

ARTICLE 18  
TRAFFIC, STREETS, PARKING AND PARKING METERS

SECTION 18.1      DEFINITIONS

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

(b)     Motor Vehicles - Every vehicle which is self-propelled, but not operated upon rails.

(c)     Authorized Emergency Vehicle - Vehicles of the fire department (fire patrol), police vehicles, and such ambulances and emergency vehicles of municipal departments of public service corporations as are designated or authorized by the Chief of Police of this City.

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

(e)     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 ground, but excluding a tractor.

(f)     Railroad - A carrier of persons or property upon cars, other than street cars, operated upon stationary rails.

(g)     Railroad Train - A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

(h)     Traffic - Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together while using any street for purpose of travel.

(i)     Right Of Way - The privilege of the immediate use of the road way.

(j)     Stop - When required, means complete cessation of movement.

(k)     Stop, 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.

(l)     Park - When prohibited means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

(m)     Person - Every natural person, firm, co-partnership, association, or corporation.

(n)     Driver - Every person who drives or is in actual physical control of a vehicle.

- (o) Pedestrian - Any person afoot.
- (p) Police Officer - Every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
- (q) Traffic Division - The Traffic Division of the police department of this City.
- (r) Street or Highway- The entire width between the boundary lines of every publicly maintained right of way, when any part thereof is open to the use of the public for purposes of vehicular travel.
- (s) Private Road or Driveway - Every way or place in private ownership and used for vehicular travel by the owner and those having express or implies permission from the owner, but not by other persons.
- (t) Roadway - That portion of a street or highway improved, designed or ordinarily used for vehicular travel.
- (u) 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.
- (v) Alley - A public travelway of normally less than 24 feet in width used primarily for delivery service.
- (w) Through Highway - Every street or highway or portion thereof at the entrances to which vehicular traffic from intersecting streets or highway is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this act.
- (x) Intersection - 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 the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.
- (y) Crosswalk - That part of the roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- (z) Safety Zone - The area of space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times, which set apart as a safety zone.
- (a-1) 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.
- (a-2) Passenger Curb Loading Zone - A place adjacent to a curb reserved for the exclusive

use of vehicles during the loading or unloading of passengers.

(a-3) Freight Curb Loading Zone - A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of freight or passengers.

(a-4) Official Traffic-Control Devices - All signs, signals, marking, and devices not inconsistent with this Article, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, marking or guiding traffic.

(a-5) Traffic-Control Signal - Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(a-6) Business District - The territory contiguous to and including a roadway when within any 600 feet along such roadway there are buildings in use for business or industrial purposes, including, but not limited to, hotels, banks or office buildings, railroad stations, and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the roadway.

(a-7) Residence District - The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more in the main is improved with dwellings or dwellings and buildings in use for business.

(a-8) Central Business (or traffic) District - All streets and portions of streets within the Central Business District as defined elsewhere in this Article.

## SECTION 18.2 POLICE ADMINISTRATION

There is hereby established in the Police Department of this City a Traffic Division to be under the control of an officer of police, appointed by and directly responsible to the Chief of Police. It shall be the duty of the Traffic Division and other members of the Police Department to enforce the street traffic regulations of this City, to make arrests for traffic violations, to investigate accidents, and to cooperate with the officers of the City in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon said division by this Article and the traffic articles of this City.

The Police Department shall keep a record of all violations of the traffic articles of this City or of the State Vehicle Laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a 5-year period and from that time on the record shall be maintained complete for at least the most recent 5-year period. All such records and reports shall be public records.

It shall be the duty of the Traffic Division, assisted by other police officers of the department, to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents. Whenever the accidents at any particular location become numerous, the Traffic Division shall conduct studies of such accidents and determine remedial measures. The Traffic Division shall maintain a suitable system of filing accident

reports. Accident reports or cards referring to them shall be filed alphabetically by location. The Traffic Division shall receive and properly file all accident reports made to it under State Law or under any Article of this City, but all such accident reports made by drivers shall be for the confidential use of the Police Department and the City Traffic Engineer, and no such report shall be admissible in any civil or criminal proceeding other than upon request of any person making such report or upon request of the court having jurisdiction to prove a compliance with the laws requiring the making of any such report.

The Police Department or the Traffic Division thereof shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions, and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned. Said division shall study the cases of all the drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident, and shall attempt to discover the reasons therefor, and shall take whatever steps are lawful and reasonable to prevent the same or to have the licenses of such persons suspended or revoked. Such records shall accumulate during at least a 5-year period and from that time on such records shall be maintained complete for at least the most recent 5-year period. The Traffic Division shall annually prepare a traffic report which shall be filed with the City Manager. Such report 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. The plans and recommendations of the division for future traffic safety activities.

The Traffic Division shall designate a type of pennant or other identifying insignia to be displayed upon, or other method to be employed, to identify the vehicles in funeral processions.

### SECTION 18.3      OFFICE OF TRAFFIC ENGINEER ESTABLISHED

The Office of City Traffic Engineer is hereby established. The officer in charge of the Traffic Division of the Police Department shall serve as City Traffic Engineer, in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this Article. It shall be the general duty of the City Traffic Engineer to determine the installation and proper timing and maintenance of traffic-control devices, to conduct engineering analysis of traffic accidents, and to devise remedial measures, to conduct engineering investigation of traffic conditions and to cooperate with other City Officials in the development of ways and means to improve traffic conditions and to carry out the additional powers and duties imposed by articles of this City.

The Chief of Police, by and with the approval of the City Manager, is hereby empowered to make regulations necessary to make effective the provisions of the traffic articles of this City and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than 90 days.

SECTION 18.4

AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS

It shall be the duty of the officers of the Police Department or such officers as are assigned by the Chief of Police, to enforce all street traffic laws of this City and all of the State Vehicle Laws applicable to street traffic in this City. 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.

Officers of the Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic threat, or in the immediate vicinity. No person shall wilfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official. Every person propelling any push cart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this Article applicable to the driver of any vehicle, except those provisions of this Article which by their very nature can have no application.

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 upon any street while set aside as a play street as authorized by Ordinance of this City. The provisions of this Article shall apply to the driver of any vehicle owned by or used in the service of the United States Government, this State, County, or City, and it shall be unlawful for any said driver to violate any of the provisions of this Article, except as otherwise permitted in this Article or by State Statute.

The provisions of this Article regulating the operation, parking, and standing of vehicles shall apply to authorized emergency vehicles as defined in this Article, except as follows:

A driver when operating any such vehicle in an emergency, except when otherwise directed by a police officer, may:

- (1) Park or stand notwithstanding the provision of this Article.
- (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 prima facie speed limits so long as he does not endanger life or property.
- (4) Disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property.

These exemptions hereinbefore granted in reference to the movement of an authorized emergency vehicle shall apply only when the driver of said vehicle sounds a siren, bell, or exhaust whistle as may be reasonably necessary, and the vehicle displays a lighted red lamp visible from the front as a warning to others. The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his reckless disregard of the safety of others.

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 500 feet to the front of such vehicle, and when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to and as close as possible to the right hand edge of the 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. 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 highway.

The driver of a vehicle involved in an accident resulting in injury or death of any person or property damage to an apparent extent of \$25.00 or more, shall immediately by the quickest means of communication, either verbally or written, give notice of such accident to the Police Department, if such accident occurs within this City.

#### SECTION 18.5      TRAFFIC-CONTROL DEVICES

The City Manager shall place and maintain traffic-control signs, signals, and devices when and as required under the traffic regulation of this City to make effective the provisions of said regulations, and may place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under the traffic regulations of this City or under State Law, or to guide or warn traffic. All traffic-control signs, signals, and devices shall conform with the manual and specifications approved by the State Highway Department or resolution adopted by the City Council of this City.

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 Article, shall be 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 articles of this City, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this Article.

No provision of this Article 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 in place.

Whenever traffic is controlled by traffic-control signals exhibiting the words, "Go", "Caution", or "Stop", or exhibiting different colored lights successively, one at a time, or with arrows, the 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, except when prohibited, may proceed straight through to 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.

- (2) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.
- (b) Yellow alone or “Caution”, when shown following the green or “go” signal.
- (1) Vehicular traffic facing the signal is thereby warned that the respective “green” or “go” movement is being terminated and is thereby warned that the “red” or “stop” signal will be exhibited immediately thereafter; and such vehicular traffic shall not enter 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 alone (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 remain standing until green or “go” is shown alone.
  - (2) No pedestrian facing such signal shall enter the roadway until the green or “go” is shown alone (unless authorized to do so by a pedestrian “walk” signal).

Whenever special pedestrian-control signals exhibiting the words, “walk” or “wait” are in place, such signals shall indicate the following:

- (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 the drivers of the vehicles.
- (b) Wait - 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.

Whenever flashing red or yellow signals are used, they shall require obedience by vehicular traffic as follows:

- (1) 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.
- (2) Flashing Yellow (caution sign). When a yellow lens is illuminated with rapid

intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

No person shall place, maintain, or display upon, or in view of, any 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 railroad sign or signal, or which attempts to direct the movement of the traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal, and no person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to highways or signs giving useful directional information and of a type that cannot be mistaken for official signs. Every prohibited sign, signal, or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove same or cause it to be removed without notice.

No person shall, without lawful authority, attempt to, or in fact, alter, 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 other part thereof.

The City Traffic Engineer is hereby authorized:

(1) 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.

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

(3) To mark lanes for traffic on street pavements at such places as he may deem advisable, consistent with the traffic articles of this City.

#### SECTION 18.6 SPEED LAWS

The State traffic laws regulating the speed of vehicles shall be applicable upon all streets within the City, except as this Article, as authorized by State law, hereby declares and determines upon the basis of engineering and traffic investigation, that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be prima facie unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this Article when signs are in place giving notice thereof.

It is hereby determined upon the basis of an engineering and traffic investigation, that the speed permitted as safe and reasonable upon the streets or roadways within the City is as established by this Section.

a. Speeds on Certain Specified Streets:

(1) Broadway, between 19<sup>th</sup> Street and 27<sup>th</sup> Street, 30 miles per hour.

- (2) Broadway, between 27<sup>th</sup> Street and 34<sup>th</sup> Street, 35 miles per hour.
- (3) Broadway, between 8<sup>th</sup> Street and 12<sup>th</sup> Street, 35 miles per hour.
- (4) Salem Road, between 11<sup>th</sup> Street and the North Corporate Limits, 35 miles per hour.
- (5) Main Street, between 8<sup>th</sup> Street and 12<sup>th</sup> Street, 20 miles per hour.
- (6) Ninth Street, between Harrison Street and Casey Avenue, 20 miles per hour.
- (7) Tenth Street, between Harrison Street and Jordan Street, 20 miles per hour.
- (8) Tenth Street, between Jordan Street and Vaught Street, 25 miles per hour.
- (9) All United States and State Highways, except as hereinabove established, 25 miles per hour.
- (10) Wherever a highway or street is adjacent to a public or private school, college, university, or church, the Speed permitted as safe and reasonable is 15 miles per hour, whenever school or church is in session and at all other times as established by other subsections or this section.
- (11) Veteran's Memorial Drive, between 10<sup>th</sup> Street and 17<sup>th</sup> Street, 30 miles per hour.
- (12) Veteran's Memorial Drive, between 17<sup>th</sup> Street and 26<sup>th</sup> Street, 40 miles per hour; and between 26<sup>th</sup> Street and 42<sup>nd</sup> Street, 35 miles per hour.
- (13) 42<sup>nd</sup> Street, between Veteran's Memorial Drive and Broadway, 35 miles per hour.
- (14) Lake Terrace Drive, 40 miles per hour.
- (15) South 45<sup>th</sup> Street/Wells Bypass South of 625 South 45<sup>th</sup> Street, 40 miles per hour.

(b) Streets on Which The Speed Shall Not Exceed 30 Miles Per Hour:

- (1) South 10<sup>th</sup> Street, between Vaught Avenue and the South Corporate limits.
- (2) Shawnee Street, between Perkins Avenue and the South Corporate Limits.
- (3) Wilshire Drive.
- (4) 12<sup>th</sup> Street, between Jones and Fishers Lane.

(5) 42<sup>nd</sup> Street, between Fox Creek and Richview Road.

(c) Streets on Which The Speed Shall Not Exceed 20 Miles Per Hour-East - West

(1) North Street, between 9<sup>th</sup> Street and 12<sup>th</sup> Street.

(2) Harrison Street, between 8<sup>th</sup> Street and 12<sup>th</sup> Street.

(3) Jordan Street, between 8<sup>th</sup> Street and 12<sup>th</sup> Street.

(4) Casey Avenue, between 8<sup>th</sup> Street and 12<sup>th</sup> Street.

North - South:

(1) 8<sup>th</sup> Street, between Main Street and Casey Avenue.

(2) Johnson Avenue, between North Street and Jordan Street.

(3) 11<sup>th</sup> Street, between North Street and Casey Avenue.

(4) 13<sup>th</sup> Street, between 12<sup>th</sup> Street and Broadway.

(5) 14<sup>th</sup> Street, between Main Street and Broadway.

(d) Streets on Which the Speed Shall Not Exceed 30 Miles Per Hour:

All streets not otherwise designated in this section are limited to 30 miles per hour.

(e) Streets on Which the Speed Limit Shall Not Exceed 25 Miles Per Hour:

All streets adjacent to or abutting hospitals, infirmaries, sanitariums, asylums, or other clinical or convalescent institutions.

SECTION 18.7 ONE WAY STREETS

In order to patrol the flow of traffic in the eye of public safety, the following streets are hereby determined and declared to be one-way streets, and it shall be unlawful to operate any vehicle on any of the following designated streets, except as directed:

(1) Westbound only: Main Street between 4<sup>th</sup> and 14<sup>th</sup> Streets.

(2) Eastbound only: Broadway Street between 14<sup>th</sup> and 4<sup>th</sup> Streets.

(3) Northbound only: Eighth Street between Main and Jordan Streets.

(4) Southbound only: Johnson Avenue between Broadway and Main Street.

- (5) Southbound only: 14<sup>th</sup> Street between Main and Broadway.
- (6) Northbound only: 4<sup>th</sup> Street between Main and Broadway.
- (7) Northbound only: Public alley from Casey Avenue to Jordan Avenue between 7<sup>th</sup> and 8<sup>th</sup> Streets.
- (8) North and East bound only: Public alley running from Casey Avenue in the middle of the 1800 block, north to Casey Junior High School, east to South 18<sup>th</sup> Street in the middle of the 200 block.
- (9) Alley between 10<sup>th</sup> and 11<sup>th</sup> Streets, running north and south between Main and Broadway, will be one-way from Main Street South to Broadway.
- (10) Westbound only: Main Street from intersection of Old and New Fairfield Road to 14<sup>th</sup> Street.
- (11) Eastbound only: Broadway from 14th Street to intersection of Old and New Fairfield Road.
- (12) Eastbound only: Lamar Street from 10th Street (Dr. Martin Luther King Memorial Drive) to 6th Street.
- (13) Southbound only: 6th Street from Lamar to Conger Avenue.
- (14) Westbound only: Conger Avenue from 6th Street to 9th Street.

The driver of a vehicle intending to turn at an intersection shall do so as follows:

- (a) Right Turn - Both the approach for a right turn and the right turn shall be made as close as practical to the right-hand curb or edge of the roadway.
- (b) Left Turn - Approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof 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.
- (c) Approach for Left Turn from Two-Way Street - Approach for a left turn from a two-way street onto a one-way street shall be made in that portion of the right half of the roadway nearest the centerline thereof, and by passing to the right of such center line where it enters the intersection, and as close to the left hand lane as practicable. A left turn from a one-way street into a two-way street shall be made by passing to the right of the center line of the street being entered upon leaving the intersection.
- (d) Left Turn From and Into One-Way Street - Where both streets or roadways are one-way, both the approach for a left turn and a left turn shall be made as close as practicable to the left hand curb or edge of the roadway.

The City Manager 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 Article. 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.

The City Manager or Chief of Police is hereby authorized to determine those intersections at which drivers of vehicles shall not make right, left, or U turns and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted on the signs or they may be removed when such turns are permitted.

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 signs.

The driver of any 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 unless such movement can be made in safety and without interfering with other traffic.

#### SECTION 18.8      ONE-WAY STREET SIGNS

Whenever any ordinance of this City designates any one-way street or alley, the City Manager 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. Vehicular traffic shall move only in the direction indicated when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

#### SECTION 18.9      THROUGH STREETS

Those streets and parts of streets described hereafter are hereby declared to be through streets for the purpose of this section:

(a)    The following are hereby designated as North and South Through Streets:

- (1)    4<sup>th</sup> Street - Castleton Avenue to Main Street.
- (2)    6<sup>th</sup> Street - Broadway to Main Street.
- (3)    8<sup>th</sup> Street - (Tolle Road) Harrison to Oakland Avenue.
- (4)    9<sup>th</sup> Street - Casey Avenue to Taylor Avenue.
- (5)    10<sup>th</sup> Street and Salem Road - South City Limits to North City Limits.
- (6)    12<sup>th</sup> Street - South City Limits to North City Limits.

- (7) 14<sup>th</sup> Street - Broadway to Main.
- (8) 19<sup>th</sup> Street - Perkins Avenue to Broadway.
- (9) 22<sup>nd</sup> Street - Perkins Avenue to Broadway.
- (10) 24<sup>th</sup> Street - Perkins Avenue to Broadway.
- (11) 26<sup>th</sup> Street - South City Limits to Perkins Avenue.
- (12) 27<sup>th</sup> Street - Logan Street to Broadway.

(b) The following are hereby Designated as East and West Through Streets:

- (1) Perkins Avenue and Shawnee Street - East City Limits to 26<sup>th</sup> Street
- (2) Castleton Avenue- East City Limits to 4<sup>th</sup> Street.
- (3) Casey Avenue - East City Limits to 12<sup>th</sup> Street
- (4) Broadway - East City Limits to West City Limits.
- (5) Main Street - East City Limits to 14<sup>th</sup> Street.
- (6) Harrison Street - East City Limits to 9<sup>th</sup> Street.
- (7) Oakland Avenue and Richview Road - 8<sup>th</sup> Street (Tolle Road) to West City Limits.
- (8) Logan Street - 12<sup>th</sup> Street to 24<sup>th</sup> Street.

Whenever any ordinance of this City designates and describes a through street, it shall be the duty of the City Manager to place and maintain a stop sign on each and every street intersecting such through street or intersecting that portion thereof described and designated as such by any ordinance of this City.

The City Traffic Engineer is hereby authorized to determine and designate intersections and streets where particular hazard exists upon other than through streets and to determine whether vehicles shall stop or decrease speed at one or more entrances to any such stop intersection, or on any such streets and shall erect a stop sign at every such place where a stop is required and a slow or caution sign when a decrease in speed is required.

Every sign erected pursuant to this Article shall bear the word "Stop" in letters not less than 6 inches in height and such signs shall at nighttime be rendered luminous by steady or flashing internal illumination or by a fixed floodlight 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.

When a stop sign is erected as herein provided at or near the entrance to any intersection, every driver of a vehicle shall stop such vehicle at such sign or at a clearly marked stop line before entering the intersection, except when directed to proceed by a police officer or traffic-control sign.

Whenever a sign or signs are erected upon any street or roadway displaying the word "Slow" or "Caution", the operator of any vehicle shall decrease the motion of such vehicle to a speed of at least 10 miles less than otherwise established as the maximum speed in the area in which the said vehicle is being operated and in no event shall the speed of any vehicle operated in a zone designated as "Slow" or "Caution" exceed 20 miles per hour.

The driver of a vehicle emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway, 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 said roadway.

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.

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 50 feet but not less than 15 feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing shall apply when:

- (1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train.
- (2) A railroad train approaching within approximately 1500 feet of the highway crossing emits a signal audible from such distances and such railroad train by reason of its speed or nearness to such crossing is an immediate hazard.
- (3) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

#### SECTION 18.10      MISCELLANEOUS DRIVING RULES

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 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway, or streetcar track, to be used at any fire or alarm of fire, without the consent of the department official in command.

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 are required in this Article. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers. Each driver in a funeral or other procession shall drive as near to the right hand edge of the roadway as practical and shall follow the vehicle ahead as closely as is practical and safe. 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.

No funeral procession or parade containing 200 or more persons or 50 or more vehicles, excepting the forces of the United States Army or Navy, the military forces of this State, 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.

The driver of a vehicle shall not back same nor leave the curb with a forward movement unless such movement can be made with reasonable safety and without interfering with other traffic.

A person operating a motorcycle shall not ride other than upon the permanent and regular attached seat or carry any other person, nor shall any other person ride upon such motorcycle other than upon a firmly attached seat to the rear or side of the operator. Any person riding upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle shall not attach the same or himself to any moving vehicle upon any roadway.

The driver of a vehicle emerging from an alley, driveway, or garage shall stop such vehicle immediately prior to driving onto a sidewalk, or across a sidewalk line projected across such alley, sound the horn of said vehicle, and shall exercise unusual care in driving upon said sidewalk or cross such line.

No driver of a vehicle shall drive within any sidewalk area, except at a permanent or temporary driveway, nor at any time into or upon any portion of a roadway marked as a safety zone.

#### SECTION 18.11      RIGHT-OF-WAY

Except as hereinafter provided, motor vehicles traveling upon public highways shall give the right of way to vehicles approaching along intersecting highways from the right and shall have the right of way over those approaching from the left.

The driver of a vehicle within an intersection 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 is as required by this Article, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right of way to the vehicle making the left turn.

It shall be unlawful for the operator of any vehicle to turn such vehicle so as to proceed in the opposite direction unless such movement can be made safely and without backing into traffic or otherwise interfering with traffic.

It shall be unlawful for the operator of any vehicle to make a “U” turn at any place where such turns are prohibited.

Upon the sounding of gongs or warning devices used upon fire apparatus or fire patrol vehicles, drivers shall drive their vehicles as near to the right curb as is reasonably possible and shall remain standing until such fire apparatus has passed. It shall be unlawful to park any vehicle within the block where fire apparatus has stopped to answer a fire alarm.

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 rules governing such movement.
- (2) When the right half of a roadway is closed to traffic while under construction or repair.
- (3) Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or
- (4) Upon a roadway designated and sign posted for one-way traffic.
- (5) Whenever there is single track paved road on one side of the public highway and two vehicles meet thereon, the driver on whose right is the wider shoulder, shall give the right of way on such pavement to the other vehicle.

Drivers of vehicles proceeding in opposite direction shall pass each other to the right and upon roadways having width for not more than one line of traffic in each direction; each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules hereinafter stated.

- (a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
- (b) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.
- (c) The driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn. The driver of a vehicle may overtake, and, allowing sufficient clearance, pass another vehicle proceeding in the same direction, either upon the left or upon the right on a street or roadway with unobstructed pavement of sufficient width for four or more lines of moving traffic, when such movement can be made in safety.

No person shall drive off the pavement or upon the shoulder of the roadway in overtaking or passing on the right. The driver of a vehicle may overtake and pass another vehicle on the right on a one-way street or upon any roadway on which traffic is restricted to one direction of movement, where the street or roadway is free from obstructions and of sufficient width for two or more lanes of moving traffic.

(d) No vehicle shall be driven to the left side of the center of the 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 completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to the right hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction.

(e) No vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left side of the street or roadway under the following conditions:

(1) When approaching the crest of a grade or upon a curve in the highway.

(2) When approaching within 100 feet of any bridge, viaduct, or tunnel, or when approaching within 100 feet of or traversing any intersection or railroad grade crossing.

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

(g) When two vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

(h) The driver of a vehicle within an intersection 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 article, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction, shall yield the right of way to the vehicle making the left turn.

(i) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained such movement can be made with safety.

(j) When Signals Are Required

(1) No person shall turn a vehicle from a direct course upon a street or alley unless and until such movement can be made with reasonable safety and then only after giving a clearly audible signal by sounding the horn if any pedestrians shall be affected by such movement or after giving an appropriate

signal in the manner provided by this Article, in the event that any other vehicle may be affected by such movement.

- (2) A signal of intention to turn right or left shall be given during not less than the last 100 feet traveled by the vehicle before turning.
- (3) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear, when there is opportunity to give such signal.

(k) Signal by Hand or Arm or Signal Device

The signals herein required shall be given either by means of the hand or arm or by a signal lamp or signal device, but when a vehicle is so constructed or loaded that a hand or arm signal would not be visible, both to the front and rear of such vehicle, then said signals must be given by such lamp or device. All signals herein required to be given by the 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.
- (2) Right Turn- hand and arm extend upward.
- (3) Stop or decrease speed - hand and aim extended downward.

No person shall drive a motor vehicle onto or from any limited access roadway except at such entrances and exits as are established by public authority.

(1) Driver's License -No person shall drive a motor vehicle on the streets or roadways of the City unless such person has a valid driver's license or permit as an operator or chauffeur issued by the State of Illinois, except those persons exempted from driver's license and permit requirements as provided by the laws of the State of Illinois.

(m) Stop Signs - Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or 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. After having stopped, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another roadway or which is approaching so closely on the roadway as to constitute an immediate hazard during the time often the driver is moving across or within the intersection, but said driver having so yielded may proceed at such time as a safe interval occurs.

SECTION 18.12 TRAINS

(a) It is unlawful for a railroad corporation to permit any train, railroad car, or engine to obstruct public travel at any grade crossing where a railroad intersects with a public street or alley for a period

in excess of ten minutes, except where such train, railroad car or engine cannot be moved by reason of circumstances over which the railroad corporation has no control.

(b) It is unlawful for any railroad employee to willfully or intentionally permit any train, railroad car or engine to obstruct public travel at any grade crossing where a railroad intersects with a public street or alley for a period in excess of ten minutes, except where such train, railroad car or engine cannot be moved by reason of circumstances over which the railroad employee has no control.

#### SECTION 18.13      PEDESTRIANS

Pedestrians shall be subject to traffic control signals as heretofore declared in this Article, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this Article.

(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 the 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 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.

(b) When Passing Not Permitted at Crosswalk - 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. Pedestrians shall move, whenever practicable, upon the right half crosswalks. 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, except in a crosswalk.

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. Any pedestrian crossing a roadway at a point where the pedestrian tunnel or overhead pedestrian crossing has been provided, shall yield the right-of-way to all vehicles upon the roadway. Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a crosswalk. Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway. No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle.

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

#### SECTION 18.14      REGULATIONS FOR 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 regulations of this City applicable to the driver of a vehicle, except as to special regulations in this Article and except as to those provisions of laws and articles which by their nature can have no application.

- (a) A 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.
- (c) A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.
- (d) No bicycle shall be used to carry more persons at one time that the number for which it is designed and equipped.
- (e) 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.
- (f) Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of the roadway set aside for the exclusive use of bicycles.
- (g) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.
- (h) No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.
- (i) No person riding upon any bicycle shall attach the same or himself to any vehicle upon a roadway.
- (j) 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.
- (k) No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycles, or against a building, or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.
- (l) No person shall ride a bicycle upon a sidewalk within a business district.

The Chief of Police is authorized to erect signs on any sidewalk, street or roadway prohibiting the riding of bicycles thereon by any person, if it constitutes a hazard to traffic or pedestrians, and when such signs are in place, no person shall disobey the same.

- (m) 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.
- (n) Every bicycle when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.
- (o) 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 100 feet, except that a bicycle shall not be equipped with, nor shall any person use upon a bicycle any siren or whistle.
- (p) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.
- (q) No person shall operate, park, store, or own any bicycle within the City of Mt. Vernon without first registering the bicycle with the Police Department of the City and having the registration number stamped or placed thereon.

Upon written application by an owner (or, if the owner is under 18 years of age, then by his parent or other adult guardian), and upon payment of a One Dollar fee, the Police Department of the City of Mt. Vernon shall stamp or place a registration number on the frame of each bicycle, and shall keep a record of each application, the name and address of the owner of the bicycle and the registration number.

When any bicycle is transferred from one owner to another, the new owner shall make a written application to the Police Department for transfer of registration, but no fee shall be imposed for the change of registration.

Any person who fails to register his bicycle and obtain a registration number thereon or who fails to change a registration upon transfer of a bicycle, thereby implicitly consents to confiscation and retention of the bicycle by the Police Department of the City of Mt. Vernon until the Department determines the lawful owner of the bicycle and the bicycle is properly registered. Any confiscated bicycle may be delivered by the Police Department to the owner as shown by the registration records. The burden of proof as to ownership shall be upon the individual asserting ownership of the bicycle.

It shall be unlawful for any person to remove, destroy, or alter any registration number without first reporting same to the Police Department.

Any police officer or other agent of the City shall not be held to answer or be liable for damages in any action arising from enforcement of this ordinance.

SECTION 18.14A REGULATIONS FOR SKATEBOARDS, ROLLER SKATES AND PLAY VEHICLES

As used in this Ordinance, the following words and phrases shall have the following meanings, unless the context clearly indicates that a different meaning is intended.

a. Business district or property shall mean any area having a business zoning classification or any property used for a commercial, business or industrial activity or purpose.

b. Residential district or property shall mean any area having a residential zoning classification or any property used for single family or multiple family dwellings or other residential use.

c. Play vehicle means any coaster, scooter, roller skates, tricycle, toy wagon, sled, toboggan, unicycle or any other non-motorized device with wheels or rollers upon which a person may ride; however, this definition shall not apply to wheel chairs and strollers or other devices designed and used for the purpose of transporting children, infants, physically challenged, or incapacitated persons or to bicycles, or to trailers, wagons, carts or other devices intended and used for transporting merchandise or materials, so long as they are used for the purpose for which they are intended.

No person shall operate or ride a skateboard, roller skates or play vehicle upon any business property or property situated within a business district except for such business property as may be operated as a skating rink or otherwise designated and specifically posted with signs permitting such activity.

No person shall operate or ride a skateboard, roller skates or play vehicle upon any public sidewalk, except sidewalks (including the crosswalk area upon a roadway) situated within a residential zoning district or upon residential property.

No person shall operate or ride a skateboard, roller skates or play vehicle upon any public street (excluding a crosswalk within a residential area); except however, a person 13 years of age or older may operate a skateboard or roller skates upon a public street within a residential zoning district or upon residential property if there is no sidewalk adjacent to such street, provided however, street riding shall be done as far to the right of the road as possible and in the same direction as traffic. Notwithstanding the foregoing, no person shall operate a skateboard or roller skates upon any street or other public property during the hours of dusk to dawn, nor at any time upon any street posted with a sign prohibiting the operation of skateboards, roller skates, or play vehicles.

No person shall operate or ride a skateboard, roller skates or play vehicle upon any public parking lot, nor upon any other public property unless signs are posted specifically permitting such activity.

No person shall operate or ride a skateboard, roller skates, or play vehicle upon private property except with the permission of the owner, lessee or person in control or possession of the property.

No person operating a skateboard, roller skates or play vehicle shall attach himself or herself

to any vehicle at any time or place.

No person shall operate a skateboard, roller skates or play vehicle in such a manner so as to damage or injure any publicly or privately owned property, including but not limited to, any table, bench, structure, tennis court, parking stop, retaining wall or other improvement which may suffer damage by such use.

Any person operating a skateboard, roller skates or other play vehicle must yield the right-of-way to any pedestrian or lawfully operated motor vehicle, unless otherwise specifically provided by law.

The City Manager is authorized to erect signs upon any sidewalk, street or other public property prohibiting the operation of skateboards, roller skates or play vehicles. No person shall operate or ride a skateboard, roller skates or play vehicle in violation of any sign.

No parent, guardian, legal custodian or other person having care or control of a minor shall authorize or knowingly permit the minor to violate this Ordinance; violation of this Ordinance by a minor after verbal or written notice or warning to the parent, guardian, legal custodian, or other person in control of the minor shall constitute prima facie evidence that the parent, guardian, legal custodian or other person in control of the minor has authorized or knowingly permitted the minor to violate this ordinance.

Any person violating any provision of this Ordinance shall be fined not less than \$5.00 nor more than \$200.00 for each offense, and a separate offense shall be deemed committed on each occasion during which a violation occurs; multiple offenses may occur on the same day if a violation occurs or continues after an offense has been cited. Complaint for the offense of unlawful operation of a skateboard, roller skates or play vehicle may be made by a traffic citation complaint or by other written complaint.

#### SECTION 18.15      PARKING

No person shall stand or park a vehicle in a street or 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 (18") of the curb or edge of the roadway, except as otherwise provided in this Article.

The City Traffic Engineer shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any Federal Aid or State Highway, or immediately adjacent thereto within the City, unless the State Highway Department has determined by resolution, or by traffic capacity study, the results of which are on file with the City, that the roadway is of sufficient width or conditions are such as to permit angle parking without interfering with the free movement of traffic.

Upon these streets which have been signed or marked by the City Traffic Engineer for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings. Whenever a vehicle is lawfully parked at nighttime upon any street within a business or residence district, no lights need to be displayed upon such parked vehicle. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

SECTION 18.16      STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES

(a) No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with law 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 15 feet of a fire hydrant.
5. On a crosswalk.
6. Within 20 feet of a crosswalk at any intersection.
7. Within 30 feet upon approach to any flashing beacon stop sign or traffic control signal located at the side of the roadway.
8. Between a safety zone and the adjacent curb or within 30 feet of a point on the curb immediately opposite the ends of a safety zone, unless the City Traffic Engineer has indicated a different length by signs or markings.
9. Within 50 feet of the nearest rail or a railroad crossing.
10. Within 20 feet of the driveway entrance to any fire station or within 75 feet of said entrance (when properly signposted).
11. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
14. At any place where official signs prohibit stopping.
15. At any place where parking may have been prohibited by ordinance duly enacted prior to the effective date of this ordinance or hereinafter enacted, the City Manager is hereby authorized and directed to erect signs indicating no parking on any street where parking may have been prohibited by such an ordinance or where the effective regulations of traffic, health, safety and welfare of public may require.

(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.

(c) No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway or free movement of vehicular traffic.

(d) No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic, and 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.

(e) No person shall park a vehicle upon any street or roadway for the principal purpose of:

- (1) Displaying such vehicle for sale or storing same.
- (2) Washing, greasing, or repairing such vehicle, except repairs necessitated by an emergency.

(f) The City Manager is hereby authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation, except when loading or discharging upon that side of a street adjacent to any school property, no person shall park a vehicle in any such designated place, except as prescribed in subsection (a) of this section.

(g) The City Manager is hereby authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the street does not exceed 30 feet, When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

(h) The City Manager is hereby authorized to determine and designate by proper signs placed, not exceeding 100 feet in length, in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic. When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand, park a vehicle in any such designated place.

(i) The City Manager is hereby authorized to reserve spaces for handicapped parking on public streets and public property and to post official signs indicating such reserved handicapped parking; and private property owners are hereby authorized to reserve spaces for handicapped parking on private lots and private property and to post official signs indicating such reserved handicapped parking; all as provided herein and in Section 5.12 of the Revised Code of Ordinances of the City of Mt. Vernon.

When official signs reserving handicap parking spaces are erected as authorized herein, no person shall cause, allow, permit, or suffer any vehicle registered in the name of or operated by such person to stop, stand, or park any vehicle in any such designated space unless the vehicle shall:

- (1) Bear registration plates or a special decal or device issued to a physically handicapped person pursuant to Section 3-616 or Section 11-1301.2 or to a disabled veteran pursuant to Section 3-609 of the "Illinois Vehicle Code"; and
- (2) Be operated by the handicapped or disabled person to whom the special registration plates, special decal device, or visor card were issued or by a person acting under the express direction of a handicapped or disabled person while the handicapped or disabled person is present.

It shall be unlawful and a violation of this Article for any unauthorized vehicle to stop, stand, or park in a space specifically reserved for handicapped parking by the posting of an official sign; such violation shall constitute the offense of “unauthorized parking in a handicapped zone” and shall be punishable by a fine of \$250.00. Said offense may be charged by means of a citation or “hang-on” ticket.

(j) The City Manager is hereby authorized to erect signs designating and reserving parking areas within the City of Mt. Vernon for use by the Police Department during the course of official police business. Said signs shall indicate no parking or shall indicate reserved for police. When official signs are erected as authorized herein, no person shall stop, stand, or park a vehicle in any such designated place or in violation of such sign.

#### SECTION 18.17      STOPPING FOR LOADING OR UNLOADING ONLY

The City Manager is hereby authorized to determine the location of passenger and freight 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. The City Manager shall not hereafter designate or sign any curb loading zone upon special request of any person, unless such person makes application for a permit for such zone and for two signs to indicate the ends of the zone. No person shall stop, stand or park a vehicle for any purpose or period of time in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zones are effective, except for a period not to exceed five minutes.

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 freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading or unloading of materials exceed thirty (30) minutes.

#### SECTION 18.18      EQUIPMENT

- (a) It shall be unlawful to operate a motor vehicle which makes unusually loud or unnecessary noise; no motor vehicle shall be operated upon any street unless the same is provided with a muffler in efficient and actual working condition.
- (b) It shall be unlawful to operate any motor vehicle upon any street or alley unless said vehicle is equipped with good and sufficient brakes in efficient working condition.
- (c) It shall be unlawful to operate a motor vehicle, the lights of which do not conform to the provisions of the Motor Vehicle Laws of the State of Illinois.
- (d) Every motor vehicle shall be equipped with a good and sufficient signaling device in efficient working condition. Such signaling device shall be sounded when necessary to give timely warning of approaching vehicle, but such horn or signaling device shall not be sounded for any purpose other than as a warning of impending danger. No motor vehicle other than an emergency vehicle shall be equipped with a siren, gong signaling device or musical horn.
- (e) It shall be unlawful to operate any vehicle which is so loaded or is in such a condition

that the operator does not have a clear vision of all parts of the roadway essential to the safe operation of the vehicle. Any vehicle which is so constructed or loaded that the driver's view of the roadway to the rear is obstructed, shall be equipped with a mirror so attached as to give him a view of the roadway behind him.

- (f) The driver of a bus (hackney) or taxicab shall not park upon any street in any business district at any place other than at a bus stop, (hackney stand), or taxicab stand, respectively, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.
- (g) No person shall stop, stand, or park a vehicle other than a bus in a bus stop, (or other than a hackney in a hackney stand), or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus, (hackney) or taxicab waiting to enter or about to enter such zone.

#### SECTION 18.19      DRIVING REGULATIONS

- (a) Any person who drives any vehicle with a wilful or wanton disregard for the safety of persons or property is guilty of reckless driving.
- (b) Repealed.
- (c) No person shall transport, carry, or possess or have any alcoholic liquor in or upon or about any motor vehicle, except in the original package and with the seal unbroken.
- (d) It shall be unlawful to operate any vehicle in the municipality in negligent or careless manner or so as to unnecessarily endanger life and property.
- (e) No person shall throw or deposit upon any street or alley any glass bottles, glass, nails, tacks, wire, cans, or any substance likely to injure any person, animal, or vehicle upon such street or alley. Any person who drops or permits to be dropped or thrown upon any street or alley any destructive, harmful, or injurious material, shall immediately remove same or cause it to be removed.

Any person removing a wrecked or damaged vehicle from a street or alley shall remove any glass or injurious or harmful substances dropped on the street or alley from such vehicle.

- (f) No vehicle shall be driven or moved on a street or alley unless such vehicle is so constructed or loaded as to prevent any of its cargo from dropping, shifting, leaking, or otherwise escaping therefrom.
- (g) No person shall operate upon any street or alley any vehicle with any cargo unless

said cargo and any covering thereon is securely fastened to prevent said covering or cargo from coming loose, detached or becoming in any manner a hazard to any street, alley, or the users thereof.

- (h) No vehicle shall be left unattended while the motor of said vehicle is running and no person operating or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, and removing the key.
- (i) It shall be unlawful for any person or persons to occupy or encumber any street, alley, or sidewalk by standing, sitting, or remaining upon the same or to cause persons to assemble thereon or by placing merchandise or any article or thing thereon so as to prevent the free and convenient passage of persons or vehicles upon and over the entire area of such street, alley, or sidewalk, nor shall any person obstruct or endanger the free passage of persons or vehicles along any street, alley, or sidewalk by playing any game therein or thereon.
- (j) Whenever any motor vehicle without a driver is found parking or stopping in violation of any of the laws imposed by ordinance of this City and if any officer of the City shall observe such violation, such police officer shall attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked or operated in violation of a provision of any such ordinances which said notice shall contain the license number of such vehicle, the date and time thereof, other information relative to the violation alleged and any other facts, the knowledge of which is necessary to a thorough understanding of the circumstances attending such violation, and further instructing such owner or operator to report to the City of Mt. Vernon in regard to such violation.

Such owner or operator may, within forty-eight hours of the time when such notice was attached to such vehicle, pay to the City of Mt. Vernon as a penalty for and in full satisfaction of such violation, the sum of ten dollars (\$10.00). The failure of such owner or operator to make such payment within said forty-eight hours shall render such owner or operator subject to the penalties provided for the violation of any of the City ordinances.

- (k) Members of the Police Department are hereby authorized to remove without notice to the owner a vehicle to the nearest garage or other place of safety or to a garage designated or maintained by the Police Department or otherwise maintained by the City under the circumstances hereinafter enumerated;
  - 1. When any vehicle is left unattended upon any bridge, viaduct, or causeway or in any tube or tunnel where such vehicle constitutes an obstruction to traffic.
  - 2. When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.
  - 3. When any vehicle is left unattended on a street and is so parked illegally as to

constitute a definite hazard or obstruction to the normal movement of traffic.

4. When any vehicle is illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, or obstructs or may obstruct the movement of any emergency vehicle.
5. When any vehicle reasonably appears to be lost or stolen.
6. When any vehicle cannot be removed by its operator or when any vehicle is required to be placed into the custody of law enforcement because of the arrest of the operator or other occupant of the vehicle or because of the violation of the Illinois Vehicle Code or violation of any other provision of local, state or federal law.

The owner of any motor vehicle removed by authorization of the Mt. Vernon Police Department shall be responsible for all towing (including storage) charges and the administrative fee imposed by Section 18.19 (n) herein, except for that removal pursuant to Subparagraph 2 and 5 of subsection (k) shall not be subject to the administrative fee unless the owner or operator shall have been issued a violation of the Illinois Vehicle Code or of any other provision of local, state, or federal law.

- (1) Whenever an officer removes a vehicle from a street as authorized in Section (k) and the officer knows or is able to ascertain from the registration record in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed.

The officer shall also keep and maintain a record of the vehicle removed, listing the color, year of manufacture, manufacturer's trade name, manufacturer's series name, body style, vehicle identification number, license plate year and number, and registration sticker year and number displayed on the vehicle. The record shall also include the date and hour of removal, reason for removal, and name of officer authorizing the removal.

In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage. Whenever an officer removes a vehicle from a street under Section (k) and does not know and is not able to ascertain the name of the owner or for any other reason is unable to give the notice to the owner as hereinbefore provided and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event the officer shall immediately send or cause to be sent written reports of such removal by mail to the State Department whose duty it is to register vehicles and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed and reason for such removal, name of the garage or place where the vehicle is stored.

Such vehicle shall then be processed and disposed of in accordance with Section 18.19 (m) of the Revised Code.

(m) The abandonment of a vehicle or any part thereof on any highway or street in this municipality is unlawful and subject to penalties as set forth within the Revised Code. The abandonment of a vehicle or any part thereof on private or public property other than a highway in view of the general public anywhere in this City, is unlawful except on property of the owner or bailee of such abandoned vehicle.

When an abandoned vehicle comes into the temporary possession or custody of a person in this State, not the owner of the vehicle, such person shall immediately notify the Police Department when the vehicle is within the corporate limits of the City.

A vehicle shall be presumed to be an "abandoned vehicle" for the purposes of this Section when:

1. The vehicle or any part thereof is parked or left unattended on private property without authorization of the owner of the property or on public property other than a highway in view of the general public for a period of seven days or more; or
2. The vehicle or any part thereof is parked or left unattended on a highway or street within the City 10 hours or more.

An abandoned vehicle may be authorized to be removed or towed by the members of the police department, provided however, that prior to the removal of an abandoned vehicle, written notice personally served or written notice by certified mail return receipt requested shall be given to the registered owner. Said notice shall identify the vehicle, identify the location of the vehicle, state the factual basis for towing and presumption of abandonment, and advise that, unless the vehicle is removed by the owner within 72 hours, it will be removed by the police department as an abandoned vehicle. Said notice shall also state that the owner may appear before the Building Official for the City of Mt. Vernon within the 72 hours and show cause why the vehicle should not be removed as an abandoned vehicle. In addition, a notice shall be placed upon the vehicle identifying the vehicle as an abandoned vehicle and stating that the vehicle will be removed by the Police Department after a lapse of 72 hours from the date appearing on the notice unless the vehicle is removed by the owner or unless the owner contacts the Building Official for the City of Mt. Vernon and shows cause why it should not be removed.

When removal of a vehicle from either public or private property is authorized by order of the Police Department pursuant to subsection 18.19 (m), the owner of the vehicle shall be responsible for all towing costs( including storage) and the administrative fee imposed by Section 18.19 (n) herein.

3. When a vehicle is authorized to be removed, the Police Department shall keep and maintain a record of the vehicle removed, listing the color, year of manufacture, manufacturer's trade name, manufacturer's series name, body style, vehicle identification number, license plate year and number, and registration sticker year and number displayed on the vehicle. The records shall also include the date and hour of removal, location removed from, location removed to, reason for removal, and the name of the officer authorizing the removal.

When the Police Department does not know the identity of the registered owner or other legally entitled person, they will cause the State Motor Vehicle Registration records to be searched by a directed communication to the Secretary of State for the purpose of obtaining the required ownership information.

The Police Department will cause the stolen motor vehicle files of the State Police to be searched by a directed communication to the State Police for stolen or wanted information on the vehicle. When the State Police files are searched with negative results, the information contained in the National Crime Information Center (NCIC) files will be searched by the State Police. The information determined from these record searches will be used by the Police Department in sending a notice by certified mail to the owner or legally entitled person, advising that the vehicle has been removed by the Police Department, advising where the vehicle has been removed to, advising as to the legal or factual basis for the determination that the vehicle was abandoned, requesting a disposition be made, and setting forth public sale information.

When the registered owner or other person legally entitled to the possession of the vehicle cannot be identified from the registration files of the State or from the registration files of a foreign state, if applicable, the Police Department shall notify the State Police for the purpose of identifying the vehicle's owner or other person legally entitled to possession of the vehicle.

The information obtained by the State Police will be immediately forwarded to the law enforcement agency having custody of the vehicle for notification of the owner.

At any time before a vehicle is sold at public sale or disposed of as provided herein, the owner or other person legally entitled to its possession may reclaim the vehicle by presenting to the Police Department proof of ownership or proof of the right of possession of the vehicle. No vehicle shall be released to the owner or other person under this Section until all towing and storing charges have been paid; provided, however, that the owner or such person may appear before the Building Official for the City of Mt. Vernon and show cause why he should not be required to pay the towing and storage charges.

Whenever an abandoned, lost, stolen, or unclaimed motor vehicle seven years of age or newer remains unclaimed by the registered owner or other person legally entitled to its possession for a period of thirty (30) days after notice has been given as provided herein, the Police Department having possession of the vehicle shall cause it to be sold at public sale to the highest bidder. Notice of the time and place of the sale shall be posted in a conspicuous place for at least ten (10) days prior to the sale, the Police Department shall cause a notice of the time and place of the sale to be sent by certified mail to the registered owner or other person known by the Police Department or towing service to be legally entitled to the possession of the vehicle. Such notice shall contain a complete description of the vehicle to be sold and what steps must be taken by any legally entitled person to reclaim the vehicle.

In those instances where the certified notification given after removal of the vehicle has been returned by the postal authorities to the Police Department due to the addressee having moved or being unknown at the address obtained from the registration records of the State, the sending of the certified notice pertaining to the sale of the vehicle will not be required.

When the identity of the registered owner or other person legally entitled to the possession of

an abandoned, lost, or unclaimed vehicle of seven years of age or newer cannot be determined by any means provided for in this Ordinance, the vehicle may be sold as provided herein or disposed of in the manner authorized by the Ordinance without notice to the registered owner or other person legally entitled to the possession of the vehicle.

When an abandoned vehicle of more than seven years of age is impounded as specified by this Ordinance, it will be kept in custody for a minimum of 10 days for the purpose of determining ownership, the contacting of the registered owner by mail, by public service or in person for a determination of disposition; and an examination of the State Police stolen motor vehicle files for theft and wanted information. At the expiration of the 10-day period without the benefit of disposition information being received from the registered owner, the Chief of Police will authorize the disposition of the vehicle as junk, except that if in the opinion of the Police Officer processing the vehicle it has a value of \$200 or more and can be restored to safe operating condition, the Police Chief or his designee may authorize its purchase as salvage, provided the requirements of State law are met.

A vehicle classified as an antique vehicle may, however, be sold to a person desiring to restore it.

When a motor vehicle in the custody of the Police Department is reclaimed by the registered owner or other legally entitled person or when the vehicle is sold at public sale or otherwise disposed of as provided by this Ordinance, a report of the transaction will be retained by the Police Department for a period of one year from the date of the sale or disposal.

When a vehicle located within the corporate limits of the City is authorized to be removed by the Chief of Police and disposed of as set forth in this Ordinance, the proceeds of the public sale or disposition after the deduction of towing, storage, and processing charges shall be deposited in the municipal treasury.

Any Police Officer, towing service owner, operator, or employee shall not be held to answer or be liable for damages in any action brought by the registered owner, former registered owner, or his legal representative, or any other person legally entitled to the possession of a motor vehicle when the vehicle was processed and sold or disposed of as provided by this Ordinance.

n) Except as otherwise provided within the Section 18.19 (k) when any vehicle is removed or towed pursuant to the authorization of the Mt. Vernon Police Department, an administrative fee of \$100.00 shall be imposed and collected prior to release of the motor vehicle to its owner or other authorized person; collection of said administrative fee shall be effected pursuant to the towing policy and procedures of the Mt. Vernon Police Department.

## SECTION 18.20      STREET PARKING

(a)      In order to regulate and to promote the safety of traffic upon the streets of Mt. Vernon, there are hereby established and fixed certain zones to be known as non-metered parking zones in and upon the following streets:

- (1)      The north and south side of Broadway from Eighth Street to Ninth Street; and the north side of Broadway from Seventh Street to Eighth Street.

- (2) The south side of Broadway from Ninth Street to Twelfth Street.
- (3) The south side of Broadway from Thirteenth Street to Fourteenth Street.
- (4) The north and south side of Main Street from Eighth Street to Ninth Street.
- (5) The north side of Main Street from Ninth Street to Tenth Street.
- (6) The south side of Main Street from Ninth Street to Tenth Street.
- (7) The north and south side of Main Street from Tenth Street to Twelfth Street.
- (8) The north side of Jordan Street from Eighth Street to Johnson Street.
- (9) The north and south side of Jordan Street from Johnson Street to Twelfth Street.
- (10) The north and south side of Harrison Street from Ninth Street to Tenth Street.
- (11) The east and west side of Ninth Street from Harris on to Main Street.
- (12) The east and west side of Ninth Street from Broadway to Casey Street.
- (13) The west side of Tenth Street from North Street to Harrison Street.
- (14) The east and west side of Tenth Street from Harris to Street to Main Street.
- (15) The west side of Tenth Street from Main Street to Broadway.
- (16) The east side of Tenth Street from Main Street to Broadway.
- (17) The east and west side of Tenth Street from Broadway to Casey Street.
- (18) The east and west side of Eleventh Street from Harrison Street to Jordan Street.
- (19) The south side of Harrison from 811 Harrison to 825 Harrison, inclusive.
- (20) The west side of Seventh Street from Main to Broadway.
- (21) The east side of Ninth Street from Main Street to Broadway.
- (22) The west side of Ninth Street from Main Street to Broadway.

(b) The City Manager shall cause parking signs to be installed and maintained in said zones at such locations as he shall from time to time designate and determine to be proper for the effective regulation and safety of traffic within the provisions of this Article and its amendments and in accordance with directions of the City Council when the Council elects to exercise jurisdiction by specific Council action.

Parking signs installed in the parking zones as provided for herein shall be placed upon the curb immediately adjacent to the parking spaces, which parking spaces shall be designated by lines or markings painted or placed upon the curb or street adjacent to each parking space, and each vehicle parked shall be parked within the lines or markings painted or placed upon the curb or street.

It shall be unlawful and constitute a violation of this Article to park any vehicle across any such line or marking or to park any vehicle in any position so that same shall not be entirely within the area designated by said line or marking.

When a parking space in any parking zone is parallel with the adjacent curb or sidewalk any vehicle parked in such parking space shall be parked so that such vehicle is heading in the same direction as the traffic lane nearest such curb or sidewalk; when a parking space in any parking zone is diagonal to the curb or sidewalk, any vehicle parked in such parking space shall be parked with the front part of such vehicle nearest to the curb or sidewalk.

(c) Except as to spaces reserved for handicapped parking as provided within Section 18.16 (i) of this Article and except as to prohibited parking zones (including spaces reserved for official vehicles) as provided within Subsection (e) herein, parking at the parking spaces at the location specified in Subsection (a) shall be and is hereby limited to a period of two hours. Parking shall be without charge. The time limit for parking in said zones at said parking spaces shall be in effect from 8:00 a.m. to 6:00 p.m. on each day of every week, except Saturday, Sunday, and legal holidays. Parking in said zones at said parking spaces shall be without limitations on Saturday, Sunday, legal holidays, and on weekdays from 6:00 p.m. to 8:00 a.m.

(d) The City Manager shall cause signs prohibiting parking to be installed at such spaces in front of each movie picture theater located within the said non-metered parking zone as he shall determine from time to time to be proper for the effective regulation and safety of traffic, which signs shall prohibit parking in front of said movie picture theaters during the time said theaters are open to the public. The provisions of this Article establishing and regulating loading zones shall control the use of said parking spaces.

(e) Prohibited parking zones are hereby established in and upon the following streets:

1. The North side of Broadway from Ninth Street to Tenth Street.
2. The South side of Main Street from the West side of Jefferson County Courthouse steps to 10<sup>th</sup> Street.
3. The approximate length of two parking spaces on the East side of Tenth Street nearest Broadway between Broadway and Main Street.
4. The South side of Mannen Street from 27<sup>th</sup> Street to Logan Street.
5. The West side of 19<sup>th</sup> Street from Logan Street to Perkins Avenue.
6. The East side and the West side of 22<sup>nd</sup> Street from Broadway to Perkins Avenue.
7. The East side and the West side of 24<sup>th</sup> Street from Broadway to Perkins Avenue.
8. The East side of 26<sup>th</sup> Street from Perkins Avenue to Forest Avenue.

9. The East side and the West side of 26<sup>th</sup> Street from Forest Avenue to Veterans Memorial Drive.
10. The South side of Casey Avenue from 19<sup>th</sup> Street to 27<sup>th</sup> Street.

Parking within the said above prohibited zones shall constitute the offense of parking in a prohibited zone and shall be punishable by a penalty of \$10.00 if paid within 72 hours of the violation; in addition, failure to pay the penalty within 72 hours of the violation shall render the owner or operator of the vehicle subject to the penalty stated within Article 22, Section 22.6 of the Revised Code. Said offense of parking in a prohibited zone may be charged by means of citation of "hang-on" ticket.

There is also hereby established non-metered reserved parking spaces from 8 a.m. to 3 p.m. Monday through Friday (excluding Court Holidays) for use by official vehicles of the Jefferson County Sheriffs Department and Judges and Court Personnel of the Second Judicial Circuit upon the following streets:

- (i) Three reserved spaces nearest to Broadway on the west side of Ninth Street between Main Street and Broadway.
- (ii) Three reserved spaces nearest to Ninth Street on the south side of Main Street from Ninth Street to Tenth Street.
- (iii) Two reserved spaces nearest Main Street on the east side of Tenth Street from Main Street to Broadway.
- (iv) One reserved space on the west side of 10<sup>th</sup> Street from Main Street to Broadway.

Parking by authorized vehicles at said non-metered reserved spaces shall be without charge and without time limitation. Parking by non-authorized vehicles at said non-metered reserved parking spaces shall constitute the offense of parking in a prohibited zone and shall be punishable as provided herein.

(f) Parking shall be and is hereby prohibited along the curb in front of any drive-in United States mailbox for a longer period of time than that required to deposit mail. The violation of the provisions of this section shall subject the owner or operator of such improperly parked vehicle to the penalty set forth herein for parking in a prohibited zone.

(g) It shall be unlawful and a violation of the provisions of this Article for any person to cause, allow, permit, or suffer any vehicle registered in the name of or permitted by such person to be parked beyond the period of legal parking time established for any parking space within the parking zone as herein described and established; same shall constitute the offense of prohibited parking. Parking beyond the period of legal parking time established for any parking space shall constitute a separate offense for each individual violation of the period of legal parking time (e.g. every two hours within a two-hour zone, every 30 minutes within a 30-minute zone).

The offense of prohibited parking in a two-hour zone, a 30-minute zone, or other time-limited zone shall be punishable by a penalty of \$10.00 if paid within 72 hours of the violation; in

addition, failure to pay the penalty within 72 hours of the violation shall render the owner or operator of the vehicle subject to the penalties stated within Article 22, Section 22.6 of the Revised Code.

(h) It shall be unlawful and a violation of the provisions of this Article for any person to deface, injure, tamper with, open, willfully break, destroy, or impair the usefulness of any parking sign installed under the provisions of this Article.

(i) That within the parking zones established by this Article, there are located commercial enterprises dealing primarily in services and of a public service nature; when said commercial enterprises do not have access to their places of business by alleyways or private ways, the City Manager may designate a parking space or spaces as a loading zone, if he determines same to be necessary for the efficient regulation and safety of traffic, subject to the direction and control of the City Council when the Council elects to exercise jurisdiction by specific Council action.

That the City Manager shall cause to be painted or placed upon the curb or street lines indicating the area and extent of the loading zones designated and established in accordance with this Section and the loading and unloading of persons, equipment, goods, or merchandise, when a loading zone is provided, outside the indicated area of the designated and established loading zone shall be unlawful and constitute a violation of this Article.

It shall be unlawful and a violation of this Article to use any designated and established loading zone for the parking of any vehicle or vehicles or to allow any vehicle to remain in any designated and established loading zone for a longer period of time than that reasonably required for the actual loading and unloading of persons, equipment, goods, and merchandise and shall subject the owner or operator of any such improperly parked vehicles or vehicles improperly allowed to remain in said parking zone to the penalties prescribed herein for prohibited parking in a prohibited zone.

(j) It shall be the duty of the Police Department of the City of Mt. Vernon, acting in accordance with instructions issued by the City Manager, to report the violations of any provisions of this Section in regard to parking.

(k) The parking regulations provided within this section may be enforced by placement of a chalk mark upon the tire or other mark upon the vehicle to identify the vehicle and to determine whether said vehicle has parked in violation of the provisions of this section. It shall be unlawful and a violation of the provisions of this Article for any person to remove, hide, destroy, alter, wipe, tamper with, or conceal any chalk mark or other mark placed upon any person's tire or vehicle by a police officer or other parking enforcement agent of the City or to otherwise interfere, obstruct, or prevent any police officer or other parking enforcement officer of the City from enforcing the provisions of this Section. This interference with parking enforcement shall be punishable by a penalty of \$50.00 for the first offense, \$100.00 for the second offense, and \$200.00 for each subsequent offense.

SECTION 18.20A PARKING LOTS

1. The provisions of this Section shall regulate and control the motor vehicle parking lots heretofore or hereafter acquired by the City of Mt. Vernon. Each of such municipal parking lots now or hereafter acquired or established shall be under the supervision of the City Manager; provided, that violations of the ordinances of the City of Mt. Vernon shall be under the supervision of the Chief of Police and enforced by the Police Department.

2. It shall be unlawful to park any vehicle in any municipal parking lot in violation of any ordinance of the City of Mt. Vernon, or so to park contrary to rules established by the City Council and City Manager for the use of such parking lot, or in any manner or place other than those designated and marked Parking Lanes or the directions of any parking lot custodian who may be hereafter employed at any such parking lot. No commercial or freight carrying vehicle or truck nor any trailer shall be parked in any City parking lot.

3. The municipal parking lot located at Tenth Street and Harrison Street is hereby designated as Lot A; the parking lot located within the 100 block of Main Street is hereby designated as Lot B; the parking lot located at Tenth Street and Jordan is hereby designated as Lot C; the parking lot located within the 300 block of South Eleventh Street is hereby designated as Lot D; the parking lot located within the 300 block of S. Ninth Street is hereby designated as Lot E; the parking lot located within the 800 block of Main is hereby designated as Lot F; and the parking lot located at Johnson Alley and Broadway (800 block of Broadway) is hereby designated as Lot G.

4. The City Manager shall cause parking meters to be installed, maintained, and operated in a parking lot and at such locations as he shall from time to time determine to be proper for the effective regulation and safety of traffic and parking, and shall further cause parking lanes to be designated in each such parking lot. It shall be unlawful and constitute a violation of this Article to park any vehicle across any said parking lane or marking or to park any vehicle in any such position so that same shall not be entirely within the areas designated by such line or marking.

In any municipal parking lot where meters are installed, it shall be unlawful for any person to cause, allow, permit, or suffer any vehicle registered in the name of or operated by such person to be parked without first inserting a coin into the meter controlling the parking space used or to park for a period longer than covered by such coin; same shall constitute a meter violation and shall constitute the offense of overtime or illegal parking and shall be punishable as follows: a penalty of \$4.00 if paid within 72 hours of the violation; a penalty of \$8.00 if paid after expiration of 72 hours of the violation; in addition, failure to pay the penalty within 72 hours of the violation shall render the owner or operator of the vehicle subject to the penalties stated within Article 22, Section 22.6 of the Revised Code.

It shall be unlawful to park in any municipal parking lot where a fee is provided by Ordinance without paying such fee.

5. The time limit for parking in municipal parking lot controlled by meters and the charge for parking in such spaces shall be the following times and charges:

a. The time limit for parking in municipal parking Lot A, Lot B, and Lot D shall be controlled by meters and the charge for parking in such spaces shall be the following times and

charges:

- (1) Two-hour parking for two ten-cent coins of money of the United States or its equivalent.
- (2) Five-hour parking for a twenty-five cent coin of money of the United States or its equivalent.
- (3) Ten-hour parking for two twenty-five cent coins of money of the United States or its equivalent.

b. Except for leased spaces, the time limit for parking in municipal parking lots F and G shall be controlled by meters, and the charge for parking in such spaces shall be the following times and charges.

- (1) One-hour parking for a five-cent coin of money of the United States or its equivalent.
- (2) Two-hour parking for a ten-cent coin of money of the United States or its equivalent.
- (3) Five-hour parking for a twenty-five cent coin of money of the United States or its equivalent.
- (4) Ten-hour parking for two twenty-five cent coins of money of the United States or its equivalent.

c. The time limit and charge for each particular metered parking space within said zones shall be specified in the legend on the parking meter installed at such parking space and each parking meter shall be equipped with a clearly visible signal device which indicates whether or not parking time is expired or unexpired; and if unexpired, the amount of unexpired time remaining. When parking in any parking space regulated by a meter, the vehicle shall be parked so that the front part of such vehicle is nearest to such parking meter.

d. The time limit for parking in said zones at such parking places and the charge made for the use of each parking space as hereinabove provided shall be in effect from 8:00 a.m. until 6:00 p.m. on each day of every week, except Saturdays, Sundays and legal holidays. Parking on Saturdays, Sundays and legal holidays and from 6:00 p.m. to 8:00 a.m. of each weekday shall be without time limitation and without charge.

6. Parking in municipal parking Lot C and Lot E shall be without charge and without time limitation; provided no continuous period of parking upon said lots shall exceed 24 hours.

7. Fourteen spaces within Parking Lot B shall be reserved for use by motor vehicles of employees of the City of Mt. Vernon bearing an official parking sticker; however, all of the provisions herein relating to parking and parking lots shall apply to said parking spaces. It shall be unlawful for any person to park his motor vehicle within a reserved parking space unless said vehicle

displays the valid and proper parking sticker; same shall constitute the offense of parking in a prohibited zone.

Thirty spaces in Lot F and G shall be leased to individuals for the exclusive use of said individuals; said spaces shall be leased in the manner determined by the City Manager and shall be leased for \$25.00 per quarter provided however that enforcement of lessee's rights shall be effected by lessee by lawful means, and enforcement shall not be effected by the City.

Thirty-six spaces within Lots F & G shall be leased to businesses and commercial establishments for the exclusive use of said establishments and for use by persons having the lessee's permission and authorization; said spaces shall be leased in the manner determined by the City Manager and shall be leased for \$25.00 per month provided however that enforcement of lessee's rights shall be effected by lessee by lawful means, and enforcement shall not be effected by the City.

#### SECTION 18.20B     PARKING EXEMPTION FOR HANDICAPPED PERSONS

A motor vehicle bearing registration plates or a special decal or device issued to a handicapped person pursuant to Section 3-616 or Section 11-1301.2 or to a disabled Veteran pursuant to Section 3-609 of "The Illinois Vehicle Code" or bearing a registration plate or special decal or device of another jurisdiction issued under a comparable Statute is exempt from any provisions under the Revised Code of Ordinances imposing time limitations on parking except limitation of one-half hour or less on any street or highway zone or any parking lot or parking place which is owned, leased, or owned and leased by a municipality or a municipal parking utility. However, said vehicle is otherwise subject to the laws which prohibit parking in no-stopping and no-standing zones in front or near fire hydrants, driveways, public building entrances and exits, bus stops, and loading areas, and is prohibited from parking where the motor vehicle constitutes a traffic hazard, and is prohibited from parking where an official sign controlling an area expressly prohibits parking at any time or during certain hours; any vehicle parked in such prohibited area shall immediately be moved at the instruction and request of a law enforcement officer to a location designated by the officer. The parking exemption and privileges granted hereunder are strictly limited to the person to whom the special registration plates, special decal or device were issued and to the persons acting under the express direction of the handicapped or disabled person while the handicapped or disabled person is present.

#### SECTION 18.21     EXCAVATIONS

(a) It shall be unlawful for any person to make or cause to be made an opening, ditch or excavation in or upon any of the streets, avenues, alleys, or other public places of the City for the laying of any pipes already laid, or for any other purpose whatsoever, except upon condition that a permit therefor shall have first been obtained from the City Clerk for such purpose.

(b) Any company, corporation of person desiring to lay, lower, change, or remove any gas, water or other pipe or pipes or to make connection therewith or to make any change, alteration or improvement in the right of way on any street, shall first apply to the City Clerk for a permit to enter upon such street, avenue, alley or other public place of the City. Such application shall

accurately describe the premises sought to be broken, dug or excavated and the applicant shall agree to guard properly the place which may be dug, broken or excavated so as to protect the City from loss and all persons from accident or injury and to complete the work to be done with reasonable dispatch and in accordance with specifications and standards furnished by the City Clerk at the time the permit is issued, or in the case of a public utility, two copies of such current specifications and standards may be filed by the City Clerk at the local office of the utility. The application shall be signed by the person, persons, firm or corporation by their or its duly authorized agent; and in addition to the other requirements therein described shall recite that the person, persons, firm or corporation to whom the same is issued, will indemnify the City against any loss or damage in any way resulting to the City by the granting of the permit to such applicant.

The permit shall be issued by the Clerk, in triplicate, and one copy shall remain on file in the Clerk's office and two copies shall be delivered to the person, persons, firm or corporation, making application or to their or its duly authorized agent, and one of the said two copies shall at all times, when any work is in progress concerning which the permit was issued, be at the location of said work in the custody of the person or persons to whom a permit is issued shall be and remain responsible for the proper reconstruction of the right of way or any street, avenue, alley, or other public place described in the said permit issued to them in accordance with the specifications and standards hereinabove described for a period of one year from the date that the said permit is issued.

(c) It shall further be unlawful for any person to make or cause to be made an opening, ditch or excavation in or upon any curbing adjacent to any street, avenue or other public place in said City for any purpose whatsoever without first having obtained a permit from the City Clerk for such purpose.

(d) Any person who shall desire to make any opening in or to remove any portion of a curb adjacent to any public street, avenue, or other public place shall first apply to the City Clerk for a permit. Such application shall accurately describe the premises sought to be broken, dug, excavated or removed. No such permit shall be granted unless the applicant shall agree to either replace said curb in as good condition as before or if said applicant desires, to replace said curb with a driveway or other means of ingress and egress to said premises from the street, avenue or other public way, then said applicant shall agree to construct said driveway of a hard surfaced material such as asphalt or concrete according to specifications approved by the City Engineer.

(e) The City Clerk shall collect a fee in the amount of \$25.00 for each permit issued hereunder. Said fee shall be paid prior to the issuance of the permit.

## SECTION 18.22      USE OF PUBLIC GROUNDS

That no person shall place or park or cause to be placed or parked, any automobile, truck, or other vehicle or any article of merchandise whatsoever, for the purpose of offering for sale, displaying or storing the same, upon any street, alley, sidewalk or other public grounds within the limits of the City of Mt. Vernon.

SECTION 18.23      SOLICITATION WITHIN PUBLIC HIGHWAYS

Solicitation on highways within the City of Mt. Vernon from an occupant of any vehicle is hereby expressly permitted, subject to the following restrictions:

(a) Solicitation on highways shall be allowed only at intersections where all traffic is required to come to a full stop.

(b) The soliciting agency must be registered with the Attorney General as a charitable organization as provided by "An act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefor; approved July 26, 1963 as amended."

(c) The soliciting agency must be engaged in a statewide fund raising activity.

(d) The soliciting agency shall be liable for any injury to any person or property during solicitation which is caused or related to an act of ordinary negligence of the soliciting agent.

(e) Each person engaged in an act of solicitation shall be 16 years of age or older and shall be wearing a high visibility vest.

(f) Each soliciting agent and soliciting agency shall comply fully with the provisions of Section 11-1006 of Chapter 95 ½ of the Illinois Revised Statutes as the same may be amended from time to time.

SECTION 18.24      TOW TRUCKS

Tow Truck is hereby defined to mean every truck designed or altered or equipped for and used to push, tow, or draw disabled vehicles by means of a crane, hoist, tow bar, tow line, or auxiliary axle and to render assistance to disabled vehicles.

Every tow truck, except those owned by governmental agencies, shall have displayed on each side thereof a sign with letters not less than 2 inches in height contrasting in color to that of the background stating the name, address, and telephone number of the owner and operator thereof.

Every tow truck shall be equipped with: (1) one or more brooms and shovels; (2) one or more trash cans at least 18 inches in height; and (3) one fire extinguisher of a dry chemical or carbon dioxide type with an aggregate rating of at least 4-B, C units, and bearing the approval of a laboratory qualified by the Division of Fire Prevention for this purpose.

Every owner or operator and driver of a tow truck shall remove or cause to be removed all glass and debris deposited upon any street or highway by the disabled vehicle being serviced and shall in addition spread dirt or sand upon that portion of any street or highway where oil or grease has been deposited by the disabled vehicle being serviced.

Every tow truck operator shall in addition provide an indemnity bond or insurance policy which shall indemnify or insure the tow, truck operator for his liability for loss or damage to any disabled or damaged vehicle towed or stored by the tow truck operator in an amount not less than \$5,000.00 for any one accident or claim. Any such bond or policy shall be issued only by a bonding or insuring firm properly qualified to do business at such in the State of Illinois and a certificate of such bond or policy shall be carried in the cab of each tow truck.

Any operator or owner of a tow truck which fails to comply with the provisions of this Section shall be subject to the penalties of Section 22.6 of the Revised Code. Moreover, no officer, employee, or agent of the City during the course of his employment shall utilize the services of any tow truck which fails to comply with the provisions of this Section, unless the requirements of public health and safety under a particular circumstance reasonably dictate otherwise.

#### SECTION 18.25      SUSPENSION OF DRIVER'S LICENSE

In addition to any other penalty or provision herein, any person who has failed to satisfy any fine or penalty imposed by final judgment for ten or more violations of standing and parking regulations shall be subject to the suspension of his driver's license in accordance with the provisions of Illinois Revised Statutes, Ch. 95-1/2, Sec. 6-306.5.

Upon a person's failure to satisfy any fine or penalty imposed by final judgment for ten or more violations of local standing and parking regulations, the City Manager or such person as designated by him to enforce said regulations shall make a certified report to the Illinois Secretary of State, which report shall contain the following:

- (1) The name, last known address, and driver's license number of the person who failed to pay the fine or penalty and the registration number of any vehicle known to be registered to such person in the State of Illinois.
- (2) The name and mailing address of the City of Mt. Vernon, Illinois.
- (3) A statement that the City of Mt. Vernon has sent a notice of impending driver's license suspension as prescribed by Section 18.25 of the Revised Code of Ordinances to the person named in the report at the address recorded with the Secretary of State, the date on which such notice was sent, and the address to which such notice was sent.

The notice of impending driver's license suspension sent to the person liable for the fine or penalty shall state that the failure to pay the fine or penalty owing within forty-five (45) days of the notice's date will result in the City of Mt. Vernon's notifying the Secretary of State that the person's driver's license is eligible for suspension pursuant to this Ordinance and pursuant to Ill. Rev. Stat., Ch. 95-1/2, Sec. 6-306.5: The notice of impending driver's license suspension shall be sent by first-class United States mail, postage prepaid to the address recorded with the Secretary of State.

Suspension of any driver's license hereunder shall be in accordance with Ill. Rev. Stat., Ch. 95-1/2, Sec. 6-306.5 and in accordance with the Rules and Regulations of the Illinois Secretary of State.

Whenever a person named in the certified report has paid the previously reported fine or penalty or whenever it is determined that the original report was in error, the City Manager or such person as designated by the City Manager to enforce standing and parking regulations shall notify the Secretary of State of the payment or of the error.

A certified copy of the notification by the City of Mt. Vernon to the Secretary of State shall be given upon request at no additional charge to the person named therein.