

## TITLE 8

## Motor Vehicles and Traffic

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## CHAPTER 1

## General Provisions

§ 8-1-1	Uniform Rules of the Road adopted.
§ 8-1-2	Temporary traffic regulations.
§ 8-1-3	Vehicle cover required.
§ 8-1-4	Traffic, speed, truck, parking and other zones, signs and traffic control devices; schedule.
§ 8-1-5	Obstruction of view and use by trees and shrubs; notice.
§ 8-1-6	Operation of trains at crossings regulated.
§ 8-1-7	Junked motor vehicles: prohibited.
§ 8-1-8	Same; notice to remove.
§ 8-1-9	Same; failure to remove junked motor vehicle.
§ 8-1-10	Same hearings.
§ 8-1-11	Same; injunction proceedings.
§ 8-1-12	Same; exemptions.
§ 8-1-13	Same; costs.
Sec. 8-1-1	<u>Uniform Rules of the Road adopted.</u> Pursuant to chapter 6 of title 40, code sections 40-6-372 through 40-6-376, sections 40-6-1 through 40-6-354 of that chapter known as the Uniform Rules of the Road, are hereby adopted as and for the traffic regulations of this city with like effect as if recited herein.
Sec. 8-1-2	<u>Temporary traffic regulations.</u> In cases where traffic upon the streets of the city may, become congested upon occasions of parades, at theaters and other public assemblages where large numbers of vehicles are assembled, the police chief may make temporary rules directing and regulating the traffic in these congested districts, and any person, after being warned of the temporary traffic regulations, who shall violate them shall be liable therefor as for other violations of this code.
Sec. 8-1-3	<u>Vehicle cover required.</u> No person shall operate or load any vehicle on the public streets and roads of this city unless the vehicle is constructed, loaded and securely covered so as to prevent any of its load from dropping, escaping or shifting in such

a manner as to create a safety hazard or in such a manner so as to litter the streets and roads of the city.

Sec. 8-1-4 Traffic, Speed, truck, parking and other zones, signs and traffic control devices; schedule.

- (a) The police chief or a designee thereof, upon approval by the city council, is authorized to designate and maintain with appropriate traffic control signs, markings and devices after engineering and traffic investigations. The list of speed limit requirements can be found in the office of the City Clerk;
  - (1) speed zones;
  - (2) truck routes and streets to be designated specifically to prohibit various classes of trucks;
  - (3) one-way streets and other directional control devices;
  - (4) freight loading zones and regulations;
  - (5) parking and no parking zones and regulations thereon;
  - (6) stop, yield and other right-of-way signs; and
  - (7) stop signals and other traffic signals.
- (b) The police chief or a designee thereof is authorized to issue written orders designating by appropriate traffic control signs, markings and devices after engineering and traffic investigations;
  - (1) pedestrian crosswalks;
  - (2) other safety zones for pedestrians;
  - (3) traffic lanes; and
  - (4) any other sign, marking or zone necessary for orderly and safe conditions on the streets of the city.
- (c) The police chief shall maintain or cause to be recorded a current schedule of all traffic rules, regulations and orders under this section, which record shall be available for inspection by the public. For items listed in subsection (a) above, this schedule, and any amendments thereto, shall become effective only upon approval thereof by ordinance of the city council and this schedule is hereby incorporated herein and copies thereof shall be available for public inspection in the office of the city clerk.
- (d) All traffic control signs, signals, devices and markings shall conform to specifications in the "Manual on Uniform Traffic-Control Devices" adopted by the state transportation board. 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 code shall be official traffic control devices of the city.
- (e) Any violation of any traffic zone, marking, sign or other traffic control device established hereunder shall be a violation of this code.

- Sec. 8-1-5     Obstruction of view and use by trees and shrubs; notice.  
(a)     No person owning, occupying or in anywise controlling property in this city shall permit any tree, bush or shrub on the property to project over any street or sidewalk of this city so as to obstruct or interfere with the view and use of persons walking or riding in a vehicle on the street or sidewalk or of other persons or vehicles approaching from cross or intersecting streets.  
(b)     It shall be unlawful for any person, whether the owner, tenant, agent or person controlling property in the city to fail to remove any tree, bush or other obstruction from the streets or sidewalks of this city after 10 days notice by the city to do so.
- Sec. 8-1-6     Operation of trains at crossings regulated.  
No person shall operate any railroad train across any street or alley without giving a warning of its approach, nor shall he make such crossing at a speed in excess of 25 miles per hour. It shall also be unlawful to stop a railroad train so as to block or obstruct any street or alley for a period of more than five (5) consecutive minutes. (Code 1974, Sec. 5-1209)
- Sec. 8-1-7     Junked motor vehicles; prohibited.  
No wrecked, junked or disabled motor vehicle of any kind or description or other junk shall be stored, kept or allowed to remain on any real property not zoned so as to permit the maintenance of a junkyard, repair garage or other maintenance establishment thereon, and, in addition, having a proper city license for that purpose. (Code 1974, Sec. 5-1106)
- Sec. 8-1-8     Same; notice to remove.  
The chief of police and/or any police officer of the city who, upon knowledge of anyone having a vehicle as aforesaid or junk upon their premises, shall give notice in writing by certified U.S. mail to the occupant of the property, or, in the event the property is unoccupied, to the owner thereof, that he is in violation of this chapter, and to remove same. In addition, a notice directing the removal of the offending vehicle, shall be posted upon the vehicle. (Code 1974, Sec. 5- 1107)
- Sec. 8-1-9     Same; failure to remove junked motor vehicle.  
After the mailing and posting of the notice as aforesaid and the failure of the occupant of the property, or, in the event the property is unoccupied, the owner thereof, to remove the vehicle or junk from the premises within 20 days after the mailing of the notice, the chief of police and/or any police officer of the city without further notice, shall proceed to have the vehicle or junk removed from the property by the use of the city's facilities or private facilities and then shall sell the vehicle or junk at private sale or public sale. If the vehicle, in the opinion of the chief of police and/or any police officer, cannot be sold, it may be disposed of by removal to a junkyard or disposal area. The proceeds from the sale shall be first applied

to the cost of moving plus an additional 10 percent of the cost thereof for the city's handling of the matter. Any remainder shall be transmitted by certified mail to the occupant of the property, or, in the event the property is unoccupied, to the owner thereof. (Code 1974, Sec. 5-1108)

Sec. 8-1-10 Same; hearings.

Any person who shall feel that section 8-1-7 as a matter of fact is not applicable to the property owned or occupied by that person shall have the right, within 10 days after notice by the chief of police and/or a police officer of the city, to request a hearing on the matter before the municipal court, further proceedings under sections 8-1-7 through 8-1-13 to be suspended until 20 days after the hearing and ruling thereon at which time the judgment of the court shall be effective and the procedure for removal shall be instituted.

Sec. 8-1-11 Same; injunction proceedings.

Any person thereafter disagreeing with the ruling or finding of the municipal court shall have as a matter of law a right to file injunction proceedings against the chief of police and/or police officer and the court under the provisions hereof and the police and the court during the pendency of such proceedings, shall stay all action and procedure under sections 8-1-7 through 8-1-13 until 30 days after a final ruling of a court of competent jurisdiction thereon.

Sec. 8-1-12 Same; exemptions.

Section 8-1-7 shall not apply to any vehicle which shall be maintained or kept within the confines of an enclosed building on the premises, provided there is no violation of any city zoning ordinance thereby. (Code 1974, Sec. 5-1111)

Sec. 8-1-13 Same; costs.

Any cost of removal incurred by the city for which they have not been paid in connection with the enforcement of sections 8-1-7 through 8-1-13 may be placed on execution by the city against the property concerned or the person responsible therefore. The failure to have a current license tag on the vehicle shall be prima facie evidence of its being disabled, wrecked or junked. (Code 1974, Sec. 5-1112)

## CHAPTER 2

## Traffic Regulations

- § 8-2-1 Free flow of traffic; obstruction prohibited.
- § 8-2-2 Speed limits established.
- § 8-2-3 Traffic signs, signals and markings.
- § 8-2-4 Tracked vehicles prohibited on streets.
- § 8-2-5 Penalty for violation.

Sec. 8-2-1 Free flow of traffic; obstruction prohibited.

All persons are prohibited from engaging in driving procedures which obstruct the free flow of traffic in, around, over and through the streets, alleyways and other public ways of the city. Any person is prohibited from stopping his vehicle (except at a stop signal or stop sign, or to honor another driver's right-of-way, or in an emergency situation) in a manner as to obstruct the free and orderly flow of traffic by the maneuver, or to engage in unduly slow driving procedures so as to obstruct the free flow of traffic or to needlessly "circle the block" or dawdle or make unnecessarily rapid accelerations and decelerations or to in any other manner constitute a traffic nuisance or hazard.

Sec. 8-2-2 Speed limits established.

- (a) No person shall operate any motor vehicle or tractor upon any of the streets and highways of the city at a greater speed than is reasonable and proper having regard to the width, traffic and use thereof, or so as to endanger the property or life or limb of any person.
- (b) Thirty miles per hour shall be the maximum speed on all streets or portions of streets within the city unless otherwise indicated by officially posted signs designating the maximum vehicular speed upon those streets as approved by the city council.

Sec. 8-2-3 Traffic signs, signals and markings.

All traffic shall obey and be directed by official traffic control signals, signs and markings erected at street intersections and other locations now or hereafter approved by the city council.

Sec. 8-2-4 Tracked vehicles prohibited on streets.

It is unlawful for any person to operate any tracked or other vehicle having metal tracks or wheels upon the city streets.

Sec. 8-2-5 Penalty for violation.

Any person who shall violate any provision of this chapter shall, upon conviction be punished as provided in section 1-1-5 of this code.

## CHAPTER 3

## Parking Regulations

- § 8-3-1 Vehicles to be parked within marked spaces.
- § 8-3-2 Parking prohibited at all times in certain locations.
- § 8-3-3 Parking prohibited in certain locations, certain days and hours.
- § 8-3-4 Parking time limited in certain locations, certain days and hours.
- § 8-3-5 Special purpose parking zones established, parking otherwise prohibited.
- § 8-3-6 Penalty for violation.
- Sec. 8-3-1 Vehicles to be parked within marked spaces.  
Whenever a space is marked off on any highway for the parking of an individual vehicle, every vehicle there parked shall be parked within the lines bounding that space.
- Sec. 8-3-2 Parking prohibited at all times in certain locations.  
It is unlawful for the owner or operator of any motor vehicle or other vehicle to park the vehicle in any of the places on the streets and alleys of the city specifically designated by posted signs indicating the prohibited parking.
- Sec. 8-3-3 Parking prohibited in certain locations, certain days and hours.  
It is unlawful for the owner or operator of any motor vehicle or other vehicle to park the vehicle in any of the places on the days and between the hours indicated and specified by posted signs indicating the prohibited parking.
- Sec. 8-3-4 Parking time limited in certain locations, certain days and hours.  
It is unlawful for the owner or operator of any motor vehicle, or other vehicle to park the vehicle or allow the vehicle to remain parked in any of the places on the streets and alleys of the city, at any time on the days and between the hours indicated and specified by posted signs limiting parking time in certain locations on certain days and hours.
- Sec. 8-3-5 Special purpose parking zones established, parking otherwise prohibited.  
It is unlawful for the owner or operator of any motor vehicle, or other vehicle to park the vehicle or allow the vehicle to remain parked in any locations on the streets and alleys of the city established and designated as special purpose parking zones indicated and specified by posted signs approved by the city council.
- Sec. 8-3-6 Penalty for violation.  
Any person who shall violate any provision of this chapter shall, upon conviction, be punished as provided in section 1-1-5 of this code.