

CHAPTER 18

TRAFFIC

Article 1

General Provisions

- Section 18-101 Citation of Chapter
- Section 18-102 Traffic Code Controlling
- Section 18-103 Definitions
- Section 18-104 Adoption of State Traffic Code

Article 2

Enforcement and General Provisions

- Section 18-201 Enforcement of Traffic Laws; Establishment of Traffic Control Divisions
- Section 18-202 Direction of Traffic by Hand or Voice
- Section 18-203 Direction of Traffic by Unauthorized Persons
- Section 18-204 Obedience to Police and Fire Officials
- Section 18-205 Emergency and Experimental Regulations
- Section 18-206 Push Carts, Riding Animals, or Driving Animal Drawn Vehicles to Comply with Code
- Section 18-207 Use of Coasters, Roller Skates, and Similar Devices Restricted
- Section 18-208 Public Officers and Employees to Obey Traffic Regulations
- Section 18-209 Persons Working on Streets, Exceptions
- Section 18-210 Maintenance and Construction Zones
- Section 18-211 Authorized Emergency Vehicles
- Section 18-212 Operation of Vehicles on Approach of Authorized Emergency Vehicles
- Section 18-212.1 Eluding Police Officers
- Section 18-213 Following Emergency Vehicles Prohibited
- Section 18-214 Crossing Fire Hose
- Section 18-215 Possession of Valid Driver's License Required
- Section 18-216 Operation of Vehicle on Invalid License Prohibited; Unlawful to Commit Other Unlawful Acts with Drivers License or Identification Card.
- Section 18-217 Unlawful to Operate Vehicle Without State Vehicle License
- Section 18-218 Permitting Unauthorized Person to Drive Prohibited
- Section 18-219 Accidents, Duty to Stop, Leaving Scene of Accident
- Section 18-220 Duty of Striking Unattended Vehicles, Fixtures
- Section 18-221 Reporting Accidents
- Section 18-222 Issuance of Citation Tags
- Section 18-223 When Copies of Citations Shall Be Deemed a Lawful Complaint
- Section 18-224 Failure to Comply with Traffic Citations Attached to Parked Vehicle
- Section 18-225 Presumption in Reference to Illegal Parking
- Section 18-226 Illegal Cancellation of Traffic Citations
- Section 18-227 Court Records; Abstract to Be Sent to State Department of Public Safety
- Section 18-228 Insurance or Certificate Required

- Section 18-229 Parking of Certain Vehicles, Boats and Trailers Prohibited on Residential Streets and
Residentially Zoned Lots or Tracts; Exceptions; Penalties.
Section 18-230 Truck Routes.

Article 3

Vehicle Equipment, Inspection

- Section 18-301 Certain Vehicles Prohibited, Vehicles Injurious to Streets
Section 18-302 Obstructive and Dangerous Vehicles
Section 18-303 Equipment
Section 18-304 Mufflers, Cut-outs
Section 18-305 Width, Height, Length and Load
Section 18-306 Inspection of Vehicles

Article 4

Speed Regulations

- Section 18-401 Speed Limits Generally, Exceptions
Section 18-402 School Zones
Section 18-403 Speed Never to Exceed That Which Is Reasonable or Prudent for Existing Conditions;
Specifications
Section 18-404 Minimum Speed Requirements; Exceptions
Section 18-405 Obedience to Maximum and Minimum Speed Limits
Section 18-406 Outskirts of the Municipality; Special Enforcement Zones.

Article 5

Driving, Overtaking, Passing

- Section 18-501 Changing Lanes
Section 18-502 Driving on Right Side of Roadway Required; Exceptions
Section 18-503 When Overtaking on the Right Is Permitted
Section 18-504 Overtaking a Vehicle on the Left
Section 18-505 Limitations on Overtaking on the Left; Exceptions
Section 18-506 Passing Vehicles Proceeding in Opposite Directions
Section 18-507 One-way Roadways and Rotary Traffic Islands
Section 18-508 Following Too Closely
Section 18-509 No Passing Zones
Section 18-510 Driving Through Funeral or Other Procession Prohibited; Exceptions
Section 18-511 Drivers in a Procession
Section 18-512 Funeral Processions to Be Identified
Section 18-513 Overtaking and Passing in School Zones
Section 18-514 Overtaking and Passing School Bus
Section 18-515 School Bus Requirements; Lights; Signs; Painting
Section 18-516 Driving of Vehicles on Sidewalk Prohibited; Exception
Section 18-517 Limitations on Backing Vehicle
Section 18-518 Limitations on Use of Motorcycles, Bicycles and Motor Scooters

Section 18-519 Required Motorcycle Equipment, Headgear
Section 18-520 Clinging to Vehicles Prohibited
Section 18-521 Entering and Leaving Controlled Access Highways
Section 18-522 Reckless Driving
Section 18-523 Careless or Negligent Driving, Stopping, or Parking
Section 18-524 Full Time and Attention Required
Section 18-525 Requirement of Any Person Driving a Vehicle on a Public Way to Operate Same in a Careful and Prudent Manner
Section 18-526 Speed Contest Prohibited
Section 18-527 Driving Through Safety Zone
Section 18-528 Reserved
Section 18-529 Opening and Closing Vehicle Doors
Section 18-530 Obstructions to Driver's View or Driving Mechanism
Section 18-531 Boarding or Alighting from Vehicles
Section 18-532 Unlawful Riding
Section 18-533 Private Service Drives
Section 18-534 Truck Routes
Section 18-535 Loads on Vehicles
Section 18-536 Vehicle Approaching or Entering Intersection
Section 18-537 Vehicle Turning Left at Intersections
Section 18-538 Vehicle Approaching a "Yield Right-of-way" Sign
Section 18-539 Vehicle Entering Through Highway
Section 18-540 Vehicles Facing Stop, Slow, Warn or Caution Signal
Section 18-541 Through Streets
Section 18-542 Intersections Where Stop or Yield Required
Section 18-543 Stop or Yield Sign Construction and Placement
Section 18-544 Vehicle Entering Stop Intersection
Section 18-545 Vehicle Entering Yield Intersection
Section 18-546 Vehicle Entering Highway from Private Road or Driveway
Section 18-547 Vehicles Entering Traffic from Parking
Section 18-548 Emerging from the Alley, Driveway, or Building
Section 18-549 Stop When Traffic Obstructed
Section 18-550 Obedience to Signal Indicating Approach of Train
Section 18-551 Certain Vehicles to Stop at All Railroad Grade Crossings
Section 18-552 Seat Belts and Child Passenger Restraints Required

Article 6

Traffic Control Devices

Section 18-601 Authority to Install Traffic Control Devices
Section 18-602 Traffic Control Devices; Uniform Requirements
Section 18-603 Obedience to Official Traffic Control Devices
Section 18-604 When Official Traffic Control Devices Required for Enforcement Purposes
Section 18-605 Traffic Control Signal Legend
Section 18-606 Pedestrians; Signal Indicators; Regulations
Section 18-607 Flashing Signals
Section 18-608 Pedestrian-activated School Crossing Signals
Section 18-609 Unauthorized Traffic Control Devices Prohibited

Section 18-610 Defacement of Traffic Control Devices
Section 18-611 Play Streets, Authority to Establish
Section 18-612 Play Streets, Restriction on Use
Section 18-613 Designation of Crosswalks and Safety Zones
Section 18-614 Traffic Lanes

Article 7

Stopping, Standing and Parking Generally

Section 18-701 Illegal Parking Declared Public Nuisance
Section 18-702 Application of Standing or Parking Regulations
Section 18-703 Parking Time Limits May Be Established, Signs
Section 18-704 Parking More than Forty-eight (48) Hours, Disabled Vehicles
Section 18-705 Brakes; Motor Not to Be Left Running
Section 18-706 Signs or Markings Indicating Angle Parking
Section 18-707 Obedience to Angle Parking Signs or Markings
Section 18-708 Parking in Spaces Marked off
Section 18-709 Permits for Loading or Unloading at an Angle to the Curb
Section 18-710 Hazardous or Congested Places; Stopping, Standing, Parking
Section 18-711 Stopping, Standing or Parking Prohibited in Specified Places
Section 18-712 Blocking of Intersection or Crosswalk Prohibited
Section 18-713 Standing or Parking on One-way Roadway
Section 18-714 Standing or Parking on Left Side of One-way Streets
Section 18-715 Parking Adjacent to Schools
Section 18-716 Parking Prohibited at Intersections
Section 18-717 Parking in Alleys, Blocking Driveways
Section 18-718 Entry on Private Property; Trespass; Evidence; Burden of Proof
Section 18-719 Parking on Main Traveled Portion or Roadway
Section 18-720 Double Parking Prohibited
Section 18-721 Truck Parking Prohibited; Trucks Transportation of Hazardous Materials Prohibited
Section 18-722 Parking for Certain Purposes Prohibited
Section 18-723 Method of Parking, Standing or Parking Close to Curb
Section 18-724 Negligent Parking
Section 18-725 Right-of-way to Parallel Parking Space
Section 18-726 Handicapped Parking, Enforcement of Public or Private Parking
Section 18-727 Engine Brake Prohibited In City Limits.

Article 8

Loading

Section 18-801 Definitions
Section 18-802 Curb Loading Zones, Designation
Section 18-803 Loading Zones to Be Used Only for Designated Purpose
Section 18-804 Stopping, Standing or Parking in Passenger Curb Loading Zone
Section 18-805 Stopping, Standing or Parking in Commercial Curb Loading Zone
Section 18-806 Designation of Public Carrier Stops and Stands

Section 18-807 Use of Bus and Taxicab Stands Restricted
Section 18-808 Stopping, Standing and Parking of Buses and Taxis

Article 9

Turning Movements

Section 18-901 Turning Markers or Indicators
Section 18-902 Designation of Restricted Turns
Section 18-903 Obedience to No-turn Signs
Section 18-904 U-turns
Section 18-905 Left Turns Across Center Line Prohibited, Exceptions
Section 18-906 Position and Method of Turning
Section 18-907 Turning Movements and Required Signals
Section 18-908 Means of Giving Turn Signals
Section 18-909 Method of Giving Hand and Arm Signals

Article 10

Pedestrians

Section 18-1001	Pedestrians Subject to Traffic Control Signals
Section 18-1002	Pedestrians' Right-of-way at Crosswalks
Section 18-1003	Pedestrians to Use Right Half of Crosswalk
Section 18-1004	Crossing at Right Angles
Section 18-1005	When Pedestrians Shall Yield
Section 18-1006	Pedestrians Walking along Roadways
Section 18-1007	Pedestrians Prohibited from Soliciting Rides, Business or Donations from Vehicle Occupants
Section 18-1008	Drivers to Exercise Due Care
Section 18-1009	Crossing Prohibited
Section 18-1010	Obedience of Pedestrians to Railroad Signals

Article 11

Bicycles

Section 18-1101	Application of Bicycle Regulations
Section 18-1102	Application of Traffic Laws to Bicycles
Section 18-1103	Obedience to Traffic Control Devices
Section 18-1104	Riding on Bicycles
Section 18-1105	Riding on Roadways and Bicycle Paths
Section 18-1106	Speed of Bicycle
Section 18-1107	Emerging from Alley or Driveway
Section 18-1108	Carrying Articles
Section 18-1109	Parking
Section 18-1110	Riding on Sidewalks
Section 18-1111	Lamps and Equipment on Bicycles

Article 12

(Reserved)

Article 13

Impoundment of Vehicles

Section 18-1301	Purpose and Effect of Impoundment Provisions
Section 18-1302	Place of Impoundment
Section 18-1303	Duration of Impoundment
Section 18-1304	Police Granted Authority to Impound Vehicles
Section 18-1305	Disabled Vehicles
Section 18-1306	Vehicles on Bridge
Section 18-1307	Arrest and Detention of Driver of Vehicle
Section 18-1308	Vehicle Constitutes Traffic Hazard
Section 18-1309	Illegal Trespass by Vehicle
Section 18-1310	Vehicles Parked Overtime
Section 18-1311	Vehicles Blocking Fire Exits or Hydrants
Section 18-1312	Vehicles Parked in Intersection
Section 18-1313	Stolen Vehicles; Recovery by Police
Section 18-1314	Vehicles with Outstanding Traffic Citations

Article 14

Penalties

Section 18-1401	Obedience to Traffic Code
Section 18-1402	Penalties, Specific and General

CHAPTER 18

TRAFFIC AND VEHICLES

Article 1. General Provisions

Section 18-101 Citation of Chapter.

The chapter and all amendments hereto may be cited or referred to as the "Traffic Code, Town of Okarche", and may so appear upon all official documents, records or instruments.

Section 18-102 Traffic Code Controlling.

Except as specifically provided by law as set forth in this chapter, the traffic code shall be controlling and apply to the use of Town streets, alleys, thoroughfares, parks parkways, public parking lots, school driveways, streets, parking lots, or any other public right-of-way or municipally-owned land, including streets and other ways that form the boundary line of the city, by pedestrians and by vehicles of every kind whether self-propelled or otherwise and whether moving or at rest.

Section 18-103 Definitions.

As used herein:

1. "Alley" means any narrow highway ordinarily located in the interior portion of platted blocks and ordinarily used for service or delivery purposes at the rear of stores, dwellings, or buildings;
2. "Ambulance" means a motor vehicle constructed, reconstructed or arranged for the purpose of transporting ill, sick, or injured persons;
3. "Bicycle" means a device propelled by human power upon which any person may ride, having two (2) tandem wheels;
4. "Bus" means every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation;
5. "Business district" means the territory contiguous to, and including a highway if there are buildings within six hundred (600) feet of the highway in use for businesses 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 side or three hundred (300) feet collectively on both sides of the highway;
6. "Controlled access highway" means 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 such highway, street or roadway;

7. "Commercial vehicles" means every vehicle designed, maintained, or used primarily for the transportation of property;

8. "Center lane" means any clearly marked center lane. If the center lane is not marked and no cars are parked on the roadway, then the center lane is equally distanced between the curbs or traveled portion of the roadway. In the event a vehicle or vehicles are parked on one side of the roadway only, then the center lane is equally distanced from the side of the parked vehicle or vehicles toward the street and curb on the opposite roadway. If vehicles be parked on each side of the roadway, then the center lane is equally distanced from the edges of the parked vehicles;

9. "Cross walk" means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street measured from the curbs; or in the absence of curbs from the edges of the traversable roadway. "Cross walk" also means any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface;

10. "Double park" means parking or stopping a vehicle on the roadway side of another vehicle already parked adjacent to the edge or curbing of the roadway;

11. "Driver or operator" means a person who drives or is in actual physical control of a vehicle;

12. "Emergency" means an unforeseeable occurrence of temporary duration causing or resulting in an abnormal increase in traffic volume, cessation or stoppage of traffic movement, or creation of conditions hazardous to normal traffic movement, including fire, storm, accident, riot, or spontaneous assembly of large numbers of pedestrians in such a manner as to impeded the flow of traffic;

13. "Emergency vehicle" means vehicles of the fire department, police vehicles and ambulances;

14. "Highway", see street;

15. "Intersection" means:

a. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadway of two (2) streets, which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets join at any other angle, may come in conflict; or

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

16. "Laned roadway" means a roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic;

17. "Limited access highway", see controlled access highway;

18. "Loading zone" means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or material. A freight curb loading zone is a loading zone for the exclusive use of vehicles during the loading or unloading of freight; a passenger curb loading zone is a loading zone for the exclusive use of vehicles during the loading or unloading of passengers;

19. "Limit lines" means boundaries of parking areas, loading zones and non-traffic areas and lines indicating the proper place for stopping where stops are required;

20. "Motor cycle, motor scooter, and motor bicycle" mean a motor vehicle, other than a tractor, having a seat or saddle for the use of the driver and designed to travel on no more than three (3) wheels in contact with the ground, but excluding a tractor;

21. "Motor vehicle" means every vehicle which is self-propelled;

22. "Official time" shall mean whenever certain hours are named herein they shall mean Central Standard Time, or Daylight Savings Time, as may be in current use in the city;

23. "Official traffic control device" means all signs, signals, markings, and devices not inconsistent with this ordinance, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic;

24. "Park or parking" means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of, and while actually engaged in loading or unloading merchandise or passengers, providing such loading and unloading is an authorized place;

25. "Pedestrian" means any person a foot;

26. "Police officer" means every officer of the municipal police department, or any officer authorized to direct or regulate traffic, or to make arrests for violation of traffic regulations;

27. "Private road or roadway" means a way or place in private ownership or leading to property in private ownership and used for vehicular traffic by the owner and those having express or implied permission from the owner;

28. "Public parking lot" means a parking lot or right of way dedicated to the public use or owned by the state or a political subdivision thereof;

29. "Railroad" means a carrier of persons or property upon cars other than streetcars operated upon stationary rails;

30. "Railroad train" means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars;

31. "Residence district" means the territory contiguous to and including a highway not comprising a business district;

32. "Right-of-way" means the right of one 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;

33. "Roadway" means that portion of a street improved, designed, ordinarily used for vehicular travel, exclusive of the shoulders. In the event a street includes two (2) or more separate roadways, the term roadway, as used herein, shall refer to any such roadway, separately, but not to all such roadways, collectively;

34. "Safety zone" means 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;

35. "School zone" means all streets or portions of streets immediately adjacent to a school, or school ground, where same is adjacent and for a distance of three hundred (300) feet in each direction;

36. "Sidewalk" means that portion of a street between the curblines or at lateral lines of the roadway and adjacent property lines, intended for the use of pedestrians;

37. "Stand" or "standing" means any stopping of a vehicle whether occupied or not;

38. "Stop", when required, shall mean the complete cessation from movement;

39. "Stop or stopping", when prohibited, means 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 direction of a police officer or traffic signal;

40. "Street or highway" means the entire width between the boundary liens of every way publicly maintained when any part thereof is opened to the use of the public for purposes of vehicular travel;

41. "Through street or highway" means a street, or boulevard or highway or portion thereof at the entrances to which:

a. Vehicular traffic from intersecting streets or highways is required by law to come to a full stop before entering or crossing; and

b. Stop signs are erected as provided in this part;

42. "Traffic" means pedestrians, ridden or herded animals, vehicles and other conveyances, either singularly or together, while using any highway or street for purpose of travel;

43. "Traffic control devices or signals" mean any device legally authorized and used for the purpose of regulating, warning or guiding traffic;

44. "Urban district" means the territory contiguous to and including any street which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than one hundred (100) feet for a distance of a quarter mile or more;

45. "U-turn" means a turn by which a vehicle reverses its course of travel on the same street; and

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

State Law Reference: Definitions, state traffic code, 47 O.S. Section 1-101 et seq.

Section 18-104 **Adoption of State Traffic Code.**

The provisions of the state motor vehicle code, Sections 1-101 et seq. of Title 47 of the Oklahoma Statutes, and the Rules of the Road, Sections 10-101 et seq. of Title 47 of the Oklahoma Statutes, are hereby adopted and incorporated herein by reference, and are enforceable by the Town within the Town limits as if set out at length herein.

State Law Reference: State rules of the road, 47 O.S. Section 10-101 et seq.; state motor vehicle code, 47 O.S. Section 1-101 et seq.

Article 2. **Enforcement and General Provisions**

Section 18-201 **Enforcement of Traffic Laws; Establishment of Traffic Control Divisions.**

It is the duty of the officers of the police department or any officers that are assigned by the chief of police to enforce all street traffic laws of this Town and all the state vehicle laws applicable to street traffic in this city. Officers of the department shall make arrests for traffic violations, investigate accidents, and cooperate with other officers 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 department by this part and any other traffic ordinances of this city. Officers may issue written notice to appear to any driver of a vehicle involved in an accident when, based on personal investigation, the officer has reasonable and probable grounds to believe that the person has committed an offense under the provisions of the traffic code in connection with the accident.

Section 18-202 **Direction of Traffic by Hand or Voice.**

A. Officers of the police department or any officers designated by the chief of police are hereby authorized to direct traffic by voice, hand, or signal in conformance with traffic laws and ordinances. 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 and ordinances.

B. Officers of the fire department, when at the scene of a fire, or other emergency, may direct or assist the police in directing traffic in the immediate vicinity.

Section 18-203 **Direction of Traffic by Unauthorized Persons.**

No unauthorized person shall direct or attempt to direct traffic, except in case of emergency where no officer is present.

Section 18-204

Obedience to Police and Fire 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 18-205

Emergency and Experimental Regulations.

A. The mayor, subject to any directions which the council may give by motion or resolution, is empowered to adopt regulations necessary to make effective the provisions of the traffic ordinances of this Town and to make 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 Mayor may have traffic control devices tested under actual conditions of traffic.

Section 18-206

Push Carts, Riding Animals, or Driving Animal-drawn Vehicles to Comply with Code.

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

State Law Reference: Similar provisions; 47 O.S. Section 11-104.

Section 18-207

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 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 ordinances of this city.

Section 18-208

Public Officers and Employees to Obey Traffic Regulations.

The provisions of this chapter shall apply to the driver of any vehicle owned by or used in the service of the United States government, any state, county, city, or governmental unit or agency, as well as to other vehicles. It is unlawful for any such driver to violate any of the provisions of this chapter, except as otherwise permitted by state statute. This chapter shall not apply to the military forces of the United States and organizations of the National Guard when performing any military duty.

State Law Reference: Municipal drivers to obey state rules of the road, 47 O.S. Section 16-103.

Section 18-209

Persons Working on Streets, Exceptions.

Unless specifically made applicable, the provisions of this chapter, except those relating to reckless driving and driving while intoxicated, shall not apply to persons, teams, motor vehicles, and other equipment while actually engaged in work upon the surface of a street, or to persons, motor vehicles, and other equipment while actually engaged in construction, maintenance, or repair of public utilities. All street or highway and public utility operations shall be protected by adequate warning signs,

signals, devices, or flag persons. The provisions of this chapter shall apply to any of the persons and vehicles exempted by this Section when traveling to and from such work.

Section 18-210

Maintenance and Construction Zones.

A. Town personnel or contractors, while repairing or improving the streets of the city, and Town personnel and utility companies, when installing, improving, or repairing lines or other utility facilities in the streets, are hereby authorized as necessary, subject to control by the mayor, to close any street or section thereof to traffic during such repair, maintenance, or construction. In exercising this authority, the appropriate personnel, contractor or utility company shall erect or cause to be erected proper control devices and barricades to warn and notify the public that the street has been closed to traffic.

B. When any street has been closed to traffic under the provisions of Subsection A of this Section and traffic control devices or barricades have been erected, it is unlawful for any person to drive any vehicle through, under, over, or around such traffic control devices or barricades, or otherwise to enter the closed area.

The provision of this subsection shall not apply to persons entering the closed area or zone for the protection of lives or property. Persons having their places of residence or places of business within the closed area may travel, when possible to do so, through the area at their own risk.

C. Whenever construction, repair or maintenance of any street or utility line or facility is being performed under traffic, the Town personnel, contractor, or utility company concerned shall erect, or cause to be erected, traffic control devices to warn and guide the public. Every person using the street shall obey all signs, signals, markings, flag persons, or other traffic control devices which are placed to regulate, control, and guide traffic through the construction or maintenance area.

Section 18-211

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 ordinance 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 stated in this Section.

B. The driver of an authorized emergency vehicle may do any of the following when in pursuit of an actual or suspected violator of the law or ordinance or when responding to but not returning from a fire alarm:

1. Park or stand, irrespective of the provisions of this chapter;
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 life or property is not endangered; or
4. Disregard regulations governing direction of movement or turning in specific directions.

C. The exemptions granted in this Section to an authorized emergency vehicle shall apply only when the driver of any such vehicle is making use of audible and visual signals as required by law, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

D. The provisions of this Section 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 reckless disregard for the safety of others.

State Law Reference: Emergency vehicle driving rules, 47 O.S. Section 11-106.

Section 18-212 **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, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

B. This Section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

State Law Reference: Authorized emergency vehicles and their equipment, 47 O.S. Section 11-106, 11-405, and 12-218; approach of emergency vehicles, 47 O.S. Section 11-405.

Section 18-212.1 **Eluding Police Officers**

A. No person operating a motor vehicle who has received a visual and audible signal (a red light and a siren in the case of a clearly designated police vehicle driven by a police officer) directing the operator to bring his vehicle to a stop shall willfully increase his speed or extinguishes his lights or in any other manner attempt to or actually elude such police officer.

B. Any person convicted of violating any of the provisions of Subsection A shall be punished by a fine of not to exceed \$500.00, plus costs.

Section 18-213 **Following Emergency Vehicles Prohibited.**

The driver of any vehicle other than the one on official business shall not follow any police vehicle, ambulance, Emergency Management vehicle, fire apparatus, or other emergency vehicle traveling in response to an emergency call or request closer than five hundred (500) feet, or drive into or park such vehicle within the block where the emergency vehicle has stopped in answer to an emergency call.

State Law Reference: Similar provisions, 47 O.S. Section 11-1108(a).

Section 18-214

Crossing Fire Hose.

No vehicle shall be driven over any unprotected hose of a fire department used at any fire or alarm of fire, without the consent of the fire department official in command.

State Law Reference: Similar provisions 47 O.S. Section 11-1109.

Section 18-215

Possession of Valid Driver's License Required.

A. No person shall operate any motor vehicle on the highways without having in his possession at all times, when operating such motor vehicle, an unrevoked or unsuspended operator's or chauffeur's license as required by the laws of the state, unless such person is specifically exempted from such laws by the provisions thereof. No person charged with violating this Section shall be convicted if he produces in court an operator's or chauffeur's license issued to him and valid at the time of his arrest.

B. No person shall operate a motor vehicle in any manner in violation of any restriction that may be imposed in a restricted license issued to him.

State Law Reference: Driver's licenses, 47 O.S. Section 6-101.

Section 18-216

Operation of Vehicle on Invalid License Prohibited; Unlawful to Commit Other Unlawful Acts with Drivers License or Identification Card.

A. No person shall operate a motor vehicle when his privilege to do so is canceled, suspended, revoked or denied. Any person convicted of violating this Section shall be punished as provided in schedule of Fines section of this Code.. Each act of driving on the streets or highways as prohibited by this Section shall constitute a separate offense.

B. It is unlawful for any person

1. To lend one's own license or identification card to any other person or knowingly permit the use thereof by another,
2. To display or cause or permit to be displayed or to possess a license or identification card issued to oneself which bears altered information concerning the date of birth, expiration date, sex, height, eye color, weight or license or card number,
3. To permit any unlawful use of a license or identification card issued to oneself, or
4. To add to, delete from, alter, or deface the required information on a driver license or identification card.

Section 18-217

Unlawful to Operate Vehicle Without State Vehicle License.

It is unlawful to operate a vehicle of any kind upon a street of the Town without a state vehicle license as may be required by law or to fail to display the state vehicle license as may be required by law.

Section 18-218

Permitting Unauthorized Person to Drive Prohibited.

No person shall authorize or knowingly permit any vehicle owned by him or under his control to be driven upon any highway by any person who is not authorized under the provisions of the laws of the state to operate such vehicle.

Section 18-219

Accidents, Duty to Stop, Leaving Scene of Accident.

A. The driver of any vehicle involved in an accident resulting in injury to, or death of, any person shall immediately stop such vehicle at the scene of the accident, or as close thereto as possible and shall then forthwith return to, and in every event shall remain at the scene of the accident until he has fulfilled the requirements of Subsections C and D hereof. Every such stop shall be made without obstructing traffic more than is necessary.

B. The driver of any vehicle involved in an accident resulting only in damage to a vehicle, which is driven or attended by any person, shall immediately stop such vehicle at the scene of the accident, or as close thereto as possible, and shall forthwith return to, and in every event shall remain at the scene of the accident until he has fulfilled the requirements of Subsection C hereof. Every such stop shall be made without obstructing traffic more than is necessary.

C. The driver of any vehicle involved in an accident shall give his correct name and address and the registration number of the vehicle he is driving; and shall exhibit his operator's or chauffeur's license to the person struck, or the driver, or person injured in the accident reasonable assistance. If the driver does not have any operator's or chauffeur's license in his possession, he shall exhibit other valid evidence of identification to the occupants of a vehicle, or to the person collided with.

D. The driver shall upon request and if available exhibit his operator's or chauffeur's license and his security verification form, to the person struck or the driver or occupant of or person attending any vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the carrying of the person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person.

E. Any driver of any vehicle involved in an accident who is cited for any traffic offense where said accident resulted in the immediate death of any person shall submit to drug and alcohol testing as soon as practicable after such accident occurs. The traffic offense violation shall constitute probable cause for purposes of 47 O.S. Section 752 and the procedures found in Section 752 shall be followed to determine the presence of alcohol or controlled dangerous substances within the driver's blood system.

F. Any person failing to stop or to comply with any of the requirements of this Section shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided in Section 1-108 of this code.

State Law Reference: Similar provisions, accident reports, 47 O.S. Section 6-303.

Section 18-220

Duty of Striking Unattended Vehicles, Fixtures.

A. The driver of any vehicle which collides with a vehicle which is unattended shall immediately stop, and shall then and there either locate and notify the operator or owner of the vehicle, of the correct name and address of the driver and the owner of the vehicle striking the unattended vehicle, or

shall leave in a conspicuous place in or on the vehicle struck a written notice giving the correct name and address of the driver and of the owner of the vehicle doing the striking, and shall provide the same information to an officer having jurisdiction.

B. The driver of any vehicle involved in an accident resulting in damage to fixtures legally upon or adjacent to a street shall take reasonable steps to locate and notify the owner or person in charge of such property, of the fact, and of his name and address, and of the registration number of the vehicle he is driving, and shall exhibit his operator's or chauffeur's license, if the operator's or chauffeur's license is in his possession at that time, and the driver shall make report of such accident when and as required by law.

Section 18-221

Reporting Accidents.

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 in which it is apparent that damage to one vehicle or to the property is in excess of Three Hundred Dollars (\$300.00) shall, as soon as practicable, report such accident to a police officer or to the police department unless settlement of the collision has been made within six (6) months after the date of the accident. If a driver makes out a written report of the accident in the office of the police department as soon as practicable after the accident, which report is to be forwarded to the State Department of Public Safety in accordance with state law, the driver shall be deemed to be in compliance with this Section.

State Law Reference: Similar provisions, 47 O.S. Section 10-108.

Section 18-222

Issuance of Citation Tags.

A. Police officers are hereby authorized to give notice to persons violating provisions of this article by delivering citation tags to violators or, in cases where vehicles without drivers are parked or stopped in violation of this chapter, by affixing such tags to the vehicles by means of which the violation occurred. Such citation tags, among other things, shall bear briefly the charge, shall bear the registration number of the vehicle, and shall direct the violator to present the tag at the police station or other designated place within the time as may be specified thereon.

B. Nothing in this Section shall be construed to abridge the power of the police officer to arrest any violator and take him into custody.

C. The chief of police may require that the police officers use citation tags furnished by the Town and that such tags are serially numbered, and may regulate the use and handling of the citation tags.

Section 18-223

When Copies of Citations Shall Be Deemed a Lawful Complaint.

In the event that form of citation provided herein includes information and is sworn to, then such citation, when filed with the municipal court, shall be deemed to be a lawful complaint for the purpose of prosecution under this chapter.

Section 18-224

Failure to Comply with Traffic Citations Attached to Parked Vehicle.

If a violator of the restrictions on stopping, standing, or parking under the traffic laws or ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period of days as specified on the citation, the clerk of the municipal court may send to the owner of the motor

vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for the specified period of days, a warrant of arrest may be issued. On any occasion where two (2) or more such traffic citations have been affixed on the same motor vehicle and the traffic citations have been disregarded, a warrant of arrest may be issued without sending the letter provided in this Section.

Section 18-225 **Presumption in Reference to Illegal Parking.**

A. In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any law or regulation, together with the proof that the defendant named in the complaint was at the time of the parking the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred.

B. The presumption in Subsection A of this Section shall apply only when the procedure as prescribed in this Section has been followed.

Section 18-226 **Illegal Cancellation of Traffic Citations.**

It is unlawful for any person to cancel or solicit the cancellation of any traffic citation in any manner other than is provided by this chapter.

Section 18-227 **Court Records; Abstract to Be Sent to State Department of Public Safety.**

A. The municipal judge shall keep a record of every traffic citation deposited with or presented to the court and shall keep a record of every official action by the court or its traffic violations bureau in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal, and the amount of fine or forfeiture.

B. Within ten (10) days after the conviction or forfeiture of bail of a person upon a charge of violating any provision of this chapter or other law regulating the operation of vehicle on highways, the municipal judge or clerk of the court in which the conviction was had or bail was forfeited shall prepare and immediately forward to the State Department of Public Safety a certified abstract of the court's record of the case. An abstract need not be made of any conviction involving the illegal parking or standing of a vehicle.

C. The municipal judge or court clerk shall not make such a report of a conviction involving speeding if the speed limit is not exceeded by more than ten (10) miles per hour.

D. The abstract must be made upon a form furnished by the State Department of Public Safety and shall include the name and address of the party charged, the number of his operator's or chauffeur's license, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, whether bail was forfeited, and the amount of the fine or forfeiture.

Section 18-228 **Insurance or Certificate Required.**

A. The owner of a motor vehicle registered in this state and operating the vehicle within the city's boundaries, shall carry in such vehicle at all times a current owner's security verification form listing the

vehicle, or an equivalent form which has been issued by the State Department of Public Safety which shall be produced by any driver thereof upon request for inspection by any law enforcement officer and, in case of collision, the form shall be shown upon request to any person affected by the collision.

B. The following shall not be required to carry an owner's or operator's security verification form or an equivalent form from the department during operation of the vehicle and shall not be required to surrender such form for vehicle registration purposes:

1. Any vehicle owned or leased by the federal or state government, or any agency or political subdivision thereof;

2. Any vehicle bearing the name, symbol or logo of the business, corporation or utility on the exterior and which is in compliance with the Compulsory Insurance Law according to records of the Department of Public Safety and which reflect a deposit, bond, self-insurance, or fleet policy;

3. Any vehicle authorized for operation, under a permit number issued by the Interstate Commerce Commission, or the Oklahoma Corporation Commission;

4. Any licensed taxicab; and

5. Any vehicle owned by a licensed motor vehicle dealer.

C. For the purpose of this Section, the following terms shall have the meanings respectively ascribed to them in this Section:

1. "Owner's Policy" means an owner's policy of liability insurance which:

a. Shall designate by explicit description or by appropriate reference all vehicle with respect to which coverage is thereby to be granted;

b. Shall insure the person named therein and insure any other person, except as provided in Subparagraph C of this paragraph, using an insured vehicle with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, operation or use of such vehicle;

c. May provide for exclusions from coverage in accordance with existing laws; and

d. Shall be issued by an authorized carrier providing coverage in accordance with Section 7-204 of Title 47 of the Oklahoma Statutes;

2. "Operator's Policy" means an operator's policy of liability insurance which shall insure the named person against loss from the liability imposed upon him by law for damages arising out of the operation or use by him of any motor vehicle not owned by him, subject to the same limits of liability required in an owner's policy:

a. A policy or bond meeting the requirements of Section 7-204 of Title 47 of the Oklahoma Statutes;

- b. A deposit of cash or securities having the equivalency of limits required under Section 7-204 of Title 47 of the Oklahoma Statutes as acceptable limits for a policy or bond; or
- c. Self-insurance, pursuant to the provisions of Section 7-503 of Title 47 of the Oklahoma Statutes, having the equivalency of limits required under Section 7-204 of Title 47 of the Oklahoma Statutes as acceptable limits for a policy or bond;

4. "Compulsory Insurance Law" means the law requiring liability insurance in conjunction with the operation of a motor vehicle in this state as found in Article VI, Chapter 7, and Section 7-606 of Title 47 of the Oklahoma Statutes; and

5. "Security verification form" means a form, approved by the State Board for Property and Casualty Rates, verifying the existence of security required by the Compulsory Insurance Law of the State of Oklahoma;

D. Every operator of a motor vehicle registered in this state, shall while operating or using such vehicle within the city's boundaries, carry either an operator's or an owner's security verification form issued by a carrier, providing the operator is not excluded from the coverage thereon; or an equivalent form issued by the Department of Public Safety, reflecting liability coverage.

E. An owner or operator who fails to produce for inspection a valid and current security verification form or equivalent form which has been issued by the department upon request of any peace officer of the department shall be guilty of an offense and upon conviction shall be subject to a fine as provided in Section 1-108 of this code.

F. Any person producing proof in court that a current security verification form or equivalent form which has been issued by the department reflecting this liability coverage of such person was in force at the time of the alleged offense shall be entitled to dismissal of such charge. Court costs may be assessed by the city.

G. Upon conviction or bond forfeiture, the court clerk shall forward an abstract to the State Department of Public Safety within ten (10) days reflecting the action taken by the court.

State Law Reference: Similar provisions, 47 O.S. Section 7-601 et seq.

Section 18-229 Parking Of Certain Vehicles, Boats And Trailers Prohibited On Residential Streets And Residentially Zoned Lots Or Tracts; Exceptions; Penalties.

A. Except as otherwise provided, no person shall park a truck, bus, motor home, boat, recreational vehicle, livestock trailer, commercial trailer, travel trailer, camping trailer, hauling trailer, goose neck trailer, or any other type of trailer in excess of sixteen (16) feet in length, on any residential street or upon any residentially zoned lot or tract within the corporate limits of the Town. For purpose of this section the word "truck" shall mean any motor vehicle, truck, truck tractor, motor truck and trailer combination, or truck tractor and semitrailer combination, which exceeds 10,000 pounds gross vehicle weight (GVW). For purpose of this section, the word "bus" means every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation (state law reference 47 OS § 1-105; (Section 18-103.4 of this code).

B. Exceptions to prohibition:

When such motor home, boat, recreational vehicle, livestock trailer, commercial trailer, travel trailer, camping trailer, hauling trailer, goose neck trailer, or any other type of trailer in excess of sixteen (16) feet in length is:

1. Enclosed within a building on private property;
2. Parked in the backyard of the residence and not visible from the frontage street.

C. Any person, firm, corporation or other entity who shall by act or omission violate this section shall be guilty of an offense and if convicted shall be subject to a maximum fine of two hundred dollars (\$200.00) plus costs for a first offense, a maximum fine of three hundred and fifty dollars (\$350.00) plus costs for a second offense and a maximum fine of five hundred dollars (\$500.00) plus costs for a third and subsequent offense.

Note: Section was amended by Ordinance No. 2017-352 approved on August 28, 2017.

Section 18-230 Truck Route

1. Findings. The Board of Trustees adopts the above recitals as findings in support of the regulations imposed under this section and further makes the following additional findings:

a. The Town's local and collector streets are not designed or constructed to sustain consistent traffic by motor trucks and other large, heavy vehicles, and are susceptible to damage from excessive use thereby.

b. The Town's local and collector streets are typically narrow, and their width is often further constrained by the presence of on-street parking areas.

c. The Town's local and collector streets typically contain relatively small corner and centerline radiuses, impeding the turning ability of larger vehicles.

d. The Town's truck routes designed and constructed to higher load-bearing standards than the Town's local and collector roads.

e. The widespread operation of motor trucks and other large, heavy vehicles upon the Town's residential streets would likely cause extensive damage to the street surfaces and require costly, repeated repairs at the Town's expense, and would jeopardize pedestrian and vehicular safety.

f. Limiting motor truck traffic to the truck routes established by this section will provide an adequate opportunity for motor truck circulation while simultaneously protecting local streets.

g. The regulations contained in this section are a lawful and appropriate exercise of the Town's police power and will serve the public health, safety and welfare.

2. Purpose.

The purpose of this section is to regulate and restrict by classification vehicular traffic upon certain Town streets in order to prevent infrastructure damage, promote safe and efficient traffic flows, and preserve the integrity and safety of the Town's residential neighborhoods.

3. Operation of certain vehicles limited to designated truck routes.

Except as otherwise provided by this section, the operation of the following vehicles shall only occur upon and within the designated truck routes established pursuant to this chapter, and the State highway system within which such operation is unrestricted:

a. Any motor vehicle, truck, truck tractor, motor truck and trailer combination, or truck tractor and semitrailer combination, *which exceeds 10,000 pounds gross vehicle weight (GVW), including load.*

b. Any vehicle transporting radioactive material; or

c. Any vehicle transporting hazardous cargo.

4. Designated truck routes.

Except as otherwise provided by this section, the operation within the Town limits of any vehicle listed in subsection 3 hereinabove shall be restricted to the confines of (1) the OK state highway system, and (2) the following designated truck routes:

Route 1. US Highway 81.

Route 2. Kansas Street between US Highway 81 and 2nd Street

Route 3. 2nd Street between Kansas Street and Oklahoma Avenue

Route 4. Industrial Boulevard

Route 5. Railroad Avenue South of Oklahoma Avenue

5. Truck route map.

A map of the Town's designated truck routes is attached to this section as Exhibit A and is on file in the Office of the Town Clerk and is hereby incorporated herein by this reference as if fully set forth in full.

6. Exceptions.

The prohibitions set forth in this section shall not apply to the following:

a. Occasional delivery of materials necessary to construct or remodel an Okarche building or structure or necessary for the moving of furniture and/or other belongings to or from any residence or business or the delivery of mail, packages or other consumer products to any residence or business.

b. The off-street parking or storage of a motor home, recreational vehicle, camping trailer or other trailer at a residence or business located off of a designated truck route as otherwise permitted by this code.

c. Emergency vehicles.

d. Road construction and maintenance vehicles, while such vehicles are being used for road construction and maintenance purposes

e. Utility service vehicles, while such vehicles are being used for utility service purposes.

7. Enforcement; Penalty.

Any person, firm, corporation or other entity who shall, by act or omission, violate any provision of this section shall be guilty of an offense and if convicted shall be subject to a maximum fine of two hundred dollars (\$200.00) plus costs for a first offense, a maximum fine of three hundred and fifty dollars (\$350.00) plus costs for a second offense and a maximum fine of five hundred dollars (\$500.00) plus costs for a third and subsequent offense.

8. Signage. Pursuant to the section, the Town Administrator is hereby authorized and directed to ensure that appropriate signage is posted and maintained advising the public of the regulations imposed by this section. The regulations set forth shall neither take effect nor be enforced unless and until such signage has been posted.

Note: This Section was approved as Ordinance No. 2017-353 on August 28, 2017.

Article 3. **Vehicle Equipment, Inspection**

Section 18-301 **Certain Vehicles Prohibited, Vehicles Injurious to Streets.**

No vehicle or object which injures or is likely to injure the surface of a street, shall be driven or moved on any street.

State Law Reference: Required equipment of vehicles, 47 O.S. Section 12-101 et seq.

Section 18-302 **Obstructive and Dangerous Vehicles.**

No person shall drive any vehicle in such condition, so constructed, or so loaded, as to cause delay or be likely to cause delay in traffic, or as to constitute a hazard to persons or property, except by permit issued by the chief of police and in accordance with the terms of such permit.

Section 18-303

Equipment.

Every vehicle operated upon the streets of the Town shall be equipped as required by law. It is unlawful to operate a vehicle upon a street of the Town which is not equipped as required by law. It is unlawful to fail to use such equipment in the manner required by law, or to use it in a manner prohibited by law. It is unlawful to operate a vehicle which has equipment prohibited by law upon a street of the city.

State Law Reference: For state law relating to equipment, see 47 O.S. Section 12-201 et seq.

Section 18-304

Mufflers, Cut-outs.

It is unlawful for any person to operate a motor vehicle which shall not at all times be equipped with a muffler upon the exhaust thereof in good working order and in constant operation to prevent excessive or unusual noise. No muffler cut-out, by-pass or similar muffler elimination device, exhaust or vacuum whistle shall be used on any motor vehicle while operating within the city; however exhaust whistles may be used on authorized emergency vehicles.

Section 18-305

Width, Height, Length and Load.

No person shall drive or convey through any street any vehicle the width, height, length, weight, or load of which exceeds that authorized by state law, except in accordance with a permit issued by state authority or by the chief of police.

Cross Reference: See also Section 16-536 of this code on trucks.

State Law Reference: For state law relating to size, weight, and load, see 47 O.S. Section 14-101 et seq.

Section 18-306

Inspection of Vehicles.

A. No person shall drive or move on any road, street, or highway of this Town any motor vehicle, including motorcycles, trailers, semi-trailers, or pole trailers, which are licensed by the Oklahoma Tax Commission and operated on the streets or highways, of this city, or any combination thereof, unless the vehicle is:

1. In good working order and adjustment and is in such safe mechanical condition as not to endanger the driver or other occupants; and
2. Bearing a valid official inspection sticker issued by an official inspection station licensed by the Department of Public Safety.

The provisions of this Section shall not apply to any house trailer, which requires a permit to be moved upon the highways of this state.

B. Any person who violates the provisions of this Section shall upon conviction thereof, be subject to punishment as provided in Section 1-108 of this code.

Article 4. **Speed Regulations**

Section 18-401 **Speed Limits Generally, Exceptions.**

A. No vehicle shall be driven at a greater speed than twenty-five (25) miles per hour in the Town except;

1. On designated and numbered state and federal highways, the maximum is as posted;
2. Emergency vehicles being lawfully driven as provided in this code;
3. When a different speed limit is otherwise designated and posted; or
4. When a different speed limit is established and posted as required in this code.

B. Town personnel, subject to such direction as the Mayor may give by motion or resolution, may reduce or increase the speed limits provided in this code, and when so provided, appropriate signs shall be placed on such streets or parts of streets indicating the lower or higher speed limit.

State Law Reference: Basic and minimum speed rules, 47 O.S. Section 11-801, 11-804, Town powers 47 O.S. Section 22.1.

Section 18-402 **School Zones.**

No vehicle shall be driven at a greater speed than that posted speed per hour between the hours posted on any street adjacent to any school in a designated school zone on days when school is in session, unless a different speed limit or time is otherwise designated and posted.

State Law Reference: Local authority to set speed limits, 47 O.S. Section 18-102, 11-803.

Section 15-403 **Speed Never to Exceed That Which Is Reasonable or Prudent for Existing Conditions; Specifications.**

No person shall drive a vehicle at a speed greater or less than is reasonable or prudent under the conditions then existing, taking into consideration among other things, the condition of the vehicle, the traffic, roadway surface or width, the amount of light or darkness, the presence of pedestrians in or near the roadways, and the obstruction of views. No person shall drive any vehicle at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead.

Section 18-404 **Minimum Speed Requirements; Exceptions.**

No vehicle shall be driven at such an unreasonable slow speed in relation to the effective maximum speed allowed as to constitute a hazard or to interfere with the normal movement of other traffic except when the slow speed is unavoidable.

Section 18-405

Obedience to Maximum and Minimum Speed Limits.

Where official signs and markings give notice of both maximum and minimum speed limits in effect on any street, no vehicle shall be driven at rates in excess of the maximum nor slower than the minimum except as required by an authorized officer or in obedience to posted official signs.

Section 18-406

Outskirts of the Municipality; Special Enforcement Zones.

Special enforcement zones shall be those portions, if any, of the federal aid for primary highways and the state highway systems which are located on the outskirts and within the boundaries of the Town. The Council shall determine the boundaries of the outskirts of the Town, which may be determined by reference to the following factors:

- a. Low land use density;
- b. Absence of any school or residential subdivision requiring direct ingress or egress from the highway;
- c. Low volume of traffic on the highway; and
- d. A scarcity of retail or commercial business abutting the property.

Article 5 Driving, Overtaking, Passing

Section 18-501

Changing Lanes.

A. Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, in addition to all other rules consistent with this subsection, a vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from the lane until the driver has first ascertained that the movement can be made with safety and has signaled for a change of course.

B. Where streets or roadways do not have marked traffic lanes, vehicles shall nevertheless keep in line or follow a straight course as nearly as practical and shall not weave in and out or turn from side to side unnecessarily. Vehicles shall move to the right or left only as necessary in slowing or stopping adjacent to the curb, in passing slow moving vehicles or making a proper approach for a turn, and this only after the driver has first ascertained that such movement can be made safely and has signaled for a change of course.

C. Upon a roadway which has been 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 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 signposted to give notice of such allocation.

D. Official signs may be erected directing the slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway. Drivers of vehicles shall obey the directions of every such sign.

Section 18-502

Driving on Right Side of Roadway Required; Exceptions.

A. Upon all roadways of sufficient width a vehicle shall be driven to the right of the center of the roadway, except as follows:

1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

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

3. Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon; and

4. Upon a roadway designated and signposted for one-way traffic.

B. All vehicles shall keep to the right roadway on all streets or highways which are divided into two (2) roadways.

C. Upon all roadways, any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

State Law Reference: Similar provisions, 47 O.S. Section 11-301.

Section 18-503

When Overtaking on the Right Is Permitted.

A. The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

1. When the vehicle overtaken is making or about to make a left turn;

2. Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two (2) or more lines of moving vehicles in each direction; or

3. Upon a one-way street or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles.

B. The driver of a vehicle may overtake and pass another vehicle upon the right of way only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway.

Section 18-504

Overtaking a Vehicle on the Left.

A. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the street or roadway until safely clear of the overtaking vehicle.

B. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Section 18-505

Limitations on Overtaking on the Left; Exceptions.

A. No vehicle shall be driven to the left side of the center of the street or roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit the completion of the overtaking and passing without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every instance the overtaking vehicle must

return to the right-hand side of the roadway before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.

B. No vehicle at any time shall be driven to the left side of the roadway under the following conditions:

1. When approaching the crest of a grade, or upon a curve in the street or highway where the driver's view along the street or highway is obstructed; or

2. When approaching within one hundred (100) feet of any bridge, viaduct or tunnel or when approaching within fifty (50) feet of or traversing any intersection or railroad grade crossing.

Section 18-506

Passing Vehicles Proceeding in Opposite Directions.

Drivers of vehicles proceeding in opposite directions shall pass each other to the right. Upon roadways having a width from not more than one line of traffic in each direction each driver shall give to the other at least one-half (½) other main-traveled portion of the roadway as nearly as possible.

Section 18-507

One-way Roadways and Rotary Traffic Islands.

A. Town personnel, subject to any directions given by the council by motion or resolution, may designate any road, street, alley, or highway, or any separate roadway under their jurisdiction for one-way traffic and shall cause appropriate signs giving notice thereof, to be erected.

B. Whenever the Town designates any street or alley or part thereof as a one-way street or alley, Town personnel shall have placed and maintained 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.

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

D. Upon roadways designated and sign posted for one-way traffic a vehicle shall be driven only in the direction designated.

E. A vehicle passing around a rotary traffic island shall be driven only to the right of such island.

State Law Reference: Similar provisions, 47 O.S. Section 11-308.

Section 18-508

Following Too Closely.

The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

State Law Reference: Similar provisions, 47 O.S. Section 11-310.

Section 18-509

No Passing Zones.

A. The State Department of Transportation, as regards state and federal highways, and the Mayor as regards all other streets, are hereby authorized to determine those portions of any

highways where overtaking and passing to the left would be especially hazardous, and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones. When such signs or markings are in place and clearly visible to an ordinarily observant person, every driver shall obey the directions thereof.

B. Where signs or markings are in place to define a no-passing zone as set forth in Subsection A of this Section, no driver shall at any time drive to the left side of the roadway within the no-passing zone or on the left side of any pavement striping designed to mark the no-passing zone throughout its length.

Section 18-510 **Driving Through Funeral or Other Procession Prohibited; Exceptions .**

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 chapter. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

State Law Reference: Local powers to regulate processions, 47 O.S. Section 18-102.

Section 18-511 **Drivers in a Procession.**

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

Section 18-512 **Funeral Processions to Be Identified.**

A funeral composed of a procession of vehicles shall be identified by headlights or as may be determined and designated by the police department.

Section 18-513 **Overtaking and Passing in School Zones.**

A. No driver of a vehicle shall pass any other vehicle which is in motion and being driven in the same direction in any school zone between the hours posted on all days when schools are in session.

B. Wherever a school zone is located on a multiple lane street which is divided into three (3) or more clearly marked lanes for traffic or where the right half of the roadway has been divided into two (2) or more lanes, or on one-way streets, vehicles shall be allowed to pass slower moving vehicles being driven in the same direction where passing does not involve a change of lane movement.

Section 18-514 **Overtaking and Passing School Bus.**

A. The driver of a vehicle meeting or overtaking a school bus that is stopped to take on or discharge school children, and on which the red loading signals are in operation, shall stop the vehicle before it reaches the school bus and not proceed until the loading signals are deactivated and then proceed past such school bus at a speed which is reasonable and with due caution for the safety of such school children and other occupants.

B. The driver of any vehicle when passing a school bus shall use caution for the safety of school children and other occupants of the school bus.

C. Occupants of the school bus shall have the right of way when crossing the roadway immediately upon leaving the school bus.

State Law Reference: Similar provisions, 47 O.S. Section 11-705.

Section 18-515

School Bus Requirements; Lights; Signs; Painting .

A. The provisions of Section 18-514 of this code shall be applicable only if the school bus is painted yellow and bears upon the front and rear thereon a plainly visible sign containing the words "SCHOOL BUS" in letters not less than eight (8) inches in height which can be removed or covered when the vehicle is not in use as a school bus.

B. The school bus shall be equipped with four (4) red alternately flashing warning signal lights, two (2) of which shall be located high on the front and two (2) high on the rear of the vehicle. The lights shall be a minimum of four (4) inches in diameter and shall be widely separated.

State Law Reference: Similar provisions, 74 O.S. Section 11-705.

Section 18-516

Driving of Vehicles on Sidewalk Prohibited; Exception.

No person shall drive any vehicle within or upon any sidewalk area except at a permanent or temporary driveway.

Section 18-517

Limitations on Backing Vehicle.

The driver of a vehicle shall not back the vehicle unless such movement can be made with reasonable safety and without interfering with any other traffic. No vehicle shall be backed into an intersection.

Section 18-518

Limitations on Use of Motorcycles, Bicycles and Motor Scooters.

A. No driver of a two-wheel or three-wheel motor vehicle or bicycle shall carry any other person upon or within such vehicle on any street or highway, except as provided in this Section:

1. If any two-wheel or three-wheel motor vehicle with a wheel diameter of twelve (12) inches or greater or any bicycle shall have either a double seating device with double foot rests or a side car attachment providing a separate seat space within such sidecar attachment for each person riding therein so that such person shall be seated entirely within the body of the side car, then it shall be permissible for an operator who has attained the age of sixteen (16) or older to carry a passenger; and

2. A demonstration ride by a licensed dealer or his employee is permissible.

B. No motorcycle or motor scooter shall be ridden upon any sidewalk of the city.

C. No rider of a motorcycle, bicycle, or motor scooter shall hold onto any moving vehicle for the purpose of being propelled.

D. A person operating a motor scooter, motorcycle, motor-driven cycle, or motor bicycle, shall ride only on the permanent and regular seat attached thereto.

E. No driver of a motorcycle or motor scooter shall pass other vehicles in between lanes of traffic traveling in the same direction. Authorized emergency vehicles are excepted from the provisions of this subsection.

F. No person under the age of sixteen (16) shall operate any motorcycle, motor bicycle, or motor scooter within the Town between and during the hours of 10:00 P.M. of one day and 4:00 A.M. of the next day.

Required Motorcycle Equipment, Headgear.

A. In addition to all other requirements motorcycles and motor scooters shall be equipped with the following:

1. Handle bars which do not exceed twelve (12) inches in height, measured from the crown or point of attachment;
2. Two (2) mirrors, containing a reflection surface of not less than three (3) inches in diameter, mounted one on each side of the vehicle and positioned so as to enable the operator to clearly view the roadway for a distance of two hundred (200) feet to the rear of his vehicle;
3. Brakes adequate to control the movement of the vehicle, to stop and hold the vehicle, including two (2) separate means of applying the brakes. One means for applying the brakes shall be to effectively apply brakes to the front wheel, and one means shall be to effectively apply the brakes to the rear wheels. All such vehicles shall be equipped with a stop lamp on the rear of the vehicle which shall display a red or amber light, or any shade of color between red and amber, visible from a distance not less than one hundred (100) feet to the rear in normal sunlight, and which shall be activated upon application of the service brake;
4. A properly operating speedometer capable of registering at least the maximum legal speed limit for that vehicle shall be provided;
5. A fender over each wheel. All fenders shall be of the type provided by the manufacturer;
6. One lighted headlamp capable of showing a white light visible at least three hundred (300) feet in the direction in which the vehicle is proceeding, and one tail lamp mounted on the rear which, when lighted, shall emit a red light plainly visible from at least three hundred (300) feet to the rear. The lights required by this paragraph shall be burning whenever the vehicle is in motion during the period from one-half (½) hour after sunset to one-half (½) hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the streets are not clearly discernible at a distance of at least five hundred (500) feet ahead; and
7. A windshield of sufficient quality, size and thickness to protect the operator from foreign objects. In lieu of the windshield, the operator shall wear goggles or face shield of material and design to protect him from foreign objects.

B. No person under eighteen (18) years of age shall operate or ride upon any vehicle covered under this Section unless the person is equipped with and wearing on the head a crash helmet of the type and as not to distort the view of the driver. Such headgear shall comply with the regulations issued by the State Department of Public Safety as provided in Section 40-106G of Title 47 of the Oklahoma Statutes.

C. No person may operate a motorcycle or motor scooter with the exhaust system modified so that motor noise is increased greater than that of the original muffler equipment provided by the manufacturers of the vehicle.

Clinging to Vehicles Prohibited.

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

Section 18-521

Entering and Leaving Controlled Access Highways.

No person shall drive a vehicle onto or from any controlled-access highway except at entrances and exits established by public authority.

Section 18-522

Reckless Driving.

Any person who drives any vehicle in a wanton manner without regard for the safety of persons or property is guilty of reckless driving, and upon conviction thereof, shall be fined as provided in Schedule of Fees of this code.

State Law Reference: Similar provisions, 47 O.S. Section 11-901.

Section 18-523

Careless or Negligent Driving, Stopping, or Parking.

It is unlawful for any person to drive, use, operate, park, cause to be parked, or stop any vehicle:

- A. In a careless manner;
- B. In a negligent manner;
- C. In such a manner as to endanger life, limb, person, or property; or
- D. In such a manner or condition as to interfere with the lawful movement of traffic or use of the streets.

Section 18-524

Full Time and Attention Required.

The operator of every motor vehicle while driving upon the streets and highways of the Town shall devote full time and attention to such driving.

Section 18-525

Requirement of Any Person Driving a Vehicle on a Public Way to Operate Same in a Careful and Prudent Manner.

Any person driving a vehicle on a public road or way shall drive the same in a careful and prudent manner and at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface, and width of the public way and any other conditions then existing.

Section 18-526

Speed Contest Prohibited.

- A. No person shall engage in, aid or abet any motor vehicle speed contest or exhibition of speed on any street or highway.
- B. No person shall for the purpose of facilitating or aiding or as an incident to any motor vehicle speed contest upon any street or highway, in any manner obstruct or place any barricade or obstruction upon any street or highway.
- C. When three (3) or more persons assemble to witness or participate in any unlawful speed contest such assembly is unlawful assembly and any person who participates in such unlawful assembly is guilty of an offense.

Section 18-527

Driving Through Safety Zone.

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

Section 18-528

Reserved.

Section 18-529

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.

State Law Reference: Similar provision, 47 O.S. Section 11-1105.

Section 18-530

Obstructions to Driver's View or Driving Mechanism.

A. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

B. No passenger in a vehicle shall ride in such a position as to interfere with the driver's view ahead or to the sides or to interfere with his control over the driving mechanism of the vehicle.

Section 18-531

Boarding or Alighting from Vehicles.

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

Section 18-532

Unlawful Riding .

No person shall ride on any such vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to any employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.

Section 18-533

Private Service Drives.

No vehicles or animal shall be driven through any private service driveway or private service area except for the purpose of obtaining service or merchandise.

Section 18-534

Truck Routes.

The Town Board of Trustees may prescribe routes through the Town for the use of trucks in general, trucks or particular kinds or other vehicles which are not ordinary private passenger vehicles, passing through the city. Appropriate and adequate signs shall be placed along such routes so that drivers of such vehicles may follow the routes. When such signs are so erected and in place, the driver of a truck or other vehicle for which a route has been prescribed, as provided above, while passing through the city, shall keep on such route and shall not deviate therefrom except in case of an emergency. Drivers of such vehicles shall follow such routes so far as practicable also when driving within the Town and not merely through the city.

Section 18-535

Loads on Vehicles.

A. No vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking, blowing or

otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining the roadway.

B. No person shall operate on any highway any vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway. Any vehicle loaded with sand, cinders, or other loose material susceptible to blowing or escaping by reason of wind shall have the load covered or dampened so as to prevent the blowing or escaping of the load from the vehicle.

Section 18-536 **Vehicle Approaching or Entering Intersection.**

A. When two (2) vehicles enter or approach an uncontrolled intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right as otherwise stated in this chapter; however, the driver of vehicle on a street which is not a state or federal highway approaching an intersection with a state or federal highway shall stop and yield the right-of-way to a vehicle which has entered the intersection or which is so close thereto as to constitute an immediate hazard.

B. The right-of-way rule declared in Subsection A of this Section is modified at through highways as otherwise stated in this chapter.

State Law Reference: Right of way at intersections, 47 O.S. Section 11-401.

Section 18-537 **Vehicle Turning Left at Intersections.**

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. After so yielding and having given signal when and as required by this code, the driver may make the left turn and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn.

State Law Reference: Similar provisions, 47 O.S. Section 11-402.

Section 18-538 **Vehicle Approaching a "Yield Right-of-way" Sign.**

The driver of a vehicle approaching a "Yield Right-of Way" sign shall slow to a reasonable speed for existing conditions of traffic and visibility, yielding the right-of-way to all vehicles on the intersecting street or highway which have entered the intersection or which are so close as to constitute an immediate hazard.

State Law Reference: Similar provisions, 47 O.S. Section 11-403.

Section 18-539 **Vehicle Entering Through Highway.**

Except when directed to proceed by a police officer or a traffic control signal, every driver of a vehicle shall stop as required by this code at the entrance to a through highway and shall yield the right-of-way to other vehicles which have entered the intersection from the through highway, or which are approaching so closely on the through highway as to constitute an immediate hazard.

Section 18-540 **Vehicles Facing Stop, Slow, Warning or Caution Signal.**

If the two (2) or more vehicles face stop, slow, warning or caution signs or signals at an intersection and are approaching as to enter the intersection at the same time, the following rules shall apply: If each vehicle is required to stop, the vehicle coming from the right shall have the right-of-

way. If each vehicle is required to slow, the vehicle coming from the right shall have the right-of-way. If each vehicle is required to take caution, the vehicle coming from the right shall have the right-of-way. If one vehicle is required to slow and the other to take caution, the one required to take caution shall have the right-of-way. In any event, a vehicle which has already entered the intersection shall have the right-of-way over one which has not entered the intersection.

Section 18-541 **Through Streets.**

A. Town personnel, subject to such direction as the council may give, may designate any street or part of a street a through street.

B. Whenever the Town designates and describes a through street, the stop sign, or yield sign if deemed more appropriate, shall be placed and maintained on every street intersecting a through street, or intersecting that portion thereof, unless traffic at such intersection is controlled at all times by traffic control signals.

C. 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 the streets as may be determined by the Town if deemed desirable.

Section 18-542 **Intersections Where Stop or Yield Required.**

The mayor, subject to any directions given by the council by motion or resolution, is hereby authorized to determine and designate intersections upon other than through streets where particular hazards exist and to determine whether:

1. Vehicles shall stop at one or more entrances to any such stop intersection, in which event he shall cause to be erected a stop sign at every such place a stop is required; or

2. Vehicles shall yield the right-of-way to vehicles on a different street as provided in this part in which event he shall cause to be erected a yield sign at every place where yield is required.

Section 18-543 **Stop or Yield Sign Construction and Placement.**

Every stop or yield sign erected pursuant to this chapter shall bear the word "Stop" or "Yield" in letters not less than eight (8) inches in height for a stop sign and not less than seven (7) inches in height for a yield sign. Every stop or yield sign shall at night be rendered luminous by steady or flashing internal illumination, by a fixed floodlight projected on the face of the sign, or by efficient reflecting elements on the face of the sign. Every stop or yield sign shall be located as close as practicable to the nearest line of the crosswalks on the near side of the intersection or if there is not crosswalk, then the sign shall be located at the nearest line of the intersecting roadway.

Section 18-544 **Vehicle Entering Stop Intersection.**

Except when directed 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. In the event there is no crosswalk, the driver shall stop at a clearly marked stop line before entering the intersection. If there is not marked stop line, then the driver shall stop at the point nearest the intersecting road where the driver has a view of approaching traffic on an intersecting roadway before entering the intersection. A driver after having stopped shall yield the right-of-way to any vehicle which has entered the intersection from another highway or road, or which is approaching so close as to constitute immediate hazard; but the driver having so yielded may then proceed the driver of all other vehicles approaching the intersection shall yield the right-of-way to the vehicle so proceeding.

Section 18-545

Vehicle Entering Yield Intersection.

The driver of a vehicle approaching a yield sign shall, in observance to such sign, slow down to a speed reasonable for the existing condition or shall stop if necessary and shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving and to any vehicle in the intersection or approaching on another road so closely as to constitute an immediate hazard. The driver having so yielded may then proceed and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding. A driver who enters a yield intersection without stopping and has or causes a collision with a pedestrian at a crosswalk or a vehicle in the intersection shall prima facie be considered not to have yielded as required herein. The provisions of this Section shall not release the drivers of other vehicles approaching the intersection at such a distance as not to constitute immediate hazard from the duty to drive with due care to avoid a collision. 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 before entering the intersection; if there is no crosswalk, the driver shall stop at a clearly marked stop line, or if there is no stop line, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.

Section 18-546

Vehicle Entering Highway from Private Road or Driveway.

The driver of a vehicle about to enter, leave or cross a highway from or into a private road or driveway shall yield the right-of-way to all vehicles approaching on the highway.

State Law Reference: Similar provisions, 47 O.S. Section 11-404.

Section 18-547

Vehicles Entering Traffic from Parking.

Any vehicle attempting to re-enter traffic while parked at the curb shall yield the right-of-way to oncoming traffic in the street approaching from the rear. The parked vehicle shall proceed into the line of traffic only after the driver has given the appropriate signal which indicates his intention of turning from the curb and into the line of traffic. The vehicle shall in no event enter the line of traffic until the driver has ascertained that no hazard exists.

Section 18-548

Emerging from the Alley, Driveway, or Building.

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

State Law Reference: Similar provisions, 47 O.S. Section 11-704.

Section 18-549

Stop When Traffic Obstructed .

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

Section 18-550

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 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. A railroad train approaching within approximately one thousand five hundred (1,500) feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard; or

4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

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

Section 18-551

Certain Vehicles to Stop at All Railroad Grade Crossings .

A. The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad, and while so stopped, shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required herein and upon proceeding when it is safe to do so, the driver of any such vehicle shall cross only in such gear of the vehicle that there will be no necessity for changing gears while traversing such crossing, and the driver shall not shift gears while crossing the track or tracks.

B. No stop need be made at any such crossing where a police officer or traffic control signal directs traffic to proceed.

Section 18-552

Seat Belts and Child Passenger Restraints Required .

A. Every operator and front seat passenger of a passenger car operated in this Town shall wear a properly adjusted and fastened safety belt system, required to be installed in the motor vehicle when manufactured pursuant to Federal Motor Vehicle Safety Standard 208. For the purposes of this Section, "passenger car" shall mean "automobile" as defined in Section 22.1 of Title 47 of the Oklahoma Statutes, except that "passenger car" shall not include trucks, pick-up trucks, truck-tractors, recreational vehicles, vans, motorcycles or motorized bicycles.

B. Subsection A shall not apply to an operator or passenger of a passenger car in which the operator or passenger possesses a written verification from a physician licensed in this state that he is unable to wear a safety belt system for medical reasons. The issuance of such verification by a physician, in good faith, shall not give rise to, nor shall such physician thereby incur, any liability whatsoever in damages or otherwise, to any person injured by reason of such failure to wear a safety seat belt system. Subsection A shall not apply to an operator of a motor vehicle who is a route carrier of the U.S. Postal Service.

C. Every driver when transporting a child under four (4) years of age in a motor vehicle operated on the roadways, streets, or highways of this Town shall provide for the protection of the child by properly using a child passenger restraint system or a properly secured set belt in the rear seat of the motor vehicle. For purposes of this subsection, "child passenger restraint system: means an infant or child passenger set by the United States Department of Transportation. Children four (4) or

five (5) years of age shall be protected by the use of a child passenger restraint system or a seat belt. The provisions of this subsection shall not apply to:

1. A nonresident driver transporting a child in this state;
2. The driver of a school bus, taxicab, moped, motorcycle, or other motor vehicle not required to be equipped with safety belts pursuant to state or federal laws;
3. The driver of an ambulance or emergency vehicle;
4. A driver of a vehicle if all of the seat belts are in use; and
5. The transportation of children who for medical reasons are unable to be placed in such devices.

A law enforcement officer is hereby authorized to stop a vehicle if it appears that the driver of the vehicle has violated the provision of this Section and to give an oral warning to the driver. The warning shall advise the driver of the possible danger to children resulting from the failure to install or use a child passenger restraint system or seat belts in the motor vehicle. A person who violates the provisions of this subsection shall not be subject to any criminal penalty. A violation of the provisions of this subsection shall not be admissible as evidence in any civil action or proceeding for the damages. If any action brought by or on behalf of an infant for personal injuries or wrongful death sustained in a motor vehicle collision, the failure of any person to have the infant properly restrained in accordance with the provisions of this subsection shall not be used in aggravation or mitigation of damages.

D. No law enforcement officer shall make routine stops of motorists for the purpose of enforcing subsection A of this Section. Any person convicted of violating subsection A of this Section shall be punished by a maximum fine as set by state law or by the city, whichever is greater, and court costs.

Article 6. **Traffic Control Devices**

Section 18-601 **Authority to Install Traffic Control Devices.**

Town personnel, subject to any directions given by the council by motion or resolution, shall have placed and maintained traffic control signs, signals, and devices when and as required under the traffic ordinances of this Town to make effective the provisions of such ordinances, and may have placed and maintained such additional traffic control signs, signals, and devices as he may deem necessary to regulate traffic under the traffic ordinances of this Town or under state law or to guide or warn traffic.

Cross-Reference: For state law relating to traffic control devices, see 47 O.S. Section 11-201 et seq.

Section 18-602 **Traffic Control Devices; Uniform Requirements.**

A. All traffic control signs, signals, and devices shall conform to the manual of Uniform Traffic Control Devices approved by the State Department of Public Safety.

B. All signs, signals, and devices required hereunder for a particular purpose shall so far as practicable be uniform as to type and relative location throughout the city. All traffic control devices erected and not inconsistent with the provisions of state law or this chapter shall be official traffic control devices.

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto, placed in accordance with the provisions of this chapter, unless otherwise directed by a traffic or police office, subject to the exemptions granted the driver of an authorized emergency vehicle in this part.

State Law Reference: Drivers to obey traffic devices, 47 O.S. Section 11-201.

No provision of this chapter 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 eligible to be seen by an ordinarily observant person. If 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.

The display of signal lights, arrows and words shall be deemed to have the following meanings and requires the appropriate response on the part of vehicular traffic and pedestrians:

1. Green alone, "Go":
 - a. Vehicular traffic facing the signal, except when prohibited, may proceed straight through or turn right or left unless an official sign at such place prohibits such turn, but any vehicle and any pedestrian lawfully within the intersection or adjacent crosswalk at the time the signal displays green shall have the right-of-way over such vehicular traffic; and
 - b. Pedestrian traffic, facing a green signal may proceed across the roadway within any marked or unmarked crosswalk unless a "walk" signal indicator is operating;
2. Steady yellow or amber alone, "caution":
 - a. The showing of such signal color following green shall constitute a warning that the "red" or "stop" signal will be exhibited immediately thereafter; and
 - b. Vehicles facing the signal shall stop before entering the near side crosswalk or at the limit line, if it is marked, unless the vehicle is so near the limit line when the "caution" signal first flashes that a stop cannot be made in safety, in which event vehicle may proceed cautiously through the intersection and clear the same before the "red" signal flashes;
3. Red alone, "stop":
 - a. Vehicular traffic facing the signal stop before entering the crosswalk and shall remain standing until green or "go" is shown alone. Except where official signs are erected prohibiting such turns, vehicles in the right traffic lane, after making a full stop as required, may enter the intersection cautiously and make a right turn, but such vehicles shall yield the right-of-way to any pedestrians or other traffic in the intersection and the turn shall be made so as not to interfere in any way with traffic proceeding on a green signal indication on the cross street; and

- b. Pedestrians facing the signal shall not enter or cross the roadway when such movement interferes with traffic proceeding on a green signal indication on the cross street, or when the movement cannot be made in safety. No pedestrian facing such signal shall enter the roadway until the green or "go" is shown alone unless authorized to do so, by a pedestrian "walk" signal;

4. Steady red with green arrow:

- a. Vehicular traffic facing such signal when in the proper traffic lane may cautiously enter the intersection only to make the movement indicated by the arrow, but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection. If the movement indicated by the green arrow is a left turn, the left turn shall be made only on the red with green arrow signal; and
- b. No pedestrian facing such signal shall enter the roadway until the green or "go" is shown alone unless authorized so to do by a pedestrian "walk" signal; and

5. Green arrows alone. Whenever vehicular traffic movements are controlled by green arrows alone and not displayed with any other signal indication, vehicles facing such signals may make the movements indicated by the green arrows and the movements shall be made only when the green arrows are displayed.

State Law Reference: Similar provisions, 47 O.S. Section 11-202.

Section 18-606 **Pedestrians; Signal Indicators; Regulations.**

Special pedestrian control signals exhibiting the words "walk," "wait" or "don't walk" shall regulate pedestrian movement 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; and
- 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 crossing on the "walk" signal shall proceed to a sidewalk or safety zone while the "wait" signal is showing.

Section 18-607 **Flashing Signals.**

A. Whenever a flashing red or yellow signal is illuminated, it shall require obedience by vehicular traffic as follows:

1. "Flashing Red." When a red light is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign; and

2. "Flashing Yellow." When a yellow light is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection, or pass such signal only with caution.

B. This Section shall not apply at railroad crossings.

State Law Reference: Similar provisions, 47 O.S. Section 11-204.

Whenever a pedestrian-activated school crossing signal is provided, it requires obedience by vehicular traffic and pedestrians as follows:

1. "Flashing Yellow":
 - a. When a yellow lens is illuminated with rapid intermittent flashes, drivers or operators of vehicles may proceed through the intersection or pass such signal only with caution; and
 - b. Pedestrians shall not proceed in conflict with traffic, but may activate the signal control switch, and shall wait until steady red alone is shown before entering the roadway or intersection controlled by the signal;
2. "Steady yellow alone":
 - a. Vehicular traffic facing the signal is thereby warned that the red of "stop" signal will be exhibited immediately thereafter, and such vehicular traffic shall not enter or be crossing the intersection or pass the signal when the red or "stop" signal is exhibited; and
 - b. No pedestrian shall enter the roadway or intersection on which the signal controls vehicular traffic until steady red alone is shown;
3. "Steady red":
 - a. Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection, and shall remain standing until flashing yellow is shown alone;
 - b. Pedestrians may proceed across the road controlled by the signal, and shall be given the right-of-way by the drivers of all vehicles; and
4. "Steady red and steady yellow combined":
 - a. Vehicular traffic facing the signal is thereby warned that the flashing yellow signal will be exhibited immediately thereafter, and that such vehicular traffic shall remain standing until the flashing yellow is shown alone; and
 - b. Pedestrians are thereby warned that the flashing yellow signal is about to be shown, and shall not enter the signal-controlled roadway or intersection, or in a direction which conflicts with the movement of vehicular traffic; but any pedestrian who has partially completed his crossing shall proceed to the nearest sidewalk or safety island, and shall be given the right-of-way by the drivers of all vehicles.

State Law Reference: Similar provisions, 47 O.S. Section 11-203.

A. No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal.

B. No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign, signal, or device bearing thereon any commercial advertising.

C. This Section shall not prohibit the erection upon private property adjacent to highways of signs giving useful directional information which are of a type that cannot be mistaken for official signs.

D. Every prohibited sign, signal, marking or device may be removed without notice.

State Law Reference: Similar provisions, 47 O.S. Section 11-206.

Section 18-610 **Defacement of Traffic Control Devices.**

A. No person shall without lawful authority attempt to or in fact alter, destroy, deface, molest, interfere, tamper, injury, knock down, remove or have in his possession any traffic control device or any railroad sign or signal or any inscription, shield or insignia thereon, or any part thereof.

B. This chapter shall not apply to any of the following persons when acting within the scope and duty of their employment:

1. Any officer, agent, independent contractor, employee, servant or trustee of any governmental agency; or

2. Any officer, agent, independent contractor, employee, servant or trustee of any contractor, public utility or railroad company.

State Law Reference: Similar provisions, 47 O.S. Section 11-207.

Section 18-611 **Play Streets, Authority to Establish.**

Town personnel, subject to any directions given by the council, shall have authority to declare any street or part thereof a play street and to have placed appropriate signs or devices in the roadway indicating and helping protect the same.

Section 18-612 **Play Streets, Restriction on Use.**

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 such driver shall exercise the greatest care in driving upon any such street or portion thereof.

Section 18-613 **Designation of Crosswalks and Safety Zones.**

Authorized Town personnel, subject to any directions given by the council, may:

1. Designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway and crosswalks at intersections, where in his opinion, there is particular danger to pedestrians crossing the roadway, and at such other places as deemed necessary; and

2. Establish safety zones or islands of such kind and character and at such places as deemed necessary for the protection of pedestrians.

Section 18-614

Traffic Lanes.

A. Town personnel, subject to any directions given by the council, may be authorized to have traffic lanes marked upon the roadway of any street where a regular alignment of traffic is necessary.

B. Where such traffic lanes have been marked, it is 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 or otherwise authorized by ordinance.

State Law Reference: Similar provisions, 47 O.S. Section 11-309.

Article 7. **Stopping, Standing and Parking Generally**

Section 18-701

Illegal Parking Declared Public Nuisance.

Any vehicle in violation of any regulation contained in this chapter governing, limiting or prohibiting the parking or standing of a vehicle on any street or public thoroughfare is hereby declared to constitute a public nuisance, and each separate traffic citation issued as authorized herein for such violation shall constitute a separate notice thereof to the owner or operator of such vehicle.

Section 18-702

Application of Standing or Parking Regulations.

The provisions of this chapter shall not be applicable when it is necessary for a vehicle to stop to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

Section 18-703

Parking Time Limits May Be Established, Signs.

Town personnel, subject to directions given by the council by motion or resolution, may establish parking time limits or prohibit parking on designated streets or parts of streets and have appropriate signs placed on the streets. When the signs are in place, it is unlawful for any person to park a vehicle in violation of the sign. No such time limits shall be effective unless a sign is erected and in place at the time of the alleged violation.

Section 18-704

Parking More than Forty-eight (48) Hours, Disabled Vehicles.

No person shall park any vehicle or trailer on any street for a period of time longer than forty-eight (48) hours. This Section shall not affect parking limits established for shorter periods.

Section 18-705

Brakes; Motor Not to Be Left Running.

Adequate brakes shall be set on all parked vehicles. No driver of a motor vehicle shall leave the vehicle with the motor running while parked.

Section 18-706

Signs or Markings Indicating Angle Parking.

The mayor, subject to any direction by the Town Board of Trustees by motion or resolution, shall determine upon what streets and parts of streets angle parking shall be permitted, and shall have such streets marked or signed.

Section 18-707

Obedience to Angle Parking Signs or Markings.

On those streets which have been so signed or marked 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 18-708

Parking in Spaces Marked off.

In an area where parking spaces have been marked off on the surface of the street, a driver parking a vehicle shall park it within a parking space as thus marked off, and not on or over a line delimiting a space.

Section 18-709

Permits for Loading or Unloading at an Angle to the Curb.

A. The Mayor 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. The Mayor may revoke such permits at any time.

B. It is unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

Section 18-710

Hazardous or Congested Places; Stopping, Standing, Parking .

A. Town personnel are hereby authorized to determine and regulate by proper signs the stopping, standing, or parking of vehicles when such stopping, standing or parking 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 in Subsection A of this Section, no person shall violate such signs.

Section 18-711

Stopping, Standing or Parking Prohibited in Specified Places.

A. No person shall stop, stand, or park a vehicle, except in emergencies or when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device in any of the following places:

1. On a sidewalk, sidewalk area, or between the sidewalk and the street;
2. In front of a public or private driveway;
3. Within an intersection;
4. Within fifteen (15) feet of a fire hydrant except in a parking space officially marked;
5. On a crosswalk;
6. Within twenty (20) feet of a crosswalk at an intersection;
7. Within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway;

8. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length has been indicated by signs or markings;

9. Within fifty (50) feet of the nearest rail of a railroad crossing;

10. Within twenty (20) feet of the driveway entrance to any fire station, and on the side of the street opposite the entrance of any fire station within seventy-five (75) feet of the entrance when properly signposted;

11. Alongside or opposite any street excavation or construction when stopping, standing, or parking would obstruct traffic;

12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.

13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

14. At any place where official signs prohibit stopping.

B. No person shall move a vehicle not lawfully under his control into any prohibited area or any unlawful distance away from a curb.

State Law Reference: Similar provisions, 47 O.S. Section 11-1003.

Section 18-712 **Blocking of Intersection or Crosswalk Prohibited .**

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 vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

Section 18-713 **Standing or Parking on One-way Roadway.**

A. If a highway includes two (2) or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of the one-way roadway unless signs are erected to permit such standing or parking.

B. The Town Board of Trustees may 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 18-714 **Standing or Parking on Left Side of One-way Streets .**

Town personnel may have signs erected upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles. When the signs are in place, no person shall stand or park a vehicle in violation of any such sign.

Section 18-715 **Parking Adjacent to Schools .**

A. Town personnel may have signs erected indicting no parking upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.

B. No person shall park a vehicle in violation of any such sign.

Section 18-716

Parking Prohibited at Intersections.

The parking of vehicles at the curb where streets intersect shall be prohibited fifteen (15) feet in advance of the crosswalk on the near side of such intersection.

Section 18-717

Parking in Alleys, Blocking Driveways.

No person shall park a vehicle within a street or alley in such a manner or under such conditions as to leave available less than twenty (20) feet of the width of the roadway for the free movement of vehicular traffic. No person shall stop, stand or park a vehicle within a street or alley in such position as to block a driveway entrance to any abutting property.

Section 18-718

Entry on Private Property; Trespass; Evidence; Burden of Proof.

A. No person shall make an entry with any vehicle upon real property owned or legally occupied by another without the owner's or occupant's consent except where such private property is provided as public parking and the general use of the property is not restricted by signs or proper markings.

B. Where entry is made upon real property owned or legally occupied by another without the owner's or occupant's consent, except on unrestricted public parking, and is complained of by the owner or legal occupant of the premises, the burden is put upon the person making the entry to show that permission for such entry was given.

Section 18-719

Parking on Main Traveled Portion or Roadway.

A. Upon any street, no person shall stop, park, or leave standing any vehicle, whether attended or unattended upon the paved or main traveled part of the street when it is practical to stop, park, or leave the vehicle off such parts of the street, except that delivery vehicles, either loading or unloading, may park in the center of street, while in the process of loading or unloading and making delivery to or pick up at any local business establishment.

B. This Section shall not apply to the driver of any vehicle which is disabled while on the paved or main traveled portion of a street in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such position.

Section 18-720

Double Parking Prohibited.

A. No vehicle shall be double parked on any street within the Town limits, except in compliance with the directions of a police officer, or traffic control device, or except when necessary to avoid conflict with another vehicle.

B. Delivery vehicles, either loading or unloading, may double park in the right-hand lane while in the process of loading or unloading and making delivery to local business establishments; provided that the driver of the delivery vehicle shall keep a lookout for cars and vehicles needing or attempting to move away from the curb and shall move his delivery vehicle as soon as possible to permit the parked vehicles to be moved and further providing that the double parking shall be permitted only so long as both traffic lanes are not blocked.

Section 18-721

Truck Parking Prohibited; Trucks Transporting Hazardous Materials Prohibited.

A. Except as otherwise permitted by the Zoning Ordinance, it is unlawful for any person to park a semi-truck, a semi-trailer, a livestock trailer, a commercial trailer or any other type of trailer

in excess of sixteen (16) feet in length, including but not limited to, travel trailer, camping trailer and hauling trailer on any street or alley in any residential area in the Town of Okarche, Oklahoma.

B. It is unlawful to park, store or otherwise let stand a truck or other vehicle which is used for the purpose of transporting or delivering flammable and combustible liquids as defined by the Fire Prevention Code and trucks or other vehicles which are used for the transportation and delivery of liquefied petroleum gases in any area within the city. However, the trucks and vehicles restricted in this Section may be temporarily parked at locations otherwise zoned for the purpose of loading and unloading flammable and combustible liquids and liquefied petroleum gases for a period not to exceed one and one-half (1 1/2) hours during any twenty-four (24) hour period.

Section 18-722 **Parking for Certain Purposes Prohibited .**

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

1. Displaying the vehicle for sale;
2. Displaying advertising or displaying merchandise or other things for sale or selling merchandise or other things; or
3. Washing, cleaning, or repairing the vehicle, except for repairs necessitated for emergency.

Section 18-723 **Method of Parking, 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 the vehicle parallel to and within eighteen (18) inches of the right-hand curb. Any vehicle stopped or parked upon the left-hand side of a one-way street where there are adjacent curbs shall be parked or stopped with the left-hand wheels parallel to and within eighteen (18) inches of the left-hand curb.

State Law Reference: Parking rules, 47 O.S. Section 11-1004.

Section 18-724 **Negligent Parking.**

No person shall park, cause to be parked, stop or leave unattended any vehicle as follows:

1. In a careless or negligent manner;
2. In such a manner as to endanger life, limb, person, or property; or
3. In such manner as to endanger or interfere with the lawful traffic or use of the streets.

Section 18-725 **Right-of-way to Parallel Parking Space.**

A. The driver of any vehicle intending to occupy a parallel parking space where a backing movement is necessary and which is being vacated by another vehicle shall stop his vehicle to the rear of the parking space until the vacating vehicle has cleared and entered normal traffic. He then shall be deemed to have the right-of-way to such parking space over any other vehicle attempting to park therein.

B. The first of two (2) or more vehicles to reach the rear boundary of an unoccupied parallel parking space where a backing movement is necessary to occupy, shall be deemed to have the right-of-way to such parking space.

A. It is unlawful for any person to place or park a motor vehicle in any parking space on private property accessible to the public and where the public is invited or public property that is designated and posted as a reserved area for parking of motor vehicles of a physically disabled person unless such person has a physical disability insignia as under the provisions of Section 15-112 of Title 47 of the Oklahoma Statutes, and such insignias are displayed as provided in Section 15-112 of Title 47 of the Oklahoma Statutes or regulations adopted pursuant thereto.

B. Any person who shall violate any of the provisions of this Section shall be guilty of an offense and upon conviction thereof shall be punishable by a fine as provided in Section 1-108 of this code.

State Law Reference: Handicapped insignia, application and display on vehicles, 47 O.S. Section 15-112.

Section 18-727 Engine Brake Prohibited In City Limits

A. Definition: For purpose of this section the following words and phrases are defined as follows:

The term "engine retarding brake system" shall mean a "Dynamic Brake", "Jake Brake", "Jacobs Brake", "Paccar Brake", transmission brake or any other engine retarding brake system that alters the normal compression of the engine and subsequently releases that compression, resulting in excessive, loud or explosive noise from such vehicle.

B. Prohibition: It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated any engine retarding brake system within the corporate limits of the Town of Okarche, unless such use is necessary to avoid an imminent danger.

C. Signage. After receiving the permission of the Oklahoma Department of Transportation, appropriate signs may be placed at each entrance to the Town of Okarche advising drivers of this prohibition.

D. Exception. Emergency vehicles shall be exempt from the application of this section.

Note: This Section was adopted as Ordinance No. 2017-348 approved on January 30, 2017.

Article 8. Loading**Section 18-801****Definitions.**

As used in this chapter:

1. "Freight loading zones" means all curb loading zones authorized and regularly used exclusively for the loading and unloading of merchandise for storage, trade, shipment or re-sale;
2. "Commercial vehicle" means:
 - a. A truck designated for delivery purposes with the name of the owner or his business painted on both sides of the vehicle, regularly used during normal business hours for the delivery and handling of merchandise or freight and which bears a regular state commercial license tag;

- b. A passenger vehicle used regularly and actually engaged during normal business hours in the delivery and handling of merchandise or freight, and which bears a special numbered license plate issued by the Town at the rear of the vehicle attached to the state license plate together with an identically numbered decal, issued vehicle; and
- 3. "Passenger loading zone" means all loading zones authorized and used regularly and exclusively for the loading and unloading of passengers except bus stops, taxicab stands, and stands for other passenger common carrier vehicles.

Section 18-802 **Curb Loading Zones, Designation.**

A. The mayor, subject to any directions given by the council by motion or resolution, may determine the location of passenger and freight curb loading zones and shall have placed and maintained appropriate signs indicating the zones and stating the hours during which the provisions of this Section are applicable.

B. No person shall stand or park a vehicle in violation of signs erected in accordance with this Section.

C. If any loading zone is established on request of any person, the signs shall not be placed until the applicant pays to the Town an amount of money estimated by the Town Board of Trustees to be adequate to reimburse the Town for all costs of establishing and signing the same.

Section 18-803 **Loading Zones to Be Used Only for Designated Purpose.**

No curb loading zone authorized and established as a passenger loading zone shall be used as a freight loading zone, and no freight loading zone shall be used as a passenger loading zone except as may be specifically provided by law.

Section 18-804 **Stopping, Standing or Parking in Passenger Curb Loading Zone.**

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

Section 18-805 **Stopping, Standing or Parking in Commercial Curb Loading Zone.**

A. No person shall stop, stand, or park a vehicle in a commercial curb loading zone for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading or materials during hours when the provisions applicable to such zones are in effect. In no case shall the driver stop for loading and unloading of materials exceed thirty (30) minutes. Vehicles using any commercial loading zone shall be subject to the licensing requirements and regulations provided by this chapter.

B. The driver of a passenger vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any commercial vehicle which is waiting to enter the zone.

Section 18-806 **Designation of Public Carrier Stops and Stands .**

The Mayor may establish loading zones for common carriers, including but not limited to bus stops, bus stands, taxicab stands and stands or other passenger common carrier motor vehicles, on

such public streets in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public. Every such loading zone shall be designated by appropriate signs.

Section 18-807

Use of Bus and Taxicab Stands Restricted.

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 the appropriate signs are in place. 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 the zone.

Section 18-808

Stopping, Standing and Parking of Buses and Taxis.

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 except in a bus stop, stand or loading zone 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.

Article 9. **Turning Movements**

Section 18-901

Turning Markers or Indicators.

A. The mayor, subject to any directions given by the council by motion or resolution, 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. The course to be traveled, as so indicated, may conform to or be other than as prescribed by law.

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 18-902

Designation of Restricted Turns.

The Mayor is hereby authorized to determine those street intersections at which drivers of vehicles shall not make right, left or U-turns, and shall have proper signs placed at the intersections. The making of the turns may be prohibited between certain hours of any day and permitted at other hours. Where turns are restricted during certain hours pursuant to this Section, the same shall be plainly indicated on the signs, or they may be removed when turns are permitted.

Section 18-903

Obedience to No-turn Signs.

Whenever authorized signs are erected indicating that no right, left or U-turn is permitted, the driver of a vehicle shall not disobey the directions of any such sign.

Section 18-904

U-turns.

A. The driver of a vehicle shall not turn the vehicle so as to proceed in the opposite direction upon any street in the Town at the following locations:

1. At intersections controlled by traffic control devices or signals unless such turns are specifically authorized;
2. Where a police officer is directing traffic except at the latter's direction; or
3. At any other location where an official "No U-Turn" sign has been placed and is maintained.

B. Manner of making U-turns. A U-turn may be made only when it can be made in safety and without interfering with other traffic. No person shall make a U-turn except in the following manner;

1. By approaching the intersection as closely as practical to the right curb or edge of the roadway, the driver giving and continuing to give a signal for a left turn until the return is completed, proceeding to make the turn across the intersection;
2. In one continuous movement without stopping or backing the vehicle;
3. By yielding the right-of-way at all time to all vehicles until such turn is completed;
and
4. Without constituting a hazard to or interfering with any other vehicle.

Section 18-905

Left Turns Across Center Line Prohibited, Exceptions.

It is unlawful and an offense for any person to turn a vehicle across the center line unless the turn is at an intersection at which left hand turns are permitted or into a private road or driveway.

Section 18-906

Position and Method of Turning.

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

1. Right turns. Both the approach for a right turn and the execution of 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, the approach for a left turn shall be made in that portion of the right half of the street nearest the center thereof by passing to the right of the center line where it enters the intersection. After entering the intersection, the left turn shall be made so as to leave the intersection to the right of the center 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; or

3. Left turns, on other than two-way roadways. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of the vehicle. After entering the intersection, the left turn shall be made so as to leave the intersection, as nearby as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon roadway being entered.

State Law Reference: Similar provisions, 47 O.S. Section 11-601.

Section 18-907

Turning Movements and Required Signals.

A. No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in Section 18-905 of this code, or turn a vehicle to enter a private road or driveway, or otherwise 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. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinafter provided.

B. A signal of intention to turn right or left, slow or stop when required, shall be given continuously during not less than the last one hundred (100) feet traveled by the vehicle before turning or stopping.

C. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give the signal.

State Law Reference: Similar provisions, 47 O.S. Section 11-604.

Section 18-908

Means of Giving Turn Signals.

A. Any stop or turn signal when required herein shall be given either by means of hand or arm, or by a signal lamp or lamps, or mechanical device of a type approved by the Oklahoma Department of Public Safety, except as provided in Subsection B of this Section.

B. A vehicle shall be equipped with, and the required signal given by, signal lamps or devices when:

1. The body or cab of a vehicle or the load of any vehicle projects twenty-four (24) inches or more to the left of the center of the steering wheel;

2. Under any condition where a hand and arm signal would not be visible both to the front and rear of the vehicle; or

3. The rear limit of the body of a vehicle or the load of any vehicle projects fourteen (14) feet or more beyond the center top of the steering post.

Section 18-909

Method of Giving Hand and Arm Signals.

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

1. Left turn - hand and arm extended horizontally;

2. Right turn - hand and arm extended upward; and

3. Stop or decrease speed - hand and arm extended downward with palm to the rear.

Article 10. Pedestrians

Section 18-1001 **Pedestrians Subject to Traffic Control Signals.**

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

State Law Reference: Pedestrian rights and duties, 47 O.S. Section 11-501 to 11-507.

Section 18-1002 **Pedestrians' Right-of-way at 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:

1. The pedestrian is upon the half of the roadway upon which the vehicle is traveling; or
2. The pedestrian is approaching so closely from the opposite edge of the roadway as to be in danger.

The provisions of this subsection are not applicable under conditions where pedestrians are required to yield pursuant to this chapter.

B. No pedestrian shall suddenly leave a curb or other place of safety or walk or run into the path of the vehicle which is so close that it is impossible for the driver to yield.

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

Section 18-1003 **Pedestrians to Use Right Half of Crosswalk.**

Pedestrians, when crossing the street at a crosswalk, shall move, whenever practicable, upon the right half of the crosswalk.

Section 18-1004 **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 18-1005 **When Pedestrians Shall Yield.**

A. Every pedestrian crossing a roadway at any point other than within a marked or unmarked crosswalk at any 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 provisions of this Section are not applicable where pedestrian crossings are prohibited.

Section 18-1006 **Pedestrians Walking along Roadways.**

A. Where sidewalks are provided, it is 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 practical, walk only on the left side of the roadway, or its shoulder, facing traffic which may approach from the opposite direction, and shall yield to approaching vehicles.

Section 18-1007 **Pedestrians Prohibited from Soliciting Rides, Business or Donations from Vehicle Occupants.**

A. No person shall stand in a roadway for purpose of soliciting a ride, donations, employment or business from the occupant of any vehicle.

B. No person shall:

1. Stand in any street, roadway or park and stop or attempt to stop and engage any person in any vehicle for the purpose of soliciting contributions or the watching or guarding of any vehicle while parked or about to be parked on a street;

2. Sell or attempt to sell anything to any person in any vehicle;

3. Hand or attempt to hand to any person in any vehicle any circular, advertisement, handbill or any political campaign literature, or any sample, souvenir or gift; or

4. In any other manner, while standing in the street or roadway, attempt to interfere with the normal flow of traffic for any other similar purpose.

Section 18-1008 **Drivers to Exercise Due Care.**

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

Section 18-1009 **Crossing Prohibited.**

Between adjacent intersections, at which traffic control signals are in operation, pedestrians shall not cross at any place except in a crosswalk. Pedestrians shall not cross any divided highway having a median in the center thereof, except in a crosswalk.

Section 18-1010 **Obedience of Pedestrians to Railroad Signals.**

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

Article 11. **Bicycles**

Section 18-1101 **Application of Bicycle Regulations.**

The provisions of this Article shall apply whenever a bicycle is operated upon any street or upon any public way; or upon any path set aside for the exclusive use of bicycles, subject to those exceptions stated in this chapter.

State Law Reference: Similar provisions, 47 O.S. Section 11-1201 et. seq.

Section 18-1102

Application of Traffic Laws to Bicycles.

Every person riding a bicycle upon a roadway shall be granted all rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of this state and the traffic provisions of this code applicable to the driver of a vehicle, except as to special regulations in this chapter and except as to those provisions of laws and ordinances which by their nature are inapplicable to such persons.

Section 18-1103

Obedience to Traffic Control Devices.

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

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

Section 18-1104

Riding on Bicycles.

A. No person operating a bicycle shall ride other than astride a permanent and regular seat attached thereto.

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

Section 18-1105

Riding on Roadways and Bicycle Paths.

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

B. Person riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

C. If usable paths for bicycles are provided adjacent to a roadway, bicycle riders shall use such paths and not use the roadway.

Section 18-1106

Speed of Bicycle.

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

Section 18-1107

Emerging from Alley or Driveway.

The operator of a bicycle emerging from an alley or driveway shall, upon approaching a sidewalk or sidewalk area extending across the alley or driveway, yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area. Upon entering the roadway, the bicycle operator shall yield the right-of-way to all vehicles approaching on the roadways.

Section 18-1108

Carrying Articles.

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

Section 18-1109

Parking.

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

Section 18-1110

Riding on Sidewalks.

A. No person shall ride a bicycle upon a sidewalk within a business district.

B. The Town Board of Trustees, by motion or resolution, is authorized to have erected signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person; and when such signs are in place, no person shall disobey the same.

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

Section 18-1111

Lamps and Equipment on Bicycles .

A. Bicycles in use at night shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type which shall be visible from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector.

B. A bicycle shall not be equipped with, nor shall any person use, any siren or whistle.

C. Bicycles shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

Article 12. Reserved

Article 13. Impoundment of Vehicles

Section 18-1301

Purpose and Effect of Impoundment Provisions.

The impoundment of vehicles under authority of the provisions of this Article shall be construed as an enforcement procedure for protection of the public peace, safety and welfare, and the safeguarding of property, and shall be used generally for the prevention and removal of traffic hazards, prevention and abatement of public nuisances arising from traffic law violations, protection of the public rights in the use of streets and thoroughfares from obstructions placed and left in derogation of those rights, and for safeguarding and protecting recovered stolen vehicles.

State Law Reference: Grounds for removal of vehicles on highways by state, 47 O.S. Section 955; removal of abandoned vehicles on private property, 47 O.S. Section 954A.

Section 18-1302

Place of Impoundment.

Every vehicle that is impounded under the provisions of this Article shall be removed to the nearest garage or place of safekeeping designated by the Town and to no other place.

Section 18-1303

Duration of Impoundment.

A. Except as otherwise provided, any vehicle impounded under the authority of this Article shall be stored and held safely until an order for its release is received from an officer of the traffic violations bureau or other proper police officer.

B. The order of release of an impounded vehicle shall be conditioned upon the payment by the person to whom the release is issued of all impoundment costs and accrued storage charges assessed against the vehicle.

Section 18-1304

Police Granted Authority to Impound Vehicles.

Members of the police department are hereby authorized within the limits set forth in this chapter to impound vehicles under the circumstances hereinafter enumerated. No impoundment shall be valid unless made under order of an authorized police officer and in strict adherence with the procedures required in this Article.

Section 18-1305

Disabled Vehicles.

A disabled vehicle upon a street or highway may be impounded under the following circumstances:

1. If left unattended and improperly parked on street or highway and constitutes a definite hazard or obstruction to the normal movement of traffic; or

2. If the person in charge of the vehicle is physically incapacitated to such extent as to be unable to provide for its custody or removal and the vehicle is so disabled as to constitute an obstruction to traffic or a hazard.

Section 18-1306

Vehicles on Bridge.

An unattended vehicle left upon any bridge, viaduct or causeway, where the vehicle constitutes an obstruction to traffic or hazard, may be impounded.

Section 18-1307

Arrest and Detention of Driver of Vehicle.

Whenever the driver or person in charge of any vehicle is placed under arrest and taken into custody and detained by police under circumstances which leaves or will leave a vehicle unattended on any street or highway, the vehicle may be impounded, unless the driver or person in charge can provide immediately for the vehicle's custody or removal.

Section 18-1308

Vehicle Constitutes Traffic Hazard.

A vehicle left unattended upon any street, alley or thoroughfare and so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic shall be impounded.

Section 18-1309

Illegal Trespass by Vehicle.

A. An unattended vehicle found to be in violation of this code may be impounded when the required complaint has been properly made and filed as provided in this Section.

B. If a violation of the provisions of this code occurs, the owner or legal occupant who complains shall sign a complaint against the person parking the vehicle on the owner's or legal occupant's property, or if the identity of the person parking the vehicle is unknown, then the complaint may be filed against the registered owner of the vehicle. The complaint shall be verified

and shall allege that the complaining party is the owner or legal occupant of the property upon which the vehicle is parked or standing.

C. Upon filing of the complaint by the property owner or legal occupant, and if there appears to be proper cause to believe the provisions of this code have been violated, the police department shall cause the vehicle to be impounded from the property and placed in storage.

Section 18-1310 **Vehicles Parked Overtime.**

Any unattended vehicle which has been parked for more than one hour in excess of the time allowed for parking in any place shall be impounded, and any vehicle parked in violation of this code, for more than forty-eight (48) hours, shall be impounded.

Section 18-1311 **Vehicles Blocking Fire Exits or Hydrants.**

Any vehicle illegally parked in such a manner that it blocks a fire escape ladder, device or exit or blocks ready access to a fire hydrant shall be impounded.

Section 18-1312 **Vehicles Parked in Intersection.**

Any unattended vehicle illegally parked in any street intersection shall be impounded. A disabled vehicle in an intersection with the person in charge of the vehicle being present, shall be moved out of the intersection and to the nearest available legal parking space at the street curbing.

Section 18-1313 **Stolen Vehicles; Recovery by Police.**

A. Whenever a stolen vehicle is located by police and the registered owner cannot be found within a reasonable time not exceeding one hour, or cannot be determined from the registration papers or other identifying media in the vehicle or from records or information available from reports of stolen cars, the vehicle may be removed to the nearest authorized place impoundment and the registered owner of the vehicle shall be notified of the location of the place of impoundment as soon as possible by the police department.

B. If the registered owner is identified, located and notified of the recovery of the stolen vehicle, the owner shall be given the right to make his own arrangement for the removal of the vehicle within the period of one hour from the time he is actually notified of its recovery, and if the owner is unable or unwilling to effect the removal within the time specified the vehicle may be impounded.

Section 18-1314 **Vehicles with Outstanding Traffic Citations .**

Any vehicle for which two (2) or more citations have been issued, for violation of an ordinance, and have not been presented as required, may be impounded if parked in violation of any provision of this chapter.

Article 14. **Penalties**

Section 18-1401 **Obedience to Traffic Code .**

A. It is an offense against the Town for any person to do any act forbidden or to fail to perform any act required by this chapter.

B. It is an offense against the Town for the parent of any child or for the guardian of any ward to authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

C. It is an offense for any person to authorize or knowingly to permit any vehicle registered in his or her name to be driven or to stand or to be parked in violation of any of the provisions of this chapter.

Section 18-1402 **Penalties, Specific and General .**

Except as otherwise provided in this part, any person violating any of the provisions of this part containing the traffic laws of the city, or who performs any unlawful act as defined in this part, or who fails to perform any act required by this part, shall be guilty of an offense and upon conviction thereof shall be fined or punished as provided in Schedule of Fines contained in this code.

Page left intentionally blank