

ORDINANCE NO. 562

AN ORDINANCE FOR TRAFFIC CONTROL, PROVIDING PENALTIES, AND REPEALING ORDINANCES NO. 357, 370, 419, 420, 424, 449, 459, 460, 480, 483A, 494, 503, 511, 518, 529, 532, 542 AND 555.

The people of the city of Prineville, Oregon, do ordain as follows:

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

- |                        |                        |
|------------------------|------------------------|
| ORS 164.650            | ORS 483.112 to 483.122 |
| ORS 164.660            | ORS 483.126 to 483.140 |
| ORS 166.630            | ORS 483.202 to 483.218 |
| ORS 374.265            | ORS 483.222 to 483.230 |
| ORS 476.715            | ORS 483.302 to 483.336 |
| ORS 481.015            | ORS 483.402 to 483.436 |
| ORS 481.020            | ORS 483.444 to 483.446 |
| ORS 481.030            | ORS 483.448            |
| ORS 481.040            | ORS 483.450            |
| ORS 481.050            | ORS 483.452            |
| ORS 481.055            | ORS 483.458            |
| ORS 481.060            | ORS 483.460            |
| ORS 481.070            | ORS 483.470            |
| ORS 481.075            | ORS 483.472            |
| ORS 481.080            | ORS 483.502 to 483.518 |
| ORS 481.155            | ORS 483.522            |
| ORS 481.230 (5)        | ORS 483.530 to 483.540 |
| ORS 481.255            | ORS 483.544            |
| ORS 481.260            | ORS 483.604            |
| ORS 482.010 to 482.060 | ORS 483.612            |
| ORS 482.300 (2)        | ORS 483.614            |
| ORS 482.610 to 482.650 | ORS 483.620            |
| ORS 483.002 to 483.034 | ORS 483.628            |
| ORS 483.038            | ORS 483.630            |
| ORS 483.046 to 483.050 | ORS 485.010 to 485.040 |
| ORS 483.102            | ORS 649.080            |
| ORS 483.104            |                        |

The word "to" as used in this section means "to and including" when used in a reference to a series of statute sections, subsections

or paragraphs. Except where the context clearly indicates a different meaning, the definitions in ORS Chapter 483 shall apply to all other sections of this ordinance.

Definitions

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

- (1) Alley. A narrow street through the interior of a block.
- (2) Bicycle. Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over 15 inches in diameter.
- (3) Bus stand. A fixed area in the roadway adjacent to the curb to be occupied exclusively by buses for layover in operating schedules or waiting for passengers.
- (4) Curb. The extreme edge of the roadway.
- (5) Holidays. Where used in this ordinance or on signs or other devices erected in accordance with this ordinance: Sundays and legal holidays.
- (6) Loading zone. A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of materials or freight. No loading zone may exceed 22 feet along the curb. No entrance zone, a space between the street and adjoining property which is reserved for entering and leaving vehicles, may exceed 30 feet.
- (7) Park or parking. The standing of a vehicle, whether occupied or not, except when a vehicle is temporarily standing for the purpose of and while actually engaged in loading or unloading.
- (8) Parkway. That portion of a street not used as a roadway or as a sidewalk.
- (9) Passenger loading zone. A loading zone reserved only for the loading or unloading of passengers and their luggage.
- (10) Pedestrian. Any person afoot.
- (11) Person. Every natural person, firm, partnership, association or corporation.
- (12) Stop. Complete cessation of movement.
- (13) Taxicab stand. A fixed area in the roadway adjacent to the curb set aside for taxicabs to stand or wait for passengers.
- (14) Traffic lane. That portion of the roadway used for the movement of a single line of vehicles.

~~(15) Vehicle.~~

Section 3. Powers of City Council.

- (1) After approval by the State Highway Commission where such approval is required by the Motor Vehicle Laws of Oregon and for the

*Vehicle will be subject to the same rules as a private vehicle  
and will be subject to the same rules as a private vehicle  
and will be subject to the same rules as a private vehicle*

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best use of the streets in the public interest, the council shall designate by resolution the following traffic controls which shall become effective upon installation of appropriate traffic signs, signals, markings or devices:

- (a) The parking and standing of vehicles by:
  - (i) Classifying portions of streets upon which either parking or standing or both shall be prohibited, or prohibited during certain hours.
  - (ii) Establishing the time limit for legal parking in limited parking areas.
  - (iii) Designating the angle of parking if other than parallel to the curb.
  - (iv) Designating city-owned or leased lots or property on which public parking will be permitted.
  - (v) Designating lots or areas within which, or streets or portions of streets along which, parking meters will be installed, and the denomination of coins to be used or deposited in parking meters.
- (b) Through streets.
- (c) One-way streets.
- (d) Truck routes.
- (e) Streets where trucks, machinery or any other large or heavy vehicles exceeding specified weights are prohibited, except for delivering or picking up materials or merchandise but then only by entering such streets at the intersection nearest the destination of the vehicle and leaving by the shortest route.

(2) Except when contrary to state law, if it appears that public safety or welfare does not require the installation or maintenance of a traffic sign, signal, marking or device, or will be better served by the removal or alteration thereof, the council may, by resolution, forbid the installation or order the removal or alteration of any traffic sign, signal, marking or device that is proposed or installed under Section 4 of this ordinance. Such traffic controls shall become inoperative only when removed or altered.

### Section 4. Adoption of Traffic Regulations.

(1) In making the best use of streets and sidewalks for vehicle traffic and parking and pedestrian traffic, the city council is authorized to provide appropriate and reasonable regulation of the classes of traffic signs, signals, markings and devices described in subsection (2) of this section for the streets, sidewalks, and other public property of the city as are found appropriate for public safety, convenience and welfare. Subject to approval by the State Highway Commission where such approval is required by the Motor Vehicle Laws of Oregon, the city council shall base its determinations only upon:

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- (a) Traffic engineering principles and traffic investigations;
  - (b) Standards, limitations, and rules promulgated by the State Highway Commission; and
  - (c) Other recognized traffic control standards.
- (2) Pursuant to subsection (1) of this section, the city council may establish, maintain, remove or alter the following classes of traffic controls:
- (a) Street areas and city-owned or leased land upon which parking may be entirely prohibited or prohibited during certain hours and the angle of such parking.
  - (b) The location and the time of operation of traffic control signals.
  - (c) Bus stops, bus stands, taxicab stands and stands for other passenger common carrier vehicles.
  - (d) The location of passenger loading zones for use in connection with a hotel, auditorium, theater, church, school or public building.
  - (e) Loading zones for commercial purposes.
  - (f) Intersections or areas where drivers of vehicles shall not make right, left or U-turns and the time when the prohibition applies.
  - (g) Crosswalks, safety zones, parking spaces, traffic lanes and other symbols.
  - (h) Traffic control signs.
  - (i) Parking meters.
  - (j) All other signs, signals, markings and devices required to implement traffic and parking controls enacted by the council or required by state law or regulation.
- (3) Pursuant to subsection (1) of this section, the city council may provide for experimental or emergency traffic regulation of a temporary nature that shall not remain in effect more than 30 days. No experimental or emergency regulation is effective until adequate traffic signs, signals, markings or devices are erected clearly indicating the regulation.

### Section 5. Authority of Police and Fire Officers.

- (1) It shall be the duty of the police department through its officers to enforce the provisions of this ordinance.
- (2) In the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of this ordinance.
- (3) When at the scene of a fire, members of the fire department may direct or assist the police in directing traffic.

Signs and Signals

Section 6. Duty to Obey Traffic Signs and Signals; Speeds.

(1) All drivers of motor vehicles and all pedestrians shall obey the instructions of every traffic sign, signal, marker, or barrier placed in accordance with the Motor Vehicle Laws of Oregon or this ordinance, including those erected by any authorized public utility and department of this city or other authorized person, except when necessary to avoid conflict with other traffic or when otherwise directed by a police officer.

(2) No unauthorized person shall move, remove or alter the position of, or deface or tamper with any such sign, signal, marker, or barrier.

(3) No person shall drive a vehicle upon an alley at a speed greater than five miles an hour.

Section 7. Vehicles Stopping at Stop Signs. When stop signs are erected at or near the entrance to any intersection or railroad crossing, every driver of a vehicle approaching such sign shall come to a full stop before entering any crosswalk, intersection or railroad crossing except when directed to proceed by a police officer or traffic control signal.

Section 8. Stop When Traffic Obstructed. No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the opposite side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

Section 9. Unlawful Marking. Except as provided by this ordinance, no person shall letter, mark, or paint in any manner any letters, marks, or signs on any sidewalk, curb, or other portion of any street, or post anything designed or intended to prohibit or restrict parking on any street.

Section 10. Method of Parking.

(1) No person shall stand or park a vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within 12 inches of the edge of the curb, except where the street is marked or signed for angle parking, in which case motor vehicles shall be parked with the front head in to the curb at the angle of and between painted stripes or other markings upon the pavement where such head-in parking is indicated.

(2) Where parking space markings are placed on a street, no person shall stand or park a vehicle other than at the indicated direction and within a single marked space.

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(3) Whenever the owner or driver of a vehicle discovers that such vehicle is parked immediately in front of or close to a building to which the fire department has been summoned, he shall immediately remove such vehicle from the area unless otherwise directed by police or fire officers.

(4) No person, whether in a vehicle or not, shall intrude himself upon a street, or premises, where a fire is in progress in such manner as to interfere with the fire department in its efforts to extinguish a fire, and no persons shall congregate in the vicinity of a fire in such a manner as to hinder or interfere with the fire department in its efforts to extinguish a fire.

Section 11. Parking of Oversize Vehicles. Any vehicle which because of its size or shape cannot be parked as provided by Section 10 of this ordinance may be parked outside the restricted or limited parking area of the city in a manner which will not impede or interfere with vehicular traffic.

Section 12. Prohibited Parking. In addition to provisions of the Motor Vehicle Laws of Oregon prohibiting parking, no person shall park:

- (1) A vehicle upon a bridge, viaduct, or other elevated structure used as a street, unless otherwise indicated by lawfully installed signs.
- (2) A vehicle in an alley except to load or unload persons or materials not to exceed 20 minutes for loading or unloading.
- (3) A vehicle upon a street for the principal purpose of:
  - (a) Displaying the vehicle for sale,
  - (b) ~~Washing~~, greasing, or repairing the vehicle except repairs necessitated by an emergency.
  - (c) Displaying advertising from the vehicle.
  - (d) Selling merchandise from the vehicle except in an established market place or when so authorized or licensed under the ordinances of this city.
  - (e) Storing the vehicle, or as junkage or dead storage for more than 72 consecutive hours.
- (4) A vehicle upon any parkway except where specifically authorized.
- (5) A vehicle upon private property without the consent of the owners or persons in charge of such private property.
- (6) A vehicle upon vacant property and leave it unattended for 30 days or more.

Section 13. Use of Loading Zones and Entrance Zones.

- (1) 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 or freight in any place designated as a loading zone during the hours when the provisions applicable to loading zones are in effect.

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

(3) A permit fee for an entrance or loading zone is \$1.00 a year. Each permit is issued for a calendar year. Permits may be transferred with city council consent if the need continues under new ownership.

Section 14. Stopping, Standing, or Parking of Buses and Taxicabs Regulated. The driver of a bus or taxicab shall not stand or park such vehicle upon any street in any business district at any place other than at a bus stand or taxicab stand, respectively, except that this provision shall not prevent the driver of any taxicab from temporarily stopping for the purpose of and while actually engaged in the loading or unloading of passengers.

Section 15. Restricted Use of Bus and Taxicab Stands. No person shall stop, stand, or park a vehicle other than a bus in a bus stand or other than a taxicab in a taxicab stand, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab about to enter or using such zone.

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

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

### Parking Meters

Section 18. Deposit of Coins. No person shall park any vehicle in any metered parking space, except as otherwise permitted by this ordinance, without immediately depositing in the parking meter adjacent to such space such lawful coin or coins of the United States as are required by such meter and as designated by directions on the meter, and

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when required by the directions of the meter, unless the parking meter indicates at the time such vehicle is parked that an unexpired portion remains of the period for which a coin or coins has been previously deposited.

Section 19. Legal Time Limit. No person, except as otherwise permitted by this ordinance, shall permit any vehicle parked by him to remain parked in any parking meter space during any time when the parking meter adjacent to such space indicates that no portion remains of the period for which the last previous coin or coins had been deposited, or beyond the time limit for parking in such space. Continued parking beyond the single time limit for any meter parking space shall constitute a separate offense for each period or portion of a single limit for any such meter parking space during which the vehicle remains so parked.

Section 20. Extension of Parking Time. No person shall deposit or cause to be deposited in a parking meter a coin or coins for the purpose of extending the parking time beyond the time limit for parking in a parking meter space.

Section 21. Mechanical Defect. Any unintentional violation of any provision of this ordinance by reason of a mechanical failure of a parking meter is not an offense within the meaning of this ordinance.

Section 22. Collections. It shall be the duty of the chief of police to direct the collection of all coins deposited in parking meters.

Section 23. Citation Tags. The marshal is hereby authorized and directed to supply police officers with citation tags for the purpose of giving notice to persons violating any provisions of this ordinance. Such notice may be given by delivering such tags to the violator or by affixing it to the vehicle by means of which the violation occurred. Such citation tag shall direct the violator to appear and to present such tag at a designated place on or before a date and hour specified thereon. Nothing in this section shall be construed to abridge the power of a police officer to arrest any violator and take him into custody.

Section 24. Procedure for Tagging Vehicles. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this ordinance, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a notice in writing on a form provided by the city for the driver to answer to the charge against him within three days and at the time and place specified in the notice. The officer shall deliver copies of such notice to the municipal judge.

Pedestrians

Section 25. Use of Sidewalks. Pedestrians shall not use any roadway for travel when abutting sidewalks are available.

Section 26. Crossing at Right Angles. No pedestrian shall cross a street at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a marked crosswalk.

*Do, later*  
Section 27. Pedestrians Must Use Crosswalks. In blocks where marked crosswalks are established, no pedestrian shall cross the street other than within a marked crosswalk.

Parades and Processions

<sup>27</sup>  
Section 28. Permits Required for Parades. No procession or parade, except a funeral procession, the forces of the United States armed forces and the military forces of this state, shall occupy, march or proceed along any street except in accordance with a permit issued by the chief of police. Such permit may be granted where it is found that such parade is not to be held for any unlawful purpose and will not in any manner tend to a breach of the peace, cause damage, or unreasonably interfere with the public use of the streets, or the peace and quiet of the inhabitants of this city.

<sup>25</sup>  
Section 29. Funeral Procession. Vehicles in a funeral procession may be escorted by at least one person authorized by the chief of police to direct traffic for such purposes and shall follow routes established by the chief of police.

<sup>29</sup>  
Section 30. Drivers in Procession. Except when approaching a left turn, each driver in a funeral or other procession shall drive along the right-hand traffic lane and shall follow the vehicle ahead as closely as is practical and safe.

<sup>30</sup>  
Section 31. Driving Through Procession. No driver of a vehicle shall cross through a procession except where traffic is controlled by traffic control signals or when so directed by a police officer. This provision shall not apply to authorized emergency vehicles.

General Regulations

<sup>31</sup>  
Section 32. Driving Under the Influence. Any person who, while being under the influence of intoxicating liquor, barbiturates or narcotic

THIRD READING ORDINANCE NO. 562 (TRAFFIC CODE) Ordinance No. 562 was presented for third reading. Several amendments to the ordinance had been prepared in accordance with Council instructions. These amendments are as follows:

Ordinance No. 562, Section 11 to be amended to read as follows:

Parking of Oversize Vehicles or Delivery Vehicles: Any vehicle which because of its size or shape cannot be parked as provided by Section 10 of this ordinance may be parked outside the restricted or limited parking area of the city in a manner which will not impede or interfere with vehicular traffic. Where necessary within the business district, delivery trucks and other vehicles may park for the purpose of loading and unloading at an angle of 45° to the curb for a period not to exceed 20 minutes, unless otherwise authorized by the Chief of Police. Such parking shall not excuse the person in control of said vehicle from complying with regulations regarding parking meters. Nothing herein contained shall be construed to permit double parking.

Section 12, Prohibited Parking. Subsection (3) (b) shall read: No person shall park a vehicle upon a street for the principal purpose of greasing, or repairing the vehicle except repairs necessitated by an emergency. The word "washing" was deleted from the section, which had originally read "washing, greasing, or repairing---".

Section 27, Pedestrians Must Use Crosswalks. had been deleted in its entirety, and succeeding sections renumbered.

Section 47 (as renumbered) Damaging Sidewalks and Curbs. The words "or Public Property" were added to the title of the section and the section amended to read as follows:

Section 47 (1) The driver of a vehicle shall not drive upon or within any sidewalk or parkway or park area, except to cross at a permanent driveway.

(2) Any person who damages or causes to be damaged any public improvement within the street or park by driving a vehicle upon or within any sidewalk or parkway area or park area shall be liable for such damage.

Section 63, Penalties. Subsection (1) of Section 63 was amended by deleting the words "Except for Sections 32 and 34 of this ordinance" to read: Any person violating any of the provisions of this ordinance shall upon conviction thereof be punished by imprisonment for not more than 90 days or by a fine not more than \$500. or by both.

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drugs, drives any vehicle upon any street shall be punished upon conviction by imprisonment in the city jail for not more than 90 months and by a fine of not more than \$ 500 or by both.

Section <sup>32</sup> ~~33~~. Drinking in Motor Vehicles. No person shall consume alcoholic liquor while an occupant of a motor vehicle on any street in this city.

Section <sup>33</sup> ~~34~~. Reckless Driving. Any person who drives any vehicle upon a street carelessly and heedlessly in wilful or wanton disregard of the rights or safety of others is guilty of reckless driving and upon conviction shall be punished by imprisonment for not more than 90 months or by a fine of not more than \$ 500 or by both.

Section <sup>34</sup> ~~35~~. Duties of Drivers and Witnesses at Accidents.

(1) The driver of any vehicle involved in an accident which results in injury or death to any person or causes damage to a vehicle which is driven or attended by any person, immediately shall stop such vehicle at the scene of the accident, or as close thereto as possible, and shall remain at the scene of the accident until he has fulfilled the requirements of subsection (2) of this section. Every such stop shall be made without obstructing traffic more than is necessary.

(2) The drivers of any vehicles involved in any accident resulting in injury or death to any person or damages to any such vehicles shall:

(a) Give to the other driver or surviving passenger, or any person not a passenger injured as a result of such accident, his name, address and the registration number of the vehicle which he is driving, and the name and address of any other occupants of such vehicle.

(b) Upon request and if available, exhibit and give the number of his operator's or chauffeur's license to the persons injured, or to the occupant of or person attending any vehicle damaged.

(c) Render to any person injured in such accident reasonable assistance, including the conveying or the making of arrangements for the conveying of such person to a physician, surgeon or hospital for medical or surgical treatment, if it is apparent that such treatment is necessary or if such conveying is requested by any injured person.

(3) Any witness to the accident shall furnish to the driver or occupant of such vehicles or injured person his true name and address.

Section <sup>35</sup> ~~36~~. Limitations on Backing. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic, and shall in every case yield the right-of-way to moving traffic and pedestrians.

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<sup>36</sup>  
Section 37. Vehicles in Motion; Right-of-Way. A vehicle which has stopped or parked at the curb shall yield to moving traffic.

<sup>37</sup>  
Section 38. Driving on Divided Streets. Whenever any street has been divided into two roadways by a marked intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway and no vehicle shall be driven over, across, or within any such dividing space, barrier or section, except through an opening in such physical barrier or dividing section or space provided for vehicle movement or at an intersection.

<sup>38</sup>  
Section 39. Emerging from Vehicle. No person shall open the door of, or enter, or emerge from, any vehicle into the path of any immediately approaching vehicle.

<sup>39</sup>  
Section 40. Boarding or Alighting from Vehicles. No person shall board or alight from any vehicle while such vehicle is in motion.

<sup>40</sup>  
Section 41. Riding on Motorcycles. A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is equipped to carry more than one person.

<sup>41</sup>  
Section 42. Unlawful Riding. No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employe engaged in the necessary discharge of a duty, or to a person or persons riding within truck bodies in space intended for merchandise.

<sup>42</sup>  
Section 43. Clinging to Vehicles. No person riding upon any bicycle, motorcycle, coaster, roller skates, sled, or any toy vehicle, shall attach the same or himself to any moving vehicle upon the streets.

<sup>43</sup>  
Section 44. Use of Roller Skates Restricted. No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any street except to cross at a crosswalk.

<sup>44</sup>  
Section 45. Prohibited Trucking Streets. When the use of certain streets is prohibited to trucks exceeding a specified weight, no person shall operate a truck on such streets contrary to such prohibition, except for the purpose of delivering or picking up materials or merchandise, but then only by entering such streets at the intersection nearest the destination of the vehicle and leaving by the shortest route.

<sup>45</sup> Section 46. Oversize Vehicles; Permits. When written application is made therefor, the city council, in accordance with applicable provisions of the Motor Vehicle Laws of Oregon, may grant permits for the use of the streets by vehicles, combination of vehicles or other property, which are prohibited by state law from using the streets because of excessive weight, length, or width; and it may set out in such permit such conditions, regulations, and restrictions as the public interest may require, and which shall be sufficient to prevent injury or damage to streets, sidewalks, and all other improvements or private property and to protect the public. Such permit may be cancelled at any time by the city council upon satisfactory proof that the permittee has violated any of the terms of the permit, or when in the judgment of the city council the public interest requires cancelation.

<sup>46</sup> Section 47. Trains Not to Block Streets. No person shall operate any train or train of cars, or permit the same to remain standing, so as to block the movement of traffic upon any street for a period of time longer than 10 minutes.

<sup>47</sup> Section 48. Damaging Sidewalks and Curbs <sup>on public property</sup>. (1) The driver of a vehicle shall not drive upon or within any sidewalk or parkway area except to cross at a permanent driveway.

(2) Any person who damages or causes to be damaged any public improvement within the street <sup>on park</sup> by driving a vehicle upon or within any sidewalk or parkway area shall be liable for such damage,

<sup>48</sup> Section 49. Obstructing Streets. Except as provided by this or any other ordinance of the city, no person shall place, park, deposit, or leave upon any street or other public way, sidewalk, or curb any article or thing or material which in any way prevents, interrupts, or obstructs the free passage of pedestrian or vehicular traffic, or obstructs a driver's view of traffic or official traffic signs and signals.

<sup>49</sup> Section 50. Removing Glass and Debris. Any party to a collision or other vehicle accident or any other person causing glass or other material or substance likely to injure any person, animal, or vehicle to be upon any street in this city shall as soon as possible remove or cause to be removed from such street all such glass or other material or substance.

### Bicycles

<sup>50</sup> Section 51. License Required. No person, who resides within this city, shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been

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licensed. Applications for such license shall be made to the chief of police who may issue a license which shall be effective until the first day of January of the year following, providing, the applicant submits satisfactory proof of ownership of the bicycle and evidences reasonable knowledge of traffic safety rules. A biennial license fee of 25 cents shall be paid to the city of Prineville before each license or renewal thereof is granted.

<sup>51</sup>  
Section 52. Effect of Regulations.

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

(2) Except as otherwise provided herein, every person riding or operating a bicycle upon any street or other public place shall be subject to all the provisions of this ordinance and the laws of the state of Oregon applicable to the drivers of vehicles, except those provisions which by their very nature can have no application.

<sup>52</sup>  
Section 53. Brakes. Every bicycle operated upon the streets or other public place shall be equipped with brakes adequate to control the movement of and to stop and to hold a bicycle.

<sup>53</sup>  
Section 54. Rental Agencies. A rental agency shall not rent or offer any bicycle for rent unless the bicycle is equipped with all equipment required by the Motor Vehicle Laws of Oregon and this ordinance.

<sup>54</sup>  
Section 55. Riding on Bicycles.

(1) A person propelling a bicycle shall not ride other than with his feet on the pedals and facing the front of the bicycle.

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

<sup>55</sup>  
Section 56. Riding on Streets and Bicycle Paths.

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

(2) Persons riding bicycles upon a street or other public place shall not ride more than two abreast.

<sup>56</sup>  
Section 57. Speed. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

<sup>57</sup>  
Section 58. Racing. No person shall engage in, or cause others to be engaged in, bicycle racing upon a street or other public place.

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Section <sup>58</sup> 59. Carrying Articles. No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handle bars and in full control of such bicycle.

Section <sup>59</sup> 60. Riding on Sidewalks. No person shall ride or operate a bicycle upon a sidewalk in a business district. Any person riding a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

Section <sup>60</sup> 61. Parking. No person shall park a bicycle or motorcycle upon a street or upon a sidewalk except in a rack to support it or against a building or at the curb in such manner as to afford the least obstruction to pedestrian traffic.

### Impounding Vehicles

Section <sup>61</sup> 62. Impounding of Vehicles; Redemption; Sale. Whenever a traffic citation is issued for violation of any city traffic ordinance, or whenever the police chief determines that a vehicle should be impounded to protect the vehicle or to provide for public safety, the police department may impound the vehicle involved and remove it to a garage, parking lot, or other suitable storage place. The owner of the impounded vehicle or his authorized agent may redeem such vehicle upon first paying the fine or fines as may be assessed by the judge of the municipal court for the violation for which such motor vehicle was impounded, and in addition the payment of the towing and storage charges. If redemption is not made within 30 days after the vehicle is impounded, then such vehicle shall be disposed of in accordance with the procedure provided by ordinance for the disposal of abandoned vehicles.

### Exceptions

Section <sup>62</sup> 63. Emergency Vehicle. The provisions of this ordinance regulating the operation, parking, and standing of vehicles shall apply to authorized emergency vehicles except as provided by the Motor Vehicle Laws of Oregon and as follows:

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

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

## Preliminary Draft

(3) 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.

### Penalties

63  
Section 64. Penalties.

(1) ~~Except for Sections 32 and 34 of this ordinance,~~ any person violating any of the provisions of this ordinance shall upon conviction thereof be punished by imprisonment for not more than 90 days or by a fine not more than \$500<sup>00</sup>, or by both.

(2) In addition, bicycles may be impounded for a period not to exceed 30 days.

### Traffic Citations

64  
Section 65. Illegal Cancellation of Traffic Citations. No person shall cancel or solicit the cancellation of any traffic citation in any manner except where approved by the municipal judge.

65  
Section 66. Citation. For the violation of any provisions of this ordinance, the police department may issue a citation which shall be in the form required by law.

66  
Section 67. When Warrant to be Issued. If any person fails to comply with the terms of a traffic citation, the chief of police shall secure and have served a warrant for the arrest of such person.

### General

67  
Section 68. Severability. The sections and subsections of this ordinance are hereby declared severable. The invalidity of any one section or subsection shall not affect the validity of the remaining sections or subsections.

68  
Section 69. Existing Signs and Regulations. All official traffic signs and signals existing at the time of the adoption of this ordinance, such as stop signs, caution signs, slow signs, no-reverse-turn signs, signs designating time limits for parking or prohibiting parking, lines painted or marked on street or curb designating parking areas or spaces, markers designating loading zones, parking meters, and all other official traffic signs or signals erected, installed or painted for the purpose of directing, controlling and regulating traffic are hereby approved.

Preliminary Draft

69  
Section 70. Repeal. Ordinance No. 357, approved December 5, 1939; Ordinance No. 370, approved January 6, 1942; Ordinance No. 419, approved September 17, 1951; Ordinance No. 420, approved September 17, 1951; Ordinance No. 424, approved February 12, 1952; Ordinance No. 449, approved September 28, 1953; Ordinance No. 459, approved October 12, 1954; Ordinance No. 460, approved January 11, 1955; Ordinance No. 480, approved August 28, 1957; Ordinance No. 483A, approved November 20, 1957; Ordinance No. 494, approved January 13, 1959; Ordinance No. 503, approved August 11, 1959; Ordinance No. 511, approved October 12, 1959; Ordinance No. 518, approved January 4, 1960; Ordinance No. 529, approved September 13, 1960; Ordinance No. 532, approved May 31, 1961; Ordinance No. 542, approved October 31, 1962; and Ordinance No. 555, approved May 12, 1964 are repealed.

Adopted by the city council this 11<sup>th</sup> day of October, 1964.

Approved by the mayor this 14<sup>th</sup> day of October, 1964.

Wallace Z. Bol  
Mayor

ATTEST: \_\_\_\_\_  
City Recorder

## Preliminary Draft

69  
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