

# BARNWELL CITY CODE

## Chapter 30

### TRAFFIC AND VEHICLES\*

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\* **State Law References:** Uniform Act Regulating Traffic on Highways, local authority, S.C. Code 1976, § 56-5-30; general rules regarding maximum speed limits, S.C. Code 1976, § 56-5-1520; alteration of speed limits by local authorities, signs and approval by state, S.C. Code 1976, § 56-5-1540; powers of local authorities concerning traffic laws, S.C. Code 1976, § 56-5-710; local authority to regulate standing or parking of vehicles, S.C. Code 1976, § 56-5-710(1); municipalities with marked parking spaces must designate spaces for disabled persons, S.C. Code 1976, § 56-3-1965; local authority to regulate operation of bicycles, S.C. Code 1976, § 56-5-710(8); power of local authorities to require strict pedestrian compliance with traffic control signals, S.C. Code 1976, § 56-5-3120; municipality may by ordinance require drivers involved in accidents to file report with designated city department, S.C. Code 1976, § 56-5-1360.

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## **ARTICLE I. IN GENERAL**

### **Sec. 30-1. Short title.**

This chapter may be cited as the "Traffic Ordinance."  
(Code 1989, § 18.101)

### **Sec. 30-2. Definitions.**

For the purpose of this chapter, the definitions of the S.C. Code 1976, § 56-5-110 are hereby adopted and made a part of this Code.  
(Code 1989, § 18.102)

### **Sec. 30-3. Jurisdiction of municipal court.**

The municipal court may try and determine criminal cases involving violation of the provisions of this chapter or provisions of the 1976 South Carolina Code of Laws, relating to motor vehicles and traffic occurring within the corporate limits.  
(Code 1989, § 18.103)

### **Sec. 30-4. Powers of council.**

For streets under the jurisdiction of the city, the council shall have the power and is hereby authorized to:

- (1) Regulate the operation and parking of vehicles within the corporate limits by the erection or placing of proper signs or markers indicating prohibited or limited parking, restricted speed areas, one-way streets, play streets, through or arterial streets, U-turns, school zones, and other official traffic control devices indicating the place or manner of operating or parking vehicles, including loading zones.
- (2) Regulate the movement of pedestrians upon the streets and sidewalks by the erection or placement of proper signs or markers indicating the flow of pedestrian traffic.
- (3) Mark off traffic lanes on streets and parts of streets indicating and directing the flow of traffic.
- (4) Secure all necessary signs, markers or official traffic control devices to be erected or placed on any street or part of a street. The existence of such signs, markers or official traffic control devices at any place shall be prima facie evidence that such signs, markers or official traffic control devices were erected or placed by and at the direction of the council and in accordance with the provisions of this section.

(Code 1989, § 18.104)

**Sec. 30-5. Responsibility of vehicle owner.**

No person shall allow or permit any vehicle registered in his name to violate any ordinance. Such violations of ordinances shall be presumed to be with the knowledge of the owner of such vehicle.  
(Code 1989, § 18.106)

**Sec. 30-6. Fixing traffic tickets unlawful.**

It shall be unlawful for any official or employee of the city to fix any ticket or summons issued by the police department for a violation of this chapter or any other traffic ordinance.  
(Code 1989, § 18.107)

**Sec. 30-7. Through streets.**

When signs are officially erected by the city, streets and parts of streets are hereby declared to constitute through streets. Traffic thereon shall be subject to traffic control at all points or intersections where such signs are provided.  
(Code 1989, § 18.108)

**Sec. 30-8. Obedience to police officers.**

No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control or regulate traffic.  
(Code 1989, § 18.109)

**Secs. 30-9--30-34. Reserved.**

**ARTICLE II. MOVING TRAFFIC**

**Sec. 30-35. State laws adopted by reference.**

(a) All vehicles shall be operated in accordance with and conformity with all current state laws and this Code or amendments thereto enacted, as relating to the operation of vehicles. Such provisions are adopted by reference and made a part of this chapter as if set out herein, except those provisions relating solely to the South Carolina Department of Transportation and those provisions the penalty for which exceeds a fine of \$200.00 or imprisonment for more than 30 days. Any person violating these provisions shall be, upon conviction, guilty of a misdemeanor.

(b) As they apply to municipalities, all requirements of S.C. Code 1976, ch. 56, as amended, are hereby adopted by reference and made a part of this chapter, as if set out in full herein. All owners of vehicles shall conform with such requirements, and any person failing to conform therewith, upon conviction, shall be guilty of a misdemeanor.  
(Code 1989, § 18.201)

**Sec. 30-36. Using vehicle for advertising, streets not for storage.**

(a) No person shall operate or park any vehicle on any street for the primary purpose of advertising without the prior approval of the council.

(b) Streets shall not be used for storage by dealers, garages, etc.  
(Code 1989, § 18.202)

**Sec. 30-37. Driving across private property to make turns.**

It shall be unlawful for any person driving a vehicle to use a sidewalk area or any driveway, parking lot or business entrance at any intersection to cut a corner purposely. It is the intention of this section to prohibit corner-cutting by driving a vehicle from one street into another across any sidewalk and/or driveway.  
(Code 1989, § 18.203)

**Sec. 30-38. Limitations on backing of vehicles.**

The driver of a vehicle shall not back it unless such movement can be made with reasonable safety and without interfering with other traffic.  
(Code 1989, § 18.204)

**Sec. 30-39. Entering intersection or marked crosswalk.**

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 said vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.  
(Code 1989, § 18.206)

**Sec. 30-40. Moving on one-way streets.**

Upon those streets, or parts of streets, whereon signs shall have been erected designating them as one-way streets, vehicular traffic shall move only in the indicated direction.  
(Code 1989, § 18.207)

**Sec. 30-41. Boarding or alighting from vehicle.**

No person shall board or alight from any vehicle while it is in motion.  
(Code 1989, § 18.208)

**Sec. 30-42. Riding on vehicle, motorcycles.**

No person shall ride on any vehicle, nor upon any portion thereof not designated or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty or to persons riding within truck bodies in a space intended for merchandise, but it shall apply to the permanent seat of a motorcycle.  
(Code 1989, § 18.209)

**Sec. 30-43. Clinging to moving vehicle while riding motorcycle; riding on handlebars.**

No person riding a motorcycle shall attach the same or himself to any moving vehicle upon any street. Nor shall any motorcycle be operated in a reckless or dangerous manner. Riding on handlebars is prohibited. (Code 1989, § 18.210)

**Sec. 30-44. Operation of vehicles on play streets.**

Whenever authorized signs are erected indicating any street or any part thereof as a play street, no person shall drive a vehicle upon any portion thereof, except drivers of vehicles having business or whose residences are within such closed area.

(Code 1989, § 18.211)

**Sec. 30-45. Use of coasters, roller skates, skateboards, and similar devices restricted.**

No person upon roller skates, toy vehicle or similar device shall go upon any roadway except while crossing a street on a crosswalk and except upon streets set aside as play streets when and as authorized by council. No person upon skateboards shall go within a two block area of the downtown business area around the Circle Park or within a one-block area of Lemon Park.

(Code 1989, § 18.212; Ord. No. 90-2, § 1, 7-2-1990; Ord. No. 2009-2, 4-6-2009)

**Sec. 30-46. U-turn unlawful.**

It shall be unlawful for any person driving a vehicle to make a U-turn or other prohibited turn at any point where such turn is prohibited by posted signs or to accomplish a U-turn by deviously going into or through private property adjoining a street where such turn is prohibited.

(Code 1989, § 18.213)

**Sec. 30-47. Operation on streets under repair, closed to travel.**

No person shall drive or cause to be driven any vehicle over any street which is being repaired or paved or over any part of a street wholly closed to travel.

(Code 1989, § 18.214)

**Sec. 30-48. Driving on sidewalks.**

It shall be unlawful for anyone to ride or drive a motor vehicle on the sidewalks of any public streets, except for the purpose of crossing the same.

(Code 1989, § 18.215)

**Sec. 30-49. No passing zones.**

The council may determine those portions of any street where overtaking and passing a vehicle proceeding in the same direction or driving to the left of the roadway would be especially hazardous and may, by appropriate signs or markings on the roadway, indicate

the beginning and end of such zones. When such signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof.  
(Code 1989, § 18.216)

**Sec. 30-50. Spilling loads.**

No vehicle shall be driven or moved on any street unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom.  
(Code 1989, § 18.219)

**Sec. 30-51. Use of horn in quiet zones.**

Whenever authorized signs are erected indicating a zone of quiet, no person operating a motor vehicle within any such zone shall sound the horn or other warning device of the vehicle, except in an emergency.  
(Code 1989, § 18.220)

**Sec. 30-52. 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, nor shall any person leave a door open on the side of a motor vehicle available to traffic for a period of time longer than necessary to load or unload passengers.  
(Code 1989, § 18.221)

**Sec. 30-53. Municipal vehicles; riding in/on unlawful.**

It shall be unlawful for any unauthorized person, to ride in or on any municipal vehicle, without official authority to do so.  
(Code 1989, § 18.222)

**Sec. 30-54. Speed restrictions--When lower speeds required.**

The driver of every vehicle shall, consistent with the requirements of this article, drive at an appropriate speed when approaching and crossing an intersection, when approaching a hill crest, when traveling upon any narrow or winding roadway and when any special hazard exists with respect to pedestrians or other traffic or by reason of weather or street conditions.  
(Code 1989, § 18.225)

**Sec. 30-55. Same--Authority to establish.**

The council may, from time to time, establish speed limits different from those set out in this article on particular streets or parts of streets or in particular areas. When signs or markings are installed giving notice of such speed limits, it shall be unlawful to exceed the indicated speed.

(Code 1989, § 18.226)

**Sec. 30-56. Same--Trucks, truck tractors.**

Where no special hazards exist, motor trucks and motor truck tractors of a size greater than 1 1/2 tons shall obey signs posted giving notice of special conditions.

(Code 1989, § 18.227)

**Sec. 30-57. Same--Emergency vehicles, others to give way.**

(a) The speed limitations set forth herein shall not apply to authorized emergency vehicles when responding to emergency calls and the drivers thereof sound an audible signal by siren, bell or exhaust whistle capable of emitting sound audible under normal conditions from a distance of not less than 500 feet. Operators of other vehicles shall give way to the emergency vehicle, unless otherwise directed by a police officer or other authorized person.

(b) This provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor shall it protect the driver of any vehicle from the consequence of a reckless disregard of the safety of others.

(Code 1989, § 18.229)

**Sec. 30-58. Same--Solid or cushion tires.**

No person shall drive any vehicle equipped with solid rubber or cushion tires at a speed greater than a maximum of ten miles per hour.

(Code 1989, § 18.230)

**Sec. 30-59. Restrictions--Passing.**

It shall be unlawful for any vehicle to pass another vehicle proceeding in the same direction when the passing vehicle is within 100 feet of an intersection, approaching a curve, when a solid yellow line is located in the lane of the passing vehicle or upon a hill or grade.

(Code 1989, § 18.232)

**Sec. 30-60. Same--Lane change.**

It shall be unlawful for the driver of any vehicle to shift lanes of traffic without first ascertaining that a shift in lanes of traffic by his vehicle will not impede or interfere with the movement of any other vehicle upon the public right-of-way.

(Code 1989, § 18.233)

**Sec. 30-61. Enforcement dependent on visibility of signs.**

No provision of this article, for which signs are required, shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in place and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular provision does not state that signs are required, such

provision shall be effective, even though no signs are erected or in place.  
(Code 1989, § 18.235.2)

**Sec. 30-62. Interpretation, where there is no intersection.**

In the event an official traffic control signal is erected and maintained at a place other than an intersection, 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.  
(Code 1989, § 18.235.4)

**Sec. 30-63. Flashing signals.**

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

- (1) *Flashing red (stop signal).* When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked or, if none, then before entering the intersection. The right to proceed shall be subject to the rules applicable after making a stop at a stop sign.
- (2) *Flashing yellow (caution signal).* When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

(Code 1989, § 18.235.6)

**Sec. 30-64. Display of unauthorized signs.**

It shall be unlawful for any person to place, maintain or display upon or in view of any street an 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 sign or signal. Every such prohibited sign, signal or device is hereby declared to be a public nuisance, and the chief of police may remove the same or cause it to be removed without notice.  
(Code 1989, § 18.235.7)

**Secs. 30-65--30-86. Reserved.**

**ARTICLE III. PROCESSIONS**

**Sec. 30-87. Permits required; funerals excepted.**

No procession, or parade containing 100 or more persons or 25 or more vehicles, excepting the armed

forces of the United States, or of this state and forces of the police and fire departments, shall occupy, march or proceed along any street except in accordance with a permit issued by the council and such other regulations as are set forth herein which may apply. Funerals shall be exempt from this requirement.

(Code 1989, § 18.301)

**Sec. 30-88. Driving into funeral, parade or procession prohibited.**

No driver of a vehicle shall drive between vehicles comprising a funeral, parade or other authorized procession while same are in motion and when such vehicles are conspicuously designated as required herein. This provision shall not apply at intersections where traffic is controlled by traffic signals or police officers.

(Code 1989, § 18.302)

**Sec. 30-89. Drivers in processions to follow closely.**

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

(Code 1989, § 18.303)

**Sec. 30-90. Identification.**

A parade or procession, including funerals, composed of a procession of vehicles, shall be identified as such by the display upon the outside of each vehicle as may be designated by the chief of police.

(Code 1989, § 18.304)

**Secs. 30-91--30-108. Reserved.**

**ARTICLE IV. PARKING, STANDING, STOPPING**

**Sec. 30-109. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandoned vehicle* means any vehicle parked for 24 hours in excess of the time allowed for such parking by any provision of this article.

*Junk automobile* means any automobile with such present value that it would not be economical to repair or store it.

*Unoperational automobile* means an automobile incapable of moving under its own power without repair.

(Code 1989, § 18.419)

**Sec. 30-110. Direction, angle, etc., for parking restricted.**

No person shall park a vehicle in a roadway other than parallel thereto, headed in the direction of traffic

and with the curbside wheels of the vehicle within 12 inches of the edge of the roadway, unless as otherwise may be permitted for angle parking and officially designated therefor, such as the county courthouse.  
(Code 1989, § 18.401)

**Sec. 30-111. Blocking streets and alleys.**

No person shall stop, stand or park any vehicle upon a street or 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, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations, traffic signs or a police officer.  
(Code 1989, § 18.403)

**Sec. 30-112. Narrow streets.**

When signs prohibiting parking are erected on narrow streets, no person shall park a vehicle in any such designated place.  
(Code 1989, § 18.404)

**Sec. 30-113. Loading and unloading merchandise.**

It shall be unlawful for any person to load or unload merchandise from trucks or other vehicles in front of any business, except where unable to load or unload at the rear thereof and use of front door loading does not constitute a traffic hazard. Stopping times shall be reasonable.  
(Code 1989, § 18.405)

**Sec. 30-114. When signs are erected.**

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any street whereon such signs are erected.  
(Code 1989, § 18.406)

**Sec. 30-115. Marked spaces.**

All vehicles parked in areas in which parking spaces have been marked off or designated shall be parked entirely within a single space.  
(Code 1989, § 18.407)

**Sec. 30-116. Fire hydrants.**

It shall be unlawful to park adjacent to fire hydrants in such a manner as to interfere with emergency situations or vehicles.  
(Code 1989, § 18.408)

**Sec. 30-117. Bus parking.**

It shall be unlawful to park a bus on a public street, except in places designated and marked as bus stops.

(Code 1989, § 18.409)

**Sec. 30-118. Prohibited in certain areas adjacent to school.**

When signs are erected indicating no parking upon that side of the street adjacent to any school property, no person shall park a vehicle in any such designated place.

(Code 1989, § 18.410)

**Sec. 30-119. Overtime.**

If any vehicle shall, between the hours of 9:00 a.m. and 5:00 p.m., Monday through Saturday, remain parked beyond the limited period, the vehicle shall be considered as parking overtime and such parking shall be deemed in violation of this section. To move a vehicle from one parking space directly to another parking space located in the same block and on the same street, or within five consecutive parking spaces as the first parking space, shall be deemed to be a continuous occupation of a limited space. If said vehicle remains parked for a period of time in excess of that allowed when the time spent in the first space is added to the time spent in the second space and that total time exceeds that allowed, said vehicle shall be deemed to be in violation of this section.

(Code 1989, § 18.412)

**Sec. 30-120. Double parking.**

Except in emergencies, double parking, as commonly understood, is hereby prohibited.

(Code 1989, § 18.413)

**Sec. 30-121. Penalties.**

(a) Any person who shall park or permit the vehicle under this control to be parked in a parking zone for a period longer than the permitted time shall be subject to the fines as established from time to time.

(b) The fines hereby imposed shall be paid personally or by mail within a period of 72 hours after the owner or operator of the parked vehicle has been notified of the overparking by parking tickets placed upon the vehicle by a member of the police department.

(Code 1989, § 18.414)

**Sec. 30-122. Failure to pay penalty.**

Any person who shall fail to pay the fines imposed by the preceding section or who shall violate or fail to comply with any of the provisions of this section for which no specific penalty is provided, or shall counsel, aid or abet any such violation or failure to comply shall be deemed guilty of a misdemeanor.

(Code 1989, § 18.415)

**Sec. 30-123. Towing and storage of vehicles.**

(a) Members of the police department are authorized hereby to remove any vehicle from any of the city streets upon a violation of the provisions of this article and tow it to the nearest garage or other place of

safety, or to a garage designated or maintained by the department or otherwise maintained by the city. Such vehicle shall be held until claimed by the legal owner or until it is otherwise disposed of.

(b) Before the owner of any such vehicle shall be entitled to recover the possession of such vehicle, he shall pay to the city the following charges:

(1) Towing, per day . . . . . \$25.00

(2) Storage, per day . . . . . 2.00

(Code 1989, § 18.416)

**Sec. 30-124. Charges to be a lien on vehicle.**

All towing, storage, violation and other charges imposed upon the owner or operator of any illegally parked vehicle in connection with the impounding thereof, shall constitute a lien upon the illegally parked vehicle. No such impounded vehicle shall be released until all such charges have been paid and proper evidence of ownership exhibited.

(Code 1989, § 18.417)

**Sec. 30-125. Unlicensed vehicles--On private property.**

(a) It shall be unlawful for the owner of any property in the city to permit a vehicle not having a current motor vehicle license and upon which property taxes have not been paid to be brought upon or remain upon his property, other than a licensed new car or used car dealer upon property operated for such business; provided, that any such vehicle shall be covered or sheltered in such fashion as to be adequate to prevent moisture from accumulating therein and to prevent the infestation of such vehicle by mosquitoes, other insects, rats or other vermin.

(b) No person shall salvage or otherwise maintain upon his property any unoperational vehicle for the purpose of taking parts therefrom, or for the purpose of storage or repair, unless said vehicle has a current vehicle license and unless the said vehicle is covered or sheltered in such a fashion as to adequately prevent moisture from accumulating therein and to prevent the infestation of such vehicle by mosquitoes, other insects, rats or other vermin.

(Code 1989, § 18.420)

**Sec. 30-126. Same--Impoundment procedures.**

(a) If any such vehicle is found by any police officer parked in violation of this Code, or abandoned on the streets of the city, it shall be the duty of the officer to cause such vehicle to be removed and conveyed to a garage designated by the chief of police at the owner's expense. The owner, or person in whose name such vehicle is registered, shall be given immediate personal notice, if he is a resident of the city. If he is a nonresident, he shall be given notice by certified mail, return receipt requested if his address can be ascertained.

(b) If the address of such owner cannot be ascertained, the chief of police or his agent, shall advertise that such car has been abandoned and impounded, giving an accurate description thereof, including the name of the person licensed to operate it, the circumstances under which the same was found and removed

and calling upon the owner to reclaim the same within 30 days. Such notice shall be published once a week for four consecutive weeks in any newspaper published in the city. If such vehicle is not reclaimed after such advertisement, the same shall be sold for cash at public auction to the highest bidder in front of the city hall or such other place as may be designated therefor.

(c) The expenses of removing, keeping, advertising and selling the vehicle shall be paid from the proceeds of such sale, and the balance, if any, deposited with the city clerk-treasurer, subject to the claim of the owner to be filed and proved within 12 months thereafter.

(d) If no such claim is filed and proven within that time, such proceeds shall be forfeited to the city. (Code 1989, § 18.421)

**Sec. 30-127. Same--Records to be maintained.**

The chief of police shall keep a written record of such vehicle, the name of the registered owner, the license tag and the circumstances under which it was found, impounded, stored and sold, including the amount received at the sale.

(Code 1989, § 18.422)

**Sec. 30-128. Enforcement.**

It shall be the duty of the police department to enforce the provisions of this article. (Code 1989, § 18.423)

**Sec. 30-129. Responsibility of owner.**

If any vehicle is found upon a street in violation of any provision of this article regulating the stopping, standing or parking of vehicles, and the identity of the driver cannot be determined, the owner or person in whose name such vehicle is registered, shall be held prima facie responsible for such violation.

(Code 1989, § 18.425)

**Secs. 30-130--30-156. Reserved.**

**ARTICLE V. MISCELLANEOUS TRAFFIC OFFENSES**

**Sec. 30-157. Unattended motor vehicle.**

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first

stopping the engine, locking the ignition, removing the key and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the highway or street.  
(Code 1989, § 18.502)

**Sec. 30-158. Use of streets for sales and distribution prohibited.**

It shall be unlawful for any person or group of persons to sell, solicit sales or offer for distribution any merchandise, publication, handbill or pamphlet while such person is standing in the street, areas reserved for parking spaces, the areas reserved for loading and unloading or to enter any of the said areas for the purpose of sale and/or delivery of any said items.  
(Code 1989, § 18.503)

**Sec. 30-159. Display for sale, washing, repairs, etc., prohibited.**

No person shall stand or park vehicles within any public right-of-way for the principal purpose of displaying it for sale or washing, greasing or repairing such vehicle except repairs necessitated by an emergency, without prior approval of the chief of police.  
(Code 1989, § 18.504)

**Sec. 30-160. Accidents, assistance required.**

Every person driving a vehicle of any kind which strikes or hits any person or another vehicle shall stop such vehicle at once and render such assistance as he can, give his name, post office address, license number and serial number of his vehicle to the other person or driver, shall assist in calling a police officer and remain at the scene until a police officer arrives.  
(Code 1989, § 18.505)

**Sec. 30-161. Interfering with signs, signals or devices.**

No person shall, without lawful authority, attempt to or in any way alter, deface, injure, knock down or remove any official traffic control device or any railroad sign or signal of any description, shield or insignia thereon or any other part thereof.  
(Code 1989, § 18.507)

**Secs. 30-162--30-190. Reserved.**

**ARTICLE VI. PEDESTRIANS**

**Sec. 30-191. Obedience to traffic control signals required.**

Pedestrians shall strictly comply with the directions of any official traffic control signal, device,

marking, etc., or police officer.  
(Code 1989, § 18.601)

**Sec. 30-192. Use of right half of crosswalks.**

Pedestrians shall move, whenever practicable, upon the right half of a crosswalk.  
(Code 1989, § 18.602)

**Sec. 30-193. Walking on streets and roadways.**

Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway. Where sidewalks are not provided, any pedestrian walking along and upon a street shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.  
(Code 1989, § 18.603)

**Sec. 30-194. Hitchhiking prohibited.**

No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle.  
(Code 1989, § 18.604)

**Sec. 30-195. Drivers to exercise due care with regard to pedestrians.**

Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any street and shall give warning by sounding the horn, when necessary, and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a street.  
(Code 1989, § 18.605)

**Secs. 30-196--30-213. Reserved.**

**ARTICLE VII. BICYCLES, MOPEDS**

**Sec. 30-214. Regulations applicable to bicycles.**

This article shall apply whenever a bicycle is operated upon any highway or upon any path set aside for

the exclusive use of bicycles, subject to those exceptions stated herein.  
(Code 1989, § 18.701)

**Sec. 30-215. Applicability of traffic laws.**

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Code, except as to special regulations herein and except as to those provisions of this Code which by their nature can have no application.  
(Code 1989, § 18.702)

**Sec. 30-216. Duty to keep to right.**

Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable.  
(Code 1989, § 18.703)

**Sec. 30-217. Riding abreast.**

It shall be unlawful for persons on bicycles to ride more than two abreast, except in parades, similar circumstances or on bicycle paths.  
(Code 1989, § 18.704)

**Sec. 30-218. Bicycle paths to be used.**

Whenever a usable path for bicycles may have been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.  
(Code 1989, § 18.705)

**Sec. 30-219. Riding bicycles on sidewalks in business district.**

It shall be unlawful for anyone to ride a bicycle on a sidewalk in the business district, except for the purpose of crossing the same when necessary.  
(Code 1989, § 18.706)

**Sec. 30-220. Clinging to vehicles.**

No person riding upon a bicycle, coaster, roller skates, sled or toy vehicle shall attach it or them or himself to any vehicle on a roadway. (See also section 30-43 for reference to motorcycles.)  
(Code 1989, § 18.707)

**Sec. 30-221. Riding with "no hands."**

It shall be unlawful to operate a bicycle without having at least one hand on the handlebar at all times or to fail to have control of the bicycle at all times.  
(Code 1989, § 18.708)

**Sec. 30-222. Lights.**

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*After dark* means the time during which the streetlights of the city are, or should be, lighted.

(b) *Equipment requirements.* Every bicycle, when in use after dark, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear which shall be visible from all distances from 50 feet to 300 feet to the rear, when directly in front of the head lamps on a motor vehicle. A red lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(Code 1989, § 18.709)

**Sec. 30-223. Warning devices.**

No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet. No bicycle shall be equipped with nor shall any person use upon a bicycle any siren or whistle.

(Code 1989, § 18.710)

**Sec. 30-224. Larceny of bicycles.**

The larceny of any bicycle shall be punishable at the discretion of the court.

(Code 1989, § 18.711)

**Sec. 30-225. Brakes.**

No person shall operate a bicycle unless it is equipped with a brake which will enable the operator to make the braked wheels skid on dry, level and clean pavement.

(Code 1989, § 18.712)

**Secs. 30-226--30-270. Reserved.**

**ARTICLE VIII. VEHICLES FOR HIRE**

**DIVISION 1. GENERALLY**

**Secs. 30-271--30-288. Reserved.**

## DIVISION 2. WRECKER SERVICE

### Sec. 30-289. Regulations.

The following regulations shall be followed by the city police department for all wrecker services utilized by the city police department:

- (1) No police officer shall hold any financial interest or any form of ownership interest in any wrecker service.
- (2) Unless the owner or driver of a vehicle is incapacitated or unavailable, the owner or driver of a wrecked or incapacitated vehicle shall have a right to the wrecker service of his choice. Before calling any wrecker service to tow a wrecked or disabled vehicle, the investigating officer on the scene shall, if practical, determine the owner's or driver's preference of wrecker service and the wrecker service designated by the owner or driver shall be called.
- (3) If the owner or driver does not designate a wrecker service to be called, the investigating officer shall call, on a rotating basis, a wrecker service on the rotation list. A wrecker service, in order to be placed on the rotation list for use by the officers of the city shall have a valid city business license, and shall maintain a safe storage area for all vehicles towed. This safe storage area may be a locked building or secured fenced area where the stored vehicles and other property shall not be accessible to the public. This locked building or secured fenced area shall be no more than 2 1/2 miles from the city limit. To obtain a city business license you must show proof of:
  - a. Liability insurance on wreckers and premises in an amount no less than \$300,000.00 for a standard wrecker and \$750,000.00 for a heavy duty wrecker.
  - b. Hook and cargo insurance of not less than \$50,000.00 for a standard wrecker and \$250,000.00 for a heavy duty wrecker.
  - c. Garage keepers liability insurance covering customer's vehicles in an amount of no less than \$100,000.00. Copies of current coverage must be maintained with the city administrator.
- (4) Each wrecker service on the rotation list must place a sign on each door of each wrecker indicating the company name, address and telephone number. This sign must be painted or otherwise permanently affixed to the door. The letters must be no less than two inches high. If the wrecker is registered to an owner other than the wrecker service, the name of the owner must also appear on the door in letters no less than one-inch high. All lettering must be plainly visible and in a color which contrasts to that of the wrecker.
- (5) All wreckers shall be equipped with legally authorized lighting and other safety equipment to protect the motoring public. Such equipment shall be maintained in good working order.
- (6) Equipment such as brooms, shovels, etc., must be carried on all wreckers whereby to remove

glass and other debris from the highway. The highway shall be cleaned by the wrecker service prior to leaving the scene of any accident.

- (7) Wrecker services, in order to be placed on the approved rotation list for the city shall be available to the city and the public on a 24-hour basis, and maintain someone at the storage site from 9:00 a.m. until 5:00 p.m., Monday through Friday for access by law enforcement, owners or insurance adjusters.
- (8) In no event shall any police officer of the city recommend any wrecker service to the owner or driver of a wrecked or disabled vehicle nor shall any officer of the city recommend the services of a particular wrecker service in the performance of his duties.
- (9) Wreckers shall respond only upon the request of the proper police authority. Response under any other condition may result in the removal from the approved rotation list.
- (10) The wrecker rotation lists shall be administered fairly and in a manner designed to ensure that all wrecker services on the list have an equal opportunity to the towing business arising from the rotation list.
- (11) Wrecker services shall be called from the rotation list in the order in which they appear on the list. If a particular wrecker service is unavailable when called, it shall be passed over, and the next wrecker service on the list shall be called to the scene.
- (12) A separate rotation list shall be maintained for heavy duty wreckers. When the service of a heavy duty wrecker is needed and where the owner or driver has no preference as to which wrecker service is desired, a heavy duty wrecker shall be called from the heavy duty wrecker rotation list.
- (13) Each wrecker owned by any wrecker service on a rotation list shall be equipped with a towing log. The towing log shall be maintained by the wrecker service and shall accurately reflect all towing by the wrecker service at the request of the city. Each wrecker service owner shall be responsible for producing this towing log.
- (14) Charges for all wrecker services performed must be reasonable.
- (15) Wrecker service operators must conduct themselves in a proper manner at all accident scenes and in a proper manner when dealing with the public.
- (16) Wrecker service operators shall be familiar with and comply with the laws regarding solicitation from the highway.
- (17) The wrecker service may secure assistance from another wrecker service when necessary to do the job. Only one bill is to be submitted to the owner or driver for the work performed.
- (18) When a wrecker service or wrecker driver is unable to answer a call, the city shall be notified within 12 hours and the reason given for the unavailability.

(Ord. No. 2000-5, § 1, 6-5-2000)