.

(b) The driver of a vehicle shall not overtake or pass another vehicle proceeding in the same direction upon a grade or upon a curve in the roadway unless the driver's view along the roadway is sufficient to insure safety.

(c) The driver of a vehicle shall not overtake or pass any other vehicle proceeding in the same direction at any railroad grade crossing nor at any intersection of streets or highways unless permitted to do so by a police officer.

Section 83.1. School Bus; Defined; Procedure When Meeting and Overtaking; Sign and Signal Requirements; Compliance with State Board of Education; Biannual Inspection.

(a) For the purpose of this section, a school bus is defined as any vehicle having a capacity of seven or more persons and used regularly for the purpose of transporting children to or from a school.

(b) The driver of any vehicle upon a street or highway, upon meeting or overtaking from either direction any school bus equipped with signs and signals as herein required which has stopped on a street or highway for the purpose of receiving or discharging any school children when such school bus displays two flashing red light signals visible from the rear and two flashing amber light signals visible from the front shall bring such vehicle to a stop immediately before passing said school bus and shall not proceed past such school bus until said flashing signals cease to operate. The driver of a vehicle upon a street or highway with separate roadways need not stop upon meeting or passing a school bus which is upon the other roadway. The driver of a vehicle need not stop upon meeting or passing a school bus when the latter is stopped at an intersection or place where traffic is controlled by a traffic officer or official traffic-control signal.

(c) Every school bus, when operated for the transportation of school children shall bear upon the front and rear thereof a plainly visible sign containing the words "School Bus" in letters not less than eight inches in height. Upon every such sign the letters shall be of proportionate width. No vehicle, other than a school bus, shall display such a sign.

(d) Every school bus when operated for the transportation of school children shall be equipped with two flashing red light signals visible from the rear and two flashing amber light signals visible from the front. The above required signals shall be a completely separate system and shall be independently operated by the driver. The driver of a school bus shall operate this signal at all times when a school bus is stopped on a street or highway for the purpose of loading or unloading children. Such signals shall not be operated at any other time.

(e) Every school bus when operated for the transportation of school children shall comply with all of the requirements and regulations of the State Board of Education. Every school bus when operated within the City of Palmer for the transportation of school children shall be inspected at least twice each year by the chief of police to insure compliance with the above requirements and regulations.

Section 84. Right of Way.

(a) The driver of a vehicle approaching an intersection shall yield the right of way to any vehicle which has already entered the intersection from a different street or highway.

(b) When two vehicles enter an intersection from different streets or highways neither of which are arterial streets or highways at approximately the same time, the driver on the left shall yield the right of way to the vehicle on the right.

(c) The driver of a vehicle intending to turn to the left shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver, having so yielded and having given a signal when and as required by this ordinance, may make such left turn and the drivers of all other vehicles approaching from the opposite direction shall yield the right of way to the vehicle making the left turn.

Section 85. Exceptions to the Right of Way Rule. The driver of a vehicle entering an arterial street or highway, as designated in accordance with this ordinance, shall yield the right of way to all vehicles approaching on such streets or highways.

Section 86. Right of Way for Moving Traffic. The driver of any vehicle entering a street or highway at a point other than a street or highway intersection or entering traffic on a roadway from a parked or angle-parked position on such street or highway, shall look out for and yield the right of way to other vehicles on such roadway.

Section 87. Coasting Prohibited. The driver of a vehicle, when traveling on a down grade, shall not coast with the gears of such vehicle in neutral.

Section 88. Towing.

(a) No vehicle shall tow more than one other vehicle, nor more than two trailers, and the connections shall not be over sixteen feet long, and a red flag or other signal, or cloth not less than twelve inches both in length and width shall be fastened to the towline so as to make it plainly discernible. Each vehicle shall separately display thereon the lights required on a vehicle of the class to which it belongs.

(b) Trailers must track within six inches of the preceding vehicle.

(c) Trailers shall be attached to the preceding vehicle by means of a suitable coupling. Two safety chains, one on each side of the coupling, must also be used. Both chains must be attached to the chassis frame. Each chain must be of sufficient strength to pull the trailer attached to it when it is loaded to maximum capacity.

Section 89. Unattended Motor Vehicles. No person having control or charge of a motor vehicle shall allow such vehicle to stand on any roadway unattended without first effectively setting the brakes thereon, and when standing upon any grade without turning the front wheels of such vehicle to the curb or side of the roadway.

Section 90. Noise and Smoke.

(a) No person in charge or control of any vehicle shall make with such vehicle, or any device connected therewith, any noise so excessive as to annoy the public, or unnecessarily race his motor while running idle, or open the muffler of any vehicle, or permit such vehicle or any device thereon to emit an unreasonable quantity of smoke, or noxious gases or vapor.

(b) No person shall use any sound amplifying device, recorded music, or radio in or from any vehicle on any street or highway for the purpose of attracting the attention of persons to the sounds issued therefrom except after receiving a permit from the chief of police.

Section 91. Obstruction to Driver's View or Driving Mechanism.

(a) No driver of any vehicle shall drive the same when such vehicle is so loaded as to obstruct the view of the driver to the front or sides or to interfere with

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the driver's control over the driving mechanism of the vehicle.

(b) No person shall drive a vehicle with more than three people occupying the front seat.

(c) The windshield in front of the driver shall be kept clear of dirt, snow and ice so that the driver's view is unobstructed. No person shall drive any vehicle upon a street or highway with any sign, poster, or other non-transparent material upon the front windshield of such motor vehicle other than a certificate or other paper required or permitted to be displayed by law.

Section 92. Glass, Etc. on Highway Prohibited.

(a) No person shall throw or deposit upon any highway any glass, nails, tacks, wire, cans, or other substance likely to injure any person, animal, or vehicle upon such street or highway.

(b) No person who drops, or permits to be dropped or thrown, upon any street or highway any destructive or injurious material shall fail to immediately remove the same or cause it to be removed.

(c) No person removing a wrecked or damaged vehicle from a street or highway shall fail to remove any glass or other injurious substance dropped upon a highway from such vehicle.

Section 93. Persons Under Influence of Intoxicating Liquor or Narcotic Drugs.

(a) No person, whether licensed or not, who is an habitual user of narcotic drugs or who is under the influence of intoxicating liquor or narcotic or hypnotic drugs, shall drive any vehicle upon any street or highway within this city, or be in actual physical control of any vehicle. No owner of any motor vehicle, and no person having such in charge or in control thereof, shall authorize or willingly permit the same to be driven or operated upon any street or highway within this city by any person who is an habitual user of narcotic drugs or any person who is under the influence of intoxicating liquor, narcotic or hypnotic drugs.

(b) No person, whether licensed or not, who is an habitual user of narcotic drugs or who is under the influence of intoxicating liquor or narcotic or hypnotic drugs shall drive any vehicle on any property, whether public or private, within this city. No owner of any motor vehicle and no person having such in charge or in control thereof, shall authorize or knowingly permit the same to be driven or operated upon any property, whether public or private, within this city by any person who is an habitual user of narcotic drugs or any person who is under the influence of intoxicating liquor, narcotic or hypnotic drugs.

(c) The fact that any person charged with a violation of this section is or has been entitled to use any such intoxicating liquors or narcotic or hypnotic drugs under the laws of the State, or under a prescription from a physician, shall not constitute a defense against any charge of violating this section.

Section 94. Reckless Driving. It shall be unlawful for any person to operate a motor vehicle in a reckless manner upon and along the public ways, streets, or highways of this city. For the purpose of this section, to "operate in a reckless manner" shall be construed to mean the operation of a vehicle upon the public ways, streets, or highways of this city in such a manner as to indicate either willful or wanton disregard for the safety of persons or property, or without due caution and circumspection and at a speed or in a manner so as to endanger or to be likely to endanger any person or property.

Section 95. Negligent Driving. It shall be unlawful for any person to operate a motor vehicle in a negligent manner over and along the public ways, streets, or highways of this city. For the purpose of this section, to "operate in a negligent manner" means the operation of a vehicle upon the public ways, streets, or highways in such a manner as to endanger any person or property. The offense of operating a vehicle in a negligent manner shall be considered to be a lesser offense than, but included in, the offense of operating a vehicle in a reckless manner, and any person charged with operating a vehicle in a reckless manner may be convicted of the lesser offense of operating a vehicle in a negligent manner.

Section 96. Pedestrians Subject to Traffic-Control Signals. Pedestrians shall be subject to traffic-control signals as heretofore declared in sections 36 and 37 of this ordinance, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this ordinance.

Section 97. Pedestrians' Right of Way in Crosswalk.

(a) When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield to a pedestrian crossing a roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place

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of safety and walk or run into the path of a vehicle, which is so close that it is impossible for the driver to yield. A pedestrian's right of way in a crosswalk is modified under the condition and as stated in section 100(b).

(b) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

Section 98. Pedestrians to Use Right Half of Crosswalk. Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

Section 99. Crossing at Right Angles. No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb.

Section 100. When Pedestrians Shall Yield.

(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.

(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.

(c) The foregoing rules of this section have no application under the conditions stated in section 101 when pedestrians are prohibited from crossing at certain designated places.

Section 101. Prohibited Crossing.

(a) Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.

(b) No pedestrian shall cross a roadway other than in a crosswalk in the central business district or in any business district.

(c) No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed.

Section 102. Pedestrians Walking Along Roadways.

(a) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) Where sidewalks are not provided, any pedestrian walking along and upon a street or highway shall, when practical, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

Section 103. Pedestrians Soliciting Rides or Business.

(a) No person shall stand in a roadway or in proximity to a street or highway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.

(b) No person shall stand in any roadway or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

Section 104. Drivers to Exercise Due Care. Notwithstanding the foregoing provisions of this ordinance, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding a horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

Section 105. Effect of Regulations.

(a) It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in the following sections.

(b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of the following sections.

(c) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any street or highway or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

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Section 106. Traffic Laws Apply to Persons Riding Bicycles. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this State declaring rules of the road applicable to vehicles or by the traffic ordinances of this city applicable to the driver of a vehicle, except as to special regulations in the following sections and except as to those provisions of laws and ordinances which by their nature can have no application.

Section 107. Obedience to Traffic-Control Devices.

(a) Any person operating a bicycle shall obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(b) Whenever authorized signs are erected indicating that no right or left or "U" turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn in which event such person shall then obey the regulations applicable to pedestrians.

Section 108. Riding on Bicycles.

(a) A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

Section 109. Riding Bicycles on Roadways and Bicycle Paths.

(a) Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(c) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycles riders shall use such path and shall not use the roadway.

Section 110. Speed. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

Section 111. Emerging from Alley or Driveway. The operator of a bicycle emerging from an alley, driveway, or building shall, upon approaching a sidewalk area extending across any alleyway, yield the right of way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

Section 112. Clinging to Vehicles. No person riding upon any bicycle shall attach the same or himself to any vehicle upon a roadway.

Section 113. Carrying Articles. No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handle bars.

Section 114. Parking. No person shall park a bicycle upon a street or highway other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle, or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

Section 115. Riding Bicycles on Sidewalks.

(a) No person shall ride a bicycle upon a sidewalk within the central business traffic district or any business district.

(b) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

Section 116. Lamps and Other Equipment on Bicycles.

(a) Every bicycle when in use during the hours of darkness shall be equipped with a lamp on the front which shall emit a white light visible from a

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distance of at least five hundred feet to the front and with a lamp on the rear which shall emit a red light visible from a distance of at least five hundred feet to the rear.

(b) No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

(c) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

Section 117. Penalties. Every person convicted of a violation of any provision of the foregoing sections may be punished, in addition to any other penalties provided in this ordinance, by impounding of such person's bicycle for a period not to exceed thirty (30) days.

Section 118. Standing or Parking Close to Curb. No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within eighteen inches of the curb or edge of the roadway except as otherwise provided in the following sections.

Section 119. Signs or Markings Indicating Angle Parking. The chief of police shall determine upon what streets or highways angle parking shall be permitted and shall mark or sign such streets. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive on the left side of the roadway or where angle parking would create a hazard to passing traffic.

Section 120. Permit for Loading or Unloading at Angle to Curb.

(a) The chief of police is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or leasee of real property or to the owner of the vehicle and shall grant to such person the privileges as therein stated and authorized herein.

(b) It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

Section 121. Lights on Parked Vehicles.

(a) Whenever a vehicle is lawfully parked during hours of darkness upon any street or highway within a business or residence district no lights need be displayed upon such parked vehicle.

(b) Whenever a vehicle is parked upon a street or highway outside of a business or residence district during the hours of darkness such vehicle shall be equipped with one or more lamps which shall exhibit a white light visible from a distance of five hundred feet to the front of the vehicle and a red light visible from a distance of five hundred feet to the rear.

(c) Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

Section 122. Stopping, Standing, or Parking Prohibited. No Signs Required.

(a) No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with this ordinance or the directions of a police officer or traffic-control device, in any of the following places:

1. On a sidewalk.
2. In front of a public or private driveway.
3. Within an intersection.
4. Within fifteen feet of a fire hydrant.
5. On a crosswalk.
6. Within twenty feet of a crosswalk at an intersection, except when a traffic-control signal is in operation.
7. Within fifty feet of the nearest rail of a railroad crossing, except when stopped for an approaching or passing railroad train in compliance with section 65 of this ordinance.
8. Within twenty feet of the driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station within seventy-five feet of said entrance.
9. Along side or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
10. On the roadway side of any vehicle stopped or parked at the edge of, or curb of, the roadway.

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11. Upon any bridge or other elevated structure upon a street or highway or within a street or highway tunnel.

12. At any place where official signs prohibit parking.

(b) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

Section 123. Parking Not to obstruct Traffic. No person shall park any vehicle upon a street or highway, other than in an alley, in such manner or under such conditions as to leave available less than ten feet from the center line of such roadway for the free movement of vehicular traffic.

Section 124. Parking in Alleys.

(a) No person shall park a vehicle within an alley in the central business traffic district or any business district except for the expeditious loading or unloading of freight or materials and then the vehicle shall be parked in such a manner or under such conditions as to leave available not less than ten feet of the width of the alley for the free movement of vehicular traffic.

(b) No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the alley for the free movement of vehicular traffic.

(c) No person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

Section 125. Parking for Certain Purposes Prohibited.

(a) No person shall park a vehicle upon a roadway for the purpose of:

1. Commercial advertising.

2. Washing, greasing, or repairing such vehicle, except repairs necessitated by an emergency.

(b) No dealer in vehicles shall park any vehicle which is for sale or which is held for sale upon any street or roadway unless such vehicle is then attended by an operator.

Section 126. Parking Adjacent to Schools.

(a) The chief of police is hereby authorized to erect signs indicating no parking upon either or both sides of any street or highway adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.

(b) When official signs are erected indicating no parking upon either side of a street adjacent to any school property, as authorized herein, no person shall park a vehicle in any such designated place.

Section 127. Parking Prohibited on Narrow Streets or Highways.

(a) The chief of police is hereby authorized to erect signs indicating no parking upon any street or highway when the width of the roadway does not exceed twenty-six feet, or upon one side of a street or highway as indicated by such signs when the width of the roadway does not exceed thirty-five feet.

(b) When official signs prohibiting parking are created upon narrow streets or highways, as authorized herein, no person shall park a vehicle upon any such street or highway in violation of any such sign.

Section 128. Standing or Parking on One-Way Streets or Highways. The chief of police is authorized to erect signs upon the left-hand side of any one-way street or highway to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign.

Section 129. Standing or Parking on One-Way Roadways. In the event a street or highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. The chief of police is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof.

Section 130. Stopping, Standing, or Parking Near Hazardous or Congested Places.

(a) The chief of police is hereby authorized to determine and designate by proper signs places in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(b) When official signs are erected at hazardous or congested places, as authorized herein, no person shall stop, stand, or park a vehicle in any such designated place.

Section 131. Parking Prohibited During Certain Hours.

(a) The chief of police is hereby authorized to determine and designate by proper signs places in which stopping, standing, or parking of vehicles during certain hours of the day would create a hazardous condition or would cause unusual delay to traffic.

(b) When official signs prohibiting parking during certain hours of the day are erected, as authorized herein, no person shall stop, stand, or park a vehicle in any such designated place.

Section 132. Parking Time Limited.

(a) The chief of police is hereby authorized to determine by traffic and engineering studies places in which there is public demand or necessity for short-time parking, and to designate such places by proper signs indicating the time limit for parking.

(b) When official signs are erected indicating time limit parking in places, as authorized herein, no person shall stop, stand, or park a vehicle in such designated place for a time longer than indicated on such signs.

Section 133. Parking Prohibited over Twenty-Four Hours. No person shall park a vehicle on any street or highway for a period of time longer than twenty-four hours.

Section 134. Parking of Trailers Restricted.

(a) No trailer or semi-trailer shall be parked on any street or highway of this city for a longer period than one hour at any one time.

(b) The Chief of Police may designate streets in the central business traffic district on which no trailer or semi-trailer shall be stopped, parked, or allowed to stand between the hours of six o'clock a.m. and six o'clock p.m.

Section 135. Regulations Not Exclusive. The provisions of the preceding sections imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

Section 136. Applications of the Foregoing Sections. The provisions of the foregoing sections prohibiting the standing or 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 device.

Section 137. Curb Loading Zones. The chief of police is hereby authorized to determine the location of passenger and truck curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable.

Section 138. Standing in Passenger Curb Loading Zones. No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during the hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed five minutes.

Section 139. Standing in Truck Curb Loading Zones. 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 in any place marked as a truck curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading materials exceed thirty minutes. It shall be unlawful to stop, stand, or park a passenger vehicle in a truck curb loading zone.

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Section 140. Public Carrier Stops and Stands. The chief of police is hereby authorized to establish bus stops, taxicab stands, and stands for other passenger common carrier motor vehicles on such public streets or highways in such places and in such manner as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, taxicab stand, or other stand shall be designated by appropriate signs.

Section 141. Stopping, Standing, and Parking of Buses and Taxicabs.

(a) The driver of a bus shall not stand or park such vehicle upon any street or highway at any place other than a bus stop so designated as provided herein.

(b) The driver of a bus shall not stop such vehicle upon any street or highway at any place for the purpose of loading or unloading passengers other than any bus stop or passenger loading zone so designated as provided herein, except in case of an emergency.

(c) The driver of a bus shall enter a bus stop or passenger loading zone on a public street or highway in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not further than eighteen inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

(d) The driver of a taxicab shall not stand or park such vehicle upon any street or highway at any place other than in a taxicab stand so designated as provided herein. This provision shall not prevent the driver of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

Section 142. Restricted Use of Bus Stops and Taxicab Stands. No person shall stop, stand, or park a vehicle other than a bus in a bus stop or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed.

Sections 143 - 149. Reserved for future material.

Section 150. Width of Vehicles. No vehicle operating on the streets or highways within this city shall exceed a total width of ten feet, including the load, except that the limitations as to size of vehicle shall not apply to road machinery while engaged in the construction or maintenance of streets or alleys. (Refer to Section 156.)

Section 151. Height of Vehicles. No vehicle operating on the streets or highways within this city with or without a load shall exceed a height of fourteen feet. (Refer to Section 156.)

Section 152. Length of Vehicles. No vehicle operating on the streets or highways within this city shall have a greater length than thirty-five feet and no combination of connected vehicles shall have an overall length of more than sixty feet. (Refer to Section 156.)

Section 153. Length of Loads.

(a) The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than three feet beyond the front wheels of such vehicle or the front bumper of such vehicle.

(b) The load upon any motor vehicle or an independent load only upon a trailer or semi-trailer shall not extend to the rear beyond the last point of support for a greater distance than that equal to two-thirds of the length of the wheel base of the vehicle carrying such load; provided, the wheel base of a semi-trailer shall be considered as the distance between the rearmost axle of the towing vehicle and the rearmost axle of the semi-trailer.

(c) The load upon any combination of vehicles shall not exceed seventy-five feet measured from the front extremity of the front vehicle or load to the rear extremity of the last vehicle or load. (Refer to Section 156.)

Section 154. Weight of Vehicles. The term "gross weight", as used in this section, means the combined weight of the vehicle and its load. No vehicle or combination of vehicles shall exceed the following gross weights:

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(a) No single axle shall exceed eighteen thousand lbs. and no motor vehicle equipped with pneumatic tires shall have a load exceeding five hundred lbs. per inch in diameter of such tires, nor shall any vehicle equipped with solid rubber or steel tires have a load in excess of four hundred lbs. per inch in width of such tires, but no solid rubber or steel tires shall be used on a paved road.

(b) No vehicle equipped with two axles shall have a gross weight of more than twenty-nine thousand lbs., nor shall either axle support a weight of more than eighteen thousand lbs.

(c) For a single vehicle with three axles, having dual rear axles not less than three feet, six inches apart, a gross weight of not more than forty-three thousand lbs. is permitted, but neither rear axle shall support a weight of more than sixteen thousand lbs.

(d) Where a single axle semi-trailer is attached to another vehicle with two axles and the distance between the axle of the trailer and the nearest axle of the other vehicle is not less than fourteen feet, a gross weight of not more than forty-seven thousand lbs. is permitted for the combined vehicle.

(e) Where a single axle semi-trailer ~~is attached to another~~ is attached to another vehicle with three axles not less than three feet, six inches apart, and the distance between the axle of the trailer and the nearest axle of the other vehicle is not less than fourteen feet, a maximum gross weight of not more than sixty-one thousand lbs. is permitted for the combined vehicles, but neither of the two rear axles of the other vehicle shall support a weight of more than sixteen thousand lbs.

(f) Where a double axle semi-trailer with axles not less than three feet, six inches apart is attached to another vehicle with two axles, and the distance between the front axle of the trailer and the rear axle of the other vehicle is not less than fourteen feet, the maximum gross weight permitted is sixty-one thousand lbs. but neither axle of the trailer shall support a weight of more than sixteen thousand lbs.

(g) For a trailer having two axles not less than eight feet from the rear axle of the other vehicle, the gross weight upon either axle of such trailer shall not exceed eighteen thousand lbs., and the gross weight of the trailer shall not exceed thirty-six thousand lbs.

(h) For a trailer having three axles with a distance of not less than three feet, six inches between the two rear axles and a distance of not less than twenty-two feet between the front axle and the foremost rear axle, the maximum gross weight permitted is fifty thousand lbs. but neither rear axle of the trailer shall support a weight of more than sixteen thousand lbs.

(i) When a double axle semi-trailer with axles not less than three feet, six inches apart is attached to another vehicle with three axles with the rear axles not less than three feet, six inches apart, and if the distance between the front axle of the trailer and the rear axle of the other vehicle is not less than fourteen feet, the maximum gross weight permitted shall not exceed seventy-five thousand lbs., but no one of the double axles shall support a weight of more than sixteen thousand lbs.

(j) No tractor weighing more than sixteen tons shall cross any highway bridge within this city.

Section 155. Permits for Oversize or Overweight Vehicles. The chief of police may, upon application, as provided in section 156 of this ordinance, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size, weight, or load exceeding the maximum size or gross weight specified in the foregoing section on any public street or highway in this city upon the following terms and conditions:

(a) For Future Material

(b) Such vehicles may be operated only on streets or highways where the pavement is capable of carrying the weight and equipment without injury to such pavement, and along such routes as will least interfere with or endanger other users of the streets.

(c) No vehicle shall be operated which has a weight, including load, of over seven hundred fifty lbs. per inch width of tires.

(d) Vehicles, including load, that are over-width shall have displayed across the rear, red flags during the day and red lights during the hours of darkness, at the extreme limits of the width of vehicle or load and not over five feet apart across the rear. Vehicles, including load, that are over-length shall have displayed during hours of darkness red lights along the sides not over eight feet apart.

(e) Pilot cars shall be provided with all vehicles or loads ten feet or more in width. The front car must have a sign reading "Wide Load Following" and the rear car must have a sign reading "Wide Load Ahead". Both signs shall be on a white background with red letters at least six inches high. It shall be a violation of this ordinance for cars to display either of these signs when not actually engaged in escorting a wide load.

(f) Police escort shall be required for all vehicles including loads twelve feet or more in width.

Section 156. Applications for Permits.

(a) The permits referred to in section 135 may be obtained from the chief of police upon written application therefor, setting forth a description of the object to be transported or the vehicle or vehicles to be driven, the route desired to be traversed, the hours within which it is desired to perform the work, the means of locomotion to be used, and such other information as may be required. The applicant may be required, as a condition to the issuance of the permit, execute and deliver to this city a good and sufficient surety or cash bond in the sum of not less than \$5,000 nor more than \$25,000 conditioned to save the city harmless from all injuries which may be occasioned by reason of the granting of such permit, or the use of any public street or highway thereunder, or of any act or omission; provided, the issuance of such permit shall not be construed as a waiver of the right of the city to recover for any injury to the street or highway or other property of the city resulting from transportation pursuant thereto.

(b) The applicant will be charged for all costs incurred by the moving of power lines, telephone lines, traffic signals, and other obstructions within the right of way. A cash deposit may be required to assure payment for these services.

(c) The chief of police is hereby authorized to determine and to specify in such permits the routes to be traversed, the hours of operation, and such other limitations which in his opinion are required for the public convenience and safety.

Section 157. Fees for Permits. No fee for permits as provided in the foregoing section shall be required, except in those cases where escort vehicles must be provided by this city or additional inspections are required, and then in that event, the chief of police is authorized to set a fee which, in his discretion, shall be sufficient to reimburse this city for its expense.

Section 158. Load Restrictions on Certain Streets and Highways. The chief of police, with the advice of the city engineer, is hereby authorized to determine and designate those streets or highways upon which vehicles of a gross weight permitted in section 154 would create a hazard or cause undue damage to the roadway and shall erect appropriate signs stating the reduced gross weight permitted on such designated streets. When signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs.

Section 159. Commercial Vehicles Prohibited.

(a) The chief of police is hereby authorized to determine and designate various residential streets or highways upon which the operation of commercial vehicles would create exceptional hazardous conditions or cause undue public inconvenience and shall erect appropriate signs stating that commercial vehicles are prohibited from such designated streets.

(b) When signs are erected giving notice thereof, no person shall operate any commercial vehicle at any time upon any of the streets or highways or parts of streets or highways so designated, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise and then only by entering such street or highway at the intersection nearest the destination of the vehicle and proceeding thereon no further than the nearest intersection thereafter.

Section 160. Restrictions Upon Certain Vehicles.

(a) The chief of police is hereby authorized to determine and designate those heavily traveled streets or highways upon which shall be prohibited the use of the roadway by motorcycles, bicycles, horse-drawn vehicles, or other non-motorized traffic and shall erect appropriate signs giving notice thereof.

(b) When signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs.

Section 161. Projections on Wheels or Tracks Prohibited. No person shall drive or propel any vehicle or object upon any street or highway in this city which shall have any wheel, tire or track made or equipped with spikes, cleats, legs, or other attachments or projections, except tire chains.

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Section 161. Projections on Wheels or Tracks Prohibited. No person shall drive or propel any vehicle or object upon any street or highway in this city which shall have any wheel, tire or track made or equipped with spikes, cleats, legs, or other attachments or projections, except tire chains.

Section 162. Dragging Objects Prohibited. No person shall drag or haul any timber, pipe, or any other material or object along or over any street or highway in this city in such a manner that a portion of such object shall rest upon or come in contact with the surface of such street or highway.

Section 163. Spilling Loads Prohibited. No vehicle shall be driven or moved on any street or highway unless such vehicle is so constructed or loaded as to prevent any of its contents or load other than water from dropping, sifting, leaking, or otherwise escaping therefrom.

Section 164. Projecting Loads on Passenger Vehicles. No passenger type vehicle shall be operated on any street or highway with any load carried thereon extending beyond the line of the hub caps on its left side or more than six inches beyond the line of the hub caps on its right side.

Section 165. License Plate attached to Vehicle. No vehicle shall be driven or parked upon the streets or highways of this city unless its license plates for the current year are attached to the vehicle in the manner provided by State law and, in addition thereto, the said license plates are clean and legible.

Section 166. Times when Lamps and Lighting Devices To Be Lighted.

(a) Every vehicle upon a street or highway at any time from a half hour after sunset to a half hour before sunrise and at any other time when there is not sufficient light to render clearly discernible any person or vehicle on the street or highway at a distance of two hundred feet shall be equipped with lighted lamps and lighting devices as respectively provided in this ordinance for different classes of vehicles subject to the exceptions set forth in this ordinance.

(b) Whenever requirement is hereinafter declared as to the distance from which certain lamps and devices shall render a person or vehicle visible, said provisions shall apply during the times stated in subdivision (a) of this section directly ahead upon a straight level unlighted street or highway under normal atmospheric conditions unless a different time, direction, or condition is expressly stated.

Section 167. Head Lamps on Motor Vehicles. Every motor vehicle other than a motorcycle, at the times specified in section 166 hereof, shall be equipped with two lighted head lamps, no more and no less, mounted on opposite sides of the front of said vehicle, and they must be located directly above or in advance of the front axle of said vehicle. Said head lamps shall be located at a height measured from the center of the head lamps of not more than fifty-four inches nor less than twenty-eight inches above the level surface upon which said vehicle stands.

Section 168. Head Lamps on Motorcycles. Every motorcycle, at the times specified in section 166 hereof, shall be equipped with at least one and not more than two lighted head lamps which shall conform to the requirements and limitations of this ordinance.

Section 169. Rear Lamps.

(a) Every motor vehicle and every vehicle which is being drawn at the end of a combination of vehicles at the time specified in section 166 hereof shall be equipped with one or more lighted rear lamps exhibiting red light plainly visible from a distance of five hundred feet to the rear.

(b) Either such a rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear license plate and render it clearly legible from a distance of fifty feet to the rear. When the rear license plate is illuminated by a lamp other than a required rear lamp said two lamps shall be turned off only by the same control switch at all times and the light source of the additional lamp shall have a minimum of three standard candle power and a maximum of fifteen standard candle power.

(c) Every red rear lamp upon a vehicle shall be equipped with red glass lenses not less than two and seven-eighths inches in diameter or six and one-half square inches in area and the light source shall not be less than three nor more than fifteen standard candlepower and the voltage of any socket of light source shall not be less than eighty-five per cent of the design voltage of the battery supplying the current to such light source.

Section 170. Lamp or Flag on Projecting Load.

(a) Whenever the load upon any vehicle extends to the rear four feet or more beyond the bed or body of such vehicle, there shall be displayed at the extreme end of the load at the times specified in section 166 hereof, in addition to the required rear light, two red lights plainly visible under normal atmospheric conditions from a distance of at least five hundred feet to the sides and rear. At any other time there shall be displayed at the extreme end of such a load a red flag or cloth not less than sixteen inches square.

(b) No lamp on any load as required by this section shall project a light of more than four apparent candlepower.

Section 171. Fog Lamps.

(a) Any motor vehicle may be equipped with not to exceed two fog lamps mounted upon the front below the level of the centers of the head lamps. Said fog lamps shall be located at a height measured from the centers of such lamps of not less than sixteen inches above the level surface upon which the vehicle stands.

(b) Fog lamps shall not be used in substitution of head lamps, except under conditions of rain or fog rendering disadvantageous the use of head lamps.

(c) Whenever fog lamps are used in substitution of head lamps as permitted herein, then two such fog lamps mounted on opposite sides of the front of the vehicle must be lighted.

(d) Every fog lamp used upon a motor vehicle shall be so adjusted and aimed that no part of the high intensity portion of the beam shall, at a distance of twenty-five feet, rise above the horizontal plane passing through the center of the lamp.

Section 172. Spotlights. No person shall use a spotlight on a vehicle while the vehicle is in motion.

Section 173. Stop Signal Lamp. Every motor vehicle shall be equipped with a stop lamp on the rear which shall emit a red or amber light and which shall be actuated upon application of the service (foot) brake and which may but need not be incorporated with a tail lamp. Such stop signal shall be plainly visible from a distance of one hundred feet to the rear, both during normal sunlight and during hours of darkness.

Section 174. Regulations Governing the Color of Lights. The following regulations shall apply to the color of lights upon a vehicle operated upon any of the streets or highways in this city:

(a) All lights visible from the front of a vehicle, other than a clearance, or identification or signal lamp or signal device, shall be white or amber, except that an authorized emergency vehicle may display red light.

(b) All lights visible from the rear of a vehicle, other than the light illuminating the rear license plate, and the light from a clearance or back up lamp or signal device thereon, shall be red.

(c) Public utility repair vehicles necessarily parked other than adjacent to the curb in a roadway for purposes of repairing public utility services, may be equipped with red lights displayed to the front, sides, and rear, but these lights shall not be lighted when the vehicle is in motion.

Section 175. Multiple Beam Lighting Equipment.

(a) Except as hereinafter provided, the head lamps on motor vehicles at the times mentioned shall be so arranged that the driver may select at will between distributions of light projected to different elevations, subject to the following requirements and limitations.

(b) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty feet ahead for all conditions. The maximum intensity of this uppermost distribution of light or composite beam with one degree of arc or more above the horizontal level of the lamps when the vehicle is not loaded and shall not exceed eight thousand apparent candlepower, and at no other point of the distribution of light or composite beam shall there be an intensity of more than seventy-five thousand apparent candlepower.

(c) There shall be a lowermost distribution of light or composite beam so aimed that:

1. When the vehicle is not loaded, none of the high intensity portion of the light which is directed to the left of the prolongation of the extreme left side of the vehicle shall, at a distance of twenty-five feet ahead, project higher than a level of eight inches below the center of the lamp from which it comes.

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2. When the vehicle is not loaded, none of the high intensity portion of the light which is directed to the right of the prolongation of the extreme left side of the vehicle shall, at a distance of twenty-five feet ahead, project higher than a level of three inches below the level of the center of the lamp from which it comes.

3. In no event shall any of the high intensity of such lowermost distribution of light or composite beam project higher than a level of forty-two inches above the level on which the vehicle stands at a distance of seventy-five feet ahead.

(d) Where one intermediate beam is provided, the beam on the left side of the road shall be in conformity with (c) of this section, except when arranged in accordance with the practice specified in (f) of this section.

(e) All road beams shall be so aimed and of sufficient intensity to reveal a person or vehicle at a distance of at least one hundred feet ahead under normal atmospheric conditions.

(f) Every motor vehicle which has multiple beam road lighting equipment shall be equipped with a beam indicator which shall be lighted whenever the uppermost distribution of the light from the head lamps is in use, and shall not otherwise be lighted. Said indicator shall be so designed and located that, when lighted, it will be readily visible without glare to the driver of the vehicle so equipped.

Section 176. Use of Multiple Beam Lighting Equipment.

(a) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto, during the times herein specified, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations.

(b) Whenever a driver of a vehicle approaches an oncoming vehicle within five hundred feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver, and in no case shall the high intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle be aimed higher than a level of eight inches below the center of the lamp from which it comes at a distance of twenty-five feet ahead, and in no case higher than a level of forty-two inches above the level upon which the vehicle stands at a distance of seventy-five feet ahead.

Section 177. Brakes.

(a) No person shall operate on any street or highway any motor vehicle or combination of motor vehicles and other vehicles or vehicles of a type subject to registration under the laws of the State of Alaska unless such motor vehicle and each unit of any such combination of vehicles is equipped with brakes adequate to bring such motor vehicle or combination of vehicles to a complete stop when operated upon dry asphalt or concrete pavement surface where the grade does not exceed one per cent at the speed set forth in the following table within the distance set opposite such speeds:

<u>Miles Per Hour</u>	<u>Stopping Distance</u>
10	9.3 feet
15	20.8 feet
20	37.0 feet
25	58.0 feet
30	83.3 feet
35	113.0 feet
40	148.0 feet
45	188.0 feet

(b) If a vehicle is equipped with more than one system of brakes, each shall be maintained in good working order.

(c) Any vehicle which does not meet the requirements of this section may be moved only after receiving a special permit issued by the chief of police.

Section 178. Horns or Warning Signals.

(a) Every motor vehicle when operated upon a street or highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet, but no horn shall emit an unreasonable loud or harsh sound.

(b) The driver of a motor vehicle, when reasonably necessary to insure safe operation, shall give audible warning with his horn. Such horn shall not otherwise be used.

(c) No vehicle shall be equipped nor shall any person use upon a vehicle any siren except as otherwise permitted in this subsection. Any authorized emergency vehicle may be equipped with a siren of the type approved by the police department but such siren shall not be used except when such vehicle is operated in response to an emergency call or when responding to a fire alarm or in the immediate pursuit of an actual or suspected violator of the law, in which said latter event the driver of such vehicle shall sound said alarm when necessary to warn pedestrians or other drivers of the approach thereof.

Section 179. Mufflers. Any motor vehicle shall at all times be equipped with a muffler in constant operation to prevent any excessive or unusual noise and no such muffler or exhaust system shall be equipped with a cut-out, by-pass, or similar device. No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the motor of such vehicle above that emitted by the muffler originally designed and installed by the manufacturer of the vehicle. A muffler is a device consisting of a series of chambers or baffle plates, or other mechanical design, for the purpose of receiving exhaust gas from an internal combustion engine, and effective in reducing noise. All exhaust pipes shall be parallel to the ground and vehicle, or vertical, and if vertical, the exhaust from such pipes shall not be directed to the side of the vehicle.

Section 180. Gases and Fumes. The cab of any motor vehicle shall be reasonably tight against the penetration of gases and fumes from the engine or exhaust system. The exhaust system, including the manifold, muffler, and exhaust pipes shall be so constructed as to be capable of being maintained and shall be maintained in a reasonably gas tight condition.

Section 181. Mirrors. Any motor vehicle which is so constructed or loaded, or when towing any vehicle which is so constructed or loaded, as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of such vehicle under normal atmospheric conditions.

Section 182. Every passenger type vehicle, other than a motorcycle, and every motor truck or truck-tractor, and every fire truck, fire engine or other fire apparatus, shall be equipped with an adequate windshield.

Section 183. Safety Glass Required.

(a) No motor vehicle, except motorcycles, shall be operated unless such motor vehicle is equipped with safety glass of a type approved by the vehicle's manufacturer wherever such glass or glazing materials is normally used in partitions, doors, windows, windshields, or wind deflectors.

(b) The term "safety glass", as used in this ordinance, shall be construed as meaning glass, or glazing material, so manufactured, fabricated, or treated or combined with other materials as to reduce, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from external sources or by glass or glazing material when the same is cracked or broken.

(c) It shall be a violation of this ordinance for any person to replace any glass or glazing material used in partitions, doors, windows, windshields, or wind deflectors in any motor vehicle with any material other than safety glass of a type approved by the vehicle's manufacturer.

Section 184. Self-Operating Windshield Wipers. Every motor vehicle, except motorcycles, operating on a street or highway shall be equipped with a self-operating windshield wiper installed thereon which shall be maintained in good operating condition. Any windshield wiper as required herein to be installed on a vehicle shall provide clear vision during fog, snow, or rain. This section shall not apply to snow removal equipment equipped with adequate manually operated windshield wipers. Every new motor vehicle first registered after December 31, 1949, except motorcycles, shall be equipped with two such windshield wipers, one mounted on the right half and one on the left half of the windshield, which wipers shall be capable of operation at all times and under all conditions.

Section 185. Defective Windshields and Rear Windows Prohibited. It shall be unlawful to operate any motor vehicle upon a street or highway within this city when the windshield or rear window is in such defective condition as to impair the driver's vision either to the front or rear.

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Section 186. Steering Assembly, Wheel Alignment and Body Condition. Any vehicle operated on the streets or highways which has any undue looseness of front wheels or steering assembly which may contribute to any unsafe condition or any other visible defective mechanical condition that would cause a difficult or uncertain steering, or any vehicle having any visible unreasonable amount of misalignment to the front or rear wheels, or any vehicle having unnecessary sharp metallic protuberances which may endanger pedestrians, or any vehicle having any fenders or other equipment removed which would endanger the operator or others shall constitute a violation of this section.

Section 187. Shut Off Valves on Vehicles Carrying Dangerous Substances. No person shall transport any explosive substance, inflammable liquid having a flash point of 90 degrees Fahrenheit or below, liquefied petroleum gas, or poisonous gas in a tank truck, trailer or semi-trailer which is equipped with an external shut off valve unless the vehicle is also equipped with a shut off valve inside each tank which is so constructed and placed that any damage, displacement, or removal of the external shut off valve, whether by accident or otherwise, will not of itself release or cause the escape of any part of the load of the tank truck, trailer, or semi-trailer.

Section 188. Members of Police Department May Inspect Vehicles or Equipment.

(a) Any member of the city police department having reasonable cause to believe that any vehicle or combination of vehicles is not equipped as required by this ordinance, or is in such unsafe condition as to endanger the driver or other occupant or any person upon the highway, may require the driver thereof to stop and submit such vehicle or combination of vehicles to an inspection of the mechanical condition or equipment thereof, and such test with reference thereto as may be appropriate.

(b) In the event that such vehicle or combination of vehicles is found to be in an unsafe mechanical condition or is not equipped as required by this ordinance, the officer making the inspection may give such driver a notice of arrest and further require said driver or the owner of the vehicle to produce in court satisfactory evidence that such vehicle or its equipment has been made to conform with the requirements of this ordinance. Every officer giving such directions or a notice of arrest as above provided shall mail a copy or otherwise give notice thereof to the owner and any legal owner of such vehicle, if other than the driver.

(c) No person shall operate any vehicle or combination of vehicles after notice of such unsafe condition or that the vehicle is not equipped as required herein, except as may be necessary to return such vehicle or combination of vehicles to the residence or place of business of the owner or driver or to a garage until said vehicle and its equipment has been made to conform with the requirements of this ordinance.

(d) Whenever the driver of a vehicle is directed by a member of this city's police department to stop and submit the vehicle's mechanical condition or its equipment to an inspection or test under the conditions stated in this section, it shall be the duty of such driver to stop and submit to such inspection or test and a failure or refusal to do so shall be deemed a violation of this ordinance.

Section 189. Provisions Apply to All Vehicles. The provisions of this ordinance which refer to equipment of motor vehicles operated upon the streets and highways within this city shall apply to all vehicles, whether publicly or privately owned, when operated upon the streets or highways including all authorized emergency vehicles, except where specific exemption or provision is made relating thereto.

Section 190. Violations. It shall be unlawful for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any street or highway within this city any vehicle or combination of vehicles which does not contain those parts or is not at all times or at those times specifically stated herein, equipped with such lamps and other equipment as are required in this ordinance or for any person to do any act forbidden or fail to perform any act required under this ordinance. Any vehicle operated upon the streets or highways in this city in an unsafe condition will be considered in violation of this ordinance, whether or not specific violation is listed herein.

Section 191. Traffic Violations Bureau Created.

(a) The city magistrate shall establish a traffic violations bureau to assist the court with the clerical work of traffic cases. The bureau shall be in charge of such person or persons and shall be open at such hours as the magistrate may designate.

(b) The magistrate shall designate the specified offenses under the traffic ordinances of this city in respect to which payments of fines may be accepted by the traffic violations bureau in satisfaction thereof, and shall specify by suitable schedules the amount of such fines for first, second, and subsequent offenses, provided

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such fines are within the limits declared by law or ordinance, and shall further specify what number of such offenses shall require appearance before the magistrate.

Section 192. When Person Charged May Elect to Appear At Bureau or Before Magistrate.

(a) Any person charged with an offense for which payment of a fine may be made to the traffic violations bureau shall have the option of paying such fine within the time specified in the notice of arrest at the traffic violations bureau upon entering a plea of guilty and upon waiving appearance in court; or may have the option of depositing required lawful bail and upon a plea of not guilty shall be entitled to a trial as authorized by law.

(b) The payment of a fine to the bureau shall be deemed an acknowledgment of conviction of the alleged offense, and the bureau, upon accepting the prescribed fine, shall issue a receipt to the violator acknowledging payment thereof.

Section 193. Duties of Traffic Violations Bureau. The following duties are hereby imposed upon the traffic violations bureau in reference to traffic offenses:

(a) It shall accept designated fines, issue receipts, and represent in court such violators as are permitted and desire to plead guilty, waive court appearance, and give power of attorney.

(b) It shall receive and issue receipts for cash bail from the persons who must or wish to be heard in court, enter the time of their appearance on the court docket, and notify the arresting officer and witnesses, if any, to be present.

(c) It shall keep an easily accessible record of all moving violations of which each person has been cited during the preceding three years.

(d) It shall also keep an easily accessible record of all non-moving violations of which each person has been cited during the preceding twelve months.

Section 194. Traffic Violations Bureau to Keep Records. The traffic violations bureau shall keep records and submit summarized monthly reports to the city magistrate and mayor of all notices issued and arrests made for violations of the traffic laws and ordinances in this city and of all the fines collected by the traffic violations bureau or the court, and of the final disposition or present status of every case of violation of the provisions of said laws and ordinances. Such records shall be so maintained as to show all types of violations and the totals of each. Said records shall be public records.

Section 195. Additional Duties of Traffic Violations Bureau. The traffic violations bureau shall follow such procedure as may be prescribed by the traffic ordinances of this city.

Section 196. Penalties.

(a) Unless another penalty is expressly provided by law every person convicted of a violation of any provision of this ordinance shall be punished by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than thirty (30) days or by both such fine and imprisonment.

(b) Upon conviction for a violation or upon bail forfeiture for reckless driving as stated in section 94 of this ordinance; negligent driving as stated in section 95 of this ordinance; speeding as stated in sections 45 through 50 of this ordinance; driving under the influence of intoxicating liquor or narcotic drugs as stated in section 93 of this ordinance; failure to give immediate notice of accident as stated in section 22 of this ordinance; failure to remain at the scene of an accident as stated in section 23 of this ordinance; failure to give information or render aid as stated in section 24 of this ordinance; or operating or permitting the operation of a vehicle in an unsafe condition in violation of section 190 of this ordinance, the Court may recommend suspension of driver's license.

Section 197. Forms and Records of Traffic Citations and Arrests.

(a) The city shall provide books to include traffic citation forms for notifying alleged violators to appear in answer to charges violating laws and ordinances in the municipal court of this city. Said books shall include serial numbered sets of citations in quadruplicate for moving violations and in triplicate for non-moving violations in the form prescribed and approved jointly by the city magistrate and the chief of police.

(b) The city shall issue such books to the chief of police or his duly authorized agent and shall maintain record of any book so issued and shall require a written receipt for every such book.

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(c) The chief of police or other officer designated by the mayor shall be responsible for the issuance of such books to individual members of the police department. The chief of police or such other officer designated by the mayor require a written receipt for every book so issued and shall maintain a record of every such book.

(d) The chief of police shall maintain a record copy of every moving violator for the current preceding years.

Section 198. Procedure of Police Officers. Except when authorized or directed to immediately take a person before a magistrate for the violation of any traffic laws, a police officer who cites a person for such violation and does not take such person into custody under arrest shall take the name, address, and operator's license number of said person, the registered number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him in writing on a form provided by the city a traffic citation containing a notice to post bail and/or to answer to the charge against him in the municipal court of this city within seven days after such alleged violation to be specified in said citation, unless a longer period be granted by the magistrate. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody.

Section 199. Voided Citations for Certain Violators. Police officers are authorized to issue tickets and endorse thereon the word "void" in exceptional cases where, in their opinion, the best interests of justice are thereby served. This privilege shall be scrupulously granted and only for such parking violations or vehicle mechanical defect violations where there is no deliberate continued or flagrant violation and where there are appearances which indicate that the violation might be unavoidable.

Section 200. Disposition and Records of Traffic Citations, Warrants and Complaints.

(a) Every police officer, upon issuing a traffic citation to an alleged violator of any provision of any traffic ordinance of this city, shall deposit the two duplicate copies of the non-moving citation and the original and two duplicate copies of the moving citation with his immediate superior, who shall cause the same originals and duplicates to be delivered to the municipal court of this city.

(b) Upon the filing of such original citation in the municipal court of this city as aforesaid, said citation may be disposed of only by trial in said court or by other official action by a judge of said court, including forfeiture of bail or by payment of a fine to the traffic violations bureau of said court.

(c) The chief of police shall require the return to him of each traffic citation and all copies thereof which has been spoiled or upon which any entry has been made and has not been issued to an alleged violator.

(d) The chief of police shall also maintain or cause to be maintained a record of all warrants issued by the municipal court of this city on said traffic violation charges and which are delivered to the police department for service, and of the final disposition of all such warrants.

(e) It shall be unlawful and official misconduct for any member of the police department or other officer or public employee to dispose of, alter, or deface a traffic citation or any copy thereof, or the records of the issuance or the disposition of any traffic citation, complaint, or a warrant, in a manner other than as required in this ordinance.

Section 201. 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 other than as provided by this ordinance.

Section 202. When Copy of Citation Shall be Deemed a Lawful Complaint. In the event the form of citation provided under Section 197 includes information and is sworn to as required in respect to a complaint charging commission of the offense alleged in said citation to have been committed, then such citation when filed in the court having jurisdiction shall be deemed to be a lawful complaint for the purpose of prosecuting under this ordinance.

Section 203. Failure to Obey Citation. It shall be unlawful for any person to violate his written promise to appear given to an officer upon the issuance of a traffic citation regardless of the disposition of the charge for which such citation was originally issued.

Section 204. Citation on Illegally Parked Vehicle. Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions

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imposed by ordinance of this city, the officer finding such vehicle shall take its registration and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation, on a form provided by the city, for the driver to answer to the charge against him within seven days during the hours and at a place specified in the citation.

Section 205. Failure to Comply with Traffic Citation Attached to Parked Vehicle. If a violator of the restriction on stopping, standing or parking under the traffic laws or ordinances of this city does not appear in response to a traffic citation affixed to such motor vehicle within a period of seven days, the clerk of the municipal court shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five days a warrant of arrest will be issued.

Section 206. Registered Owner Responsible for Illegal Parking. Every person in whose name a vehicle is registered (licensed) shall be responsible for any parking or angle parking of said vehicle and for all offenses other than moving violations of this ordinance. It shall be no defense to such charge that said vehicle was used by another, unless it be shown that at such time said vehicle was being used without the consent of the registered (licensed) owner thereof. The foregoing shall apply only when the procedure as prescribed in section 204 and section 205 has been followed.

Section 207. When Warrant to be Issued. In the event any person fails to comply with a traffic citation given to such person or attached to a vehicle or fails to make appearance pursuant to a summons directing an appearance in the municipal court, or if any person fails or refuses to deposit bail as required and within the time permitted by ordinance, the clerk of the municipal court shall secure and issue a warrant for his arrest.

Section 208. Authority to Impound Vehicles; Redemption or Sale of Impounded Vehicles.

(a) Whenever any vehicle shall be located or is standing upon any street or alley right of way in violation of the provisions of this ordinance or any rule or regulation adopted pursuant thereto, or whenever any vehicle shall be found to be mechanically unsafe to operate upon the street or alley, or whenever for an offense involving either driving while under the influence of intoxicating liquor, reckless driving, negligent driving, or any felony, such vehicle may be removed from the city streets or alleys and may be impounded at a place to be designated by the city council. The police shall, in the proper case and whenever any other provision of the code of ordinances is violated, cause a complaint to be filed against the person committing such offense. When the owner or authorized representative of the owner of said vehicle claims the same, he shall be informed of the nature and circumstances causing the impoundment of such vehicle and to obtain release thereof shall pay all towing charges, which charges shall not exceed the sum of Seven Dollars and fifty cents (\$7.50) and in addition there shall be paid a storage fee of one dollar (\$1.00) per day or fraction thereof that such vehicle shall remain impounded after the first twenty-four hours. If the operator or owner of the vehicle, upon hearing before the municipal magistrate, is found not guilty of the violation of which he is charged, the impounded vehicles shall be released immediately to the owner without collection of fees or other charges. If the owner or operator of such vehicle is found guilty by the magistrate, any fine imposed under the provisions of the appropriate section of this ordinance shall be in addition to the towing and storage charges herein prescribed.

(b) No person shall allow, permit, or suffer any vehicle registered in his name to stand or park upon or be operated upon any street in this city in violation of this ordinance or any rule or regulation adopted or issued pursuant thereto.

(c) After a vehicle has been impounded for more than three months in the city vehicle pound, the chief of police shall cause to be sent by registered mail a notice to the owner thereof, if with the exercise of due diligence said owner's name can be ascertained. The notice shall accurately describe the vehicle, give the date the vehicle was impounded and inform the owner that unless he reclaims the vehicle within ten days from the dispatch thereof, the vehicle shall be sold. Not less than fifteen days after the dispatch of said letter, if said letter can be sent, and in any event, if such letter cannot be sent, the chief of police shall cause to be published once in a newspaper of general circulation in the city a description of the vehicle, the owner's name, if known, and state the fact that said vehicle and other similar vehicles, similarly described, will be sold at public auction to the highest responsible bidder at a public sale under the direction of the city council at a specified time and place, not less than ten days after the publication of said notice of sale. The Chief of Police shall keep a permanent, accurate record of all cars impounded containing date of impounding, description of vehicle, cause for which impounded, date of redemption, if redeemed, and amount paid upon redemption, date of letter to owner, if owner

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ORDINANCE NO. 99

is known, notice of sale, record of sale and price paid at sale and name of purchaser.

Section 209. Continuation of Present Restrictions. All arterial streets or highways and all "Stop" streets and highways, all parking rules and regulations, bus stops, passenger and truck curb zones, all traffic-control devices, and all traffic-control signals designated or in force at the time this ordinance becomes effective shall continue in full force and effect until the same have been changed or amended in accordance with the provisions of this ordinance.

First reading: March 27, 1961
Second reading: April 11, 1961
Passed and approved this 3rd day of May, 1961..

Charles E. Loggins

Mayor

Attest;

Emilie H. Purce

City Clerk