

BILL NO. 18-6

ORDINANCE NO. 2018-6

AN ORDINANCE ADOPTING CHAPTERS 3.0100 - 3.1813 TO THE CODIFICATION FOR THE CITY OF GALENA, MISSOURI; ESTABLISHING THE SAME; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF GALENA, MISSOURI, AS FOLLOWS:

Section 1. That this ordinance incorporating Chapter 3.0100 - 3.1813 - is incorporated by reference and is hereby adopted and enacted as the codification for the City of Galena, Missouri, and shall be treated and considered as a new and original comprehensive codification which shall supersede all other general and permanent ordinances passed by the Board of Aldermen prior to the date of passage of this ordinance, except such as by reference thereto are expressly saved from repeal or continued in force and effect for any purpose.

Section 2. That all provisions of such codification shall be in full force and effective from and after the adoption of this ordinance. That no resolution of the City, not specifically mentioned is hereby repealed.

Section 3. Any and all additions or amendments to such codification, when passed in such form as to indicate the intention of the Board of Aldermen to make the same a part thereof, shall be deemed to be incorporated in such codification so that reference to a specific code, shall be understood and intended to include such additions and amendments.

Section 4. A copy of such codification shall be kept on file in the office of the City Clerk. It shall be the express duty of the City Clerk, or someone authorized by the Clerk,

to insert in their designated places all amendments or ordinances which indicate the intention of the Board of Aldermen to make same a part of such codification all provisions which may from time to time be repealed by the Board of Aldermen. This copy of the Galena Codification shall be available for all persons desiring to examine the same and shall be considered the official Codification for the City of Galena, Missouri.

Section 5. It shall be unlawful for any person, firm or corporation in the City to change or amend by additions or deletions, any part or portion of such codification in any manner whatsoever which will cause the law of the City of Galena to be misrepresented thereby.

Section 6. Any person, firm or corporation violating this ordinance shall be punished by a fine not exceeding five hundred dollars or by imprisonment of up to 90 days, or by both fine and imprisonment; or by the maximum allowed by state law.

Section 7. This ordinance shall become in full force and effect immediately.

ATTEST:

Lisa Chambers
City Clerk

[Signature]
Mayor, City of Galena

First Reading 10-6-18

Second Reading 11-1-18

Final Passage 11-1-18

1st DRAFT - 08/01/2018

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CHAPTER 3
THE TRAFFIC CODE FOR THE CITY OF GALENA, MISSOURI

CHAPTER 3.0100 -- DEFINITIONS

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

ALLEY or ALLEYWAY: A passage or way affording generally a secondary means of vehicular access to the back or side of abutting properties and is not intended for general traffic circulation.

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

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

CITY: The words "the City" or "this City" or "City" shall mean the City of Galena, Missouri.

COMMERCIAL VEHICLE: Every vehicle designed, maintained, or used primarily for the transportation of property.

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

CROSSWALK:

1. That part of a roadway at an intersection included with 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; or,

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

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

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

DRIVE, DRIVING: Physically driving or operating or being in actual physical control of a motor vehicle.

- d. Farm-type tractors and other self-propelled equipment for harvesting and transporting farm or forest products;
- e. Any vehicle being used for farm purposes, earth moving, or construction while being used for such purposes on the work site;
- f. Self-propelled lawnmowers, or lawn or garden tractors, or golf carts, while being used exclusively for their designed purpose; and
- g. Any vehicle being used for the purpose of transporting a handicapped person;

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

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

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

OPERATES, OPERATING: Physically driving or operating or being in actual physical control of a motor vehicle.

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

PEDESTRIAN: Any person afoot.

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

POLICE OFFICER: Every officer of the Police Department or designated contractual Law Enforcement Personnel or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

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

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

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

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

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

times while set apart as a safety zone.

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

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

STATE HIGHWAY: A highway maintained by the State of Missouri as part of the State Highway System.

STOP: When required, complete cessation from movement.

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

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

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

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

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

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

VEHICLE: Any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or motorized wheelchairs operated by handicapped persons.

CHAPTER 3.0200 - ADMINISTRATION OF AUTHORITY

Sub-Section -- Traffic Administration

3.0201 Duty of Police Department or Designated Contractual Law Enforcement Personnel

The Police Department or designated contractual Law Enforcement Personnel shall enforce the street traffic regulations of the City and all of the state vehicle laws applicable to street traffic in the City, to make arrests for traffic violations, to investigate accidents and to cooperate with the other officers of the City in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed by this ordinance and the traffic ordinances of the City.

3.0202 City Traffic Engineer

1. The office of City traffic engineer is established. The City's Chief of Police or designated contractual Law Enforcement Personnel shall serve as City traffic engineer in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this ordinance.

2. The City traffic engineer shall determine the installation and proper timing and maintenance of traffic control devices, conduct investigations of traffic conditions, plan the operation of traffic on the streets and highways of the City, and cooperate with other City officials in the development of ways and means to improve traffic conditions, and carry out the additional powers and duties imposed by ordinances of the City.

3.0203 Authority of Police Officials

1. It shall be the duty of the officers of the Police Department or designated contractual Law Enforcement Personnel, or such officers as are assigned by the Chief of Police or designated contractual Law Enforcement Personnel, to enforce all street traffic laws of the City and all of the state vehicle laws applicable to street traffic in the City.

2. Officers of the Police Department or designated contractual Law Enforcement Personnel, or such officers as are assigned by the Chief of Police or designated contractual Law Enforcement Personnel, are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws; provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department or designated contractual Law Enforcement Personnel may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

3.0204 Obedience to Police Officials

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer.

3.0205 Public Employees to Obey Traffic Regulations

The provisions of this ordinance shall apply to the driver of any vehicle owned by or used in the service of the United States government, this state, county, or City, and it shall be unlawful for any said driver to violate any of the provisions of this ordinance, except as otherwise permitted in this ordinance, state or federal law.

3.0206 Emergency and Experimental Regulations

The Chief of Police or designated contractual Law Enforcement Personnel is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of the City and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than thirty days. The Mayor or Board of Aldermen shall have the power to order the Chief of Police or designated contractual Law Enforcement Personnel to cease any temporary or experimental regulation.

3.0207 Traffic Lanes

1. The Chief of Police or designated contractual Law Enforcement Personnel is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

2. Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

Sub-Section -- Accident Reports

3.0210 Records of Traffic Violations

1. The Police Department or designated contractual Law Enforcement Personnel shall keep a record of all violations of the traffic ordinances of the City or of the state vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.

2. All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.

3.0211 Police Department or Designated Contractual Law Enforcement Personnel to Investigate Accidents

It shall be the duty of the Police Department or designated contractual Law Enforcement Personnel to investigate traffic accidents and to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

3.0212 Traffic Accident Reports

The traffic division shall maintain a suitable system of filing traffic accident reports. Such reports shall be available for the use and information by the City.

3.0215 Written Report of Accident

The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to or death of any person or total property damage to an apparent extent of five hundred dollars or more to one person shall, within five days after such accident, forward a written report of such accident to the Police Department or designated contractual Law Enforcement Personnel. The provisions of this section shall not be applicable when the accident has been investigated at the scene by a police officer while such driver was present thereat.

3.0216 When Driver Unable to Report

1. Whenever the driver is physically incapable of making a written report of an accident as required in the section entitled *WRITTEN REPORT OF ACCIDENT* and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall within five days after the accident make such report not made by the driver.

3.0217 Public Inspection of Reports Relating to Accident

1. All written reports made by persons involved in accidents or by garages shall be without prejudice to the individual so reporting and shall be for the confidential use of the Police Department or designated contractual Law Enforcement Personnel or other governmental agencies having use for the records for accident prevention purposes, except that the Police Department or designated contractual Law Enforcement Personnel or other governmental agency may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident.

2. No written reports forwarded under the provisions of this section shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the Police Department or designated contractual Law Enforcement Personnel shall furnish upon demand of any party to such trial, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department in compliance with law, and, if such report has been made, the date, time and location of the accident, the names and addresses of the drivers, the owners of the vehicles involved, and the investigating officers.

3.0218 Leaving the Scene of an Accident

1. A person commits the offense of leaving the scene of a motor vehicle accident when, being the operator or driver of a vehicle on the streets of the city, highway, or on any publicly or privately owned parking lot or parking facility generally open for use by the public, and knowing that an injury has been caused to a person or damage has been caused to property, due to his culpability or to accident, he leaves the place of the injury, damage or accident without stopping and giving his name, residence, including city and street number, motor vehicle number and driver's license number, if any, to the injured party or to a police officer, or if no police officer is in the vicinity, then to the nearest police station or judicial officer.

2. For the purposes of this section, all peace officers shall have jurisdiction, when invited by an injured person, to enter the premises of any privately owned parking lot or parking facility for the purpose of investigating an accident and performing all necessary duties regarding such accident.

Sub-Section -- Procedure of Arrest

3.0220 Forms and Records of Traffic Citations and Arrests

1. The municipality shall provide books containing uniform traffic tickets as prescribed by supreme court rule number 37.46. Said books shall include serially numbered sets of citations in quadruplicate in the form prescribed by supreme court rule.

2. Such books shall be issued to the Chief of Police or designated contractual Law Enforcement Personnel or his duly authorized agent, a record shall be maintained of every book so issued and a written receipt shall be required for every book. The judge or judges hearing municipal ordinance violation cases may require that a copy of such record and receipts be filed with the court.

3. The Chief of Police or designated contractual Law Enforcement Personnel shall be responsible for the issuance of such books to individual members of the Police Department or designated contractual Law Enforcement Personnel. The Chief of Police or designated contractual Law Enforcement Personnel shall require a written receipt for every book so issued and shall maintain a record of every book and each set of citations contained therein.

3.0221 Procedure of Police Officers

Except when authorized or directed under state law to immediately take a person before the municipal judge for the violation of any traffic laws, a police officer who halts a person for such violation other than for the purpose of giving him a warning or warning notice and does not take such person into custody under arrest, shall issue to him a uniform traffic ticket which shall be proceeded upon in accordance with supreme court rule number 37.

3.0222 Uniform Traffic Ticket to be Issued when Vehicle Illegally Parked or Stopped

Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the

3.0233 Additional Duties of Traffic Violations Bureau

The traffic violations bureau shall follow such procedure as may be prescribed by the traffic ordinances of the City, as may be required by any law of this state, or as set forth by the municipal judge or Associate Circuit Court Judge.

Violations-Heard and Determined

Pursuant to Section 479.040, RSMo., violations of municipal ordinances shall be heard and determined by a duly appointed municipal judge.

Employment Of Clerk To Assist Municipal Court

The City shall employ a clerk for the purpose of assisting said Court in the handling of City ordinance violation charges.

Sub-Section -- Penalty For Violating Any Ordinance of the Traffic Code

3.0240 Penalty For Violating Any Ordinance of the Traffic Code

The penalty for violating any ordinance of this traffic code is a fine of up to **\$500.00 or up to 90 days in jail, or by both said fine and confinement.**

3.0241 Violation of Traffic Code; Every Day is a Violation

1. It shall be unlawful for a person to violate any provision of the Traffic Code for the City. Any person violating any provision is subject to the penalty set forth in Section 3,0240.

2. *Every Day a Violation.* Every day any violation of this Code or any other ordinance or any such rule, notice or order shall continue shall constitute a separate offense.

CHAPTER 3.0300 -- TRAFFIC CONTROL DEVICES AND SIGNS

3.0301 Authority to Install Traffic Control Devices

The City Chief of Police or designated contractual Law Enforcement Personnel shall place and maintain traffic control signs, signals, and devices when and as required under the traffic ordinances of the City to make effective the provisions of said ordinances, and may place and maintain such additional traffic control devices as he may deem necessary to regulate traffic, under the traffic ordinances of the City or under state law or to guide or warn traffic.

3.0302 Manual and Specifications for Traffic Control Devices

All traffic control signs, signals and devices shall conform to the manual and specification approved by the state highway and transportation commission or resolution adopted by the legislative body of the City. All signs or signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the City. All traffic control devices so erected and not inconsistent with the provisions of this ordinance shall be official traffic control devices.

3.0303 Obedience to Traffic Control Devices

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

3.0304 When Official Traffic Control Devices Required for Enforcement Purposes

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

3.0305 Official Traffic Control Devices Presumption of Legality

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

3.0306 Traffic Control Signal Legend Right Turn on Red Light, When

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

1. Green indication:
 - a. Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited;
 - b. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;
 - c. Unless otherwise directed by a pedestrian control signal as provided in section 300.160 RSMo., pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.
2. Steady yellow indication:
 - a. Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection;
 - b. Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in section 300.160 RSMo., are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.
3. Steady red indication:
 - a. Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown except as provided in paragraph (b) of this subdivision;
 - b. The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the state highways and transportation commission with reference to an intersection involving a state highway, and local authorities

with reference to an intersection involving other highways under their jurisdiction, may prohibit any such right turn against a red signal at any intersection where safety conditions so require, said prohibition shall be effective when a sign is erected at such intersection giving notice thereof;

c. Unless otherwise directed by a pedestrian control signal as provided in section 300.160 RSMo., pedestrians facing a steady red signal alone shall not enter the roadway.

4. In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

3.0307 Flashing Signals

1. Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

a. Flashing red (stop signal), when a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign;

b. Flashing yellow (caution signal), when a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

3.0308 Lane Direction Control Signals

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

3.0309 Display of Unauthorized Signs, Signals or Markings

No person shall place, maintain or display upon or in view of any street an 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.

3.0310 Interference with Official Traffic Control Devices

No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic control device or signal or any inscription, shield or insignia thereon, or any other part thereof.

CHAPTER 3.0400 -- PLAY STREETS AND SAFETY ZONES

3.0401 Authority to Establish Play Streets

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

3.0402 Play Streets

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

3.0403 Establishment of Safety Zones and Designating Crosswalks

The City Chief of Police or designated contractual Law Enforcement Personnel is hereby authorized:

1. To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary;
2. To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

CHAPTER 3.0500 -- SPEED REGULATIONS AND CARELESS AND IMPRUDENT DRIVING

3.0501 Speed Limits

1. The maximum speed limit for vehicles operating within this municipality shall be 25 miles per hour on all public roads and streets, unless a different speed limit is otherwise posted.
2. It shall be unlawful for any person to drive a vehicle at a speed in excess of speed limits posted for public roads and streets within the City.

3.0502 Driving At Too Slow of Speed

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

3.0503 State Speed Laws Applicable

The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within the City, except that the Board of Aldermen may determine that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared when signs are in place giving notice thereof, but the speed of vehicles upon controlled access highways of the state shall not be regulated by the City.

3.0504 Speed Limits Not Applying to Authorized Emergency Vehicles

The speed limitations as set forth by this ordinance shall not apply to authorized emergency vehicles when responding to emergency calls and the drivers thereof have a flashing light in operation or audible signal by bell, siren or exhaust whistle. This provision shall not relieve the driver of an authorized emergency vehicle from the duty of driving with due regard for the safety of all persons using the highways, streets, or alleys, nor shall it protect the driver of any such vehicle from the consequences of a reckless disregard of the person, property, life and limb of others. Legally authorized emergency vehicles operating in and through this municipality shall be only those as authorized by state law.

3.0505 Careless and Imprudent Driving

No person shall operate a motor vehicle within the corporate limits of the City, except in a careful and prudent manner, with the highest degree of care, and/or at such a rate of speed as not to endanger, any passengers in the driver's vehicle, the life or body of any other person, and/or the property of any passenger in the driver's vehicle, and the property of any other person or entity.

3.0506 Breaking Traction

A person shall commit the offense of breaking traction if he/she accelerates a motor vehicle in a manner such as to cause or allow one (1) or more wheel(s) of said vehicle to break traction with the surface

of the street, road, or drive upon which the same shall be located, whether paved or gravel, without just cause or excuse.

3.0507 Improper Passing

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

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

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 and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

2. The driver of a motor vehicle may overtake and pass to the right of another vehicle only under the following conditions:

a. Upon a City street with unobstructed pavement of sufficient width for two (2) or more lines of vehicles in each direction;

b. Upon a one-way street: The driver of a motor vehicle may overtake and pass another vehicle upon the right only under the foregoing conditions when such movement may be made in safety. In no event shall such movement be made by driving off the paved or main traveled portion of the roadway. The provisions of this Subsection shall not relieve the driver of a slow-moving vehicle from the duty to drive as closely as practicable to the right-hand edge of the roadway.

3. Except when a roadway has been divided into three (3) traffic lanes, no vehicle shall be driven to the left side of the center line of a highway or public road in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken.

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

a. When approaching the crest of a grade or upon a curve of the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;

b. When the view is obstructed upon approaching within one hundred (100) feet of any bridge, viaduct, tunnel or when approaching within one hundred (100) feet of or at any intersection or railroad grade crossing.

3.0508 Following Too Closely

The driver of a vehicle shall not follow another vehicle more closely than is reasonably safe and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the roadway. Vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated, except in a funeral procession or in a duly authorized parade, so as to allow sufficient space between each such vehicle or combination of vehicles as to enable any other vehicle to overtake or pass such vehicles in safety.

3.0509 Interference with Radar

1. It shall be unlawful for any person to interfere in any manner with the operation of radar or any other device or method used to check, test, gauge or determine the speed of motor vehicles within the city limits or to post any sign or notice that any speed checks or tests are being conducted.

CHAPTER 3.0600 -- ONE-WAY STREETS AND ALLEYS

3.0601 Authority To Sign One-Way Streets and Alleys

Whenever the Board of Aldermen designates any one-way street or alley, the Police Chief or designated contractual Law Enforcement Personnel shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

3.0602 One-way Streets and Alleys

Upon those streets and parts of streets and in those alleys designated by the Board of Aldermen, vehicular traffic shall move only in the indicated direction where signs indicating the direction of traffic are erected.

CHAPTER 3.0700 -- STOP AND YIELD INTERSECTIONS

3.0701 Through Streets Designated

It shall be the duty of the Chief of Police, Street Engineer, or designated contractual Law Enforcement Personnel to place and maintain a stop or yield sign on each and every street intersection with such through street unless traffic at any such intersection is controlled at all times by traffic control signals.

3.0702 Other Intersections Where Stop or Yield Required

The Board of Aldermen is hereby authorized to determine and designate intersections where particular hazard exists upon other than through streets and to determine whether vehicles shall stop at one or more entrances to any such intersection, in which event the Chief of Police or designated contractual Law Enforcement Personnel shall cause to be erected a stop sign at every such place where a stop is required, or whether vehicles shall yield the right-of-way to vehicles on a different street at such intersection as prescribed in *Vehicle Entering Yield Intersection* in which event he shall cause to be erected a yield sign at every place where obedience thereto is required.

3.0703 Stop and Yield Signs

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

2. Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

3.0704 Vehicle Entering a Stop Intersection

Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop as required by Stop and Yield Signs, and after having stopped shall yield the right-of-way to any vehicle which has entered the intersection from another street or which is approaching so closely on said street as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

3.0705 Vehicle Entering Yield Intersection

The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and shall yield the right-of-way to any vehicle in the intersection or approaching on another street so closely as to constitute an immediate hazard during the time such driver is

moving across or within the intersection; provided, however, if such a driver is involved in a collision with a vehicle in the intersection after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right-of-way.

3.0706 Emerging From 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 alleyway or driveway, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

3.0707 Stop When Traffic Obstructed

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

CHAPTER 3.0900 -- PEDESTRIANS' RIGHTS AND DUTIES

3.0901 Pedestrians Subject to Traffic Control Devices

Pedestrians shall be subject to traffic control signals, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated below.

3.0902 Pedestrians' Right-of-Way in Crosswalks

1. When traffic control signals are not in place, or not in operation, the driver of the vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

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

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

3.0903 When Pedestrian Shall Yield

Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

3.0904 Pedestrians Walking Along Roadways

1. Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

2. Where sidewalks are not provided any pedestrian walking along and upon a highway shall, when practicable walk, only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

CHAPTER 3.1000 -- STOPPING, STANDING OR PARKING

Sub-Section -- Method of Parking

3.1001 Standing or Parking Close to Curb

Except as otherwise provided, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within eighteen inches of the right-hand curb.

3.1002 Signs or Markings Indicating Angle Parking

1. The Board of Aldermen shall determine upon what streets angle parking shall be permitted and the Chief of Police or designated contractual Law Enforcement Personnel shall mark or sign each street, but such angle parking shall not be indicated upon any federal or state highway within the City unless the State Highways and Transportation Commission has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

2. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

3.1003 Obedience to Angle Parking Signs or Markers

On those streets which have been signed or marked by the Chief of Police or designated contractual Law Enforcement Personnel 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.

3.1004 Permits for Loading or Unloading at an Angle to the Curb

1. The Board of Aldermen 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.

2. It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

Sub-Section -- Stopping, Standing or Parking Prohibited in Specified Places

3.1010 Stopping, Standing or Parking Prohibited

1. Except when necessary to avoid conflict with other traffic, or in compliance with law, or the directions of a police officer or official traffic control device, no person shall:

a. Stop, stand or park a vehicle:

1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street; or,
2. On a sidewalk; or,
3. On a crosswalk; or,
4. Within an intersection; or,
5. Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless differently indicated by signs or markings; or,
6. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic; or,
7. Upon any bridge or other elevated structure upon a highway or within a highway tunnel; or,
8. At any place where official signs prohibit stopping.

b. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

1. In front of public or private driveway; or,
2. Within fifteen feet of a fire hydrant; or,
3. Within twenty feet of a crosswalk at an intersection; or,
4. Within thirty feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway; or,
5. Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance (when properly signposted); or,
6. At anyplace where official signs prohibit standing.

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

3.1011 *Parking Not to Obstruct Traffic*

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

3.1012 *Parking in Alleys*

No person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

3.1013 *Parking for Certain Purposes Prohibited*

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

1. Displaying such vehicle for sale; or,
2. Repair such vehicle except repairs necessitated by an emergency.

3.1014 *Parking Adjacent to Schools*

1. The Chief of Police or designated contractual Law Enforcement Personnel is hereby authorized to designate no parking upon either or both sides of any street adjacent to any school property.
2. When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place.

3.1015 *Parking Prohibited on Narrow Street*

1. The Chief of Police or designated contractual Law Enforcement Personnel is authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed twenty feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed thirty feet.
2. When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

3.1016 *Standing or Parking on One-way Streets*

The Chief of Police or designated contractual Law Enforcement Personnel is authorized to erect signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign.

3.1017 *Standing or Parking on One-way Roadways*

In the event a street includes two 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 such one-way roadway unless signs are erected to permit such standing or parking. The City Chief of Police or designated contractual Law Enforcement Personnel is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof.

3.1018 **No Stopping, Standing or Parking Near Hazardous or Congested Places**

1. The Chief of Police or designated contractual Law Enforcement Personnel is hereby authorized to determine and designate by proper signs places not exceeding one hundred feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

2. When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand, or park a vehicle in any such designated place.

Sub-Section -- Stopping for Loading or Unloading Only

3.1020 **City Chief of Police or Designated Contractual Law Enforcement Personnel to Designate Curb Loading Zones**

The Chief of Police or designated contractual Law Enforcement Personnel is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable.

3.1021 **Permits for Curb Loading Zones**

The Chief of Police or designated contractual Law Enforcement Personnel shall not designate or sign any such loading zone upon special request of any person unless such person makes application for a permit for such zone and for two signs to indicate the ends of each such zone. The City Clerk upon the granting of a permit and issuing such signs shall collect from the applicant and deposit in the City Treasury a service fee of ten dollars per year or fraction thereof. The Chief of Police or designated contractual Law Enforcement Personnel may impose conditions upon the use of such signs and for reimbursement of the City for the value thereof in the event of their loss or damage and their return in the event of misuse or upon expiration of permit. Every such permit shall expire at the end of one year.

3.1022 **Standing in Passenger Curb Loading Zone**

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

3.1023 **Standing in Freight Curb Loading Zones**

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

***Sub-Section -- Stopping, Standing or Parking Restricted or
Prohibited on Certain Streets***

3.1030 Application of Ordinance

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

3.1031 Regulations Not Exclusive

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

3.1032 Parking Prohibited at All Times on Certain Streets

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

***3.1033 Stopping, Standing or Parking Prohibited During Certain Hours
on Certain Streets***

When signs are erected in each block giving notice thereof, no person shall stop, stand, or park a vehicle between the hours specified by the signs.

3.1034 No Parking, Standing or Stopping, Parking Signs Required

Whenever any time limit on parking, standing or stopping is imposed it shall be the duty of the Chief of Police or designated contractual Law Enforcement Personnel to erect appropriate signs giving notice thereof and no such regulations shall be effective unless said signs are erected

3.1035 Commercial Vehicles Prohibited from Using Certain Streets

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

1. No trucks or refrigerated trailers, while parked in the City, shall be allowed to be kept running for a continuous period of more than thirty minutes, during the hours between 6:00 o'clock p.m. and 7:00 o'clock a.m.
2. No trucks or trailers or refrigerated trailers shall be permitted to be parked within twenty (20) feet of any intersection.
3. Any trucks, trailers, or refrigerated trailer parked along the streets of the City for the purpose

of having any maintenance done on said vehicle must be parked on the shoulder of said street and no part of the truck, trailer, or refrigerated trailer may be located on or extend over the travelled portion of any street within the city.

4. It shall be the responsibility of any person parking any truck, trailer, or refrigerated trailer within the city limits, to keep the area around said vehicle clean and free of any trash or storage containers, parts or other materials used in the servicing or maintenance of said vehicles.

Sub-Section -- Handicapped Parking

3.1040 Handicapped Parking

1. It shall be a violation of this Section if any motor vehicle is located in any parking area, parking lot, drive-in or private way which is designated by signs for handicapped parking unless said motor vehicle has attached to it a sticker or other identification as issued by the Director of Revenue of the State of Missouri that the driver or owner is physically disabled.

2. A sticker or other identification which is attached to a motor vehicle and which has been issued by a governmental unit will be recognized as proof the driver or owner of the motor vehicle is physically disabled.

3. **Definitions.** As used in this Section the term "physically disabled" means a natural person with disabilities which limit or impair the ability to walk, as determined by a licensed physician as follows:

- a. The person cannot walk fifty (50) feet without stopping to rest; or
- b. The person cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistance device; or
- c. Is restricted by lung disease to such an extent that the person's forced respiratory expiratory volume for one (1) second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or
- d. Uses portable oxygen; or
- e. Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or
- f. Is severely limited in his ability to walk due to an arthritic, neurological, or orthopedic condition.

CHAPTER 3.1100 -- VEHICLE EQUIPMENT REGULATIONS

3.1101 Dimming of Lights

Every person driving a motor vehicle equipped with multiple-beam road lighting equipment, during the times when lighted lamps are required by state law, shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicle, subject to the following requirements and limitations. Whenever the driver of a vehicle approaches an oncoming vehicle within five hundred feet, or is within three hundred feet of the rear of another vehicle traveling in the same direction, the driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the other driver, and in no case shall the high-intensity portion which is projected to the left of the prolongation of the extreme left side of the lamp from which it comes at a distance higher than a level of forty-two inches above the level upon which the vehicle stands at a distance of seventy-five feet ahead.

3.1102 Limitation on Total of Lamps Lighted at One Time

At the time when lighted lamps are required, at least two lighted lamps shall be displayed, one on each side of the front of every motor vehicle, except a motorcycle and except a motor-drawn vehicle when such vehicle is parked subject to the provisions governing lights on parked vehicles. Whenever a motor vehicle equipped with headlamps as required by state law is also equipped with any auxiliary lamps or a spotlight or any other lamp on the front thereof projecting a beam of an intensity greater than three hundred candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

3.1103 Taillamps, Reflectors

1. Every motor vehicle and every motor-drawn vehicle shall be equipped with at least two rear lamps, not less than fifteen inches or more than seventy-two inches above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet to the rear. Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamps, all such lamps shall be turned on or off only by the same control switch at all times.

2. Every motorcycle registered in the state, when operated on a highway, shall also carry at the rear, either as part of the rear lamp or separately, at least one approved red reflector, which shall be of such size and characteristics and so maintained as to be visible during the times when lighted lamps by state law are required from all distances within three hundred feet to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps.

3. Every new passenger car, new commercial motor vehicle, motor-drawn vehicle and omnibus

with a capacity of more than six passengers registered in this state after January 1, 1966, when operated on a highway, shall also carry at the rear at least two approved red reflectors, at least one at each side, so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required by state law from all distances within five hundred to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. Every such reflector shall meet the requirements of state law and shall be mounted upon the vehicle at a height not to exceed sixty inches nor less than fifteen inches above the surface upon which the vehicle stands.

4. No person shall knowingly operate a motor vehicle without the lamps required in this section.

3.1104 Motor Vehicle Equipment Violations

1. Signaling Devices: Every motor vehicle shall be equipped with a horn, directed forward, or whistle in good working order, capable of emitting a sound adequate in quantity and volume to give warning of the approach of such vehicle to other users of the highway and to pedestrians. Such signaling device shall be used for warning purposes only and shall not be used for making any unnecessary noise, and no other sound-producing signaling device shall be used at any time.

2. Muffler Cutouts: Muffler cutouts shall not be used and no vehicle shall be driven in such manner or condition that excessive and unnecessary noises shall be made by its machinery, motor, signaling device, or other parts, or by any improperly loaded cargo. The motors of all motor vehicles shall be fitted with properly attached mufflers of such capacity or construction as to quiet the maximum possible exhaust noise as completely as is done in modern gas engine passenger motor vehicles. Any cutout or opening in the exhaust pipe between the motor and the muffler on any motor vehicle shall be completely closed and disconnected from its operating lever, and shall be so arranged that it cannot automatically open, or be opened or operated while such vehicle is in motion.

3. Brakes: All motor vehicles, except motorcycles, shall be provided at all times with two sets of adequate brakes, kept in good working order, and motorcycles shall be provided with one set of adequate brakes kept in good working order.

4. Mirrors: All motor vehicles which are so constructed or loaded that the operator cannot see the road behind such vehicle by looking back or around the side of such vehicle shall be equipped with a mirror so adjusted as to reveal the road behind and be visible from the operator's seat.

5. Projections on Vehicles: All vehicles carrying poles or other objects, which project more than five feet from the rear of such vehicles, shall, during the period when lights are required by this chapter, carry a red light at or near the rear of the pole or other object so projecting. At other times a red flag or cloth, not less than sixteen inches square, shall be displayed at the end of such projection.

6. Towlines: When one vehicle is towing another, the connecting device shall not exceed fifteen feet. During the time that lights are required by sections 307.020 to 307.120, RSMo., the required lights shall be displayed by both vehicles. Every towed vehicle shall be coupled to the towing vehicle by means of a safety chain, cable, or equivalent device in addition to the primary coupling device, except that such secondary coupling device shall not be necessary if the connecting device is connected to the towing

vehicle by a center-locking ball located over or nearly over the rear axle and not supported by the rear bumper of the towing vehicle. Such secondary safety connecting devices shall be of sufficient strength to control the towed vehicle in the event of failure of the primary coupling device. The provisions of this subsection shall not apply to wreckers towing vehicles or to vehicles secured to the towing vehicle by fifth-wheel type connection. The provisions of this subsection shall not apply to farm implements, or to any vehicle which is not required to be registered.

7. Commercial motor vehicles and trailers: Commercial motor vehicles and trailers when being operated on any highway of this state shall be equipped with adequate and proper brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, fuel tank, and any other safety equipment required by the state in such condition so as to obtain a certificate of inspection and approval as required by the provisions of section 307.360 RSMo.

8. Hay-Hauling Vehicles: Devices attached to or towed by motor vehicles for the purpose of transporting hay shall have the protruding parts raised or retracted when not in use to a position which will not cause injury or damage to persons or property in the vicinity of such device when on the highways of this state.

3.1107 Motorcycle Headgear Required

Every person operating or riding as a passenger on any motorcycle or motor-tricycle, as defined in Section 302.010, RSMo., upon any street of this City shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by state law.

3.1108 Vision-Reducing Material Applied to Windshield or Windows Without Permit Prohibited

No person shall operate any motor vehicle registered in this State on any public highway or street of the City with any manufactured vision-reducing material applied to any portion of the motor vehicle's windshield, sidewings, or windows located immediately to the left and right of the driver which reduces visibility from within or without the motor vehicle. This shall not prohibit labels, stickers, decalomania, or informational signs on motor vehicles provided that such material does not interfere with the driver's normal view of the road. This shall not prohibit factory installed tinted glass, the equivalent replacement thereof or tinting material applied to the upper portion of the motor vehicle's windshield which is normally tinted by the manufacturer of motor vehicle safety glass.

A permit to operate a motor vehicle with a front sidewing vent or window that has a sun screening devise, in conjunction with safety glazing material, that has a light transmission of thirty-five percent (35%) or more plus or minus three percent (3%) and a luminous reflectance of thirty-five percent (35%) or less plus or minus three percent (3%) may be issued by the Department of Public Safety to a person having a physical disorder requiring the use of such vision-reducing material. If according to the permittee's physician disorder

requires the use of sun screening device which permits less light transmission and luminous reflectance that is allowed, the limits may be altered for that permittee in accordance with the physician's prescription. The permit shall allow operation of the vehicle by immediate family who reside in the household.

CHAPTER 3.1200 -- EMERGENCY VEHICLE

3.1201 Emergency Vehicle Defined--Regulations

1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting a red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by 307.175 RSMo., the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the street and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. An emergency vehicle is a vehicle of any of the following types:

a. A vehicle operated by the State Highway Patrol, those vehicles operated by enforcement personnel by the Division of Transportation or the Department of Economic Development, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner, or by a privately owned emergency vehicle company;

b. A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

c. Any vehicle qualifying as an emergency vehicle under section 307.175 RSMo.;

d. Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

e. Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

f. Any vehicle designated to perform emergency functions for a civil defense or emergency management agency under the provisions of Chapter 44 RSMo.

3.1202 Drivers of Authorized Emergency Vehicles

1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of any actual or suspected violator of the law or when responding to, but not upon returning from, a fire alarm, may exercise the privileges set forth in this chapter, but subject to the conditions herein stated.

2. The driver of an authorized emergency vehicle may:

a. Park or stand, irrespective of the provisions of this ordinance;

b. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

c. Exceed the maximum speed limits so long as he does not endanger life or property;

d. Disregard regulations governing direction of movement or turning in specified

directions.

3. The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

4. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

5. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

3.1203 *Operation of Vehicles on Approach of Authorized Emergency Vehicles*

1. 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 and ordinance, 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.

2. 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.

3.1204 *Following Fire Apparatus, Prohibited*

The driver of any vehicle, other than one on official government business, shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet, or drive into or park such vehicle within the block where a fire apparatus has stopped in answer to a fire alarm.

3.1205 *Crossing Fire Hose, Prohibited*

No vehicle shall be driven over any hose of a fire department when laid down when said hose is to be used at any fire or alarm of fire, without the consent of the police or fire department official in command.

3.1206 *Sirens and Flashing Lights Emergency Use, Persons Authorized-Violation*

Motor vehicles and equipment which are operated by any member of an organized fire department, ambulance association, or rescue squad, whether paid or volunteer, may be operated on streets and highways in this state as an emergency vehicle under the provisions of section 304.022 RSMo., while

responding to a fire call or ambulance call or at the scene of a fire call or ambulance call and while using or sounding a warning siren and while using or displaying thereon fixed, flashing or rotating blue lights, but sirens and blue lights shall be used only in bona fide emergencies. Permits for the operation of such vehicles equipped with sirens or blue lights shall be in writing and shall be issued and may be revoked by the chief of an organized fire department, organized ambulance association, or rescue squad and no person shall use or display a siren or blue lights on a motor vehicle, fire ambulance, or rescue equipment without a valid permit authorizing the use. Permit to use a siren or lights as heretofore set out does not relieve the operator of the vehicle so equipped with complying with all other traffic laws and regulations.

CHAPTER 3.1300 -- ALCOHOL AND DRUGGED CONDITION WHILE DRIVING A MOTOR VEHICLE

3.1301 *Consumption of Alcoholic Beverages or Illegal Drugs in Moving Vehicle, Prohibited When*

No person shall consume any alcoholic beverage or illegal drugs while operating a moving motor vehicle upon the public streets or highways within the city limits.

3.1302 *Driving With Excessive Blood Alcohol Content*

1. A person commits the offense of driving with excessive blood alcohol content if such person operates:
 - (a) A vehicle while having eight-hundredths of one percent or more by weight of alcohol in his or her blood; or
 - (b) A commercial motor vehicle while having four one-hundredths of one percent or more by weight of alcohol in his or her blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purpose of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041 of the Revised Statutes of Missouri.

3.1303 *Chemical Tests For Alcohol Content Of Blood--Consent Implied--Administered, When, How*

1. Any person who operates a motor vehicle within the City shall be deemed to have given consent to, subject to the provisions of Sections 577.020 to 577.041, RSMo., a chemical test or tests of his breath, blood, saliva or urine for the purpose of determining the alcohol or drug content of his blood if arrested for any offense arising out of acts which the arresting officer had reasonable grounds to believe were committed while the person was driving a motor vehicle while in an intoxicated or drugged condition. The test shall be administered at the direction of the arresting Law Enforcement Officer whenever the person has been arrested for the offense.
2. The implied consent to submit to the chemical tests listed in Subsection (1) of this Section shall be limited to not more than two (2) such tests arising from the same arrest, incident or charge.
3. Chemical analysis of the person's breath, blood, saliva, or urine to be considered valid under the provisions of Section 577.020 to 577.041, RSMo., shall be performed according to methods approved by the State Department of Health by licensed medical personnel or by a person possessing a valid permit issued

by the State Department of Health for this purpose.

4. The State Department of Health shall approve satisfactory techniques, devices, equipment, or methods to be considered valid under the provisions of Sections 577.020 to 577.041, RSMo., and shall establish standards to ascertain the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination or revocation by the State Department of Health.

5. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of his own choosing and at his expense administer a test in addition to any administered at the direction of a Law Enforcement Officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a Law Enforcement Officer.

3.1304 Driving While Intoxicated

1. A person commits the offense of driving while intoxicated if he operates a motor vehicle in an intoxicated or drugged condition.

2. A person is intoxicated or is in a drugged condition as defined by state law.

3.1305 Authority to Set a Schedule for Reimbursement of Cost for Alcohol and Drug-Related Offenses

1. Upon a plea of guilty, finding of guilt or conviction for violation of alcohol or drug-related offenses, the court may, in addition to imposition of any penalties provided by law, order the person to reimburse law enforcement authorities for the costs associated with such arrest.

2. Such costs shall include the reasonable cost of making the arrest, including the cost of any chemical tests to determine the alcohol or drug content of the person's blood, and the cost of processing, charging, booking and holding such person in custody.

3. Law enforcement authorities may establish a schedule of such costs, with the approval of the Board of Aldermen, for submission to the court; however, the court may order the costs reduced if it determines that the schedule of costs is excessive given the circumstances of the case or for good cause shown.

4. These fees shall be calculated as additional costs by the Municipal Court and shall be collected by the Court in the same manner as other costs and fees are collected and remitted to the City Hall.

CHAPTER 3.1400 -- TURNING MOVEMENTS

3.1401 Required Position and Method of Turning at Intersection

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

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

3.1402 Authority To Place and Obedience to Turning Markers

1. The Chief of Police or designated contractual Law Enforcement Personnel is authorized to place markers or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections.
2. When authorized markers 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.

3.1403 Limitations On Turning Around: U-Turn

The driver of any vehicle shall not make a U-turn so as to proceed in the opposite direction upon any street or highway within the City.

3.1404 Turn Signals 1. No person shall stop or suddenly decrease the speed of or turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety and then only after the giving of an appropriate signal in the manner provided herein.

2. An operator or driver when stopping, or when checking the speed of the operator's vehicle, if the movement of other vehicles may reasonably be affected by such checking of speed, shall extend such operator's arm at an angle below horizontal so that the same may be seen in the rear of the vehicle;

3. An operator or driver intending to turn the operator's vehicle to the right shall extend such operator's arm at an angle horizontal so that the same may be seen in front of and in the rear of the vehicle, and shall slow down and approach the intersecting highway as near as practicable to the right side of the highway along which such operator is proceeding before turning.

4. An operator or driver intending to turn the operator's vehicle to the left shall extend such operator's arm in a horizontal position so that the same may be seen in the rear of the vehicle, and shall slow down and approach the intersecting highway so that the left side of the vehicle shall be as near as practicable to the center line of the highway along which the operator is proceeding before turning;

5. The signals herein required shall be given either by means of the hand and arm or by a signal light or signal device in good mechanical condition of a type approved by the state highway patrol; however, when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of such vehicle then such signals shall be given by such light device. A vehicle shall be considered as so constructed or loaded that a hand and arm signal would not be visible both to the front and rear when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load exceeds twenty-four inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereon exceeds fourteen feet, which limit of fourteen feet shall apply to single vehicles or combinations of vehicles. The provisions of this subdivision shall not apply to any trailer which does not interfere with a clear view of the hand signals of the operator or of the signaling device upon the vehicle pulling such trailer; provided further that the provisions of this section as far as mechanical devices on vehicles so constructed that a hand and arm signal would not be visible both to the front and rear of such vehicle as above provided shall only be applicable to new vehicles registered within this state after the first day of January, 1954.

CHAPTER 3.1500 -- LICENSING

3.1501 License Plates

1. No motor vehicle or trailer shall be operated on any highway or street within the City unless it shall have displayed thereon the license plate or set of license plates issued by the Missouri Director of Revenue or authorized by section 301.140 RSMo. Each such plate shall be securely fastened to the motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. License plates shall be displayed in accordance with state law.

3.1502 Improper License Plates

Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days.

3.1503 Registration of Motor Vehicles

No person shall operate a motor vehicle not duly registered pursuant to the laws of the State of Missouri upon the streets of the City.

3.1504 Allowing Unlicensed Person Operating Motor Vehicle, Prohibited

No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven upon any street or highway by any person who is not authorized by state law or in violation of any of the provisions of this ordinance.

3.1505 All Vehicle Operators To Possess A License Approved Under The Laws Of the State

No person shall operate a motor vehicle upon the streets of the City unless such person shall have a valid driver's license recognized under the laws of the State.

3.1506 Operation Of Motorcycle Without Proper License Prohibited-- Motorcycles--Special License

Unless otherwise provided for by law, it shall be unlawful for any person, to operate a motorcycle or motor-tricycle upon any street of the City unless such person has a valid license that shows he has successfully passed an examination for the operation of a motorcycle or motor-tricycle as prescribed by the Missouri Director of Revenue.

3.1507 Children Forbidden To Operate Motor Vehicle

No person shall cause or knowingly permit his child or ward under the age of sixteen years to drive a motor vehicle or motorcycle upon any street when such minor is not authorized hereunder or is in violation of any of the provisions of the City ordinances or state law.

3.1508 **Operation of Commercial Vehicle Without Proper License, Prohibited**

Except when operating under an instruction permit as described in the state statutes, no person may drive a commercial motor vehicle unless the person has been issued a commercial driver's license with applicable endorsements valid for the type of vehicle being operated as specified in sections 302.700 to 302.780 RSMo.

3.1509 **Valid Driver's License Required**

No person shall operate a motor vehicle upon the streets of the City unless such person shall have a valid driver's license, on his or her person, that is recognized under the laws of the State of Missouri.

3.1510 **Driving While License or Driving Privilege is Canceled, Suspended, or Revoked**

A person commits the crime of driving while revoked if he operates a motor vehicle on a highway when his license or driving privilege has been canceled, suspended or revoked under the laws of this state or any other state and acts with criminal negligence with respect to knowledge of the fact that his driving privilege has been canceled, suspended, or revoked.

CHAPTER 3.1600 -- FINANCIAL RESPONSIBILITY REQUIREMENTS

3.1601 Financial Responsibility Required

No person shall operate a motor vehicle registered in this state, whether owned by such operator or by another, upon the streets, alleys, or highways of the City, unless such operator or owner of said vehicle maintains financial responsibility which covers the operation of said vehicle by such an operator.

3.1602 Proof of Financial Responsibility Required

No person shall operate a motor vehicle registered in this state, whether owned by such operator or by another, upon the streets, alleys, or highways of the City, unless such an operator exhibits proof of financial responsibility upon demand of a police officer, which covers the operation of said vehicle by such an operator.

3.1603 Definition

For the purpose of this ordinance, the term "financial responsibility" shall mean the ability to respond in damages for liability occurring after the effective date of proof of such financial responsibility, arising from ownership, maintenance or use of a motor vehicle, in the amount of \$25,000 for bodily injury to or death of one person in any one accident, and subject to said limit for one person, in the amount of \$50,000 because of injury to or death of two or more person in any one accident, and in the amount of \$10,000 because of injury to or destruction of property of others in any one accident.

3.1604 Acceptable Proof of Financial Responsibility

Proof of financial responsibility may be shown by any of the following:

1. An insurance identification card issued by a motor vehicle insurer or by the state director of revenue for self-insurance, as provided by RSMo. 303.024. A motor vehicle insurance policy, a motor vehicle liability insurance binder, or receipt which contains the name and address of the insurer, the name and address of the insured, the policy number, the effective dates of the policy and a description by year and make of the vehicle, or at least five digits of the vehicle identification number of the word "Fleet" if the insurance policy covers five or more motor vehicles, shall be satisfactory evidence of insurance in lieu of an insurance identification card.
2. A certificate of the state treasurer of a cash deposit as provided by RSMo. 303.240.
3. A surety bond file with the state director of revenue as provided by RSMo. 303.230.

Proof of financial responsibility shall be carried at all times in the insured motor vehicle or by the operator if proof of financial responsibility is effective as to the operator rather than to the vehicle. The operator shall exhibit the proof of financial responsibility at the request of any police officer who lawfully requests the same from such operator while that officer is performing the duties of his office.

CHAPTER 3.1700 -- SEAT BELTS AND RESTRAINTS

3.1701 Seat Belt Use in Passenger Cars

1. As used in this section, the term "**passenger car**" means every motor vehicle designed for carrying ten persons or less and used for the transportation of persons; except that, the term "passenger car" shall not include motorcycles, motorized bicycles, motor tricycles and trucks with a licensed gross weight of twelve thousand pounds or more.

2. Each driver, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this state, and persons less than eighteen years of age operating or riding in a truck, as defined in section 301.010, RSMo, on a street or highway of this state shall wear a properly adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements; except that, a child less than four years of age shall be protected as required in section 3.1702. No person shall be stopped, inspected, or detained solely to determine compliance with this subsection. The provisions of this section shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about their body, nor shall the provisions of this section be applicable to seat to persons while operating or riding a motor vehicle being used in agricultural work-related activities. Noncompliance with this subsection shall not constitute probable cause for violation of any other provision of law.

3. Each driver of a motor vehicle transporting a child four years of age or more, but less than sixteen years of age, shall secure the child in a properly adjusted and fastened safety belt.

4. Each driver who violates the provisions of subsection 2 or 3 of this section and is found guilty shall receive a fine of ten dollars. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section. In no case shall points be assessed against any person, pursuant to section 302.302, RSMo, for a violation of this section.

5. If there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the driver and passengers are not in violation of this section.

3.1702 Child Passenger Restraint System

1. Every person transporting a child under the age of four (4) years shall be responsible, when transporting such child in a motor vehicle operated by that person on the streets of this city, for providing for the protection of such child. Such child shall be protected by a child passenger restraint system approved by the Missouri Department of Public Safety.

2. Any person who violates the provisions of sub-section 1 is guilty of a violation and, upon conviction, may be punished by a fine of not more than twenty five (\$25.00) plus court costs.

3. The provisions of this section shall not apply to any public carrier for hire.

3.1703 Riding in Open Bed of Truck Prohibited

1. No person shall operate a any truck, as defined in section 301.0100, RSMo with a licensed gross weight of less than twelve thousand pounds on any highway or street within the city when any person under eighteen years of age is riding in the unenclosed bed of such truck when the truck is in operation.

2. The provisions of this section shall only apply when a truck described in subsection 1 of this section is operated on a highway or street within the city. The provisions of this section shall not apply to:

- a. An employee engaged in the necessary discharge of the employee's duties where it is necessary to ride in the unenclosed bed of the truck;
- b. Any person while engaged in agricultural activities where it is necessary to ride in the unenclosed bed of the truck;
- c. Any person riding in the unenclosed bed of a truck while such truck is being operated in a parade, caravan or exhibition which is authorized by law;
- d. Any person riding in the unenclosed bed of a truck if such truck has installed a means of preventing such person from being discharged or such person is secured to the truck in a manner which will prevent the person from being thrown, falling or jumping from the truck;
- e. Any person riding in the unenclosed bed of a truck if such truck is being operated solely for the purposes of participating in a special event and it is necessary that the person ride in such unenclosed bed due to a lack of available seating. "Special event", for the purposes of this section, is a specific social activity of a definable duration which is participated in by the person riding in the unenclosed bed;
- f. Any person riding in the unenclosed bed of a truck if such truck is being operated solely for the purposes of providing assistance to, or ensuring the safety of, other persons engaged in a recreational activity; or
- g. Any person riding in the unenclosed bed of a truck if such truck is the only legally titled, licensed and insured vehicle owned by the family of the person riding in the unenclosed bed and there is insufficient room in the passenger cab of the truck to accommodate all passengers in such truck. For the purposes of this subdivision the term "family" shall mean any persons related within the first degree of consanguinity.

CHAPTER 3.1800 -- MISCELLANEOUS DRIVING RULES

3.1801 Driving Through Funeral or Other Procession

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession, while they are in motion. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officer.

3.1802 Driving In Procession

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

3.1803 When Permits Required for Parades and Processions

No funeral procession or parade containing two hundred or more persons or fifty or more vehicles, except the forces of the United States Army or Navy, the military forces of this state and the forces of the police and fire departments, shall occupy, march or proceed along any street except in accordance with a permit issued by the Chief of Police or designated contractual Law Enforcement Personnel and such other regulations as are set forth herein which may apply. The Board of Aldermen may revoke the permit issued by the Chief of Police or designated contractual Law Enforcement Personnel.

3.1804 Vehicle Shall Not be Driven on a Sidewalk

The driver of a vehicle shall not drive within any sidewalk area unless the vehicle is on a driveway.

3.1805 Riding Bicycles, Sleds, Roller Skates, by Attaching to Another Vehicle, Prohibited

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

3.1806 Limitations on Backing

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

3.1807 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.

3.1808 Riding on Motorcycles, Additional Passenger, Requirements

1. A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear or side of the operator.

2. The operator of a motorized bicycle shall ride only astride the permanent and regular seat attached thereto, and shall not permit more than one person to ride thereon at the same time, unless the motorized bicycle is designed to carry more than one person. Any motorized bicycle designed to carry more than one person must be equipped with a passenger seat and footrests for the use of the passenger.

3.1809 All-terrain Vehicles

1. No person shall operate an all-terrain vehicle, as defined in *Definitions*, upon the streets and highways of this City, except as follows:

- a. All-terrain vehicles owned and operated by a governmental entity for official use;
- b. All-terrain vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the date of operation;

- c. All-terrain vehicles whose operators carry a special permit issued by this City.

The City shall issue a special permit to licensed drivers for special uses of all-terrain vehicles on streets and highways within the City limits. Fees of fifteen dollars will be collected and retained by City for such permits.

2. No person shall operate an off-road vehicle within any stream or river in this City, except that off-road vehicles may be operated within waterways which flow within the boundaries of land which an off-road vehicle operator owns, or for agricultural purposes within the boundaries of land which an off-road vehicle operator owns, or for agricultural purposes within the boundaries of land which an off-road vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system.

3. A person operating an all-terrain vehicle on a street or highway pursuant to an exception covered in this section shall have a valid operators or chauffeurs license, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of twenty-five miles per hour or less. When operated on a street or highway, an all-terrain vehicle shall have a bicycle safety flag, which extends not less than seven feet above the ground attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color.

4. No person shall operate an all-terrain vehicle:

- a. In any careless way so as to endanger the person or a property of another; or,
- b. While under the influence of alcohol or any controlled substance; or,
- c. Without a securely fastened safety helmet on the head of an individual who operates an all-terrain vehicle or who is being towed or otherwise propelled by an all-terrain vehicle, unless the individual is at least eighteen years of age.

5. No operator of an all-terrain vehicle shall carry a passenger, except for agricultural purposes.

3.1811 Stopping For School Buses

The driver of a vehicle upon a highway upon meeting or overtaking from either direction any school bus which has stopped on a street or highway for the purpose of receiving or discharging any school children and whose driver has in the manner prescribed by law given the signal to stop, shall stop the vehicle before reaching such school bus and shall not proceed until such school bus resumes motion, or until signaled by its driver to proceed.

3.1812 Police May Remove Vehicle, When

1. Members of the Police Department or designated contractual Law Enforcement Personnel are authorized to remove a vehicle from a street or highway to a garage or other place of safety, or to a garage designated or maintained by the Police Department or designated contractual Law Enforcement Personnel, or otherwise maintained by the City under the circumstances hereinafter enumerated;

- a. When any vehicle is left unattended upon any bridge, viaduct, or causeway, or in

any tube or tunnel when such vehicle constitutes an obstruction to traffic; or,

b. When a vehicle upon a street is so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide its custody or removal; or,

c. When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

2. Whenever an officer removes a vehicle from a street as authorized in this section and the officer knows, or is able to ascertain from the registration records in the vehicle, the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons thereof and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.

3. Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in that event the officer shall immediately send or cause to be sent a written report of such removal by mail to the state department whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall contain a complete description of the vehicle, the date, time, and place from which removed, the reasons for such removal, and the name of the garage or place where the vehicle is stored.

4. The owner of the vehicle is responsible for the fees of the wrecker operator and for storage fees.

3.1813 Passengers in Truck Beds

1. No person shall operate any truck, as defined in Section 301.010 RSMo., with a licensed gross weight of less than twelve thousand pounds when such truck is operated within the corporate limits of this City when any person under eighteen years of age is riding in the unenclosed bed of such truck. No person under eighteen years of age shall ride in the unenclosed bed of such truck when the truck is in operation. Any person who operates a truck with a licensed gross weight of less than twelve thousand pounds in violation of this section shall, upon conviction, be punished by a fine of not more than twenty-five (\$25.00) dollars, plus court costs. The provisions of this Section shall not apply to:

a. Any employee engaged in the necessary discharge of the employee's duties where it is necessary to ride in the unenclosed bed of the truck.

b. Any person while engaged in agricultural activities where it is necessary to ride in the unenclosed bed of the truck.

c. Any person riding in the unenclosed bed of a truck while such truck is being operated in a parade, caravan or exhibition which is authorized by law.

d. Any person riding in the unenclosed bed of a truck if such truck has installed means of preventing such person from being discharged or such person is secured to the truck in a manner

which will prevent the person from being thrown, falling, or jumping from the truck.

e. Any person riding in the unenclosed bed of a truck if such truck is being operated solely for the purposes of participating in a special event and it is necessary that the person ride in such unenclosed bed due to a lack of available seating. "Special event", for the purposes of this Section, is a specific social activity of a definable duration which is participated in by the person riding in the unenclosed bed.

f. Any person riding in the unenclosed bed of a truck if such truck is being operated solely for the purposes of providing assistance to, or ensuring the safety of, other persons engaged in a recreational activity.

g. Any person riding in the unenclosed bed of a truck if such truck is the only legally titled, licensed and insured vehicle owned by the family of the person riding in the unenclosed bed and there is insufficient room in the passenger cab of the truck to accommodate all passengers in such truck. For the purposes of this Subdivision of the term "family" shall mean any persons related within the first degree of consanguinity.