

TITLE 7: MOTOR VEHICLES AND TRAFFIC

CHAPTER 1: GENERAL TRAFFIC PROVISIONS

7.01.01: DEFINITIONS: As used in this Title, the following words and phrases shall have the meanings indicated in this Section:

ALLEY: As defined in the City of Fernley Development Code (10.01.01).

AUTHORIZED EMERGENCY VEHICLE: A vehicle of any Fire Department, Sheriff's patrol and such ambulance and emergency vehicles of municipal departments, county or public service corporations as are designated or authorized by the State.

BICYCLE: Every device having two (2) tandem wheels, which device is propelled by human power and upon which any person may ride.

BOULEVARD: A through street or highway.

COMMERCIAL VEHICLE: A vehicle of a type used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property.

CROSSWALK:

(A) That portion of a street ordinarily included within the prolongation or connection of the boundary lines of sidewalks at intersections where the intersecting streets meet at approximately right angles except the prolongation of any such lines from any alley across the street, or

(B) Any portion of a street distinctly indicated for pedestrian crossing by lines or other markings on the surface.

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

GARAGE: A building or other place wherein the business of storing or safekeeping vehicles which belong to drivers or members of the public, is conducted for compensation.

HIGHWAY: For a definition of "highway", see definition of "street" herein.

INTERSECTION: The area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of two (2) or more highways which join one another at an angle, whether or not one highway crosses the other.

LOADING ZONE: That space adjacent to a curb reserved for the exclusive use of

vehicles during the loading or unloading of passengers or materials, so marked or indicated by adequate signs as to be plainly visible at all times.

MOTOR VEHICLE: Every vehicle which is self-propelled but not operated on rails.

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

MUFFLER: A device consisting of a series of chambers or baffle plates or other mechanical design, for the purpose of receiving exhaust gas from an internal combustion engine and is effective in reducing noise, but does not include such a device equipped with an apparatus which permits the exhaust gas to be discharged directly into the air without passing through such device.

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

OPERATOR: Every individual who operates a vehicle as the owner thereof or who has control of a vehicle.

OWNER: A person who holds the legal title to a vehicle or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with right or agreement and with an immediate right of possession vested in the conditional vendee or lessee or in the event a mortgager of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgager shall be deemed the owner for the purpose of this Title.

PARK or PARKING: The standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of cause beyond the control of the operator of the vehicle.

PARKING METER: Any mechanical device or meter not inconsistent with this Title, placed or erected for the regulation of parking by authority of this Title. Each parking meter installed shall indicate by proper legend the legal parking time established by the city and, when operated, shall at all times indicate the balance of legal parking time and at the expiration of such period, shall indicate illegal or overtime parking.

PARKING METER DISTRICT: Any restricted street upon which parking meters are installed and in operation.

PARKING METER SPACE: Any space within a parking meter district, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meter.

PEDESTRIAN: A person who goes or travels on foot.

PNEUMATIC TIRE: A tire inflated or capable of inflation with compressed air.

PRIVATE ROAD or DRIVEWAY: A road or driveway not open to the use of the public for purposes of vehicular travel.

REPAIR SHOP: A place where vehicles are repaired, rebuilt, reconditioned, repainted or in any way maintained for the public at a charge.

RIGHT OF WAY: The privilege of the immediate use of the highway.

ROADWAY: That portion of a street or highway between the regularly established curb lines or that part improved and intended to be used for vehicular travel.

SEMI-TRAILER: A vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

SIDEWALK: That portion of a street between the curb lines and the adjacent property lines.

STREET or HIGHWAY: A way or place of whatever nature open to the use of the public as a matter of right for the purpose of vehicular travel and shall be deemed to include a roadway or driveway upon grounds owned by public or semi-public institutions.

THROUGH STREET or THROUGH HIGHWAY: A street or highway or portion thereof at the entrance to which vehicular traffic from intersecting highways or streets is required by law to stop before entering or crossing the same.

TRAFFIC: Pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any street 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.

TRAILER: A vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle.

VEHICLE: A device upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

7.01.02: COMPLIANCE WITH PROVISIONS; INTERPRETATION:

(A) COMPLIANCE WITH PROVISIONS:

- (1) No person shall fail to comply with the provisions of this Title.
- (2) No owner, lessor or lessee of a motor vehicle or any person employing or otherwise directing the driver of a motor vehicle shall permit the operation of a motor vehicle upon a street or highway when such vehicle is equipped otherwise than is required or permitted by this Title or by the laws of the State.

(B) CONFLICTS WITH STATE LAW: TRAFFIC AND MOTOR VEHICLE CODE.

The City of Fernley adopts the Motor Vehicle Code regulating the operation, registration and licensing of motor vehicles with the City. Said Code consists of Chapters 482, 483 and 484 of the Nevada Revised Statutes. The commission of any act within the limits of the City of Fernley, or the failure to perform any act within the City, which is made a misdemeanor by the said section of the law of the State of Nevada, constitutes a violation of this ordinance. (FTO 2 amended October 27, 1987)

Whenever the provisions of this title are in conflict with the provisions of Title 43 (Public Safety; Vehicles; Water Craft) as, from time to time amended, the provisions of NRS Title 43 shall prevail.

7.01.03: CERTAIN PERSONS PROHIBITED FROM DRIVING:

(A) MINORS: No person shall cause or knowingly permit his child or ward under the age of sixteen (16) years to drive a motor vehicle upon any street or alley within the City when such minor is not authorized hereunder or is in violation of any provision of this Title.

(B) UNLICENSED DRIVERS: No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven upon any street or alley within the City by any person who is not authorized hereunder or is in violation of any provisions of this Title.

(C) LICENSE REVOKED OR SUSPENDED: Whenever the Department of Motor Vehicles of Nevada has suspended or revoked the license of any operator or chauffeur, such operator or chauffeur shall not operate a vehicle on the streets or alleys within the City during the period of suspension or revocation.

7.01.04: OBEDIENCE TO SHERIFF: Officers of the Sheriffs Department are authorized to direct all traffic by voice, hand or signal in conference with traffic laws; provided, that in the event of fire or other emergency, Sheriffs officers may direct traffic as conditions may require, notwithstanding provisions of traffic laws. No person shall refuse or fail to comply with any lawful order, signal or direction of any Sheriffs officer of the County.

7.01.05: GOVERNMENT AND PUBLIC WORKS VEHICLES:

(A) The provisions of this Title are applicable to the drivers of all vehicles owned or operated by the United States, the State or any county, city, town, district or any other political subdivision, subject to such specific exceptions as are set forth in this Title with reference to authorized emergency vehicles.

(B) The provisions of this Title shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a street or highway but shall apply to such persons and vehicles when traveling to or from such work.

7.01 .06: ANIMALS OR BICYCLES: Every person riding a bicycle or an animal upon a roadway and every person driving an animal shall be subject to the provisions of this Title applicable to the driver of a vehicle, except those provisions of this Title which by their nature can have no application.

7.01.07: ACCIDENTS:

(A) DUTY WHEN STRIKING PERSON OR OCCUPIED VEHICLE:

(1) Whenever any vehicle strikes any person or collides with an occupied vehicle, the driver of such vehicle and all persons in such vehicle who have or assume authority over such driver shall immediately cause such vehicle to stop and shall render to the person struck or the occupant of the vehicle collided with all necessary assistance.

He shall also give to the occupant of such vehicle or person struck the number of his vehicle, the name and address of the owner thereof and the name and address of such driver and of such passenger in the vehicle at the time of such striking or collision.

(2) Every driver shall, within twenty four (24) hours, make or cause to be made a full report of such collision, with all details and circumstances thereof, to the Sheriffs Department.

(B) DUTY WHEN STRIKING UNOCCUPIED VEHICLE OR ANIMAL: Whenever any vehicle strikes an unoccupied vehicle or animal or any other object of any nature whatsoever, the driver of such vehicle and all persons in such vehicle who have or assume authority over such driver shall immediately cause such vehicle to stop and shall ascertain the name of the owner of the vehicle or animal or other object so struck and the license number of any such vehicle and shall immediately make a full report of such collision, with all details and

circumstances thereof, to the Sheriffs Department.

7.01.08: PERSONS UNDER INFLUENCE OF LIQUOR OR DRUGS:

(A) DRIVING VEHICLES OR ANIMALS:

- (1) PROHIBITIONS: No person, while intoxicated or under the influence of intoxicating liquor or stimulating or stupefying drugs, shall drive or conduct any vehicle or ride any animal on any street, highway or alley in the City.
 - (a) It is unlawful for any person who is under the influence of intoxicating liquor to drive or be in actual physical control of a vehicle within the City in accordance with Nevada Revised Statutes.

CHAPTER 2: TRAFFIC-CONTROL SIGNS, SIGNALS AND MARKINGS

7.02.01: UNIFORM SYSTEM:

- (A) The City, with the assistance of the electrical engineer, subject to the approval of the City Council, may determine the character or type and place or erect upon the streets and highways traffic-control signals at places where he shall deem necessary for the safe and expeditious control of traffic. So far as practicable, all such traffic-control signals shall be uniform as to type and location.
- (B) The City, with the assistance of the City Engineer, shall cause to be erected and maintained signs designating railway grade crossings and such other signs, markings and traffic-control signals as may be deemed necessary to direct and regulate traffic and carry out the provisions of this Title and such additional signs as may be appropriate to give notice of parking and other regulations.

7.02.02: OBEDIENCE TO TRAFFIC-CONTROL SIGNS AND SIGNALS:

No driver of any vehicle or the person in charge of any animal or any pedestrian shall disobey the instructions of any official traffic sign or signal placed in accordance with the provisions of this Title unless otherwise directed by a deputy sheriff.

7.02.03: UNAUTHORIZED SIGNS OR SIGNALS: No person shall place, maintain or display upon or in view of any street or highway any unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic 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 sign or signal, and no person shall erect or maintain upon any street or highway any traffic or highway sign or signal bearing thereon any commercial advertising. Nothing in this Section shall be construed to prohibit the erection of the name of an organization authorized to erect the same by the appropriate public authority. Every prohibited sign, signal or device is a public nuisance, and the County Sheriff shall remove the same or cause it to be removed without notice

7.02.04: INTERFERENCE WITH SIGNS PROHIBITED: No person shall deface, injure, knock down or remove any official traffic sign or signal placed or erected as provided in this Title.

CHAPTER 3: RULES OF THE ROAD

7.03.01: DRIVER'S SIGNALS:

(A) SIGNALS REQUIRED:

- (1) The driver of any vehicle upon a street or highway, before starting, stopping or turning from a direct line, shall first see that such movement can be made in safety and, if any pedestrian may be affected by such movement, shall give a clearly audible signal by sounding the horn.
- (2) Whenever the operation of any other vehicle may be affected by such movement, the driver of any vehicle shall give a signal as required in subsection 8 of this Section, plainly visible to the driver of such vehicle, of the intention to make such a movement. The signal required in subsection 8 of this Section shall be given either by means of the hand and arm in the manner therein specified or by an approved mechanical or electrical signal device, which has been approved by the statutes of the State.

(B) METHOD OF GIVING SIGNALS:

- (1) All signals required by hand and arm shall be given from the left side of a vehicle in the following manner, and such signals indicate as follows:
 - (a) Left Turn: Hand and arm extended horizontally beyond the side of the vehicle.
 - (b) Right Turn: Hand and arm extended upward beyond the side of the vehicle.
 - (c) Stop or Sudden Decrease of Speed: Hand and arm extended downward beyond the side of the vehicle.
- (2) In a closed vehicle, the signals shall be given by a proper signaling device indicating the same signals as required by the hand and arm.
- (3) Any signal of intention to turn right or left shall be given continuously during the last one hundred feet (100') traveled by the vehicle before turning.
- (4) No person shall stop or suddenly decrease the speed of a vehicle without first giving the appropriate signal to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

7.03.02: RIGHT OF WAY:

- (A) The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection from a different street or highway.
- (B) When two (2) vehicles enter an intersection from different streets or highways at the same time, the driver of the vehicle on the left shall yield the right of way to the driver of the vehicle on the right.
- (C) Subsections A and 9 of this Section shall not apply to vehicles approaching each other from opposite directions, when the driver of one such vehicle is intending to or is making a left turn. The driver of a vehicle within an

intersection preparatory to a turn to the left shall yield the right of way to any vehicle which has approached or is approaching the intersection from the opposite direction and which is so close as to constitute a hazard at any time during the turning movement and shall continue to yield the right of way to such approaching vehicles until such time as the left turn can be made with reasonable safety.

7.03.03: TURNING MOVEMENTS:

(A) RIGHT AND LEFT TURNS: The driver of a vehicle intending to turn at an intersection shall do as follows:

(1) RIGHT TURNS: Approach for a right turn shall be made in the lane for traffic nearest to the right-hand side of the highway, and the right turn shall be made as closely as practicable to the right-hand curb or edge of the street or highway.

(2) LEFT TURNS:

(a) Approach for a left turn shall be made in the lanes for traffic to the right of and nearest to the center line of the street or highway. The left turn shall be made by passing to the right of such center line where it enters the intersection and, upon leaving the intersection, by passing to the right of the center line of the highway then entered.

(b) Approach for a left turn from a two-way street into a one-way street shall be made in the lane for traffic to the right of and nearest to the center line of the highway or street. The left turn shall be made by passing to the right of such center line where it enters the intersection and, upon leaving the intersection, by passing to the right of the center line of the highway then entered.

(c) The County Sheriff may, by placing markers, buttons or signs within intersections, require and direct that a course be traveled by vehicles turning left different from that specified in this subsection, and it is unlawful for the driver of a vehicle to make a left turn otherwise than as so directed and required by such markers, buttons or signs.

(B) U TURNS: The driver of a vehicle shall not turn such vehicle around so as to proceed in the opposite direction except at an intersection.

7.03.04: THROUGH STREETS; STOP INTERSECTIONS:

(A) The driver of any vehicle who has stopped, as required by law, at the entrance to a through street or highway shall yield the right of way to other vehicles which have entered the intersection from the through street or which are approaching so closely on the through street or highway as to constitute an immediate hazard. Such driver, having so yielded, may proceed and the drivers of all other vehicles approaching the intersection on the through street or highway shall yield the right of way to the vehicle so proceeding into or across the through street or highway.

(B) STOP STREETS: No driver of any vehicle shall fail to stop in obedience to

any sign erected in accordance with the provisions of subsection 7.02.01 B of this Title except where directed to proceed by a Sheriff's officer or traffic control signal. The stop required by this Section shall be made before entering the crosswalk on the near side of the intersection.

7.03.05: SPEED RESTRICTIONS:

- (A) **MAXIMUM SPEED LIMITS:** No person shall drive a vehicle upon a street, highway or alley in excess of the speed indicated as follows:
- (1) **FIFTEEN MILES PER HOUR:**
 - (a) When passing a school building or the grounds thereof during the school period or while children are going to or leaving or playing about said school.
 - (b) When turning a corner from one street or highway into another or on going through any street intersection within the City, except when traveling along a through street or boulevard.
 - (c) In public parks within the City.
 - (d) In all alleys within the City.
 - (e) When approaching or upon a curve or other part of a street or highway, in the event the driver's view is obstructed, within a distance of one hundred feet (100') along the street or highway in the direction in which such driver is proceeding.
 - (2) **TWENTY-FIVE MILES PER HOUR:** Upon any through street, boulevard or highway unless otherwise marked or signed.
 - (3) **THIRTY-FIVE MILES PER HOUR:** Upon any through street, boulevard or highway marked and signed, when the marking and signing indicate the allowance of such speed.
- (B) **MINIMUM SPEED LIMIT:** No person shall drive a vehicle upon a street or highway within the City 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.
- (C) **RESTRICTED SPEED ZONES:**
- (1) **AUTHORITY:** In order to protect life, limb and property and to facilitate the orderly movement of vehicular traffic upon the streets and highways of the City, the Fernley City Council may establish restricted speed zones.
 - (2) **SIGNS POSTED:** After the establishment of any restricted speed zone, the City shall cause to be placed upon the street and highway where such restricted speed zone has been established, appropriate signs or signals giving notice thereof.
 - (3) **OBEDIENCE TO SIGNS AND SIGNALS:** No driver of any vehicle shall disobey the instructions of any sign or signal placed in accordance with the provisions of this subsection unless otherwise directed by a deputy sheriff.

7.03.06: DRIVING ON RIGHT SIDE OF ROADWAY AND ON ROADWAYS LANED FOR TRAFFIC:

- (A) Upon all streets, alleys or highways of sufficient width, other than one-way streets or alleys, the driver of a vehicle shall drive upon the right half of the street or highway except when the right half is out of repair and for such reason impassable or when overtaking and passing other vehicle subject to the limitations set forth in subsection 7.03.07B of this Chapter.

In driving upon the right half of a highway, the driver shall drive as closely as practicable to the right-hand edge or curb of the highway except when overtaking or passing another vehicle or when placing a vehicle in position to make a left turn.

- (B) In driving upon a one-way street or alley, the driver shall drive as closely as practicable to the right-hand edge or curb of the street or alley except when overtaking or passing or traveling parallel with another vehicle or when placing a vehicle in position to make a left turn.

- (C) No two (2) or more vehicles shall travel side by side on any street.

- (D) No person driving, riding, propelling or in charge of any vehicle proceeding correctly along the right side of any street or highway shall cross over to the left side in the center or middle of a block, but shall proceed to the nearest street intersection and make a complete turn, keeping at all times in the right side of the street in the channel of traffic. Under the meaning and intent of this subsection, an alley shall not be construed to be a street.

- (E) Whenever any street or highway has been divided into clearly marked lanes for traffic, drivers of vehicles shall obey the following regulations:

- (1) A vehicle shall normally be driven in the lane nearest the right-hand edge or curb of the street or highway when such lane is available for travel except when overtaking another vehicle or in preparation for a left turn.
- (2) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.
- (3) The County Sheriff may designate right-hand lanes for slow-moving traffic and inside lanes for traffic moving at the speed indicated for the street under this Title. When such lanes are sign posted or marked to give notice of such designations, a vehicle may be driven in any lane allocated to traffic movement in the direction such vehicle is proceeding. When traveling within such inside lanes, vehicles shall be driven at approximately the maximum speed authorized in such lanes, and speed shall not unnecessarily be decreased so as to block, hinder or retard traffic.

7.03.07: OVERTAKING AND PASSING VEHICLES:

- (A) PASSING VEHICLES: Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other at least one-half (1/2) of the main traveled portion of the roadway, whenever possible.
- (B) OVERTAKING VEHICLES: Except as otherwise provided in subsection A of this Section, the following rules shall govern the overtaking and passing of vehicles:
- (1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the street or highway until safely clear of such overtaken vehicle.
 - (2) The driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on suitable and audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.
 - (3) In the event vehicles on a street or highway are moving in two (2) or more substantially continuous lines, the provisions of subsections B1 and B2 hereof shall not be considered as prohibiting the vehicles in one such line overtaking or passing the vehicles in another such line either upon the right or the left nor shall the provisions of subsections B1 and B2 hereof be construed to prohibit a driver overtaking and passing upon the right of another vehicle which is making or about to make a left turn.
 - (4) The driver of a vehicle shall not drive to the left side of the center line of a street or highway 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 impeding the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken.
- (C) PASSING OR OVERTAKING SCHOOL BUSES: The driver of any vehicle upon a street or highway, when meeting or overtaking from either direction any school bus equipped with signs and signals required by law which has stopped on the street or highway for the purpose of receiving or discharging children and is displaying a flashing red light signal visible from the front and rear, shall bring his vehicle to a stop immediately and shall not proceed past the school bus until the flashing red signal ceases operation. The driver of a vehicle need not stop upon meeting or passing a school bus when the school bus is stopped at an intersection or a place where traffic is controlled by a traffic officer or an official traffic signal.

7.03.08: RESTRICTIONS ON DRIVING:

- (A) BACKING:
- (1) No person shall ride, drive or propel or cause to be ridden, driven or propelled in, upon or along any street any vehicle in the backward direction if, by so doing, the free and uninterrupted passage of another

vehicle is impeded, and in no event shall a person drive a vehicle back across or into a street intersection.

- (2) The driver of a vehicle parked diagonally and backing away from the curb into a traffic lane shall exercise unceasing vigilance and, in all events, the approaching car shall have the right of way.

(B) FOLLOWING TOO CLOSELY: The driver of a motor vehicle shall not follow another vehicle closer than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic upon and the condition of the street or highway.

(C) EMERGING FROM ALLEY, DRIVEWAY, ETC.:

- (1) The driver of a vehicle entering a public street or highway from a private road, private driveway or public alley shall yield the right of way to all vehicles approaching on such public street or highway.
- (2) The operator of a vehicle merging from an alley or private driveway shall completely stop such vehicle immediately prior to driving onto the sidewalk area extending across such alley or private driveway.

(D) DRIVING THROUGH FUNERAL PROCESSIONS: No vehicle shall be driven or propelled through or across any funeral procession passing through the streets of the City. Any such vehicle, upon meeting any funeral procession, shall come to a full stop until the funeral procession has fully and completely passed the vehicle. This subsection shall not apply to vehicles of the fire or sheriff's departments or other authorized emergency vehicles.

7.03.09: ZONES OF QUIET:

- (A) Every street or highway within two hundred feet (200') of a hospital building is declared to be a "zone of quiet".
- (B) The County Sheriff is hereby authorized to declare any portion of a street, highway or alley within two hundred feet (200') of a sick chamber a "zone of quiet" for temporary purposes.
- (C) No person shall sound gongs, whistles, horns, sirens or make unnecessary noise or itinerate music in any "zone of quiet".

7.03.10: OPERATION OF VEHICLES ON CITY OR PRIVATE PROPERTY:

- (A) OPERATION OF VEHICLES ON CITY PROPERTY: It is unlawful for any person to operate a vehicle upon property belonging to the City without the authorization of the Fernley City Council.
- (B) OPERATION OF VEHICLES ON PRIVATE PROPERTY: It is unlawful for any person to operate a vehicle upon any private property within the City without the express permission of the owner or occupier of such private property.

(C) EXCEPTIONS: Nothing contained in this Section shall prohibit the operation of a vehicle upon any area designated by the City or the owner or occupier of private property as a driveway, parking lot or other area to which access by vehicle is commonly permitted.

7.03.11: RECKLESS OR CARELESS DRIVING: No person shall drive a vehicle upon a street, highway or alley in violation of the provisions of this Section:

(A) RECKLESS DRIVING: Any person who drives any vehicle in the City in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

(B) CARELESS DRIVING: It is unlawful for any person to drive or operate a vehicle of any kind or character in a careless manner in the City or in other than a careful and prudent manner or at a rate of speed greater than is reasonable and proper, having due regard for the traffic on and the surface and width of the street or highway or at such a rate of speed as to endanger the life, limb or property of any person; provided, that the speed of vehicle shall not exceed that provided for in this Chapter, and provided further, that the mere fact that a vehicle is operated within the speed restriction contained in this Title will not constitute prima facie evidence that the vehicle was operated in a lawful manner.

7.03.12: RACING; SQUEALING TIRES:

(A) RACING: No driver of any vehicle shall engage in a speed contest with another driver of any type motor-driven vehicle.

(B) SQUEALING TIRES: No person, in operating a motor vehicle within the City, shall so accelerate the same as to cause audible noise by the tire friction on the pavement or cause the tires of such vehicle to leave skid marks upon the pavement except when such acceleration is reasonably necessary to avoid a collision.

7.03.13: TRANSPORTING LIQUOR: No person shall carry in his vehicle an open container of alcoholic beverage on any street, alley or public parking lot in the City.

7.03.14: POSSESSING OR CONSUMING MARIJUANA IN VEHICLE ON PUBLIC ROADWAYS AND/OR HIGHWAY(S)—PENALTY, EXCEPTIONS—DEFINITION.

It is a misdemeanor:

(A) For the registered owner of a motor vehicle, or the driver if the registered owner is not then present, or passengers in the vehicle, to keep marijuana or used marijuana paraphernalia in a motor vehicle when the vehicle is upon a public roadway and/or highway, unless it is:

(1) in the trunk of the vehicle or in a locked container not readily accessible,

(2) in some other area of the vehicle not normally occupied or directly accessible by the driver or passengers if the vehicle does not have a trunk, or

(3) in a package, container, or receptacle that has not been opened or the seal broken or contents partially removed. A utility compartment or glove compartment is deemed to be within the area occupied by the driver and passengers;

(B) To consume marijuana in any manner including, but not limited to, smoking or ingesting in a motor vehicle when the vehicle is upon the public highway; or

(C) To place marijuana in a container specifically labeled by the manufacturer of the container as containing a nonmarijuana substance and to then violate (a)(i) of this subsection.

(D) There is a rebuttable presumption that it is a misdemeanor if the original container of marijuana is incorrectly labeled and there is a subsequent violation of (a)(i) of this subsection.

(E) As used in this section, "marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(F) As used in this section, "locked container" means a secure container that is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking devices (excludes center consoles).

CHAPTER 4: PARKING REGULATIONS

7.04.01: APPLICATION OF PROVISIONS:

(A) The provisions of this Chapter prohibiting the stopping, standing or parking of a vehicle shall apply at all times or at those times herein specified except when it is necessary to stop a vehicle to avoid conflict with the direction of a Sheriff's deputy or official traffic-control device.

(B) The provisions of this Chapter imposing a time limit on standing or parking shall not relieve any person from the duty to observe other and more restrictive provisions hereof or of any other ordinance of the City or County or statute of the State prohibiting or limiting the standing or parking of vehicles in specified places or at specified times.

7.04.02: NO PARKING PLACES: It is unlawful for the driver of a vehicle or for the owner of a vehicle to permit the driver thereof to stop, stand or park such vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Sheriff's deputy or traffic-control signal, in any of the following places:

(A) Within an intersection.

(B) On a crosswalk.

(C) On a sidewalk.

(D) Within twenty feet (20') of the driveway entrance to any fire station.

(E) Within fifteen feet (15') of a fire hydrant.

(F) In front of a private driveway.

- (G) Alongside or opposite any street or highway excavation or obstruction when such stopping, standing or parking would obstruct traffic.
- (H) On the roadway side of any vehicle stopped or parked at the edge or curb of any street or highway.
- (I) In any line of traffic so as to obstruct such traffic.
- (J) Between the curb or edge of roadway and property line.
- (K) Within twenty feet (20') of any intersection of two (2) streets.
- (L) Within three feet (3') of an intersection of a street and an alley.

7.04.03: METHOD OF PARKING:

- (A) It is unlawful for any person to stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic and with the right-hand wheels of the vehicle within eighteen inches (18") of the curb line or edge of the roadway, or where angle parking is so allowed, except as provided in this Section.
- (B) It is lawful to back a vehicle to the curb only for such time as shall be necessary to load or unload merchandise or material and then only if ample space is left in the roadway for traffic to pass such a vehicle.

7.04.04: GENERAL PARKING RESTRICTIONS:

(A) FILLING VEHICLES WITH GASOLINE:

- (1) It is unlawful:
 - (a) For the driver of any vehicle to stand or park the same upon any street or highway for the purpose of introducing gasoline or other product of petroleum into such vehicle.
 - (b) For any person to introduce gasoline or other product of petroleum into any vehicle while the same is standing or parked upon any street or highway.
- (2) It is lawful to so introduce gasoline or other fuel into a vehicle from a container not exceeding five (5) gallons in capacity in the event the fuel supply in the vehicle has become exhausted.

(B) ALLEYS:

- (1) It is unlawful for any person to park any vehicle in any public alley of the City except those vehicles that come within the provisions of Section 7.04.03 of this Chapter.
- (2) It is unlawful for any person to park any vehicle in any alley within the boundaries of the business district for a longer period of time than shall be

necessary to load or unload goods, wares or merchandise from or to any business establishment in such district at any time without first obtaining a permit from the County Sheriff. It is unlawful to park such a vehicle in such a manner as to obstruct the movements of other vehicles through such alley.

(C) ALL NIGHT PARKING: It is unlawful for the owner, driver or any person in charge of a motor vehicle to cause or permit the same to be or remain parked at the curb at any time between four o'clock (4:00) A.M. and six o'clock (6:00) A.M. of the same day signed and posted to that effect.

(D) PREFERENCE TO VEHICLE IN PROCESS OF PARKING: Whenever a space is vacant next to a curb, sufficient only for the parking of one vehicle, and any vehicle has stopped in the line of traffic for the purpose of backing into said space, such vehicle shall have the preferential right to such parking space over any following vehicle.

(E) LEAVING CHILD OR OTHERS IN PARKED CAR:

(1) It is unlawful for any person to leave standing or parked any vehicle when the doors thereof are locked and in which there is a person who cannot readily escape therefrom.

(2) It is unlawful for any person to leave a child of tender years unattended in any standing or parked vehicle.

(F) CREST OF HILL: When standing upon any perceptible grade, the front wheels of such vehicle shall be turned to the curb of the right-hand side of the highway or street.

(G) PARKING VEHICLE FOR SALE: No person shall stand or park a vehicle upon any street for the purpose of displaying such vehicle for sale by sign or otherwise.

(H) SET BRAKES; STOP MOTOR: No person having control or charge of a motor vehicle shall allow such vehicle to stand on any street or highway unattended without first effectively setting the brakes thereon and stopping the motor.

(I) OPENING DOORS INTO TRAFFIC: 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, and no person shall leave a door open upon the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

(J) LEAVING PARKED VEHICLE RUNNING: It is unlawful for any person to leave unattended upon any public street or highway or alley any motor vehicle while any part of its machinery is running or is in motion except for the purpose of operating refrigeration equipment of said vehicle or a trailer or semi-trailer connected therewith.

7.04.05: TIME LIMIT PARKING:

- (A) ONE-HOUR PARKING: When signs, authorized by action of the City Council, are in place giving notice thereof, no person shall stop, stand or park any vehicle upon any street for a period of time longer than one hour.
The provisions of this subsection shall be subject to the application of special or more restrictive provisions contained in this Title and relating to the parking of vehicles.
- (B) SEVENTY TWO HOUR PARKING: No person shall park a vehicle upon any street, with the exception of U. S. Highway 40, for more than seventy two (72) hours.

7.04.06: SPECIAL PARKING AREAS: Such areas as the City Council shall designate as "special parking areas", the City shall cause to be appropriately marked by green paint placed and maintained upon the entire curb surface within such area or areas.

It is unlawful for any person to stop, stand or park a vehicle in any area designated as a "special parking area" when such area is duly marked and signed between the hours of eight o'clock (8:00) A.M. and six o'clock (6:00) P.M. of any day except Sundays and legal holidays specified by the laws of the State.

7.04.07: LOADING AND UNLOADING:

- (A) LOADING ZONES: When areas are designated by the City Council as "loading zones" and have been appropriately marked with yellow paint placed and maintained upon the entire curb surface along such area, it is unlawful for any person to stop or stand a vehicle except for the purpose of loading or unloading passengers or materials to the establishment for which the area was designated.
- (B) LOADING AND UNLOADING PASSENGERS AND MATERIALS:
- (1) The loading or unloading of passengers shall not consume more than three (3) minutes, and the loading or unloading of materials shall not consume more than twenty (20) minutes unless permission is obtained from the County Sheriff authorizing the standing of a vehicle for a longer period while unloading or loading materials.
 - (2) Where a proper sign is erected in front of a hotel, the loading or unloading of passengers and their luggage shall not consume more than twenty (20) minutes.
 - (3) The loading or unloading of materials shall apply only to commercial deliveries and to the delivery or pickup of express and parcel-post packages and United States mail.
 - (4) The loading or unloading of passengers shall include the loading or

unloading of personal baggage.

7.04.08: PERMIT REQUIRED FOR CERTAIN VEHICLES:

(A) VENDING VEHICLES: No person shall stand or park any vehicle, wagon or pushcart from which goods, wares, merchandise, fruits, vegetables or foodstuffs are sold, displayed, solicited or offered for sale or bartered or exchanged or any lunchwagon or eating car or vehicle on any portion of any street within the City without first obtaining a written permit to do so from the City Council which shall designate the specific location in which such vehicle, wagon or pushcart shall stand. The provisions of this subsection shall not apply to persons delivering such articles from a store or other fixed place of business or distribution upon order of or by agreement with a customer.

(B) VEHICLES FOR HIRE:

(1) No person shall park or stand any vehicle or wagon used or intended to be

used in the transportation of persons or property for hire on any street while awaiting patronage for such vehicle or wagon without first obtaining a permit to do so from the City Council which shall designate the specific location where such vehicle may stand, and such location shall be signed indicating that it has been reserved for the use of the particular named person. When so signed, it is unlawful for any person other than the person designated to park or stand a vehicle in such space.

(2) It is unlawful for the owner or person in charge of any vehicle used in carrying passengers, freight, baggage or merchandise for hire to permit such vehicle to stand or remain in front of any place of business without first obtaining the written consent of the tenant of such place of business.

(C) CONDITIONS OF PERMIT; REVOCATION: Whenever any permit is granted under the provisions of this Section and a particular location has been designated, no person shall park or stand any vehicle, wagon or pushcart on any location other than as designated in such permit. In the event the holder of any such permit is convicted in any court of competent jurisdiction for violating any of the provisions of this Section, such permit shall be forthwith revoked by the City Council upon the filing of the record of such conviction with the City Council. No permit thereafter shall be issued to such person until six (6) months have elapsed from the date of such revocation.

7.04.09: SIGNS POSTED; OBEDIENCE: In such areas as are designated by the City as "no parking" or "no stopping" areas, the City shall cause such areas to be appropriately marked by red paint placed and maintained upon the entire curb surface within such area. It is unlawful for any person to stop, stand or park a vehicle in any area designated as a "no parking" or "no stopping" area. A bus may stop in such a red zone when the same has been authorized, marked or signed as a bus stop, and a taxi or other vehicle for the transportation of persons or property for hire may stop in certain red zones, as provided in this Title, and utility vehicles and authorized emergency vehicle of the County may stop in such

a red zone if such vehicle is there in line of duty.

7.04.10: PARKING OF OVERSIZED VEHICLES, TRUCKS AND COMMERCIAL VEHICLES IN RESIDENTIAL AREAS-PROHIBITED ACTIVITIES

(A) Parking of Oversized Vehicles

- (1) Within 100 feet of any residential area, it is unlawful for any person to stand, park or leave running any vehicle, trailer or vehicle and trailer having an overall length of more than twenty-four (24) feet at any time on any public street, highway or alley except in designated truck-parking areas or immediately in front of the property of the owner or driver while goods or passengers are being loaded or discharged.
- (2) In the case of recreational vehicles, travel trailers and boats a fortyeight (48) hour period will be allowed for loading and unloading,

provided all vehicle and traffic regulations are complied with.

(B) Parking of Trucks or Commercial Vehicles in Residential Areas.

- (1) It is unlawful for any person to stand, park or leave running any truck or commercial vehicle on any residential street except when engaged in the loading or unloading of merchandise or when such vehicle is being used in conjunction with the performance of service, repair, construction or similar use.
- (2) It is unlawful for any person to cause or allow any commercial trailer or semi-trailer which is not attached to a tractor or other motor vehicle to be parked on a public street, highway, alley, parking lot or park within a residential area.

7.04.11: DEFINITIONS

- (A) For purposes of this Ordinance, a residential area shall be defined as a residential neighborhood or area consisting of lot sizes of one acre or less.
- (B) For purposes of this Chapter, "running" shall mean having the vehicle's engine or motor or any part of its machinery engaged, in motion or in operation, including refrigeration equipment. (FTO 11)

CHAPTER 5: PEDESTRIANS

7.05.01: RIGHT OF WAY: The driver of a vehicle shall yield the right of way to a pedestrian crossing a roadway within any marked crosswalk or within any unmarked crosswalk at an intersection except as otherwise provided in this Chapter.

Whenever any vehicle has 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.

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

7.05.02: PEDESTRIAN'S USE OF ROADWAYS:

(A) USE RIGHT HALF OF CROSSWALK: Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

(B) CROSSING AT OTHER THAN CROSSWALKS: 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.

The provisions of this subsection shall not relieve the driver of a vehicle from the

duty to exercise due care for the safety of any pedestrian upon a roadway. No pedestrian shall cross a roadway at any place other than a route at right angles to the curb or by the shortest route to the opposite curb, except in a marked crosswalk.

(C) **CROSSING AT CONTROLLED INTERSECTIONS:** At intersections where traffic is controlled by a traffic-control signal device or by Sheriff's officers, pedestrians shall not cross the roadway against a red or stop signal.

(D) **SUDDENLY LEAVING CURB:** No pedestrian shall suddenly leave a curb or other place and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(E) **SOLICITING RIDES OR BUSINESS:**

(1) No pedestrian shall loiter in a crosswalk for the purpose of soliciting a ride, employment or business.

(2) No person shall stand in a roadway for the purpose of soliciting a ride from

the driver of any vehicle.

7.05.03: **PLAYING GAMES IN STREETS:** No person shall engage in any sport, amusement or occupation likely to impede the passage of vehicles upon any street.

CHAPTER 6: VEHICLE EQUIPMENT AND CONDITION

7.06.01: STATE REGISTRATION REQUIRED: It is unlawful for any person to operate or for the owner thereof knowingly to permit the operation of any motor vehicle, trailer or semi-trailer upon any street, highway or alley unless the same has been registered and has attached thereto and conspicuously displayed thereon the number of plate currently assigned thereto by the Motor Vehicle Department of the State, unless such vehicle, trailer or semi-trailer is exempted from such registration by the laws of the State.

7.06.02: BRAKES: Every motor vehicle, other than a motorcycle, when operated within the City, shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including means which shall be effective to apply the brakes to at least two (2) wheels.

No person shall operate any vehicle within the City which is incapable at all times and under all conditions of loading of being stopped on a dry, smooth, level street free from loose material upon application of the service brake or of being decelerated at such a sustained rate as is specified by the statutes of the State.

7.06.03: HORNS AND WARNING DEVICES:

(A) No person shall operate upon the streets or alleys of the City any vehicle which is not equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet (200').

Every person operating a vehicle shall, when reasonably necessary to insure safe operation, give audible warning with his horn, and it is unlawful to otherwise use such horn.

No horn shall emit an unreasonable loud or harsh sound or a whistle.

(B) No person shall use upon a vehicle any siren, whistle, bell or red light except on emergency equipment of the County or other governmental agency or other emergency equipment authorized by the State.

Any authorized emergency vehicle may be equipped with a siren, whistle or bell capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet (500'). It is unlawful to use such siren except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which event, the driver of such vehicle shall sound such siren or electric warning device when necessary to warn pedestrians and other drivers of the approach thereof.

7.06.04: LIGHTS: No person shall operate upon any street or highway any

vehicle that is not equipped with the lighting equipment required by the laws of the State. It is unlawful:

(A) For any person driving or in charge of a vehicle to fail to display lights in compliance with the laws of the State.

(B) For any person to operate upon any street or highway any vehicle that is equipped with lighting equipment that is not in conformity with the requirements of the laws of the State.

7.06.05: MUFFLERS AND EXHAUST SYSTEMS:

(A) GENERAL REQUIREMENTS: No person shall ride, drive or propel, or cause or permit to be ridden, driven or propelled, any motor vehicle in, upon or along any street or highway nor operate, or cause or permit to be operated, the motor in any such vehicle in any street or other public place if such motor vehicle or the motor in such vehicle is not provided with a good and sufficient muffler properly attached thereto or if the exhaust from the motor in such vehicle is ejected otherwise than through such muffler or if the exhaust is ejected toward the surface of the street or ground.

(B) MODIFIED EXHAUST SYSTEMS: No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the motor of such vehicle above that emitted by the muffler originally installed on the vehicle. The original muffler shall comply with all of the requirements of the original equipment.

(C) EXHAUST PIPES ON DIESEL-POWERED VEHICLES: No person shall operate any vehicle powered by a diesel engine within the City unless the extreme end of the exhaust pipe therefrom terminates at a point above the top of the cab or body of such vehicle, whichever is higher.

This subsection shall not apply to diesel-powered automobiles, new diesel pickups or vehicles converted from gasoline to diesel-powered engines.

7.06.06: TIRES: No person shall ride, drive or propel, or cause or permit to be ridden, driven or propelled, along or upon any pavement or top-dressed street any vehicle or traction engine, any tire of which is not a pneumatic tire or that has a sharp or uneven surface or to any tire or wheel to which is attached cleats or spikes or uneven surfaces or any device that will cause damage to the paving, macadamizing or top-dressing of such street.

7.06.07: OBSTRUCTING DRIVER; RIDING ON UNLAWFUL PART OF VEHICLE:

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

is riding on the outside of any vehicle.

(B) No person shall ride and no person driving a motor vehicle shall knowingly permit any person to ride on any vehicle upon any portion thereof not designed or intended for the use of passengers or in any position as to interfere with the driver's or operator's view. This provision does not apply to an employee engaged in the necessary discharge of his duty or to persons riding completely within or upon vehicle bodies in space intended for any load on the vehicle.

7.06.08: VEHICLE WEIGHT AND LOAD:

(A) WEIGHT RESTRICTIONS: No traction engine, trailer or motor or other vehicle shall be operated upon any highway, street or alley within the City nor shall any object be moved over or upon any such street, alley or highway upon wheels, rollers or otherwise in excess of a total weight of eighteen thousand (18,000) pounds per axle, including vehicle, object or contrivance and load, without first obtaining from the City Engineer a permit so to do.

This subsection shall not apply to the following streets:

Interstate 80
U.S. Highway 95A
U.S. Highway 50

(B) PROJECTING LOADS: Whenever the load of any vehicle extends more than four feet (4') beyond the rear of the bed or body thereof, there shall be displayed at the end of such load, in such position as to be clearly visible at all times from the rear of such load, a red flag no less than twelve inches (12") both in length and width. Between one-half (1/2) hour

after sunset and one-half (1/2) hour before sunrise, there shall be displayed at the end of any such load a yellow or red light plainly visible under normal atmospheric conditions at least two hundred feet (200') from the rear of such vehicle.

7.06.09: PROHIBITED ACTS AND CONDITIONS:

(A) DRIVING ON NEWLY LAID PAVEMENT: No person shall ride or drive any vehicle or horse over or across any pavement newly laid or repaired, across or around which there has been placed a barrier or at or near which there is a person or a sign stating that the street or highway is closed. The provisions of this subsection shall not apply to the persons actually engaged in the paving or repair of such street or highway.

(B) DEPOSITING INJURIOUS MATERIALS IN ROADWAY: No person shall throw, deposit or place in or upon any public street any nails, tacks, crockery, scrap iron, tin, wire, bottles, glass, thorns, thorny clippings, thorny branches of bushes or any other article or thing likely to puncture or injure the tire of any

vehicle or, by such acts, to litter the street or highway with rubbish.

(C) LEAKING LOADS: It is unlawful for any person to drive or move any vehicle on any street or highway unless such vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.

(D) TRANSFERRING LOADS: It is unlawful to transfer merchandise from one vehicle to another upon any street except in the event that one such vehicle has been damaged or become disabled and cannot be removed from the street with safety until the same has been unloaded.

(E) OIL OR GASOLINE DRIPPING ON STREET: It is unlawful for any person owning or operating any vehicle, machinery or apparatus using gasoline or other product of petroleum to drain or permit to drip or run from the crankcase or gear case or from any other part of the vehicle or machinery any gasoline, oil or other petroleum product, upon any street or highway.

(F) REPAIRING VEHICLE ON STREET: No person shall construct or cause to be repaired any vehicle or any part of any vehicle upon any street or highway or alley, except for minor repairs.

CHAPTER 7: BICYCLES

7.07.01: OPERATION OF BICYCLES:

- (A) RIDING ON BICYCLES: No person shall carry upon any bicycle upon any street, highway or alley a number of persons greater than that for which such bicycle is designed and equipped.
- (B) RIDING ON THE RIGHT: Every person operating a bicycle upon a street, highway or alley shall ride as near to the right-hand side of the roadway as practicable and shall exercise due care when passing a standing vehicle or a vehicle proceeding in the same direction.
- (C) RIDING ON SIDEWALKS PROHIBITED: No person shall operate a bicycle upon any sidewalk within the City.
- (D) RIDING IN A GROUP: No persons shall operate bicycles upon any street, highway or alley in a group of more than two (2) bicycles abreast of one another.
- (E) CLINGING TO VEHICLES: No person operating a bicycle upon any street, highway or alley shall attach such bicycle or himself to any moving vehicle
- (F) PARKING: No person shall park or stand a bicycle upon any street or sidewalk, other than in a bicycle rack or against a building or at the curb in such a manner as to afford the least obstruction to pedestrian traffic.

7.07.02: LIGHTS AND REFLECTORS: No person shall operate any bicycle upon a street or highway after sundown and before sunrise unless such bicycle is equipped with a lamp emitting a white light visible under normal atmospheric

conditions from a distance of three hundred feet (300') in front of such bicycle and with a red reflector on the rear.

CHAPTER 8: MOTORCYCLES

7.08.01: DRIVER'S LICENSE REQUIRED:

- (A) Except for a nonresident who is at least sixteen (16) years of age and is authorized by the state of his residency to drive a motorcycle, a person shall not drive a motorcycle upon a street or highway within the City unless such person holds a valid motorcycle driver's license issued pursuant to NRS chapter 486 or a driver's license issued pursuant to NRS chapter 483 endorsed to authorize the holder to drive a motorcycle.
- (B) No person shall authorize or knowingly permit a motorcycle owned by him or under his control to be driven upon any highway by any person who is not authorized by NRS chapter 486 to drive a motorcycle.

7.08.02: OPERATION OF MOTORCYCLES:

- (A) RIGHTS AND DUTIES OF DRIVER: A person driving a motorcycle upon a highway is entitled to all the rights and subject to all the duties applicable to the drivers of motor vehicles as provided by law, except those provisions which by their nature can have no application.
- (B) RIDING ON MOTORCYCLES: A person driving a motorcycle shall ride only upon the permanent and regular set attached thereto.

A person shall not drive a motorcycle with the seat for the driver so positioned that the driver, when sitting astride the seat with the motorcycle in a stopped and upright position, cannot reach the ground with both feet simultaneously.

- (C) Carrying Passengers: A motorcycle shall not be driven upon a highway while carrying more than one person unless such motorcycle is designed by the

manufacturer to carry more than one person. A passenger shall ride:

- (1) Behind the driver and astride the permanent or regular seat which was designed for two (2) persons;
- (2) Astride another seat firmly attached at the rear of the driver; or
- (3) In a sidecar attached.

Every such motorcycle designed for transporting a passenger shall be equipped with footrests adjusted to fit such passenger.

(D) **USE OF TRAFFIC LANES:** Every motorcycle, when being driven on the highway, is entitled to full use of the traffic lane it is occupying, and a person shall not drive another motor vehicle in a manner which would deprive any such motorcycle of such use.

(E) **DRIVING BETWEEN VEHICLES; RIDING ABREAST:**

- (1) A person, except a Sheriff's officer in the performance of his duty, shall not drive a motorcycle between moving or stationary vehicles occupying

adjacent traffic lanes.

- (2) Except as provided in subsection E3 hereof, a person shall not drive a motorcycle abreast of or overtake or pass another vehicle within the same traffic lane.
- (3) Motorcycles may, with the consent of the drivers, be operated no more than two (2) abreast in a single traffic lane.

7.08.03: **EQUIPMENT:**

(A) **HANDLEBARS:**

- (1) **HEIGHT OF HANDLEBARS:** A person shall not drive a motorcycle equipped with handlebars which are more than fifteen inches (15") in height above the uppermost portion of the driver's seat when such seat is depressed by the weight of the driver.
- (2) **USE OF HANDLEBARS:** The driver of a motorcycle shall drive with one hand on each handlebar at all times, except when such driver is making an arm signal for a turn.

(B) **WHEEL FENDERS:** A person shall not drive a motorcycle unless the wheels are protected by fenders to prevent the throwing of rocks, dirt, water or other substances to the rear.

(C) **LIGHTS AND SIGNAL DEVICES:**

(1) **General Requirements:**

- (a) Every motorcycle upon a highway or street of this County at any time from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise and at any other time when, because of insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway or street are not clearly discernible at a distance of one thousand feet (1,000') ahead, shall display lighted lamps and

illuminating devices as respectively required in this Chapter.

- (b) Every motorcycle upon a highway shall be equipped with stop lights and turn signals to be lighted in the manner prescribed for the use of such devices.
- (2) HEADLAMPS: Every motorcycle shall be equipped with at least one and not more than two (2) head lamps. Every such headlamp shall be located at a height of not more than fifty four inches (54") nor less than twenty four inches (24") from the ground, as measured from the center of the lamp to the level ground upon which such motorcycle stands without a load.
- (3) TAIL LAMPS: Every motorcycle shall be equipped with at least one tail lamp mounted on the rear which, when lighted as required by this Chapter, shall emit a red light plainly visible from a distance of five hundred feet (500') to the rear. Such lamp shall be wired to be lighted whenever the head lamp is lighted.
- (4) REFLECTORS: Every motorcycle shall carry on the rear at least one reflector which shall be mounted at a height not less than twenty inches (20") nor more than sixty inches (60") from the ground as measured from

the center of the reflector to the level ground upon which such motorcycle stands without a load. Each such reflector shall be of a size and character and so mounted as to be visible at night from all distances within three hundred feet (300') when directly in front of lawful upper beams of headlamps.

- (5) TURN SIGNALS: Every motorcycle manufactured after January 1, 1972, shall be equipped with electric turn signal lamps. Such lamps shall be located on the front and rear and shall indicate an intention to turn by flashing lights in the direction toward which the turn is to be made.

The lamps showing to the front shall be mounted on the same level and as widely spaced laterally as practicable and, when signaling, shall emit white or amber light or any shade of light between white and amber.

The lamps showing to the rear shall be mounted on the same level and as widely spaced laterally as practicable and, when signaling, shall emit red or amber light or any shade of light between red and amber.

- (D) BRAKES: Every motorcycle shall be equipped with brakes adequate to control the stopping and holding as prescribed in NRS 484.593 and 484.595.
- (E) MIRRORS: Every motorcycle shall be equipped with two (2) mirrors, each containing a reflection surface not less than three inches (3") in diameter, with one mirror mounted on each handlebar in positions enabling the driver to view clearly the highway for a distance of two hundred feet (200') to the rear.
- (F) MUFFLER: Every motorcycle driven on a highway shall be equipped with an effective and operating muffler.

7.08.04: SAFETY GEAR:

(A) SAFETY GEAR REQUIRED: Except as provided in this subsection, when any motorcycle is being driven on a street, highway or alley within the City, the driver and passenger shall wear protective headgear securely fastened on the head and protective glasses, goggles or face shields, which headgear, glasses, goggles and face shields shall meet standards adopted by the Department of Motor Vehicles of the State, in accordance with the provisions of NRS 486.231 (1).

When a motorcycle is equipped with a transparent windscreen meeting standards adopted by the Department of Motor Vehicles of the State adopted in accordance with the provisions of NRS 486.231 (1), the driver and passenger shall not be required to wear glasses, goggles or face shields.

When a motorcycle is being driven in a parade authorized by the City, the driver and passenger shall not be required to wear the protective devices provided for in this subsection.

(B) SALE OF SAFETY GEAR: A person shall not sell, offer for sale or distribute any protective headgear, glasses, goggles or face shields for use by any drivers or passengers of motorcycles or transparent windscreens for motorcycles unless such equipment is of a type and specification meeting the standards therefor adopted by the Department of Motor Vehicles of the State.

The provisions of this subsection shall not prohibit the sale of protective headgear, glasses, goggles or face shields which comply with the rules and regulations adopted by the United States Department of Transportation.

7.08.05: DELIVERY OF DRIVER'S LICENSE ON REQUEST: Every person driving a motorcycle shall manually deliver his license to drive a motorcycle to any Sheriff's officer or court upon request therefor by such officer or court.

7.08.06: VIOLATION AND PENALTY: Any person violating any provisions of this Chapter is guilty of a misdemeanor and shall be punished as provided in Title 1, Chapter 4 of this Code.

CHAPTER 9: TAXICABS

7.09.01: RESTRICTIONS REGARDING CONVICTED PERSONS:

No convicted person shall drive or operate a taxicab within the City; and no taxicab owned by or registered to any convicted person shall be driven or operated within the City.

"Convicted person", as used in this Section, is defined in the same manner as the same term is defined in NRS 207.080.

7.09.02: FINGERPRINTS REQUIRED: Every person applying for a taxicab license or permit to drive shall be fingerprinted.

CHAPTER 10: ENFORCEMENT AND PENALTIES

7.10.01: ENFORCEMENT OF PROVISIONS: The officers of the Sheriff's Department shall enforce the provisions of this Title.

7.10.02: USE OF RADAR: It is lawful for the Sheriff's Department to use radar equipment for the detection of speed violators and for the control and regulation of traffic within the City.

7.10.03: CITATIONS: The County Sheriff shall provide suitable, serially numbered forms for notifying violators of this Title to appear and answer to charges of said violations.

7.10.04: FAILURE TO APPEAR: No person shall fail to appear before the municipal court after having represented in writing to a Sheriff's deputy of the County that he would so appear to answer to a charge of having violated any provision of this Title.

7.10.05: ARRESTS: Whenever any person is arrested for any violation of this Title, the arrested person shall be taken without unnecessary delay before a justice of the peace within the County who is nearest or most accessible with reference to the place where the arrest is made in any of the following cases:

(A) When the person arrested fails to exhibit his driver's license or other satisfactory evidence of his identity.

(B) When the person arrested refuses to give his written promise to appear in court.

7.10.06: ILLEGALLY PARKED VEHICLES:

(A) NOTICE OF VIOLATION: Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this Title or other provisions of this Code, the deputy sheriff finding such vehicle shall take its registration number and may take other information displayed on the vehicle which may identify its user and shall conspicuously affix to such vehicle a notice in writing on a form provided by the County Sheriff for the driver to answer to the charge against him at a place and during the hours specified in the notice.

(B) FAILURE TO COMPLY WITH NOTICE: If a violator of the restrictions on stopping, standing or parking vehicles imposed by this Title does not appear in response to a notice affixed to such vehicle at the place and during the hours specified in the notice within ten (10) days from the date of the affixing of such notice, he shall be guilty of violating the provisions of this Title

regardless of the disposition of the charge for which the notice was affixed.

(C) VIOLATIONS DECLARED A NUISANCE; IMPOUNDMENT AND REDEMPTION OF VEHICLES: Any vehicle of any kind or description whatever found parked at a place or in a manner prohibited or declared to be unlawful for this Title or in violation of the restrictions on stopping, standing or parking imposed by this Title or other sections of this Code is declared to constitute a nuisance and may be impounded by any deputy sheriff.

The impounded vehicle shall only be surrendered to the duly identified owner or to the duly authorized agent of such owner upon the payment to the garage or repair shop of the towing and storage charges, which sum is declared to be the pound fee covering the same.

7.10.07: PRIMA FACIE PROOF: In any proceeding for the violation of any of the provisions of this Title or of any of the restrictions imposed by this Title, the registration plate or number thereon displayed on the vehicle involved shall be received as prima facie evidence that the registered owner of such vehicle was then operating the same.

If, at any hearing or proceeding, the registered owner of such vehicle testifies under oath that he was not operating the vehicle at the time of the alleged violation of this Title and subjects himself to an examination as to who, at the time, was operating such vehicle and reveals the name of the person or shows that such vehicle was stolen, then the prima facie evidence arising from the registration plate or number thereon shall be overcome and the burden of proof shifted.

7.10.08: REPORTS ON VIOLATIONS: The County Sheriff shall cause to be kept a full report of every case in which a person is charged with violations of any

provisions of this Title, and in the event such person is convicted or that his bail is forfeited, an abstract thereof shall be sent forthwith by the justice of the peace to the Motor Vehicle Department of the State.