

TITLE III. TRAFFIC CODE

CHAPTER 300: GENERAL PROVISIONS

SECTION 300.010: MODEL TRAFFIC CODE—ADOPTION AND EXCEPTIONS

- A. The City hereby adopts the Model Traffic Ordinance as set forth in Chapters 300, 301, 302, 303, 304, 305, 306 and 307 of the Revised Statutes of Missouri, as amended, with the deletions and additions set forth in this Section.
- B. *Deletions.* Section 300.070 of the Model Traffic Ordinance is hereby deleted. (CC 1979 §§18-9–18-12; Ord. No. A-3758A §§1–4, 12-15-76; Ord. No. 7573 §1, 6-20-05)

SECTION 300.020: DEFINITIONS

The following words and phrases when used in this Title mean:

ALLEY OR ALLEYWAY: Any street with a roadway of less than twenty (20) feet in width.

ALL-TERRAIN VEHICLE: Any motorized vehicle manufactured and used exclusively for off-highway use which is fifty (50) inches or less in width, with an unladen dry weight of six hundred (600) pounds or less, traveling on three (3), four (4) or more low pressure tires, with a seat designed to be straddled by the operator, and handlebars for steering control.

AUTHORIZED EMERGENCY VEHICLE: A vehicle publicly owned and operated as an ambulance, or a vehicle publicly owned and operated by the State Highway Patrol, Police, or Fire Department, Sheriff, Constable or Deputy Sheriff, Traffic Officer, or any privately owned vehicle operated as an ambulance when responding to emergency calls.

BICYCLE: Shall include every device propelled by human power upon which any person may ride, having two (2) tandem wheels, either of which is over twenty (20) inches in diameter.

BUSINESS DISTRICT: The territory contiguous to and including a highway when within any six hundred (600) feet along the highway 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 three hundred (300) feet of frontage on one (1) side or three hundred (300) feet collectively on both sides of the highway.

CENTRAL BUSINESS (OR TRAFFIC) DISTRICT: All streets and portions of streets within the area described by City ordinance as such.

CHURCH ZONE: Any street, alley or other public way within four hundred (400) feet of any church within the corporate limits so designated by appropriate traffic control devices; provided, that such zone shall exist between the hours of 8:00 A.M. and 12:00 P.M., Noon, on the first (1st) day of the week, commonly called Sunday, and at such other times as the Chief of Police shall designate by the placing of appropriate traffic control devices of sufficient nature to provide adequate notice of such designation.

COMMERCIAL VEHICLE: A vehicle designed or regularly used for carrying freight, property and merchandise or more than eight (8) passengers.

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

CROSSWALK:

1. That part of a 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.
2. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

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

DRIVER: Every person who drives or is in actual physical control of a vehicle.

FREIGHT CURB LOADING ZONE: A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight (or passengers).

HIGHWAY: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

HOSPITAL ZONE: Any street, alley or other public way within four hundred (400) feet of any hospital within the corporate limits and so designated by appropriate traffic control devices.

INTERSECTION:

1. 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 (2) 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;
2. Where a highway includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

LANED ROADWAY: A roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

MOTOR VEHICLE: Any self-propelled vehicle not operated exclusively upon tracks, except farm tractors and motorized bicycles.

MOTORCYCLE: Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

MOTORIZED BICYCLE: Any two (2) wheeled or three (3) wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty (50) cubic centimeters,

which produces less than three (3) gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty (30) miles per hour on level ground.

OFFICIAL TIME STANDARD: Whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in the City.

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

OPERATOR: Every person who is in physical control of a vehicle.

OWNER: Any person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof, with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of this Chapter.

PARK OR PARKING: The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

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

PEDESTRIAN: Any person afoot.

PERSON: Every natural person, firm, co-partnership, association or corporation.

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.

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

RAILROAD: A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

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

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 three hundred (300) feet or more is in the main improved with residences or residences and buildings in use for business.

RIGHT-OF-WAY: The right of one (1) vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

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

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

SCHOOL ZONE: Any street, alley or other public way within four hundred (400) feet of any school building within the corporate limits and so designated by appropriate traffic control devices.

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

STAND OR STANDING: The halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

STOP: When required, complete cessation from movement.

STOP OR STOPPING: When prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer or traffic control sign or signal.

STREET, HIGHWAY, ALLEY AND PUBLIC WAY: All thoroughfares, whether maintained by the City, the State or the United States Government, and any other roadway used for access to or egress from such thoroughfares.

THROUGH HIGHWAY: Every highway or portion thereof on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on such through highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this Title.

TRAFFIC: Pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances either singly or together while using any highway for purposes of travel.

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

TRAFFIC DIVISION: The Traffic Division of the Police Department of the City, or in the event a Traffic Division is not established, then said term whenever used herein shall be deemed to refer to the Police Department of the City.

TRUCK: Any motor vehicle designed, used or maintained primarily for the transportation of property.

VEHICLE: Any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, cotton trailers or motorized wheelchairs operated by handicapped persons. (CC 1979 §18-1)

SECTION 300.030: STATE DRIVER'S LICENSE AND LICENSE PLATE REQUIRED

- A. Except as otherwise provided by State law, it shall be unlawful for any person to drive or operate a motor vehicle within the City unless such driver or operator shall have in his/her possession, while driving or operating such motor vehicle, a valid State driver's license. Such driver or operator shall display such license to any Police Officer or other duly authorized person for inspection when demand is made therefor.
- B. It shall be unlawful for any person to operate a motor vehicle of any kind within the City unless there is a valid State motor vehicle license plate thereon. Such plate shall be entirely unobstructed, and all parts thereof shall be plainly visible and securely fastened to such motor vehicle.
- C. Any person whose license, right or privilege to operate a motor vehicle has been suspended or revoked as provided in Sections 302.010 or 302.540, RSMo., shall not operate a motor vehicle within the City under a license, permit or registration certificate issued by any other jurisdiction or otherwise during such suspension or other such revocation until a new license is obtained when and as permitted under Sections 302.010 to 302.540, RSMo. Any person whose license and driving privilege has been canceled, suspended or revoked under provisions of Sections 302.010 to 302.340, Sections 302.500 to 302.540, Section 544.046, RSMo., or under the provisions of Chapter 577, RSMo., and who drives any motor vehicle within the City while such license and privilege is canceled, suspended or revoked and before an official reinstatement notice or termination notice is issued by the Director of Revenue of the State of Missouri, upon conviction of same, shall be sentenced pursuant to Chapter 100.080 of the City Code. The court shall not suspend the imposition of sentence as to any person convicted under this Section nor sentence such person to pay a fine in lieu of a term of imprisonment, nor shall such person be eligible for discharge or probation until he/she has served a minimum of forty-eight (48) consecutive hours of imprisonment, unless as a condition of such probation, such person performs at least forty (40) hours of community service under the supervision of the court. (CC 1979 §18-5; Ord. No. A-1799 §5, 11-9-60; Ord. No. A-4204 §1, 10-8-80; Ord. No. A-6781 §1, 2-2-99)

SECTION 300.040: FINANCIAL RESPONSIBILITY—REQUIRED

- A. No person shall operate a motor vehicle registered in this State, whether owned by such operator or by another, upon the streets, alleys or highways of the City, unless such operator, or owner of the vehicle, maintains financial responsibility which covers the operation of that vehicle by such operator.
- B. No person shall operate a motor vehicle registered in this State, whether owned by such operator or by another, upon the streets, alleys or highways of the City, unless such operator exhibits proof of financial responsibility upon demand of a Police Officer, which covers the operation of that vehicle by such operator.
- C. For the purposes of this Section, the term "*financial responsibility*" shall mean the ability to respond in damages for liability occurring after the effective date of proof of such financial responsibility, arising out of the ownership, maintenance or use of a motor vehicle, in the amount of twenty-five thousand dollars (\$25,000.00) because of bodily injury to or death of one (1) person in any one (1) accident, and subject to said limit for one (1) person, in the amount of fifty thousand dollars (\$50,000.00) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and in the amount of ten thousand dollars (\$10,000.00) because of injury to or destruction of property of others in any one (1) accident.

- D. Proof of financial responsibility may be shown by any of the following:
- D.1. An insurance identification card issued by a motor vehicle insurer or by the State Director of Revenue for self-insurance, as provided by Section 303.024, RSMo. A motor vehicle insurance policy, a motor vehicle liability insurance binder, or receipt which contains the name and address of the insurer, the name and address of the named insured, the policy number, the effective dates of the policy and a description by year and make of the vehicle, or at least five (5) digits of the vehicle identification number or the word "Fleet" if the insurance policy covers five (5) or more motor vehicles, shall be satisfactory evidence of insurance in lieu of an insurance identification card.
 - D.2. A certificate of the State Treasurer of a cash deposit as provided by Section 303.240, RSMo.
 - D.3. A surety bond filed with the State Director of Revenue as provided by Section 303.230, RSMo.
- E. Proof of financial responsibility shall be carried at all times in the insured motor vehicle or by the operator of the motor vehicle if proof of financial responsibility is effective as to the operator rather than to the vehicle. The operator of the motor vehicle shall exhibit the proof of financial responsibility on the demand of any Police Officer who lawfully requests same from such operator while that officer is engaged in the performance of the duties of his/her office.
- F. Failure of any person who operates a motor vehicle on the streets, alleys or highway of the City to exhibit proof of financial responsibility on the demand of any Police Officer who lawfully requests same from such person shall be made prima facie evidence that such person, or that the owner of the vehicle, does not maintain financial responsibility as required by this Section. It shall be an absolute affirmative defense to a violation charged under Subsection (A) that the operator of a motor vehicle, or the owner of the vehicle, did maintain financial responsibility which covered operation of the vehicle by such operator on the date of the violation. It shall be a mitigating circumstance to the violation charged under Subsection (A) that the operator subsequent to the date of the offense, and prior to a trial or guilty plea, obtained and maintained financial responsibility which covers operation of motor vehicles by such operator. (Ord. No. A-6554 §§1-5, 8-8-97)

CHAPTER 305: TRAFFIC ADMINISTRATION

SECTION 305.010: POLICE ADMINISTRATION

There is established in the Police Department a Traffic Division to be under the control of an Officer of Police appointed by and directly responsible to the Chief of Police.

SECTION 305.020: DUTY OF TRAFFIC DIVISION

The Traffic Division with such aid as may be rendered by other members of the Police Department shall enforce the street traffic regulations of the City and all of the State vehicle laws applicable to street traffic in the City to make arrests for traffic violations, to investigate accidents and to cooperate with the City Traffic Engineer and other 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 the division by this Code and the traffic ordinances of the City.

SECTION 305.030: RECORDS OF TRAFFIC VIOLATIONS

- A. The Police Department or the Traffic Division thereof shall keep a record of all violations of the traffic ordinances of the 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 five (5) period and from that time on the record shall be maintained complete for at least the most recent five (5) year period.
- B. All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.
- C. All such records and reports shall be public records.

SECTION 305.040: TRAFFIC DIVISION TO INVESTIGATE ACCIDENTS

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.

SECTION 305.050: TRAFFIC ACCIDENT STUDIES

Whenever the accidents at any particular location become numerous, the Traffic Division shall cooperate with the City Traffic Engineer in conducting studies of such accidents and determining remedial measures.

SECTION 305.060: TRAFFIC ACCIDENT REPORTS

The Traffic Division shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the City Traffic Engineer.

SECTION 305.070: DRIVER FILES TO BE MAINTAINED

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.

SECTION 305.080: TRAFFIC DIVISION TO SUBMIT ANNUAL TRAFFIC SAFETY REPORT

The Traffic Division shall annually prepare a traffic report which shall be filed with the Mayor. Such report shall contain information on traffic matters in the 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.

SECTION 305.090: TRAFFIC DIVISION TO DESIGNATE METHOD OF IDENTIFYING FUNERAL PROCESSIONS

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 305.100: CITY TRAFFIC ENGINEER

- A. The office of City Traffic Engineer is established. The City Engineer or other designated City Official shall serve as City Traffic Engineer in addition to his/her other functions, and shall exercise the powers and duties with respect to traffic as provided in this Title.
- B. The City Traffic Engineer shall determine the installation and proper timing and maintenance of traffic control devices, conduct engineering analyses of traffic accidents and devise remedial measures, conduct engineering investigation of traffic conditions, plan the operation of traffic on the streets and highways of the City, and cooperate with other City Officials in the development of ways and means to improve traffic conditions, and carry out the additional powers and duties imposed by ordinances of the City.

SECTION 305.110: EMERGENCY AND EXPERIMENTAL REGULATIONS

- A. The Chief of Police by and with the approval of the City Traffic Engineer is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of the City and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety (90) days.
- B. The City Traffic Engineer may test traffic control devices under actual conditions of traffic.

**CHAPTER 310: ENFORCEMENT AND
TRAFFIC REGULATIONS**

OBEDIENCE TO

SECTION 310.010: AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS

- A. 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 the City and all of the State vehicle laws applicable to street traffic in the City.
- B. Officers of the Police Department or such Officers as are assigned by the Chief of Police 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.
- C. Officers of the Fire Department, when at the scene of a fire, may direct or assist the Police in directing traffic thereat or in the immediate vicinity.

SECTION 310.020: OBEDIENCE TO POLICE AND FIRE DEPARTMENT OFFICIALS

No person shall willfully fail or refuse to comply with any lawful order or direction of a Police Officer or Fire Department Official.

**SECTION 310.030: PERSONS PROPELLING PUSH CARTS OR RIDING ANIMALS TO OBEY
TRAFFIC REGULATIONS**

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 Title applicable to the driver of any vehicle, except those provisions of this Title which by their very nature can have no application.

**SECTION 310.040: USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES
RESTRICTED**

No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This Section shall not apply upon any street while set aside as a play street as authorized by ordinance of the City.

SECTION 310.050: PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS

The provisions of this Title 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 Title, except as otherwise permitted in this Title.

SECTION 310.060: AUTHORIZED EMERGENCY VEHICLES

- A. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this Section, but subject to the conditions herein stated.
- B. The driver of an authorized emergency vehicle may:
 - 1. Park or stand, irrespective of the provisions of this Title.
 - 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 maximum speed limits so long as he/she does not endanger life or property;
 - 4. Disregard regulations governing direction of movement or turning in specified directions.
- C. The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one (1) lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of such vehicle.
- D. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his/her reckless disregard for the safety of others.

SECTION 310.070: OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES

- A. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the laws of this State, or of a Police vehicle properly and lawfully making use of an audible signal only:
 - 1. The driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a Police Officer;
 - 2. Upon the approach of an authorized emergency vehicle, as above stated, the motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the authorized emergency vehicle has passed, except when otherwise directed by a Police Officer.
- B. This Section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

SECTION 310.080: IMMEDIATE NOTICE OF ACCIDENT

The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of five hundred dollars (\$500.00) or more to one (1) person shall immediately by the quickest means of communication give notice of such accident to the Police Department if such accident occurs within the City.

SECTION 310.090: WRITTEN REPORT OF ACCIDENT

The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to or death of any person or total property damage to an apparent extent of five hundred dollars (\$500.00) or more to one (1) person shall, within five (5) days after such accident, forward a written report of such accident to the Police Department. The provisions of this Section shall not be applicable when the accident has been investigated at the scene by a Police Officer while such driver was present thereat.

SECTION 310.100: WHEN DRIVER UNABLE TO REPORT

- A. Whenever the driver of a vehicle is physically incapable of giving immediate notice of an accident as required in Section 310.080 and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall give, or cause to be given, the notice not given by the driver.
- B. Whenever the driver is physically incapable of making a written report of an accident as required in Section 310.090 and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall within five (5) days after the accident make such report not made by the driver.

SECTION 310.110: PUBLIC INSPECTION OF REPORTS RELATING TO ACCIDENTS

- A. All written reports made by persons involved in accidents or by garages shall be without prejudice to the individual so reporting and shall be for the confidential use of the Police Department or other Governmental Agencies having use for the records for accident prevention purposes, except that the Police Department or other Governmental Agency may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his/her presence at such accident.
- B. No written reports forwarded under the provisions of this Section shall be used as evidence in any trial, civil or criminal arising out of an accident except that the Police Department shall furnish upon demand of any party to such trial, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the Department in compliance with law, and if such report has been made, the date, time and location of the accident, the names and addresses of the drivers, the owners of the vehicles involved, and the Investigating Officers.

CHAPTER 315: TRAFFIC CONTROL DEVICES

SECTION 315.010: AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES

The City Traffic Engineer shall place and maintain traffic control signs, signals, and devices when and as required under the traffic ordinances of the City to make effective the provisions of said ordinances, and may place and maintain such additional traffic control devices as he/she may deem necessary to regulate traffic under the traffic ordinances of the City or under State law or to guide or warn traffic.

SECTION 315.020: MANUAL AND SPECIFICATIONS FOR TRAFFIC CONTROL DEVICES

All traffic control signs, signals and devices shall conform to the manual and specifications approved by the State Highways and Transportation Commission or resolution adopted by the City Council of the City. All signs or 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 this Title shall be official traffic control devices.

SECTION 315.030: OBEDIENCE TO 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 provisions of this Title, unless otherwise directed by a traffic or Police Officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this Title.

SECTION 315.040: WHEN OFFICIAL TRAFFIC CONTROL DEVICES REQUIRED FOR ENFORCEMENT PURPOSES

No provision of this Title for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular Section does not state that official traffic control devices are required, such Section shall be effective even though no devices are erected or in place.

SECTION 315.050: OFFICIAL TRAFFIC CONTROL DEVICES—PRESUMPTION OF LEGALITY

- A. Whenever official traffic control devices are placed in position approximately conforming to the requirements of this Title, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.
- B. Any official traffic control device placed pursuant to the provisions of this Title and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this Title, unless the contrary shall be established by competent evidence.

SECTION 315.060: TRAFFIC CONTROL SIGNAL LEGEND—RIGHT TURN ON RED LIGHT, WHEN

Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

1. *Green indication.*

- a. Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.
- b. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;
- c. Unless otherwise directed by a pedestrian control signal as provided in Section 315.070, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

2. *Steady yellow indication.*

- a. Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.
- b. Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in Section 315.070 are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

3. *Steady red indication.*

- a. Vehicular traffic facing a steady red signal alone 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 a green indication is shown except as provided in Paragraph (b) of this Subsection;
- b. The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, than at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the State Highways and Transportation Commission with reference to an intersection involving a State highway,

and local authorities with reference to an intersection involving other highways under their jurisdiction, may prohibit any such right turn against a red signal at any intersection where

safety conditions so require, said prohibition shall be effective when a sign is erected at such intersection giving notice thereof;

- c. Unless otherwise directed by a pedestrian control signal as provided in Section 315.070, pedestrians facing a steady red signal alone shall not enter the roadway.
4. In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this Section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

SECTION 315.070: PEDESTRIAN CONTROL SIGNALS

Whenever special pedestrian control signals exhibiting the words "Walk" or "Don't Walk" are in place such signals shall indicate as follows:

1. *"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 all vehicles;
2. *"WAIT"* or *"DON'T WALK"*: No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his/her crossing on the walk signal shall proceed to a sidewalk or safety zone while the wait signal is showing.

SECTION 315.080: FLASHING SIGNALS

- A. Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:
 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 signal), 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.
- B. This Section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in Section 335.090 of this Title.

SECTION 315.090: LANE DIRECTION CONTROL SIGNALS

When lane direction control signals are placed over the individual lanes of a street or highway, vehicular traffic may travel in any lane over which a green signal is shown, but shall not enter or travel in any lane over which a red signal is shown.

SECTION 315.100: UNAUTHORIZED SIGNS, SIGNALS, ETC.

- G. No person shall place, maintain or display upon or in view of any street, alley or highway in the City any unauthorized sign, signal or marking which purports to be, is an imitation of or resembles an official traffic control sign, signal, marking or device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any traffic control device or railroad sign or signal. No person shall place and maintain, nor shall the City authorities permit on any street, alley or highway in the City any traffic control sign, signal or marking bearing thereon commercial advertising. This shall not be deemed to prohibit the erection on private property adjacent thereto of signs giving useful information and of a type that cannot be mistaken for official signs; provided that such signs do not hide from view the effectiveness of any official traffic control signs, signals, markings or devices or railroad signs and signals.
- H. Every such prohibited sign, signal, marking, device or other obstruction to expeditious traffic movement is hereby declared a public nuisance, and the authority having jurisdiction is hereby empowered to remove the same or cause such to be removed without due notice.
(CC 1979 §18-62; Ord. No. A-1799 §26, 11-9-60)

SECTION 315.110: INTERFERENCE WITH OFFICIAL TRAFFIC CONTROL DEVICES OR RAILROAD SIGNS OR SIGNALS

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.

SECTION 315.120: AUTHORITY TO ESTABLISH PLAY STREETS

The City Traffic Engineer shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

SECTION 315.130: PLAY STREETS

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

SECTION 315.140: CITY TRAFFIC ENGINEER TO DESIGNATE CROSSWALKS AND ESTABLISH SAFETY ZONES

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/her opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he/she may deem necessary;

2. To establish safety zones of such kind and character and at such places as he/she may deem necessary for the protection of pedestrians.

SECTION 315.150: TRAFFIC LANES

- A. The City Traffic Engineer is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.
- B. Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

SECTION 315.160: AUTHORITY TO MARK, PLACE, ERECT, ETC., SIGNS, ETC., FOR SPECIFIC PURPOSES

The City Traffic Engineer of the City, and the State Highways and Transportation Commission for State and Federal marked highways, or their legal agents, are hereby authorized:

- H.1. To designate and establish speed, safety and hazard zones of such kind, character and number and at such places as deemed warranted and necessary, and which will be of the greatest benefit to the general public.
- H.2. To erect warning and informational signs or markings at a distance from certain locations which are deemed by them to be dangerous and hazardous, and such other informational signs deemed beneficial to the general public or as a warning to the general public.
- H.3. To designate and mark lanes for traffic and no passing zones, as they are deemed warranted and beneficial to the general public, consistent with State law, this Chapter and other ordinances of the City.
- H.4. To erect or place signs and markings establishing crossovers or crosswalks or prohibiting or restricting the stopping, standing or parking of vehicles on any highway where, in their opinion, such stopping, standing and parking of any vehicle or obstruction would unduly interfere with the free movement of traffic thereon. Every person shall legally observe such signs and markings as authorized under this Chapter or by State law.
- H.5. To designate, establish and prescribe rules and regulations for the operation of bus stops, loading, and unloading zones and taxicab stands, in such places and in such manner as they shall determine to be of the greatest benefit and convenience to the public. Every such bus stop, loading and unloading zone and taxicab stand shall be designated by appropriate signs. Every person shall legally observe the rules authorized under this Subsection.
- H.6. To prescribe rules and regulations for the vending, display or sale of merchandise and other wares or products upon any portion of the highways, streets and alleys in the City, and when signs and markings are placed depicting "No Vending" or words to that effect, every person shall legally observe such signs, markings, rules or regulations.
- H.7. To designate, post and mark one-way roadways, rotary traffic islands and City squares for one-way traffic to the right.

- H.8. To designate certain highways, streets and alleys in the City as throughways or through streets and highways. All traffic shall come to a complete stop before entering or crossing such highways, streets and alleys, when properly signposted and marked.
- H.9. To establish and designate parking spaces as reserved for handicapped persons by means of a sign upon which is inscribed the international symbol of accessibility and/or the words "handicapped parking."
- H.10. As used in this Section the term "*handicapped person*" means a natural person with disabilities which limit or impair the ability to walk, as determined by a licensed physician as follows:
- H.10.a. The person cannot walk fifty (50) feet without stopping to rest; or
- H.10.b. The person cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or
- H.10.c. Is restricted by lung disease to such an extent that the person's forced respiratory expiratory volume for one (1) second, when measured by spirometry, is less than one (1) liter, or the arterial oxygen tension is less than sixty (60) mm/hg on room air at rest; or
- H.10.d. Uses portable oxygen; or
- H.10.e. Has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association; or
- H.10.f. Is severely limited in his/her ability to walk due to an arthritic, neurological, or orthopedic condition. (CC 1979 §18-57; Ord. No. A-1799 §11, 11-9-60; Ord. No. A-4313 §1, 10-20-81)

SECTION 315.170: STATE OR FEDERAL APPROVAL REQUIRED FOR SIGNS, ETC., ON CERTAIN HIGHWAYS

On all State or Federal marked highways within the City, the warrant for, and the location, form and character of informational, regulatory and warning signs, curb and pavement markings and traffic signals installed or placed by any public authority or other agency shall be subject to the approval of the State Highways and Transportation Commission and, where Federal aid has been used, to the concurrence of the Federal Bureau of Public Roads.
(CC 1979 §18-58; Ord. No. A-1799 §1, 11-9-60)

SECTION 315.180: PLAYGROUND, CHURCH AND SCHOOL STOPS

The local officials and the State Highways and Transportation Commission, or their agents, for their respective jurisdictions, are hereby authorized to designate, mark or signpost certain church, school and playground stops, relating to a warrant for safeguarding person, property, life and limb and of a type and number best suited to the needs of the general public and producing the least delay to through moving traffic. (CC 1979 §18-64; Ord. No. A-1799 §33, 11-9-60)

SECTION 315.190: SCHOOL WALKS

- A. The Chief of Police is hereby authorized to designate certain locations on the streets of the City as "school walks" for the use of school children crossing the streets of the City, such locations to be subject to the discretion and judgment of the Chief of Police.
- B. The Chief of Police, or any person by him/her designated, is hereby authorized to display temporary stop signs in the center of the streets at the points designated as school walks at such times as the Chief of Police or the person acting under his/her authority shall deem necessary or advisable. Such stop signs shall be so constructed as to be plainly visible to persons approaching such school walks from either direction and, when placed in the streets, shall be, so placed as to be readily visible to persons approaching such school walks.
- C. It shall be unlawful for any person operating any vehicle to pass through any school walks when a stop sign of the type above described is displayed in the street, without first stopping thereat.
(CC 1979 §18-65; Ord. No. A-1087 §§1-3, 12-7-48)

CHAPTER 320: SPEED REGULATIONS

SECTION 320.010: STATE SPEED LAWS APPLICABLE

The State traffic laws regulating the speed of vehicles shall be applicable upon all streets within the City, except that the City may by ordinance declare and determine 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 unlawful for any person to drive a vehicle at a speed in excess of any speed so declared when signs are in place giving notice thereof, but no City ordinance shall regulate the speed of vehicles upon controlled access highways of the State.

SECTION 320.020: REGULATION OF SPEED BY TRAFFIC SIGNALS

The City Traffic Engineer is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof.

SECTION 320.030: SLOW SPEED, REGULATION OF

No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law. Peace Officers may enforce the provisions of this Section by directions to drivers, and in the event of apparent willful disobedience to this provision and refusal to comply with direction of an officer in accordance herewith, the continued slow operation by a driver is a misdemeanor.

SECTION 320.040: SPEED LIMITS—ADMISSIBILITY AS EVIDENCE OF USE OF AND RESULTS DETERMINED BY SPEED METERS, ETC.

The use of and results determined by any speed meter, machine or mechanism which seeks to reduce the error of manual operation to a minimum shall be acceptable as evidence where driving in excess of posted speed limits is the cause of action; except, that the use thereof shall not be construed to exclude any competent evidence secured by any other manner or means.

(CC 1979 §18-20; Ord. No A-1799 §8, 11-9-60)

CHAPTER 325: TURNING MOVEMENTS

SECTION 325.010: REQUIRED POSITION AND METHOD OF TURNING AT INTERSECTION

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

1. *Right turns.* Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway.
2. *Left turns on two-way roadways.* At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half (½) of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.
3. *Left turns on other than two-way roadways.* At any intersection where traffic is restricted to one (1) direction on one (1) or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

SECTION 325.020: AUTHORITY TO PLACE AND OBEDIENCE TO TURNING MARKERS

- A. The City Traffic Engineer is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance.
- B. When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

SECTION 325.030: AUTHORITY TO PLACE RESTRICTED TURN SIGNS

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

SECTION 325.040: OBEDIENCE TO NO-TURN SIGNS

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

SECTION 325.050: LIMITATIONS ON TURNING AROUND

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 325.060: HAND AND MECHANICAL SIGNALS

No person shall stop or suddenly decrease the speed of or turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety and then only after the giving of an appropriate signal in the manner provided herein:

- .1. An operator or driver when stopping, or when checking the speed of his/her vehicle, if the movement of other vehicles may reasonably be affected by such checking of speed, shall extend his/her arm at an angle below horizontal so that the same may be seen in the rear of his/her vehicle.
- .2. An operator or driver intending to turn his/her vehicle to the right shall extend his/her arm at an angle above horizontal so that the same may be seen in front of and in the rear of his/her vehicle, and shall slow down and approach the intersecting highway as near as practicable to the right side of the highway along which he/she is proceeding before turning.
- .3. An operator or driver intending to turn his/her vehicle to the left shall extend his/her arm in a horizontal position so that the same may be seen in the rear of his/her vehicle, and shall slow down and approach the intersecting highway so that the left side of his/her vehicle shall be as near as practicable to the center line of the highway along which he/she is proceeding before turning.
- .4. The signals herein required shall be given either by means of the hand and arm or by a signal light or signal device in good mechanical condition of a type approved by the State Highway Patrol; however, when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of such vehicle then such signals shall be given by such light or device. A vehicle shall be considered as so constructed or loaded that a hand and arm signal would not be visible both to the front and rear when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load exceeds twenty-four (24) inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereon exceeds fourteen (14) feet, which limit of fourteen (14) feet shall apply to single vehicles or combinations of vehicles. The provisions of this Section shall not apply to any trailer which does not interfere with a clear view of the hand signals of the operator or of the signalling device upon the vehicle pulling said trailer; provided further that the provisions of this Section as far as mechanical devices on vehicles so constructed that a hand and arm signal would not be visible both to the front and rear of such vehicle as above provided shall only be applicable to new vehicles registered within this State after the first (1st) day of January, 1954.

CHAPTER 330: ONE-WAY STREETS AND

ALLEYS

SECTION 330.010: AUTHORITY TO SIGN ONE-WAY STREETS AND ALLEYS

Whenever any ordinance of the City designates any one-way street or alley the City Traffic Engineer 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.

SECTION 330.020: ONE-WAY STREETS AND ALLEYS

Upon those streets and parts of streets and in those alleys described and designated by ordinance, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

**SECTION 330.030: AUTHORITY TO RESTRICT DIRECTION OF MOVEMENT ON
STREETS DURING CERTAIN PERIODS**

- A. The City Traffic Engineer is hereby authorized to determine and designate streets, parts of streets or specific lanes thereon upon which vehicular traffic shall proceed in one (1) direction during one (1) period and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The City Traffic Engineer may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.
- B. It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers or other devices so placed in accordance with this Section.

**CHAPTER 335: STOP AND YIELD
INTERSECTIONS, RAILROAD CROSSINGS**

SECTION 335.010: THROUGH STREETS DESIGNATED

Those streets and parts of streets described by ordinances of the City are declared to be through streets for the purposes of Sections 335.010 to 335.090.

SECTION 335.020: SIGNS REQUIRED AT THROUGH STREETS

Whenever any ordinance of the City designates and describes a through street it shall be the duty of the City Traffic Engineer to place and maintain a stop sign, or on the basis of an engineering and traffic investigation at any intersection a yield signs, on each and every street intersecting such through street unless traffic at any such intersection is controlled at all times by traffic control signals; provided however, that at the intersection of two (2) such through streets or at the intersection of a through street and a heavy traffic street not so designated, stop signs shall be erected at the approaches of either of said streets as may be determined by the City Traffic Engineer upon the basis of an engineering and traffic study.

SECTION 335.030: OTHER INTERSECTIONS WHERE STOP OR YIELD REQUIRED

The City Traffic Engineer is hereby authorized to determine and designate intersections where particular hazard exists upon other than through streets and to determine whether vehicles shall stop at one (1) or more entrances to any such intersection in which event he/she shall cause to be erected a stop sign at every such place where a stop is required, or whether vehicles shall yield the right-of-way to vehicles on a different street at such intersection as prescribed in Subsection (A) of Section 335.040, in which event he/she shall cause to be erected a yield sign at every place where obedience thereto is required.

SECTION 335.040: STOP AND YIELD SIGNS

- A. The driver of a vehicle approaching a yield sign if required for safety to stop shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.
- B. 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 before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

SECTION 335.050: VEHICLE ENTERING STOP INTERSECTION

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 as required by Subsection

(B) of Section 335.040, and after having stopped shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

SECTION 335.060: VEHICLE ENTERING YIELD INTERSECTION

The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection; provided however, that if such a driver is involved in a collision with a vehicle in the intersection, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his/her failure to yield right-of-way.

SECTION 335.070: EMERGING FROM ALLEY, DRIVEWAY OR BUILDING

The driver of a vehicle within a business or residence district 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 or driveway, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

SECTION 335.080: STOP WHEN TRAFFIC OBSTRUCTED

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

SECTION 335.090: OBEDIENCE TO SIGNAL INDICATING APPROACH OF TRAIN

- A. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this Section, the driver of such vehicle shall stop within fifty (50) feet, but not less than fifteen (15) feet from the nearest rail of such railroad, and shall not proceed until he/she can do so safely. The foregoing requirements shall apply when:
1. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
 2. A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
 3. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

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

Cross References—As to unlawfully getting on trains, see §215.580 of this code; as to getting on or off railroad engines or cars in motion or about to start, see §215.590; as to speed limit for trains, see §215.600; as to trains or cars obstructing streets, see §215.610.

SECTION 335.100: SLOWING DOWN AND STOPPING—GENERALLY

- A. The driver of a vehicle shall stop as required by this Chapter at the entrance to a throughway or at any other location where stop signs are posted and shall yield the right-of-way to other vehicles which have entered the intersection on the throughway or other opposing roadway, or which are approaching so closely on such as to constitute an immediate hazard.
- B. When school, church or pedestrian crossing stop signs or markings are in place and clearly visible to the driver, every driver of a vehicle shall come to a complete stop.
- C. Where school or church zone signs, markings or devices are posted, erected or marked, every person driving a vehicle shall slow down, observing all regulations relating to pedestrian traffic.
- D. Non-compliance and careless and reckless disregard of the provisions of this Section shall be deemed, within the meaning of this Chapter and the judgment of the Police Officer enforcing this Chapter, prima facie evidence of careless and reckless driving and so punished.
(CC 1979 §18-28; Ord. No. A-1799 §16, 11-9-60)

SECTION 335.110: RIGHT-OF-WAY AT INTERSECTION—SIGNS AT INTERSECTIONS

- A. 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, provided, however, there is no form of traffic control at such intersection.
- B. When two (2) 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 driver of the vehicle on the right. This Subsection shall not apply to vehicles approaching each other from opposite directions when the driver of one of such vehicles is attempting to or is making a left turn.
- C. 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.
- D. The State Highways and Transportation Commission with reference to State highways and local authorities with reference to other highways under their jurisdiction may designate through highways and erect stop signs or yield signs at specified entrances thereto, or may designate any intersection as a stop intersection or as a yield intersection and erect stop signs or yield signs at one (1) or more entrances to such intersection.
 - D.1. Preferential right-of-way at an intersection may be indicated by stop signs or yield signs as authorized in this Section:

- D.1.a. 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 in 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 highway or which is approaching so closely on the highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.
- D.1.b. The driver of a vehicle approaching a yield sign shall in obedience to the sign slow down to a speed reasonable to the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such traffic is moving across or within the intersection.
- E. The driver of a vehicle about to enter or cross a highway from an alley, building or any private road or driveway shall yield the right-of-way to all vehicles approaching on the highway to be entered.
- F. The driver of a vehicle intending to make a left turn into an alley, private road or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction when the making of such left turn would create a traffic hazard.
- G. The State Highways and Transportation Commission or local authorities with respect to roads under their respective jurisdictions, on any Section where construction or major maintenance operations are being effected, may fix a speed limit in such areas by posting of appropriate signs, and the operation of a motor vehicle in excess of such speed limit in the area so posted shall be deemed prima facie evidence of careless and imprudent driving and a violation of Section 340.170 of this Title.
- H. Failure to yield the right-of-way is specifically denounced as an offense, but an information charging careless and imprudent driving by failure to yield the right-of-way at a place where required by statute to do so, includes the offense as descriptive of what happened and in what manner defendant drove imprudently.
- I. Information charging that defendant "failed to yield the right-of-way to vehicle approaching intersection so closely as to constitute an immediate hazard" held insufficient as failing to inform defendant of offense of which he/she was charged.
- J. Notwithstanding the literal language of Subsection (E) of this Section, a driver about to enter or cross a highway from a private road or driveway must yield the right-of-way to all vehicles on the highway approaching so close as to constitute an immediate hazard rather than to all vehicles approaching on the highway to be entered.

CHAPTER 340: MISCELLANEOUS DRIVING

RULES

SECTION 340.010: FOLLOWING FIRE APPARATUS PROHIBITED

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or drive into or park such vehicle within the block where the fire apparatus has stopped in answer to a fire alarm, or where not designated by blocks, within five hundred (500) feet of the place where the fire apparatus has stopped in answer to a fire alarm. (CC 1979 §18-36(a))

SECTION 340.020: CROSSING FIRE HOSE

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 Fire Department official in command.

SECTION 340.030: DRIVING THROUGH FUNERAL OR OTHER PROCESSION

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this Title. This provision shall not apply at intersections where traffic is controlled by traffic control signals or Police Officers.

SECTION 340.040: DRIVING IN PROCESSION

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

SECTION 340.050: FUNERAL PROCESSION TO BE IDENTIFIED

A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the Traffic Division.

SECTION 340.060: WHEN PERMITS REQUIRED FOR PARADES AND PROCESSIONS

No funeral, procession or parade containing two hundred (200) or more persons or fifty (50) or more vehicles except 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.

SECTION 340.070: VEHICLE SHALL NOT BE DRIVEN ON A SIDEWALK

The driver of a vehicle shall not drive within any sidewalk area except on a permanent or temporary driveway.

SECTION 340.080: 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.

SECTION 340.090: OPENING AND CLOSING VEHICLE DOORS

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

SECTION 340.100: RIDING ON MOTORCYCLES, ADDITIONAL PASSENGER, REQUIREMENTS

- A. A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator.
- B. The operator of a motorized bicycle shall ride only astride the permanent and regular seat attached thereto, and shall not permit more than one (1) person to ride thereon at the same time, unless the motorized bicycle is designed to carry more than one (1) person. Any motorized bicycle designed to carry more than one (1) person must be equipped with a passenger seat and footrests for the use of a passenger.

SECTION 340.110: RIDING BICYCLES, SKATEBOARDS, ROLLER SKATES AND ROLLER BLADES ON SIDEWALKS, LIMITATIONS—MOTORIZED BICYCLES PROHIBITED

- A. No person shall ride a bicycle, skateboard, roller skates and/or roller blades upon a sidewalk within a business district.
- B. Whenever any person is riding a bicycle, skateboard, roller skates and/or roller blades 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.
- C. No person shall ride a motorized bicycle upon a sidewalk. (Ord. No. A-7157 §§1–2, 4-24-02)

SECTION 340.115: RIDING OF BICYCLE BY TWO OR MORE PERSONS AT SAME TIME

It shall be unlawful for two (2) or more persons to ride on one (1) bicycle at the same time on the

streets or sidewalks of the City. (CC 1979 §18-52; Ord. No. A-457 §1. 10-4-38)

**SECTION 340.120: ALL-TERRAIN VEHICLES, PROHIBITED—EXCEPTIONS, OPERATION
OF UNDER AN EXCEPTION—PROHIBITED USES—PENALTY**

- A. No person shall operate an all-terrain vehicle, as defined in Section 300.020, upon the streets and highways of this City, except as follows:
1. All-terrain vehicles owned and operated by a Governmental entity for official use;
 2. All-terrain vehicles operated for agricultural purposes or industrial on-premise purposes between the official sunrise and sunset on the day of operation;
 3. All-terrain vehicles whose operators carry a special permit issued by this City pursuant to Section 304.013, RSMo.
- B. No person shall operate an off-road vehicle, as defined in Section 304.001, RSMo., within any stream or river in this City, except that off-road vehicles may be operated within waterways which flow within the boundaries of land which an off-road vehicle operator owns, or for agricultural purposes within the boundaries of land which an off-road vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this State at such road crossing as are customary or part of the highway system. All Law Enforcement Officials or Peace Officers of this State and its political subdivisions shall enforce the provisions of this Subsection within the geographic area of their jurisdiction.
- C. A person operating an all-terrain vehicle on a street or highway pursuant to an exception covered in this Section shall have a valid operator's or chauffeur's license, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than thirty (30) miles per hour. When operated on a street or highway, and all-terrain vehicle shall have a bicycle safety flag, which extends not less than seven (7) feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty (30) square inches and shall be dayglow in color.
- D. No person shall operate an all-terrain vehicle:
1. In any careless way so as to endanger the person or property of another;
 2. While under the influence of alcohol or any controlled substance; or
 3. Without a securely fastened safety helmet on the head of an individual who operates an all-terrain vehicle or who is being towed or otherwise propelled by an all-terrain vehicles, unless the individual is at least eighteen years of age.
- E. No operator of an all-terrain vehicle shall carry a passenger, except for agricultural purposes.
- F. A violation of this Section shall be a misdemeanor.

SECTION 340.130: RIDING BICYCLES, SLEDS, ROLLER SKATES, BY ATTACHING TO ANOTHER VEHICLE, PROHIBITED

No person riding upon any bicycle, motorized bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself/herself to any vehicle upon a roadway.

SECTION 340.140: CONTROLLED ACCESS

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

SECTION 340.150: RAILROAD TRAINS NOT TO BLOCK STREETS

It shall be unlawful for the directing officer or the operator of any railroad train to direct the operation of or to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than five (5) minutes; provided that this Section shall not apply to one stopped because of an emergency or for repairs necessary before it can proceed safely. (CC 1979 §18-10; Ord. No. A-3758A §2, 12-15-76)

SECTION 340.160: DRIVING THROUGH SAFETY ZONE PROHIBITED

No vehicle shall at any time be driven through or within a safety zone.

SECTION 340.170: MANNER OF OPERATION OF MOTOR VEHICLES

Every person operating a motor vehicle on the highways of this City shall drive the vehicle in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any person and shall exercise the highest degree of care.

SECTION 340.180: DRIVE ON RIGHT OF HIGHWAY—TRAFFIC LANES—SIGNS

- A. All vehicles not in motion shall be placed with their right side as near the right-hand side of the highway as practicable, except on streets of municipalities where vehicles are obliged to move in one direction only or parking of motor vehicles is regulated by ordinance.
- B. Upon all public roads or highways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:
 - B.1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
 - B.2. When placing a vehicle in position for and when such vehicle is lawfully making a left turn in compliance with the provisions of Sections 304.014 to 304.026 or traffic regulations thereunder or of municipalities;

B.3. When the right half of a roadway is closed to traffic while under construction or repair;

- B.4. Upon a roadway designated by local ordinance as a one-way street and marked or signed for one-way traffic.
- C. It is unlawful to drive any vehicle upon any highway or road which has been divided into two (2) or more roadways by means of a physical barrier or by means of a dividing section or delineated by curbs, lines or other markings on the roadway, except to the right of such barrier or dividing section, or to make any left turn or semicircular or U-turn on any such divided highway, except in a crossover or intersection.
- D. The authorities in charge of any highway or the State Highway Patrol may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the highway, and all members of the Missouri Highway Patrol and other Peace Officers may direct traffic in conformance with such signs. When authorized signs have been erected designating off-center traffic lanes, no person shall disobey the instructions given by such signs.
- E. Whenever any roadway has been divided into three (3) or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:
- E.1. 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 that such movement can be made with safety;
- E.2. Upon a roadway which is divided into three (3) lanes a vehicle shall not be driven in the center lane, except when overtaking and passing another vehicle where the roadway ahead is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign-posted to give notice of such allocation;
- E.3. Upon all highways any vehicle proceeding at less than the normal speed of traffic thereon shall be driven in the right-hand lane for traffic or as close as practicable to the right-hand edge or curb, except as otherwise provided in Sections 304.014 to 304.026;
- E.4. Official signs may be erected by the Highways and Transportation Commission or the Highway Patrol may place temporary signs directing slow moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the directions of every such sign;
- E.5. Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and except when a roadway has been divided into traffic lanes, each driver shall give to the other at least one-half (½) of the main traveled portion of the roadway whenever possible;
- E.6. All vehicles in motion upon a highway having two (2) or more lanes of traffic proceeding in the same direction shall be driven in the right-hand lane except when overtaking and passing another vehicle or when preparing to make a proper left turn or when otherwise directed by traffic markings, signs or signals.

SECTION 340.190: PRIMA FACIE EVIDENCE OF CARELESS AND RECKLESS DRIVING

Any reckless and careless disregard by non-compliance on the part of any driver with those provisions or regulations authorized by this Chapter or other City ordinance or by State law to

protect person, property, life and limb within the meaning of this Chapter shall be regarded as prima facie evidence of careless and reckless driving and so punished.
(CC 1979 §18-16; Ord. No. A-1799 §9, 11-9-60)

SECTION 340.200: PASSING REGULATIONS

- A. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations and exceptions hereinafter stated:
 - A.1. 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; and
 - A.2. 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 and shall not increase the speed of his/her vehicle until completely passed by the overtaking vehicle.
- B. The driver of a motor vehicle may overtake and pass to the right of another vehicle only under the following conditions:
 - B.1. When the vehicle overtaken is making or about to make a left turn;
 - B.2. Upon a City street with unobstructed pavement of sufficient width for two (2) or more lines of vehicles in each direction;
 - B.3. Upon a one-way street;
 - B.4. Upon any highway outside of a City with unobstructed pavement of sufficient width and clearly marked for four (4) or more lines of traffic.

The driver of a motor vehicle may overtake and pass another vehicle upon the right only under the foregoing conditions when such movement may be made in safety. In no event shall such movement be made by driving off the paved or main traveled portion of the roadway. The provisions of this Subsection shall not relieve the driver of a slow-moving vehicle from the duty to drive as closely as practicable to the right-hand edge of the roadway.
- C. Except when a roadway has been divided into three (3) traffic lanes, no vehicle shall be driven to the left side of the center line of a highway or public road 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.
- D. No vehicle shall at any time be driven to the left side of the roadway under the following conditions:
 - D.1. When approaching the crest of a grade or upon a curve of the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;

D.2. When the view is obstructed upon approaching within one hundred (100) feet of any bridge,

viaduct, tunnel or when approaching within one hundred (100) feet of or at any intersection or railroad grade crossing.

SECTION 340.210: PASSING SCHOOL BUSES—SCHOOL BUSES TO COMPLY WITH RULES, ETC., OF STATE BOARD OF EDUCATION

- A. Any driver of a vehicle upon any street, alley or highway within the City, upon meeting or overtaking from either direction any school bus which has stopped for the purpose of receiving or discharging any school children or other passengers, when the driver of such school bus has, in the manner prescribed by law, given a signal to stop, shall stop such vehicle before reaching such school bus and shall not proceed until such school bus resumes motion or until signaled by its driver to proceed.
- B. Every such school bus operating within the City shall comply with all rules or regulations of the State Board of Education in and for the operation thereof.
(CC 1979 §18-34; Ord. No A-3758A §9, 12-15-76)

SECTION 340.220: DISTANCE AT WHICH VEHICLE MUST FOLLOW

The driver of a vehicle shall not follow another vehicle more closely than is reasonably safe and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the roadway. Vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated, except in a funeral procession or in a duly authorized parade, so as to allow sufficient space between each such vehicle or combination of vehicles as to enable any other vehicle to overtake or pass such vehicles in safety. This Section shall in no manner affect Section 304.044, RSMo., relating to distance between trucks traveling on the highway.

SECTION 340.230: VEHICLES CARRYING ODORIFEROUS CARGO OR DEAD ANIMALS—LICENSE FOR TRANSPORTING DEAD ANIMALS

- A. It shall be unlawful for any person driving a motor vehicle carrying livestock, garbage, carrion, fecal matter or any odoriferous cargo, which may be declared a public nuisance detrimental to public health and welfare, to park the same within two hundred (200) feet of any residence or business establishment, except for loading or unloading purposes and then not exceeding thirty (30) minutes, at any area or place in the City. It shall further be unlawful to park any empty motor vehicle, which has been hauling or contains such described odoriferous matter, which may likewise be classed as a nuisance, within two hundred (200) feet of any residence or business establishment in the City, until the same has been thoroughly cleaned and disinfected according to the orders of Health Officials.
- B. Every vehicle used in the transportation of the bodies of dead animals shall have a tank or metal lining in the bed of such vehicle or be otherwise so constructed that the same shall be practically watertight, so that no drippings or seepage from dead bodies shall escape from such vehicle while engaged in such transportation, and every vehicle shall have a bed of such depth and type of construction and equipment that any dead bodies therein shall be completely hidden from view of persons using the highways, streets or alleys and any public nuisance obviated while being transported.

- C. No person may haul or transport over the highways, streets or alleys of the City the bodies of dead animals, except those that have been slaughtered and that are intended for human food, without first obtaining and holding a license to transport bodies of dead animals or unless such person is acting for a person who has obtained and who holds such a license.
(CC 1979 §18-37; Ord. No. A-3758A §17, 12-15-76)

Cross Reference—As to disposition of animal carcasses generally, see §215.280 of this code.

SECTION 340.240: VEHICLES HAULING EARTH, MANURE, OFFAL, ETC.

Every person engaged in hauling or moving earth, sand, rock, manure, rubbish, offal or other material shall have boxes on his/her wagon, cart or other vehicle, and such vehicle shall be constructed with good, tight sides and bottom boards, so as to prevent the dropping, spilling or wasting of such earth, sand, rock, manure, rubbish, offal or other material in or upon any street, avenue or alley. Any person violating this Section shall be deemed guilty of a misdemeanor.
(CC 1979 §18-38; Ord. No. 773 §37, 12-2-24)

SECTION 340.250: WEIGHT RESTRICTIONS—GENERALLY

No vehicle shall be operated upon any street or alley in violation of the following weight regulations:

1. No vehicle or combination of vehicles shall be moved or operated on any highway, street or alley in the City, having a greater weight than that described under Section 304.180 of the Revised Statutes of Missouri.
2. The local officials and State Highways and Transportation Commission, or their legal agents for their respective jurisdictions, whenever thawing of frost, rains or soft conditions exist on the highways, streets and alleys of the City, due to construction, reconstruction and maintenance, adverse critical weather conditions or other causes detrimental to the surface or physical condition of such highways, streets and alleys in the City, may limit such weights described under Subsection (1) of this Section to such an amount and in such manner as will preserve their economical use by the general public. When posted or marked, it shall be unlawful to transport any gross load in excess of the posted notice, and in addition to conviction and punishment for a misdemeanor, the registered owner thereof shall be held liable in any court of competent jurisdiction for destructive damages to the surface and physical conditions pertaining, by an action of the State, County or other interested person.
(CC 1979 §18-40; Ord. No 3758A §18, 12-15-76)

SECTION 340.260: WEIGHT RESTRICTIONS—AUTHORITY OF SUPERINTENDENT OF DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS

The Superintendent of the Department of Streets and Public Improvements is authorized to prohibit or restrict the passage of vehicles carrying any weight deemed dangerous by him/her, when the condition of any road or bridge within the City shall constitute a hazard to such trucks or other commercial vehicles. When such action shall be taken by such Superintendent upon any State or Federal highway within the City, he/she shall notify the State Highways and Transportation Commission or the Bureau of Public Roads of the United States Government of such action within

forty-eight (48) hours thereof, and he/she shall immediately communicate the same to the Mayor.
(CC 1979 §18-42)

SECTION 340.270: OVERLOADED OR DANGEROUSLY LOADED VEHICLES

No person shall drive an overloaded vehicle or one loaded in such manner that any part of the load is likely to fall upon and litter any highway, street or alley in the City or cause injury or grief to persons or damage to other vehicles, nor shall he/she permit any part, portion or the whole of such load to fall upon and to remain upon the highway, street or alley.
(CC 1979 §18-43; Ord. No. A-3758A §16, 12-15-76)

Cross Reference—As to scattering contents of overloaded vehicles on park property, see §230.190 of this code.

SECTION 340.280: METAL OR SOLID RUBBER TIRES

It shall be unlawful for any person to operate any vehicle over the streets, alleys or other public ways of the City if such vehicle shall be equipped with metal or solid rubber tires.
(CC 1979 §18-46)

SECTION 340.290: TRUCK TRAFFIC RESTRICTED

- A. All truck traffic and the operation of all trucks is prohibited on County Road between Kyler Street and Kay Drive, except for trucks making local deliveries or pick-ups, on an emergency or being driven to the premises of the owners thereof, which premises are located on such portion of County Road.

For the purposes of this Subsection, a "truck" is defined as any motor vehicle with a rated load capacity in excess of one-half (½) ton.

- B. No person shall operate a truck over that part of Sycamore Street between Ninth and Central Streets, or wherever a route has been designated by ordinance for no through truck traffic and by signs posted in conformity therewith, except for the purpose of reaching a local destination thereon and stopping such truck at such destination or for the purpose of reaching some destination which is impossible to reach by any other street or route; provided, that in such event the person operating a truck on such street or route shall operate said truck on such street or route for the minimum distance required to reach such destination.

For the purposes of this Subsection, a "truck" is defined to include all trucks and tractors and trailers, provided, that such term shall not apply to trucks designed and rated for a capacity of less than three-fourths (¾) of one (1) ton. (CC 1979 §18-48; Ord. No. A-2194 §§1, 2, 1-8-65; Ord. No. A-1320 §§1–3, 5-5-53; Ord. No. A-3758A §15, 12-15-76; Ord. No. A-5811 §1, 11-10-93)

SECTION 340.300: OPERATION OF GASOLINE TRUCKS, ETC., ON BROADWAY STREET

No person shall park or operate any gasoline truck, transport or other vehicle transporting gasoline or other inflammable material on Broadway Street; provided, that tank trucks making delivery in the

City may enter Broadway Street at the intersection nearest any location thereon where a delivery is to be made to filling stations or gas pumps, proceeding thereon to such location, and after such delivery is made, may continue thereon to the nearest intersection.

(CC 1979 §18-49; Ord. No. A-624, §1, 5-2-41)

SECTION 340.310: RIDING OR PERMITTING RIDING ON MOTOR VEHICLES, OTHER THAN ON SEATS

- A. It shall be unlawful for any person to ride upon any automobile, truck or other motor vehicle, except when on the seat of such vehicle.
- B. It shall be unlawful for any operator or driver of any automobile, truck or other motor vehicle to permit any person to ride on such automobile, truck or motor vehicle, unless on the seats therein provided. (CC 1979 §18-54; Ord. No. A-456 §§1, 2, 10-4-38)

SECTION 340.320: DRIVING WHILE INTOXICATED OR WITH EXCESSIVE BLOOD ALCOHOL CONTENT

- A. *Driving While Intoxicated.* A person commits the offense of driving while intoxicated if he/she operates a motor vehicle while in an intoxicated or drugged condition. No person convicted of or pleading guilty to the offense of driving while intoxicated shall be granted a suspended imposition of sentence for such offense, unless such person shall be placed on probation for a minimum of two (2) years.
- B. *Driving with Excessive Blood Alcohol Content.* A person commits the offense of driving with excessive blood alcohol content if he/she operates a motor vehicle with eight-hundredths of one percent (.08%) or more by weight of alcohol in his/her blood.
- C. *"Drive", "Driving", "Operates", Or "Operating" Defined.* As used in this Section, the term "drive", "driving", "operates", or "operating" means physically driving or operating a motor vehicle.
- D. *"Percent By Weight Of Alcohol" Defined.* As used herein, the term "percent by weight of alcohol" shall have the same meaning as provided in Section 577.012, RSMo.
- E. As used in this Section, a person is in an "intoxicated condition when he/she is under the influence of alcohol, a controlled substance, or drug, or any combination thereof".
- F. *Implied Consent To Chemical Tests.* Any person who operates a motor vehicle in the City shall be deemed to have given consent to, subject to the provisions of Sections 577.020 to 577.041, RSMo., a chemical test or tests of his/her breath, blood, saliva or urine for the purpose of determining the alcohol or drug content of his/her blood if arrested for any offense arising out of acts which the arresting officer had reasonable grounds to believe were committed while the person was driving a motor vehicle while in an intoxicated or drugged condition. The test shall be administered at the direction of the arresting Law Enforcement Officer whenever the person has been arrested for the offense.

G. *Violations And Penalties.*

- G.1. Any person convicted of driving while intoxicated shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), confined in the City Jail for not more than ninety (90) days, or both so fined and confined.
- G.2. Any person convicted of driving with excessive blood alcohol content shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), confined in the City Jail for not more than ninety (90) days, or both so fined and confined.
- G.3. Upon a plea of guilty or a finding of guilty for an offense of driving while intoxicated or driving with excessive blood alcohol content, the court shall, as a condition for suspending any permissible portion of any sentence or in addition to imposition of any penalties provided by law, order the convicted person to participate in and successfully complete an alcohol or drug related traffic offender education rehabilitation program, as described in Section 577.049, RSMo. (CC 1979 §18-55.1; Ord. No. A-4661 §1, 6-10-85; Ord. No. A-6723 §1, 7-21-98; Ord. No. A-7070 §1, 8-27-01)

SECTION 340.330: LEAVING THE SCENE OF A MOTOR VEHICLE ACCIDENT

- A. A person commits the offense of leaving the scene of a motor vehicle accident when being the operator or driver of a vehicle on the highway or on any publicly or privately owned parking lot or parking facility generally open for use by the public and knowing that an injury has been caused to a person or damage has been caused to property, due to his/her culpability or to accident, he/she leaves the place of the injury, damage or accident without stopping and giving his/her name, residence, including City and street number, driver's license number, if any, to the injured party or to a Police Officer, or if no Police Officer is in the vicinity, then to the nearest Police Station or Judicial Officer.
- B. For the purposes of this Section, all Police Officers shall have jurisdiction, when invited by an injured person, to enter the premises of any privately owned parking lot or parking facility for the purpose of investigating an accident and performing all necessary duties regarding such accident. (CC 1979 §18-100; Ord. No. A-4808 §1, 11-5-86)

SECTION 340.340: SEAT BELTS AND CHILD RESTRAINT DEVICES

- A. Except as otherwise provided in this Section, each driver and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this City shall wear a properly adjusted and fastened safety belt that meets Federal National Highway, Transportation and Safety Act requirements, except that a child less than four (4) years of age shall be protected as required in Subsection (E) of this Section.
- B. Each driver of a motor vehicle transporting a child four (4) years of age or more, but less than sixteen (16) years of age, in the front seat of a motor vehicle shall secure the child in a properly adjusted and fastened safety belt.
- C. With respect to Subsections (A) and (B) of this Section:

C.1. No person shall be stopped, inspected or detained solely to determine compliance with Subsections (A) and (B) of this Section.

- C.2. The provisions of Subsections (A) and (B) of this Section shall not be applicable to persons having a medical reason for failing to have a seat belt fastened about his/her or her body or to any person employed by the United States Postal Service while performing duties for that Federal Agency which requires the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles.
- C.3. As used in Subsections (A) and (B) of this Section, the term "*passenger car*" means every motor vehicle designed for carrying ten (10) persons or less and used for the transportation of persons; except that, the term "*passenger car*" shall not include motorcycles, motorized bicycles, motor tricycles and trucks.
- D. Each person who violates the provisions of Subsection (A) or (B) of this Section, shall prior to May 1, 1993, receive a warning citation only. After May 1, 1993, such persons shall, upon conviction, be subject to a fine not to exceed ten dollars (\$10.00) in amount. All other provisions of law and court rules to the contrary notwithstanding, no court costs may be imposed.
- E. Every person transporting a child under the age of four (4) years shall be responsible, when transporting such child in a motor vehicle operated by that person on the streets or highways of this City, for providing for the protection of such child. When traveling in the front seat of a motor vehicle the child shall be protected by a child passenger restraint system approved by the Missouri Department of Public Safety. When traveling in the rear seat of a motor vehicle the child shall be protected by either a child passenger restraint system approved by the Missouri Department of Public Safety or the vehicle's seat belt. When the number of child passengers exceeds the number of available passenger positions, and all passenger positions are in use, remaining children shall be transported in the rear seat of the motor vehicle. Any person who violates this Subsection shall, upon conviction, be punished by a fine of not more than twenty-five dollars (\$25.00) and court costs. (Ord. No. A-5672 §1, 3-10-93)

**SECTION 340.350: POSSESSION AND TRANSPORTATION OF OPEN CONTAINERS
PROHIBITED**

- A. It shall be unlawful for any person to have any open container containing alcoholic beverage in or upon City property or in or on public streets, sidewalks, driveways, parking lots or thoroughfares within the City.
- B. "*Open container*" shall mean any container containing an alcoholic beverage, which container is not completely sealed by the original seal of a licensed manufacturer of the beverage.
- C. The term "*have any open container*" includes having such container on or about one's person or within a vehicle, other than within the closed trunk of such vehicle, which that person has under his/her control.
- D. The term "*alcoholic*", as used in this Section, shall mean and include any beverage containing ethyl alcohol. The term "*beverage*" shall mean and include all fluids of a type primarily designed and manufactured for ingestion in liquid form. The term "*alcoholic beverage*" shall not include unadulterated non-prescription medicinal preparations prepared by a licensed manufacturer of medicinal preparations or prescription medications prepared by a licensed pharmacist.

- E. Nothing in this Section shall be construed as to prohibit the otherwise legal consumption of alcoholic beverages by passengers on a privately or publicly owned transit authority that has been chartered

and is not being utilized for conveyance of the general public where the operation and control of such conveyance is by a person not having ready access to such alcoholic beverage.

- F. Nothing in this Section shall be construed as to prohibit the otherwise legal possession of open containers of alcoholic beverages where consumption thereof is permitted by Section 215.480 of this Code. (CC 1979 §3-50; Ord. No. A-5035 §1-3, 9-13-88; Ord. No. A-6960, 6-30-00; Ord. No. 7324 §§1–2, 6-26-03)

SECTION 340.360: COASTING OR SKATING ON SIDEWALKS

Any person who shall coast in an express wagon or a coaster wagon of any kind, commonly called a boy's wagon, or upon any sled, skateboards or other device, or who shall skate on roller skates, ice skates, or skateboards upon any of the sidewalks of the City, shall be deemed guilty of a misdemeanor. (CC 1979 §27-1; Ord. No. 773 §7, 12-2-24)

SECTION 340.370: RIGHTS AND DUTIES OF BICYCLE AND MOTORIZED BICYCLE RIDERS

Every person riding a bicycle or motorized bicycle upon a street or highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle as provided by Chapter 304, RSMo., except as to special regulations in Sections 307.180 to 307.193, RSMo., and except as to those provisions of Chapter 304, RSMo, which by their nature can have no application.

SECTION 340.380: RESTRICTING THE USE OF GREENWAY TRAILS

- A. No motorized vehicles, motorized bicycles or motorcycles of any kind, type or description can use or travel along any portion of the Greenway Trails in the City limits of the City of Monett, or easements thereto, with the exception that golf carts may be used on that portion of Greenway Trails that traverse the golf course.
- B. The first (1st) offense under this ordinance is a misdemeanor punishable under the ordinances of this City. (Ord. No. A-6984 §§1–2, 9-13-00; Ord. No. A-7052 §1, 7-20-01; Ord. No. A-7053 §§1–2, 7-20-01)

CHAPTER 345: PEDESTRIANS' RIGHTS AND

DUTIES

SECTION 345.010: PEDESTRIANS SUBJECT TO TRAFFIC CONTROL DEVICES

Pedestrians shall be subject to traffic control signals as heretofore declared in Sections 315.060 and 315.070 of this Title, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this Chapter.

SECTION 345.020: PEDESTRIANS' RIGHT-OF-WAY IN CROSSWALKS

- 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.
- B. 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.
- C. Subsection (A) shall not apply under the conditions stated in Subsection (B) of Section 345.050.
- D. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

SECTION 345.030: PEDESTRIANS TO USE RIGHT HALF OF CROSSWALKS

Pedestrians shall move, whenever practicable, upon the right half (½) of crosswalks.

SECTION 345.040: CROSSING AT RIGHT ANGLES

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk.

SECTION 345.050: WHEN PEDESTRIAN SHALL YIELD

- A. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.
- B. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.
- C. The foregoing rules in this Section have no application under the conditions stated in Section 345.060 when pedestrians are prohibited from crossing at certain designated places.

SECTION 345.060: PROHIBITED CROSSING

- A. Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.
- B. No pedestrian shall cross a roadway other than in a crosswalk in any business district.
- C. No pedestrian shall cross a roadway other than in a crosswalk upon any street designated by ordinance.
- D. No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.

SECTION 345.070: OBEDIENCE OF PEDESTRIANS TO BRIDGE AND RAILROAD SIGNALS

- A. No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given.
- B. No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge when such gate or barrier is closed or is being opened or closed.

SECTION 345.080: PEDESTRIANS WALKING ALONG ROADWAYS

- A. Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
- B. Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

SECTION 345.090: DRIVERS TO EXERCISE HIGHEST DEGREE OF CARE

Notwithstanding the foregoing provisions of this Title, every driver of a vehicle shall exercise the highest degree of 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 345.100: HANDICAPPED PERSONS WITH WHITE CANE OR DOG, DRIVER TO TAKE ALL NECESSARY PRECAUTIONS—CANE OR DOG NOT REQUIRED TO ENFORCE RIGHTS, WHEN

The driver of a vehicle approaching a blind or visually handicapped, deaf or partially deaf person or physically disabled person who is carrying a cane predominantly white or metallic in color, with or without a red tip, or using a guide dog, hearing dog or service dog shall yield to such blind pedestrian, and any driver who fails to take such precautions shall be liable in damages for any

injury caused such pedestrian; provided that a totally or partially blind pedestrian not carrying such cane or using a guide dog, hearing dog or service dog in any of the places, accommodations or conveyances listed in Section 209.150, RSMo, shall have all of the rights and privileges conferred by law upon other persons.

CHAPTER 350: METHOD OF PARKING

SECTION 350.010: STANDING OR PARKING CLOSE TO CURB

Except as otherwise provided in this Chapter, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within eighteen (18) inches of the right-hand curb. Where curbs do not exist, such stopping or parking shall be completed in such manner as to leave the necessary paved travelway, plus one (1) foot on each side, available as a freeway. (CC 1979 §18-66(b))

SECTION 350.020: SIGNS OR MARKINGS INDICATING ANGLE PARKING

- A. 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 within the City unless the State Highways and Transportation Commission has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.
- B. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street or upon any streetcar tracks.

SECTION 350.030: OBEDIENCE TO ANGLE PARKING SIGNS OR MARKERS

On those 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.

SECTION 350.040: PERMITS FOR LOADING OR UNLOADING AT AN ANGLE TO THE CURB

- A. The City Traffic Engineer is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein.
- B. It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

SECTION 350.050: LAMPS ON PARKED VEHICLES

- A. Whenever a vehicle is lawfully parked upon a street or highway during the hours between a half ($\frac{1}{2}$) hour after sunset and half ($\frac{1}{2}$) hour before sunrise and in the event there is sufficient light to reveal any person or object within a distance of five hundred (500) feet upon such street or highway no lights need be displayed upon such parked vehicle.

- B. Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between a half ($\frac{1}{2}$) hour after sunset and a half ($\frac{1}{2}$) hour before sunrise and there is not sufficient light to reveal any person or object within a distance of five hundred (500) feet upon such highway, such vehicle so parked or stopped shall be equipped with one (1) or more lamps meeting the following requirements: At least one (1) lamp shall display a white or amber light visible from a distance of five hundred (500) feet to the front of the vehicle, and the same lamp or at least one other lamp shall display a red light visible from a distance of five hundred (500) feet to the rear of the vehicle, and the location of said lamp or lamps shall always be such that at least one (1) lamp or combination of lamps meeting the requirements of this Section is installed as near as practicable to the side of the vehicle which is closest to passing traffic. The foregoing provisions shall not apply to a motor-driven cycle.
- C. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

PARKING PROHIBITED

**CHAPTER 355: STOPPING, STANDING OR
IN SPECIFIED PLACES**

SECTION 355.010: STOPPING, STANDING OR PARKING PROHIBITED

- A. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a Police Officer or official traffic control device, no person shall:
1. Stop, stand or park a vehicle:
 - a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - b. On a sidewalk;
 - c. Within an intersection;
 - d. On a crosswalk;
 - e. Between a safety zone and adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the City Traffic Engineer indicates a different length by signs or markings;
 - f. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
 - g. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
 - h. On any railroad tracks;
 - i. At any place where official signs prohibit stopping;
 - j. Within ten (10) feet in each direction from any mailbox used for rural delivery.
 2. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
 - a. In front of a public or private driveway;
 - b. Within fifteen (15) feet of a fire hydrant;
 - c. Within thirty (30) feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway;
 - d. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance (when properly signposted);
 - e. At any place where official signs prohibit standing.

3. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

- a. Within fifty (50) feet of the nearest rail of a railroad crossing;
 - b. At any place where official signs prohibit parking.
- B. No person shall move a vehicle not lawfully under his/her control into any such prohibited area or away from a curb such a distance as is unlawful. (CC 1979 §18-66(a)(14); Ord. No. A-3758A §§1-4, 12-15-76)

SECTION 355.020: PARKING NOT TO OBSTRUCT TRAFFIC

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 ten (10) feet of the width of the roadway for free movement of vehicular traffic.

SECTION 355.030: PARKING IN ALLEYS

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (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.

SECTION 355.035: PARKING PROHIBITED IN RESIDENTIAL FRONT YARDS

- A. No person shall park or permit a vehicle to remain in the required front yard of residential property. No person shall park or permit a vehicle to remain in the front yard of residential property owned or leased by him or her, unless such vehicle is parked on a driveway which is either paved or graveled in such a manner as will prevent formation of ruts by vehicle parking or movement in all weather conditions or on a designated parking area as described herein.
- B. For purposes of this Section, "*front yard*" means the area between a road and a line parallel to the road and intersecting the closest point of a residence. "*Residential*" refers to properties, however zoned, which are used for residential purposes. "*Required front yard*" refers to the area between the road and the foundation perimeter of the dwelling, exclusive of a built-in garage. "*Designated parking area*" is an area which is adjacent to and contiguous to the driveway within a residential property and which is either paved or graveled in such a manner as will prevent formation of ruts by vehicle parking or movement in all weather conditions.
- C. No driveway or designated parking area may be located within the front or back setback lines established by application of the zoning ordinances of the City of Monett, except that driveways may cross the front and/or back setback lines for purposes of ingress and egress. No driveway or designated parking area may be located within the required front yard of the property.
- D. *Exception.* Vehicles or trailers may be parked within the required front yard for the following purposes:
- D.1. Third (3rd) party contractor's vehicles parked for the purpose of construction or repair to the home or yard not to exceed ten (10) hours per day. Provided however, that the City Building

Inspector may grant extension of time for this purpose for good cause shown, but such extension cannot exceed one (1) week.

- D.2. Temporary parking for the purpose of moving and receiving large household items and appliances not to exceed three (3) hours in any twenty-four (24) hour period.
- D.3. Temporary parking for the purpose of moving from one residence to another for a period not to exceed forty-eighty (48) hours in any one (1) week.
- D.4. Temporary parking for the purpose of food items.
- D.5. Temporary parking for the purpose of handicapped loading and unloading.

Notwithstanding the exceptions set out in this Subsection (D), no party may drive vehicles over curbs or public sidewalks outside a driveway approved by the City without prior written permission of the City Building Inspector.

- E. Within five (5) days after notification, if the vehicle has not been removed, the City has the authority through regular recognized Police procedure by the issuance of a summons to order the vehicle towed and impounded by a local wrecker service with charges to be assessed against the owner of the vehicle. (Ord. No. 7550 §1, 4-27-05)

SECTION 355.040: PARKING VEHICLES, ETC., FOR CERTAIN PURPOSES PROHIBITED

No person shall park any type of vehicle or movable object on any highway, street, or alley in the City for the principal purpose of:

- 1. Displaying such vehicle or movable object for sale.
- 2. Washing, greasing or repairing such vehicle or movable object, except repairs necessitated by an emergency mechanical failure. (CC 1979 §18-70; Ord. No. A 1799 §31, 11-9-60)

SECTION 355.050: PARKING ADJACENT TO SCHOOLS

- A. The City Traffic Engineer is hereby authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his/her opinion, interfere with traffic or create a hazardous situation.
- B. When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place.

SECTION 355.060: PARKING PROHIBITED ON NARROW STREETS

- A. The City Traffic Engineer is authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one (1) side of a street as indicated by such signs when the width of the roadway does not exceed thirty (30) feet.

§ 355.060
Places § 355.110

Stopping, Standing or Parking Prohibited in Specified

- B. 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.

SECTION 355.070: STANDING OR PARKING ON ONE-WAY STREETS

The City Traffic Engineer is authorized to erect signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign.

SECTION 355.080: STANDING OR PARKING ON ONE-WAY ROADWAYS

In the event a highway includes two (2) or more separate roadways and traffic is restricted to one (1) direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. The City Traffic Engineer is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof.

SECTION 355.090: NO STOPPING, STANDING OR PARKING NEAR HAZARDOUS OR CONGESTED PLACES

- A. The City Traffic Engineer is hereby authorized to determine and designate by proper signs places not exceeding one hundred (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.
- B. When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand, or park a vehicle in any such designated place.

SECTION 355.100: OBSTRUCTING FREEWAYS, ETC.— MINIMUM WIDTHS CONSTITUTING UNOBSTRUCTED FREEWAYS, ETC.

Any person parking, unparking, stopping, standing, driving in a manner so as to obstruct or otherwise obstructing clear, free and unimpeded freeways, travelways or throughways of the following specified widths for certain streets, alleys and State and Federal marked highways, or portions thereof, shall be guilty of a misdemeanor and have such obstruction removed as provided in this Chapter; provided, that unless another width is established in this Section, a width of not less than eighteen (18) feet shall constitute an unobstructed freeway, travelway or throughway on all State and Federal marked highways in the City:

U. S. Route 60. From the west City limits to the east City limits, twenty-two (22) feet.
(CC 1979 §18-27; Ord. No. A-1799 §15, 11-9-60)

SECTION 355.110: BUS, TRUCK, TRAILER, TRACTOR-TRAILER, ROAD MACHINERY, ETC., PROHIBITED IN RESIDENTIAL DISTRICTS—EXCEPTIONS

No person shall park or cause to be parked any bus, truck, tractor, trailer, house trailer, tractor-trailer combination, road building machinery or other commercial vehicle on any street in a

residential district, as defined by Article II and Article III of Chapter 400 of this Code; except, that such a vehicle may be parked in such residential district while actually and continuously engaged in loading or unloading freight, wares, goods, merchandise or other personal property to or from any building or structure located in such residential district. (CC 1979 §18-66(c))

SECTION 355.120: HANDICAPPED PARKING SPACES

Any person who shall park or cause to be parked any vehicle in any parking space established and designated as reserved for handicapped persons, whether such parking space shall be on public or private property open to public use, and who shall fail to display distinguishing license plates or dashboard placards issued pursuant to Section 301.071 or 301.142 of the Revised Statutes of Missouri, as amended, shall, upon conviction, be punished as provided in Section 100.080 of this Code. (CC 1979 §18-66(d))

SECTION 355.130: PARKING ADJACENT TO CERTAIN CHURCH, SCHOOL OR PUBLIC PROPERTY

The proper officials of the City and the State Highways and Transportation Commission, or their agents, for their respective jurisdictions, may prohibit stopping, standing or parking on any portion of a highway, street or alley within the corporate limits, adjacent and contiguous to the property of any school, church or public building owned by and related to the general use of the public, when in their opinion, the same would interfere with and be hazardous to such places. When duly marked or posted, it shall be unlawful to do the acts forbidden.
(CC 1979 §18-67; Ord. No. A-1799 §28, 11-9-60)

CHAPTER 360: STOPPING FOR LOADING OR

UNLOADING ONLY

SECTION 360.010: CITY TRAFFIC ENGINEER TO DESIGNATE CURB LOADING ZONES

The City Traffic Engineer 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.

SECTION 360.020: PERMITS FOR CURB LOADING ZONES

The City Traffic Engineer shall not 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 (2) signs to indicate the ends of each such zone. The City Traffic Engineer upon granting a permit and issuing such signs shall collect from the applicant and deposit in the City Treasury a service fee of ten dollars (\$10.00) per year or fraction thereof and may by general regulations impose conditions upon the use of such signs and for reimbursement of the City for the value thereof in the event of their loss or damage and their return in the event of misuse or upon expiration of permit. Every such permit shall expire at the end of one (1) year.

SECTION 360.030: STANDING IN PASSENGER CURB LOADING ZONE

No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed three (3) minutes.

SECTION 360.040: STANDING IN FREIGHT CURB LOADING ZONE

No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick-up and loading of materials in any place marked as a freight curb loading zone during hours when the provision applicable to such zones are in effect.

SECTION 360.050: CITY TRAFFIC ENGINEER TO DESIGNATE PUBLIC CARRIER STOPS AND STANDS

The City Traffic Engineer is hereby authorized and required to establish bus stops, bus stands, taxicab stands and stands for other passenger common carrier motor vehicles on such public streets in such places and in such number as he/she shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs.

SECTION 360.060: STOPPING, STANDING AND PARKING OF BUSES AND TAXICABS REGULATED

- A. The operator of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand so designated as provided herein.

- B. The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand or passenger loading zone so designated as provided herein, except in case of an emergency.
- C. The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle, not further than eighteen (18) inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.
- D. The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

SECTION 360.070: RESTRICTED USE OF BUS AND TAXICAB STANDS

No person shall stop, stand, or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, 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 waiting to enter or about to enter such zone.

PARKING RESTRICTED

**CHAPTER 365: STOPPING, STANDING OR
OR PROHIBITED ON CERTAIN STREETS**

SECTION 365.010: APPLICATION OF CHAPTER

The provisions of this Chapter prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a Police Officer or official traffic control device.

SECTION 365.020: REGULATIONS NOT EXCLUSIVE

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

SECTION 365.030: PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described by ordinance.

**SECTION 365.040: PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN
STREETS**

When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours specified by ordinance of any day except Sunday and public holidays within the districts or upon any of the streets described by ordinance.

**SECTION 365.050: STOPPING, STANDING OR PARKING PROHIBITED DURING
CERTAIN HOURS ON CERTAIN STREETS**

When signs are erected in each block giving notice thereof, no person shall stop, stand, or park a vehicle between the hours specified by ordinance on any day except Sundays and public holidays within the district or upon any of the streets described by ordinance.

SECTION 365.060: PARKING SIGNS REQUIRED

Whenever by this Title or any ordinance of the City any parking time limit is imposed or parking is prohibited on designated streets it shall be the duty of the City Traffic Engineer to erect appropriate signs giving notice thereof and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense.

**SECTION 365.070: COMMERCIAL VEHICLES PROHIBITED FROM USING CERTAIN
STREETS**

In cases where an equally direct and convenient alternate route is provided, an ordinance may describe and signs may be erected giving notice thereof, that no persons shall operate any commercial vehicle upon streets or parts of streets so described except those commercial vehicles making deliveries thereon.

CHAPTER 370: PROCEDURE ON ARREST

SECTION 370.010: FORMS AND RECORDS OF TRAFFIC CITATIONS AND ARRESTS

- A. The City shall provide books containing uniform summons and complaint forms as prescribed by Supreme Court Rule. Said books shall include serially numbered sets of citations in quadruplicate in the form prescribed by Supreme Court Rule.
- B. Such books shall be issued to the Chief of Police or his/her duly authorized agent, a record shall be maintained of every book so issued and a written receipt shall be required for every book. The judge or judges hearing City ordinance violation cases may require that a copy of such record and receipts be filed with the court.
- C. The Chief of Police shall be responsible for the issuance of such books to individual members of the Police Department. The Chief of Police shall require a written receipt for every book so issued and shall maintain a record of every such book and each set of citations contained therein.

SECTION 370.020: PROCEDURE OF POLICE OFFICERS

Except when authorized or directed under State law to immediately take a person before the Municipal Judge for the violation of any traffic laws, a Police Officer who halts a person for such violation other than for the purpose of giving him/her a warning or warning notice and does not take such person into custody under arrest, shall issue to him/her a uniform summons and complaint which shall be proceeded upon in accordance with Supreme Court Rule Number 37.

SECTION 370.030: UNIFORM SUMMONS AND COMPLAINTS TO BE ISSUED WHEN VEHICLE ILLEGALLY PARKED OR STOPPED

Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of the City or by State law, 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 uniform summons and complaint for the driver to answer to the charge against him/her within five (5) days during the hours and at a place specified in the summons and complaint.

SECTION 370.040: WARNING OF ARREST SENT UPON FAILURE TO APPEAR

If a violator of the restrictions on stopping, standing or parking under the traffic laws or ordinances does not appear in response to a uniform summons and complaint affixed to such motor vehicle within a period of five (5) days, the Traffic Violations Bureau shall send to the owner of the motor vehicle to which the summons and complaint was affixed a letter informing him/her of the violation and warning him/her that in the event such letter is disregarded for a period of five (5) days a warrant of arrest will be issued.

SECTION 370.050: POLICE MAY REMOVE VEHICLE—WHEN

- A. Members of the Police Department are authorized to remove a vehicle from a street or highway 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 in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide its custody or removal;
 3. When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.
- B. Whenever an Officer removes a vehicle from a street as authorized in this Section and the Officer knows or is able to ascertain from the registration records 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. 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.
- C. Whenever an Officer removes a vehicle from a street under this Section 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 a written report of such removal by mail to the State Department whose duty it is to register motor 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, the reasons for such removal, and the name of the garage or place where the vehicle is stored.

**SECTION 370.060: LEAVING VEHICLES ON STREETS FOR MORE THAN SEVEN DAYS—
REMOVAL, IMPOUNDMENT AND REDEMPTION OF SUCH
VEHICLES**

- A. It shall be unlawful for any person to permit a motor vehicle, tractor, trailer, wagon or other conveyance to remain in one place upon the public streets of the City for a period of more than seven (7) consecutive days.
- B. The Chief of Police shall cause a motor vehicle, tractor, trailer, wagon or other conveyance, having been in one place upon the public streets of the City for a period of more than seven (7) consecutive days, to be removed from such place to a place designated by him/her, and the owner of such motor vehicle, tractor, trailer, wagon or other conveyance shall pay to the City the costs of such removal and storage of such vehicle before the same shall be released to such owner.
(CC 1979 §18-7; Ord. No. A-1944 §§1, 3, 9-7-62)

CHAPTER 375: MOTOR VEHICLE EQUIPMENT

SECTION 375.010: LIGHTING EQUIPMENT

It shall be unlawful for any person to operate any vehicle on the streets of the City which is not equipped with lighting equipment in accordance with Section 307.020 through 307.125 inclusive of the Revised Statutes of Missouri; or to fail to use such equipment as required in such Sections. (CC 1979 §18-83; Ord. No. A-5021 §1, 8-10-88)

SECTION 375.020: SPOTLAMPS

Any motor vehicle may be equipped with not to exceed one (1) spotlamp, but no person driving a vehicle equipped with a spotlamp shall cause or permit such lamp, when lighted, to be so aimed or used as to be dazzling or glaring to any person; and no other person shall so aim or use such lamp. (CC 1979 §18-84; Ord. No. A-5021 §1, 8-10-88)

SECTION 375.030: OTHER EQUIPMENT OF MOTOR VEHICLES

- A. *Signaling Devices.* Every motor vehicle shall be equipped with a horn, directed forward, or whistle in good working order, capable of emitting a sound adequate in quantity and volume to give warning of the approach of such vehicle to other users of the highway and to pedestrians. Such signaling device shall be used for warning purposes only and shall not be used for making any unnecessary noise, and no other sound-producing signaling device shall be used at any time.
- B. *Muffler Cutouts.* Muffler cutouts shall not be used and no vehicle shall be driven in such manner or condition that excessive and unnecessary noises shall be made by its machinery, motor, signaling device, or other parts, or by any improperly loaded cargo. The motors of all motor vehicles shall be fitted with properly attached mufflers of such capacity or construction as to quiet the maximum possible exhaust noise as completely as is done in modern gas engine passenger motor vehicles. Any cutout or opening in the exhaust pipe between the motor and the muffler on any motor vehicle shall be completely closed and disconnected from its operating lever, and shall be so arranged that it cannot automatically open, or be opened or operated while such vehicle is in motion.
- C. *Brakes.* All motor vehicles, except motorcycles, shall be provided at all times with two (2) sets of adequate brakes, kept in good working order, and motorcycles shall be provided with one (1) set of adequate brakes kept in good working order.
- D. *Mirrors.* All motor vehicles which are so constructed or loaded that the operator cannot see the road behind such vehicle by looking back or around the side of such vehicle shall be equipped with a mirror so adjusted as to reveal the road behind and be visible from the operator's seat.
- E. *Projections on Vehicles.* All vehicles carrying poles or other objects, which project more than five (5) feet from the rear of such vehicle, shall, during the period when lights are required by this Chapter, carry a red light at or near the rear end of the pole or other object so projecting. At other times a red flag or cloth, not less than sixteen (16) inches square, shall be displayed at the end of such projection.

F. *Towlines.* When one (1) vehicle is towing another, the connecting device shall not exceed fifteen (15) feet. During the time that lights are required by Sections 307.020 to 307.120, RSMo., the

required lights shall be displayed by both vehicles. Every towed vehicle shall be coupled to the towing vehicle by means of a safety chain, cable, or equivalent device in addition to the primary coupling device, except that such secondary coupling device shall not be necessary if the connecting device is connected to the towing vehicle by a center-locking ball located over or nearly over the rear axle and not supported by the rear bumper of the towing vehicle. Such secondary safety connecting devices shall be of sufficient strength to control the towed vehicle in the event of failure of the primary coupling device. The provisions of this Subsection shall not apply to wreckers towing vehicles or to vehicles secured to the towing vehicle by a fifth-wheel type connection.

- G. The provisions of Subsection (F) of this Section shall not apply to farm implements, or to any vehicle which is not required to be registered.
- H. *Commercial Motor Vehicles and Trailers.* When being operated on any highway of this City shall be equipped with adequate and proper brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, fuel tank, and any other safety equipment required by the State in such condition so as to obtain a certificate of inspection and approval as required by the provisions of Section 307.360, RSMo.
- I. Devices attached to or towed by motor vehicles for the purpose of transporting hay shall have the protruding parts raised or retracted when not in use to a position which will not cause injury or damage to persons or property in the vicinity of such device when on the highways of this City.

SECTION 375.040: RESTRICTION ON USE OF METAL-TIRED VEHICLES—PENALTY

- A. No metal-tired vehicle shall be operated over any of the improved highways of this City, except over highways constructed of gravel or claybound gravel, if such vehicle has on the periphery of any of the road wheels any lug, flange, cleat, ridge, bolt or any projection of metal or wood which projects radially beyond the tread or traffic surface of the tire, unless the highway is protected by putting down solid planks or other suitable material, or by attachments to the wheels so as to prevent such vehicles from damaging the highway, except that this prohibition shall not apply to tractors or traction engines equipped with what is known as caterpillar treads, when such caterpillar does not contain any projection of any kind likely to injure the surface of the road. Tractors, traction engines and similar vehicles may be operated which have upon their road wheels "V" shaped, diagonal or other cleats arranged in such manner as to be continuously in contact with the road surface if the gross weight on the wheels per inch of width of such cleats or road surface, when measured in the direction of the axle of the vehicle, does not exceed eight hundred (800) pounds.
- B. No tractor, tractor engine, or other metal-tired vehicle weighing more than four (4) tons, including the weight of the vehicle and its load, shall drive onto, upon or over the edge of any improved highway without protecting such edge by putting down solid planks or other suitable material to prevent such vehicle from breaking off the edges of the pavement.
- C. Any person violating this Section, whether operating under a permit or not, or who shall willfully or negligently damage a highway, shall be liable for the amount of such damage caused to any highway, bridge, culvert or sewer, and any vehicle causing such damage shall be subject to a lien for the full amount of such damage, which lien shall not be superior to any duly recorded or filed chattel mortgage or other lien previously attached to such vehicle; the amount of such damage may be recovered in any action in any court of competent jurisdiction, in the name of the State, by the City.

SECTION 375.050: STUDED TIRES, PROHIBITED WHEN—PENALTY

- A. No person shall operate any motor vehicle upon any road or highway of this State between the first (1st) day of April and the first (1st) day of November while the motor vehicle is equipped with tires containing metal or carbide studs.
- B. Any person violating the provisions of this Section is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided by law.

SECTION 375.060: MOTORCYCLE HEADGEAR

Every person operating or riding as a passenger on any motorcycle or motor-tricycle upon any street, avenue or highway of this City shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet the requirements and specifications established by the State. (CC 1979 §18-92; Ord. No. A-5021 §1, 8-10-88)

**CHAPTER 380: REGULATION OF MOTOR
VEHICLES ON BUSINESS PREMISES**

**SECTION 380.010: ENTERING ONLY TO TRANSACT BUSINESS—"CRUISING"
PROHIBITED**

No person shall drive a motor vehicle onto the premises of any business unless such person, or one of the occupants of such vehicle, intends to transact business there. The driving of a motor vehicle onto and out of such premises without stopping shall be known as "*cruising*", and shall establish a presumption that the driver of such motor vehicle has violated this Section.
(CC 1979 §18-101; Ord. No. A-5116 §1, 5-19-89)

SECTION 380.020: RACING—NOISY OPERATION PROHIBITED

No person, while on or adjacent to the premises of a business or while on any street or alleyway, shall race the motor of any vehicle, make or cause noise, or blow or cause to be blown a horn on any motor vehicle without reasonable cause. (CC 1979 §18-102; Ord. No. A-5116 §1, 5-19-89; Ord. No. A-6865 §§1–2, 9-29-99)

SECTION 380.030: BLOCKING ENTRANCES OR EXITS TO PREMISES

No person shall stop, stand or park a motor vehicle in a street at or near the entrance to or exit from a business, except in an authorized parking space adjacent to the curb of such street, and in such manner as not to interfere with other vehicles upon such street.
(CC 1979 §18-103; Ord. No. A-5116 §1, 5-19-89)

SECTION 380.040: PARKING ON GROUNDS OR IN GARAGES

It shall be unlawful for any person to park a motor vehicle upon the grounds or within any garage of any commercial establishment other than in the designated parking areas. It shall be unlawful for any person to fail or refuse to move a motor vehicle over which he/she has control when that vehicle is interfering with the movement of other motor vehicles on the drives or other usual passageways upon the grounds or within the garage of a business establishment.
(CC 1979 §18-104; Ord. No. A-5116 §1, 5-19-89)

SECTION 380.050: UNOCCUPIED VEHICLES

No person shall leave any motor vehicle unoccupied on any business parking lot, except during the time such persons are in the business building, or except with the knowledge and consent of the operator of such business. The operator of a vehicle or the lessee of such vehicle shall be presumed to be responsible for leaving any such vehicle on the premises.
(CC 1979 §18-105; Ord. No. A-5116 §1, 5-19-89)

SECTION 380.060: SIGNS PREREQUISITE TO ENFORCEMENT OF CERTAIN PROVISIONS

Before Sections 380.010, 380.040 and 380.050 may be enforced by the City, a business shall post on the premises in a conspicuous location one (1) or more clearly legible signs bearing the following statement:

"This lot for customers only. Cruising is prohibited. No congregating or lingering outside of a vehicle. No unoccupied vehicle may be left on premises without consent of the operator of the business." (CC 1979 §18-106; Ord. No. A-5116 §1, 5-19-89)

SCHEDULE I. SPEED LIMITS

Cross Reference—As to speed limit for trains, see §215.600.

No person shall drive or operate a motor vehicle at a speed in excess of the following:

<i>Ord. No.</i>	<i>Location</i>	<i>Speed Limit</i>
CC 1979 §18-17	<i>U. S. Route 60:</i> 45 m.p.h. From the west City limits to the east City limits.	
	<i>State Route 37:</i> From the north City limits to Birch Street.	35 m.p.h.
	From Birch Street to Cleveland Avenue.	25 m.p.h.
	From the junction of State Route 37 and U. S. Route 60 to a point one thousand eight hundred feet north of the south City limits.	45 m.p.h.
	From a point one thousand eight hundred feet north of the south City limits to the south City limits.	45 m.p.h.
	<i>State Route H:</i> From the north City limits to Sycamore Street.	35 m.p.h.
	From Sycamore Street to the junction of State Route H and Central Street.	25 m.p.h.
	<i>U. S. Route 60, Business Route:</i> From the junction of U. S. Route 60 and U. S. Route 60, Business Route (Lincoln Avenue), to the south end of the overpass over the St. Louis and San Francisco Railroad.	25 m.p.h.
	From the south end of the overpass over the St. Louis and San Francisco Railroad to the junction of the U. S. Route 60, Business Route, and Cleveland Street.	25 m.p.h.
	From the junction of U. S. Route 60, business Route, and Cleveland Street, to the east City limits on the north side of U. S. Business Route 60 (known as Groh Airport).	35 m.p.h.
	From the west edge of Groh Airport to the east City limits on the south side of U. S. Business Route 60.	45 m.p.h.

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Schedule I. Speed Limits (cont)

<i>Ord. No.</i>	<i>Location</i>	<i>Speed Limit</i>
CC 1979 §18-17	<i>South Eisenhower:</i> From the intersection of Eisenhower and West U. S. Route 60, south on Eisenhower to the south City limits.	35 m.p.h.
	<i>Bridle Lane:</i> From the intersection of U. S. Route 60 and Bridle Lane, north on Bridle Lane to the railroad tracks.	35 m.p.h.
	Elsewhere in the City.	25 m.p.h.

(Ord. No. A-3758A §8, 12-15-76; Ord. No. A-4255 §1, 3-19-81; Ord. No. A-4488 §§1-3, 12-9-83)

SCHEDULE II. THROUGH STREETS

The following streets or portions thereof are hereby declared through streets:

<i>Ord. No.</i>	<i>Location</i>
A-1799 §13 CC 1979 §18-21	All State and Federal marked highways within the City are hereby declared throughways.
A-1198 §3 A-2674 §1	Dunn Street, from Eisenhower Street west to the Monett Grade School. Front Street, except at the point of its intersection with Fourth Street.

SCHEDULE III. STOP SIGNS

The driver of every vehicle approaching the following designated stop intersections on the first named street, from any direction unless otherwise indicated, shall bring such vehicle to a full and complete stop before proceeding across or turning right or left onto the second named street:

<i>Ord. No.</i>	<i>Location</i>
CC 1979 §18-29	Bridle Lane, at its intersection with County Road.
	Central Street, at its intersection with Cleveland Street.
	Cleveland Street, at its intersection with Central Street.
	Cleveland Street, at its intersection with Ninth Street.
	Cleveland Street, at its intersection with Eisenhower Street, for traffic approaching such intersection from the east.
	County Road, at its intersection with Bridle Lane, for traffic approaching such intersection from the west.
	County Road, at its intersection with Central Avenue
	Eisenhower Street, at its intersection with Cleveland Street, for traffic approaching such intersection from the north.
	Fifth Street, at its intersection with Front Street.
	First Street, at its intersection with Central Avenue.
	First Street, at its intersection with Front Street.
	Fourth Street, at its intersection with Front Street.
	Front Street, at its intersection with Fourth Street.
	Ninth Street, at its intersection with Cleveland Street.
	Second Street, at its intersection with Central Avenue.
	Second Street, at its intersection with Front Street.
	Seventh Street, at its intersection with Front Street.
	Sixth Street, at its intersection with Front Street.
	Third Street, at its intersection with Front Street.

(Ord. No. A-1198 §§1, 2, 4. 2-6-51; Ord. No. A-1341 §§1-3, 8-4-53; Ord. No. A-1348 §§1-3, 9-23-53; Ord. No. A-1795 §§1-3, 10-7-60; Ord. No. A-3008 §§1-2, 4-9-71; Ord. No. 5741 §1, 7-12-93)

SCHEDULE IV. RIGHT TURNS REQUIRED

All vehicles approaching the following intersections shall make a right turn at such intersections as follows; provided, that the term "*vehicle*," as used in this Section, shall include all motor vehicles, wagons, bicycles and all other conveyances of any kind or nature:

<i>Ord. No.</i>	<i>Location</i>	
CC 1979 §18-26 A-1923 §§1-2	West Broadway Street and Lincoln Street.	All vehicles approaching from the south on Lincoln Street shall make a right turn onto West Broadway.

SCHEDULE V. WEIGHT LIMITS

It shall be unlawful for any person to drive or operate a vehicle having a gross weight in excess of sixteen thousand (16,000) pounds on the following locations:

<i>Ord. No.</i>	<i>Location</i>
A-2376 §1	On or over the bridge over Kelly Creek on Eisenhower Street.

SCHEDULE VI. TRUCK ROUTES

The following streets or portions thereof are hereby designated as truck routes:

<i>Ord. No.</i>	<i>Location</i>
A-2194 §3	Dairy Street, from Central Avenue to Kyler Street.

SCHEDULE VII. HANDICAPPED PARKING

The following locations are designated as handicapped parking spaces.

<i>Ord. No.</i>	<i>Location</i>
CC 1979 18-66(d)	Third and Broadway, Third space west of the Northwest side of intersection. Third space west of the Southeast side of intersection.
	Fourth and Broadway, Northwest corner of intersection. Southeast corner of intersection.
	Fifth and Broadway, Northwest corner of intersection. Southwest corner of intersection.
	East side of Fifth Street, South side of Broadway.
	West side of Fourth Street, South side of Broadway.
	South side of Bond Street by alley between Fifth and Sixth.
A-5664 §I	First and Broadway, Northeast corner of intersection.

SCHEDULE VIII. PARALLEL PARKING

PROHIBITED

It shall be unlawful for any person to park any vehicle on any street or portion thereof in the City, unless such vehicle is parked with the side thereof parallel to the curbing; provided, that this Schedule shall not apply to the following streets or portions thereof:

<i>Ord. No.</i>	<i>Location</i>
CC 1979 §18-68	Broadway Street, from First Street to Second Street on the south side east of A-5664 §IIEighth Street.

SCHEDULE IX. RESTRICTED PARKING

It shall be unlawful for any person to park or allow to remain standing any vehicle on any of the following streets or portions of streets as restricted herein:

Table IX-A. No Parking from 8:00 A.M. - 5:00 P.M.

<i>Ord. No.</i>	<i>Location</i>	<i>Restriction</i>
A-1158	Ninth Street, on the east side thereof	At any time

Table IX-B. Two Hour Parking

It shall be unlawful for any person to park or allow to remain standing any vehicle, for any period of time exceeding two hours during the times set out below:

<i>Ord. No.</i>	<i>Location</i>	<i>Restriction</i>
CC 1979 §18-73 Fridays,	Broadway Street, between the intersections of Broadway Street and Second Street and Broadway Street and Sixth Street. Third Street, on the east side thereof, from the alley extending between Bond and Broadway Streets north to Bond Street. Third Street, between the intersections of Broadway and Third Streets and Third and Bond Streets. Third Street, between Bond Street and Front Street Fourth Street, between the intersections of Fourth Street and Bond Street and Fourth Street and Front Street. Fifth Street, on either side thereof, between the south edge of its intersection with Broadway and the north edge of its intersection with Front; provided, that nothing in this provision shall be construed to alter or change in any manner any provisions of this chapter or other ordinances of the city establishing fifteen minute parking zones for one space immediately adjacent to the intersection of Fifth Street with Broadway.	9:00 A.M. to 6:00 P.M. on Mondays thru and 9:00 A.M. to 9:00 P.M. on Saturdays, except on Sundays and legal holidays.

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Schedule IX. Restricted Parking (cont)

Table IX-B. Two Hour Parking (cont)

<i>Ord. No.</i>	<i>Location</i>	<i>Restriction</i>
CC 1979 §18-73	Fifth Street, on the east side thereof, between the intersection of Fifth Street and Broadway Fridays, Street and the intersection of Fifth Street and the alley between Broadway and Bond Streets. except on Sundays and Fifth Street, on the west side thereof, between the intersections of Fifth Street and Broadway Street and Fifth Street and Bond Street. Fifth Street, on either side thereof, from Front Street to Bond Street.	9:00 A.M. to 6:00 P.M. on Mondays thru and 9:00 A.M. to 9:00 P.M. on Saturdays, legal holidays
CC 1979 §18-74	Bond Street, on either side thereof, from Second Street to Sixth Street; provided, that nothing in this provision shall be construed alter or change in any manner any provision of this Chapter or other ordinance of the City establishing fifteen minute parking zones in such area. West Broadway, on the south side thereof, from Central to Euclid.	9:00 A.M. to 6:00 P.M. Mondays thru Saturdays, except on Sundays and legal holidays
CC 1979 §18-75	On the municipal parking lot at Sixth	9:00 A.M. to 5:00 and Broadway.P.M. on any day except Sunday

Table IX-C. 45-Minute Parking

It shall be unlawful for any person to park any motor vehicle or cause or permit any motor vehicle to remain in any parking space designated as a loading zone for more than forty-five consecutive minutes. (CC 1979 §18-76; Ord. No. A-3212A §1, 6-9-72)

Table IX-D. 15-Minute Limited Parking

It shall be unlawful for any person to park or allow to remain standing any vehicle, for any period of time longer than fifteen minutes at any time, on any of the following streets or portions thereof during the times listed below:

<i>Ord. No.</i>	<i>Location</i>	<i>Restriction</i>
CC 1979 §18-77	Broadway Street, in the first parking spaces on such street at the corner of Second and Broadway Streets.	At any time

Traffic Schedules

Schedule IX. Restricted Parking (cont)

Table IX-D. 15-Minute Limited Parking (cont)

<i>Ord. No.</i>	<i>Location</i>	<i>Restriction</i>
CC 1979 §18-77	<p>Broadway Street, in the first parking space on the south side thereof east of its intersection with Broadway (in front of Oasis Three)</p> <p>Broadway Street, in the first parking space on the north side thereof (The Trunk) east of its intersection with Broadway.</p> <p>Fifth Street, at the corner of Fifth Street and Bond Street.</p> <p>Fourth Street, from the north curb line of Bond Street for a distance of one hundred feet north.</p> <p>Fourth Street, between the intersections of Cale Street and Fourth Street and Fourth Street and Bond Street.</p> <p>Second Street, in the first parking space on such street at the corner of Second and Broadway Streets.</p>	At any time
CC 1979 §18-78	<p>Broadway Street, at the corner of its intersection with Fifth Street, in the space marked for such parking on Broadway Street.</p> <p>Broadway Street, at the corner of its intersection with Fourth Street, in the space marked for such parking on Broadway Street.</p> <p>Broadway Street, at the corner of its intersection with Third Street, in the space marked for such parking on Broadway Street.</p> <p>Fifth Street, at the corner of its intersection with Broadway Street, in the space marked for such parking on each side of Fifth Street.</p> <p>Fourth Street, at the corner of its intersection with Broadway Street, in the space marked for such parking on each side of Fourth Street.</p>	9:00 A.M. to 6:00 P.M. Mondays thru Fridays or between the hours of 9:00 A.M. and 9:00 P.M. on Saturdays, except on Sundays or legal holidays

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Schedule IX. Restricted Parking (cont)

Table IX-D. 15-Minute Limited Parking (cont)

<i>Ord. No.</i>	<i>Location</i>	<i>Restriction</i>
CC 1979 §18-78	Sixth Street, on the south side thereof, in the two diagonal parking spaces directly in front of the City library. Third Street, at the corner of its intersection with Broadway Street, in the space marked for such parking on Third Street.	9:00 A.M. to 6:00 P.M. Mondays thru Fridays or between the hours of 9:00 A.M. and 9:00 P.M. on Saturdays, except on Sundays or legal holidays
CC 1979 §18-79	Fifth Street, on the east side thereof, between P.M. the intersection of Fifth Street and Bond Street and the intersection of Fifth Street and an alley running east and west between Bond Street and Broadway.	9:00 A.M. to 6:00 P.M. Mondays thru Saturdays, except on Sundays or on legal holidays
CC 1979 §18-80	Bond Street, on the north side thereof, for a distance of one hundred feet east of Fifth Street. Fifth Street, on the east side thereof, for a distance of twenty feet north of Bond Street. Bond Street, south side east of the alley between Fifth and Sixth Streets.	
CC 1979 §18-80.1	Bond Street, south side from Fifth Street to the alley between Fifth and Sixth Streets.	8:00 A.M. to 6:00 P.M., Monday thru Friday, provided that nothing here shall be construed to prevent the continuous parking for more than parking limits on any Saturday, Sunday, or legal holiday when City Hall is not open for business.

Table IX-E. Miscellaneous Parking Restrictions

It shall be unlawful for any person to park or allow to remain standing any vehicle upon the following streets or portions of streets except as provided herein:

<i>Ord. No.</i>	<i>Location</i>	<i>Restriction</i>
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A-6274 §2

West side of "Short Frisco".

Parallel parking only

SCHEDULE X. PARKING PROHIBITED AT ALL TIMES

It shall be unlawful for any person to park or allow to remain standing any vehicle at any time on any of the following streets or portions thereof.

<i>Ord. No.</i>	<i>Location</i>
CC 1979 §18-71	Alley extending between Broadway and Bond Streets, from Third Street to Sixth Street; provided, that this provision shall not be construed to prohibit the stopping of a vehicle in such alley for the purpose of immediate loading or unloading of cargo, merchandise or passengers, so long as such vehicle is attended by the driver or operator thereof.
	Benton Street, on the north side thereof, between Euclid Street and Lincoln Street.
	Bond Street, on the south side thereof, for a distance of twenty feet on either side from the alley running north and south between Fifth and Six Streets.
	Broadway Street, on the south side thereof, in the diagonal parking space directly in front of the front door of the American Legion Home.
	Central Avenue, on either side thereof, between Broadway and Cleveland.
	Cleveland Avenue.
	County Road, on the south side thereof, from Kyler to Industrial Drive, and on the north side thereof, from Kyler to Wells Aluminum property.
	County Road, both sides, between Kay and Ash.
	Eighth Street, on the west side, between Becker to Bond.
	Douglas Street, on the north side thereof.
	Dunn Street, on the north and south sides thereof, for a distance of twenty feet west of Central Avenue.
	Eighth Street, on the east side thereof, from Benton to Scott Street.
	Eighth Street, on the west side thereof, between Cleveland Street and Scott Street.
	Eighth Street, on the west side, between Becker and Bond Streets.
	Eleventh Street, on the east side thereof, from Bond Street to Broadway.
	Fifth Street, on the east side thereof, from Bond to Cleveland.
	First Street, on the east side thereof, from Broadway to the intersection of Central.

Fourth Street, on the west side thereof, south of the intersection of Fourth Street and Cale Street and north of the driveway leading from Fourth Street into the United States Post Office.

Monett City Code

Schedule X. Parking Prohibited At All Times (cont)

<i>Ord. No.</i>	<i>Location</i>
CC 1979 §18-71	Fourth Street, on the west side thereof, from Benton to Cleveland. Fourth Street, on the west side thereof, between Cale Street and Benton Street. Frisco (short, on the east side, from alley northwest roadway to West County Avenue. Front Street, on the north side thereof, between Central Street and Third Street; provided, that nothing in this provision shall be construed to prohibit the owners of property on the north side of Front Street between Central Street and Third Street from parking motor vehicles on private property adjacent to the north side of such portion of Front Street. Front Street, on the north side thereof, between the west edge of the Kelly Creek Bridge and the east edge of the alley extending northward from Front Street between Fourth Street and Fifth Street. Lincoln Street, on the west side thereof, for a distance of 78 feet north of Benton Street, also south of Benton for 78 feet. Logan Street, on either side thereof, for a distance of one hundred seventy-five feet as posted and designated by the Street Commissioner. Myrtle Street, on the north side thereof, between the west edge of Frisco Street and the east edge of Euclid Street. Ninth Street, on the west side thereof, between Cleveland Street and Scott Street, also south of Scott Street for the first block. Park Street, on the south side thereof, between 9th Street and 13th Street. Pearl Street, on the north side thereof, between Kay Drive and Hickory Street. Scott Street, on the north side thereof, between Eighth Street and Ninth Street. Second Street, on the west side thereof, between Broadway Street and Bond Street. Seventh Street, on the west side thereof, between Sycamore Street and Park Street. Sixth Street, on the east side thereof, between Sycamore Street and Park Street. Sixth Street, on the west side thereof, between the south edge of the Kelly Creek Concourse and the north edge of Front Street.

Third Street, on the west side thereof, between the west edge of Bond Street and the south edge of East Cale Street.

West County Street, on the north side thereof, from Pleasant Drive to Crestview Street.

A-6274 §2

East side of "Short Frisco".

SCHEDULE XI. TRUCK PARKING

- A. It shall be unlawful for any person to park any truck and leave the same unattended at any time on any of the following streets or portions thereof:

<i>Ord. No.</i>	<i>Location</i>
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CC 1979 §18-81(a)	Broadway Street, on either side thereof, from Ninth Street to Second Street.
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	Cleveland Street, on either side
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	Thirteenth Street, on either side
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	Kyler Street, on either side
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	Central Street, on either side
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- B. No person operating a truck whose rated manufacturer's capacity is greater than three-fourths (3/4) of a ton or whose length is greater than twenty (20) feet, and whose width, including a load, is greater than ninety-six (96) inches, shall stop, stand or park the same in such places and for such period of time as established from time to time by ordinance of the City Council, when such places are properly marked and posted. (CC 1979 §18-81(b); Ord. No. A-1799 §30, 11-9-60; Ord. No. A-2115 §1, 4-15-64)

SCHEDULE XII. ONE-WAY STREETS

In accordance with Section 330.020 and when signs are erected giving notice thereof, as authorized by Section 330.010, no operator of a vehicle shall drive such vehicle in any direction other than that of lawful traffic movement as indicated by such signs.

<i>Ord. No.</i>	<i>Location</i>	<i>Direction</i>
A-6274 §1	Frisco Street from Broadway to Cale	North only

(Ord. No. A-6274 §1, 5-10-96)

