

## **CHAPTER III            MOTOR VEHICLES AND BICYCLES**

### **ARTICLE I - TRAFFIC REGULATIONS**

#### **SECTION 3-101:    TERMS DEFINED**

The words and phrases used in this ordinance pertaining to motor vehicles and traffic regulations shall be construed as defined in Chapter 60, Article 6 of the Revised Statutes of Nebraska, 1943, as now existing or as hereafter amended, unless the context otherwise requires; and, if not so defined, the common meaning of such words and phrases shall prevail.

#### **SECTION 3-102:    AUTOMATIC SIGNAL SYSTEM; GENERALLY**

At each intersection where an automatic signal system is in operation, all vehicular and pedestrian traffic crossing such street intersection shall be governed by such automatic signal system. The display of the red signal light shall be a signal for traffic to stop outside of the street intersection. The display of the yellow signal light shall announce that traffic be at attention to stop when the red light is displayed, and the green signal light shall be a signal for traffic to promptly move forward. It shall be unlawful for any person to violate any such signal.

#### **SECTION 3-103:    AUTOMATIC SIGNAL SYSTEM; SCHOOL CROSSINGS**

Automatic timed school crossing signals shall be installed on the following streets at the intersections named in the City of Central City, Nebraska:

1.     On 17th Avenue at the intersection of 18th Street.
2.     On 17th Avenue at the intersection of 28th Street.

The traffic signals installed at the above intersections shall be equipped with flashing yellow lights, and when such signal shows a yellow light, drivers of vehicles approaching the protective intersection are warned of the hazard of pedestrians crossing the street at such location and the speed limit of 25 miles per hour.

#### **SECTION 3-104:    RIGHT TURN ON RED**

Except where a traffic control device is in place prohibiting a turn, vehicles facing a steady red signal may cautiously enter the intersection to make a right turn after stopping. Such turning vehicle shall yield the right of way to pedestrians lawfully within the adjacent crosswalk and to other vehicular traffic lawfully using the intersection. The City Council has the authority to prohibit turning right on red at any intersection within the City where it deems such a prohibition necessary; provided, those intersections where turning right on red is prohibited shall bear signs to that effect placed and printed in such a manner so as to be conspicuous to a vehicle about to enter the intersection.

#### SECTION 3-105: TRUCK ROUTES

The City Council may, by resolution, designate certain streets in the City restricting traffic for vehicles weighing in excess of ten tons and it shall be unlawful for persons operating vehicles to travel on streets other than those designated for such vehicles, except to travel to and from their personal residence and/or to pick up or deliver goods, wares, or merchandise; and in these events, the operator of such vehicle shall return to such truck routes as soon as possible in traveling through or about the City. The City Council shall cause notices to be posted or shall erect signs indicating the streets so designated as restricted routes.

#### SECTION 3-106: ENGINE BRAKING

It shall be unlawful for any person in any part of the City to make or cause to be made loud or disturbing noises with any mechanical device operated by compressed air and used for purposes of assisting braking on any semi-tractor, commonly referred to as "jake braking." Proper notices shall be posted by the City notifying the public of such prohibition.

#### SECTION 3-107: ONE WAY TRAFFIC

The City Council may, by resolution, provide for one way travel in any street or alley located in the City, and shall provide for appropriate signs and markings when said streets have been so designated by resolution.

#### SECTION 3-108: TRAFFIC LANES; DESIGNATION

The City Council may, by resolution, mark lanes for traffic on street pavements at such places as they deem advisable.

#### SECTION 3-109: ARTERIAL STREETS; DESIGNATIONS

The City Council may, by resolution, designate any street or portion thereof as an arterial street and shall provide for appropriate signs or markings when such street has been so designated.

#### SECTION 3-110: TURNING; "U" TURNS

It shall be unlawful for any driver of any motor vehicle to make a "U" turn on 15th Avenue between the intersection of 17th Street with 15th Avenue and the intersection of 19th Street with 15th Avenue, and on U.S. Highway No. 30.

#### SECTION 3-111: STOPS; CROSSING SIDEWALKS

All vehicles before crossing a sidewalk, emerging from a garage, alley, filling station or other place within the business district shall come to a complete stop, and after giving sufficient warning shall proceed slowly and with extreme caution while crossing such sidewalk, or leaving such garage, alley, filling station or other place. The term "slowly" shall be construed to mean such rate of speed as is reasonable and proper under the circumstances and the condition of the street and traffic thereon.

#### SECTION 3-112: CROSS WALKS; DESIGNATION

The City Council may, by resolution, establish and maintain, by appropriate devices, markers or lines upon the street, crosswalks at intersections where there is particular danger to pedestrians crossing the street and at such other places as they may deem necessary.

#### SECTION 3-113: SIGNS, SIGNALS

The City Council may, by resolution, provide for the placing of stop signs, restricted parking, or other signs, signals, standards or mechanical devices in any street or alley for the purpose of regulating or prohibiting traffic and parking thereon. Such resolution shall describe the portion of the street or alley wherein traffic is to be regulated or prohibited; the regulation or prohibition; the location where such sign, signal, standard or mechanical device shall be placed; and the hours when such regulation or prohibition shall be effective. It shall be

unlawful for any person to fail, neglect or refuse to comply with such regulation or prohibition. The placement of such regulatory sign shall be prima facie evidence of the restricting resolution.

#### SECTION 3-114: STOP SIGNS

Every person operating any vehicle shall, upon approaching any stop sign erected in accordance with the resolution prescribed heretofore, cause such vehicle to come to a complete stop before entering or crossing any street, highway or railroad crossing. The vehicle operator shall stop at a marked stop line, or, if there is no stop line, before entering the crosswalk; but if neither is indicated, then as near the right of way line of the intersecting roadway as possible.

#### SECTION 3-115: WEIGHT LIMITATIONS; PROCLAMATION

When in the determination of the Mayor the preservation of the paved streets and alleys of this City, except U.S. Highway No. 30 and Nebraska Highway No. 14, requires the limiting of the load of vehicles traveling on said streets and alleys, the Mayor by proclamation shall set forth his/her findings requiring protection of the certain paved streets and alleys and shall order that the use of said certain paved streets and alleys in the City, except U.S. Highway No. 30 and Nebraska Highway No. 14, shall be limited to use by vehicles having the following axle loads:

1. Single axle: 12,000 pounds
2. Double axle: 24,000 pounds

Provided, nothing herein shall grant authority to the Mayor to prevent use of streets and alleys for deliveries to established commercial establishments that cannot be accessed without following streets or roads without said weight restrictions.

Upon issuance of said proclamation, the street department shall post signs on streets and alleys where traffic is to be restricted giving notice of the load limits of single axle and double axle vehicles using said paved streets and alleys, except U.S. Highway No. 30 and Nebraska Highway 14.

It shall be unlawful for any person to operate a truck which exceeds twenty-six tons licensed gross weight OR any truck/tractor semi-trailer combination upon

any portion of 20<sup>th</sup> Street from 5<sup>th</sup> Avenue to 17<sup>th</sup> Avenue or upon any portion of 28<sup>th</sup> Street within the City Limits of Central City, except to travel to and from their personal residence.

#### SECTION 3-116: LITTERING

It shall be unlawful for any person to drop or cause to be left upon any city highway, street or alley, except at places designated by the City Council, any rubbish, debris or waste, and any person so doing shall be guilty of littering.

#### SECTION 3-117: SIGNS; UNAUTHORIZED DISPLAY

It shall be unlawful for any person to maintain or display upon, or in view of any street, any unofficial sign, signal or device which purports to be, is an imitation of, or resembles an official traffic sign or signal 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 any police officer is hereby empowered to remove the same or cause it to be removed, without notice.

#### SECTION 3-118: SPEED LIMITS; GENERALLY

No person shall drive a vehicle within the corporate limits of the City at a speed greater than is reasonable and prudent under the conditions then existing, and a speed of 25 miles per hour shall be prima facie lawful, but in no event shall the speed of a vehicle exceed 25 miles per hour except as provided in this article.

#### SECTION 3-119: SPEED LIMITS; SPECIFICALLY

1. On U.S. Highway No. 30, 40 miles per hour from the west corporate limits of the City to the west line of F Avenue, 30 miles per hour from the west line of F Avenue to the east line of 14th Avenue, and 40 miles per hour from the east line of 14th Avenue to the east corporate limits of the City.

2. On Nebraska Highway No. 14, 35 miles per hour from the north corporate limits of the City to the north line of 12th Street extended, 30 miles per hour from the north line of 12th Street extended to the south line of 26th Street, extended, and 40 miles per hour from the south line of 26th Street extended to the south corporate limits of the City.

- 3a. On 20<sup>th</sup> Street, from 5<sup>th</sup> Avenue to east City Limits, 50 miles per hour.
  - b. On 20<sup>th</sup> Street, from 5<sup>th</sup> Avenue extending 1521 feet west, 50 miles per hour.
  - c. On 20<sup>th</sup> Street, from 1521 feet west of 5<sup>th</sup> Avenue to 2596 feet west of 5<sup>th</sup> Avenue, 35 miles per hour.
  - d. On 20<sup>th</sup> Street, from 2596 feet west of 5<sup>th</sup> Avenue to Highway 14, 25 miles per hour.
4. On 17<sup>th</sup> Avenue from 25<sup>th</sup> Street to 700 feet south of 28<sup>th</sup> Street, 30 miles per hour.
  5. On 28<sup>th</sup> Street from 17<sup>th</sup> Avenue to 25<sup>th</sup> Avenue (a/k/a K Street) within the city limits, 25 miles per hour.
  6. On 5<sup>th</sup> Avenue, from Highway 30 to 20<sup>th</sup> Street, 35 miles per hour.

#### SECTION 3-120: SPEED, NEAR SCHOOLS

It shall be unlawful for the driver of any vehicle, when passing premises on which school buildings are located and which are used for school purposes, during school recess or while children are going to or leaving school during the opening or closing hours, to drive such vehicle at a rate of speed in excess of 15 miles per hour past such premises, and such driver shall stop at all stop signs located at or near such school premises, and it shall be unlawful for such driver to make a U turn at any intersection where such stop signs are located at or near such school premise.

#### SECTION 3-121: NEGLIGENCE DRIVING

Any person who drives any motor vehicle without due caution and circumspection or in a negligent manner shall be guilty of negligent driving.

#### SECTION 3-122: PASSING; HINDRANCE

The driver of a vehicle about to be overtaken and passed by another vehicle shall not increase the speed of his/her vehicle until completely passed by the overtaking vehicle.

#### SECTION 3-123: DRIVING ABREAST

Two or more vehicles shall not be driven abreast except when passing or when traversing a multi-lane or one way street; provided, motorcycles may be driven no more than two abreast in a single lane.

#### SECTION 3-124: FUNERAL PROCESSIONS

No vehicle, except police vehicles or fire department vehicles when responding to emergency calls or orders in their several departments, ambulances responding to emergency calls, or vehicles carrying United States mails shall be driven through a funeral possession or cortege except with the permission of a police officer.

#### SECTION 3-125: FOLLOWING DISTANCE; GENERALLY

The operator of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles, and the traffic and condition of the street.

#### SECTION 3-126: FOLLOWING DISTANCE; FIRE APPARATUS

The driver of any vehicle shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet, or drive into or park such vehicle within the block where said fire apparatus has stopped in answer to a fire alarm.

#### SECTION 3-127: RIDING OUTSIDE VEHICLE

No person shall permit any other person to ride on the running board, hood, top or fenders of any motor vehicle. Nor shall any person ride on the running board, hood, top or fenders of any motor vehicle.

It is hereby determined unlawful for any person to be transported in the bed of a moving, uncovered pickup truck unless such individual is sitting on the bed of such pickup. It is hereby determined that sitting on either of the wheel wells of said pickup is not sitting on the pickup bed and is hereby prohibited. The driver of any moving, uncovered pickup truck who shall permit passengers to ride in the bed of such pickup in a standing position or in a position other than sitting be and hereby is determined to be guilty of a misdemeanor.

#### SECTION 3-128: DRIVING IN SIDEWALK SPACE

No motor vehicle, including motorcycles or scooters, shall be driven on any sidewalk or within any sidewalk space, except a permanent or temporary driveway.

#### SECTION 3-129: CROSSING CENTER LINE

It shall be unlawful to drive a vehicle across or over the center of the streets hereinafter designated into the lane normally occupied by oncoming vehicles, except at intersections for the purpose of entering or leaving a bisecting or cross street or at a point other than intersections for the purpose of entering or leaving an alley, private drive or other way, upon the following streets: 16th Street from 14th Avenue to 17th Avenue, and G Street from 17th Avenue to Avenue G. This section is primarily, but not exclusively, designed to make it unlawful for vehicles to cross the center of said streets into the lane of oncoming traffic for the purpose of passing another vehicle proceeding in the same direction as the passing vehicle.

#### SECTION 3-130: EMERGENCY; REGULATIONS

The city police are hereby empowered to make and enforce temporary regulations to cover emergencies.

#### SECTION 3-131: POLICE; TRAFFIC POWERS

The city police are hereby authorized, empowered and ordered to exercise all powers and duties with relation to the management of street traffic and to direct, control, stop, restrict and regulate, when necessary, temporarily divert, or exclude, in the interest of public safety, health and convenience, the movement of pedestrian, animal and vehicular traffic of every kind in streets, parks and on bridges. The driver of any vehicle shall stop upon the signal of any police officer.

#### SECTION 3-132: POLICE; REFUSAL TO OBEY

It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a police officer.

### SECTION 3-133: POLICE; TRAFFIC OFFICERS

The city police may at any time detail officers, to be known as "traffic officers," at street intersections. All traffic officers shall be vested with the authority to regulate and control traffic at the intersections to which they are assigned. It shall be their duty to direct the movement of traffic and prevent congestion and accidents.

It shall be unlawful for any person to violate any order or signal of any such traffic officer, notwithstanding the directive of a stop sign or signal device which may have been placed at any such intersection.

### SECTION 3-134: VEHICLES; UNOBSTRUCTED VIEW

No person shall drive on a street any motor vehicle constructed or loaded in such a way as to prevent the driver from obtaining a view of the street to the rear unless such vehicle is equipped with a mirror so located as to reflect to the driver a view of the street for a distance of at least 200 feet to the rear of such vehicle. It shall be unlawful for any person to drive upon a street, any vehicle with a sign, poster, or other nontransparent material upon the front windshield, side windows or rear windows of such motor vehicle other than a certificate or paper required to be so displayed by law. Every windshield on a motor vehicle shall be equipped with a device for removing rain, snow or other moisture from the windshield, which device shall be so constructed as to be operated by the driver within the vehicle.

### SECTION 3-135: GLASS; POINTED OBJECTS

No person shall throw, cast, lay or place upon any street any thorns, nails, tacks, glass, bottles, window glass or other articles made of or containing glass, and in case of an accident causing the breaking of any glass upon any street, the owner or person in charge of such glass or the person responsible for such breakage shall at once remove or cause the same to be removed from the street.

### SECTION 3-136: QUIET ZONES; UNNECESSARY NOISE

All streets or portions thereof lying within 300 feet of any hospital, nursing home or school, and which have been declared to be "quiet zones" by the City Council

shall be respected as such by all drivers, and no driver of any vehicle shall, within such zones, make any unnecessary noise or sound the horn or other warning device of such vehicle, except in an emergency. It shall be unlawful for any person in any part of said city to make, or cause to be made, any unnecessary noise with any signal device, or to use the same except as a road signal.

#### SECTION 3-137: SPEED; ELECTRONIC DETECTOR

The speed of any motor vehicle within the City may be determined by the use of radio microwaves or other electronic device. The results of such determinations shall be accepted as prima facie evidence of the speed of such motor vehicle in any court or legal proceedings where the speed of the motor vehicle is at issue.

The driver of any such motor vehicle may be arrested without a warrant under the authority herein granted if the arresting officer is in uniform or displays his/her badge of authority; provided that such officer shall have observed the recording of the speed of such motor vehicle by the radio microwaves or other electronic device, or had received a radio message from the officer who observed the speed of the motor vehicle recorded by the radio microwaves or other electronic device.

In the event of an arrest based on such a message, such radio message must have been dispatched immediately after the speed of the motor vehicle had been recorded, and must include a description of the vehicle and the recorded speed.

#### SECTION 3-138: EXHIBITION DRIVING

Any person who operates a motor vehicle, meaning any self-propelled vehicle, upon streets or alleys within the city limits or upon property owned by the City in such a manner as to cause or create unnecessary engine noise, squealing of tires, rear skidding, sliding or swaying of such motor vehicle or possible acceleration of speed of said motor vehicle shall be guilty of exhibition driving.

## ARTICLE II - ABANDONED VEHICLES

## SECTION 3-201: TERMS DEFINED

No person, firm, partnership, association, corporation or organization of any kind shall abandon any vehicle, as defined by Section 60-301(1), R.R.S. 1943, within the City of Central City. A motor vehicle shall be deemed to be an abandoned vehicle if left unattended:

1. With no number plates affixed thereto, for more than six hours on any public property;

2. For more than 24 hours on any public property, except a portion thereof on which parking is legally permitted;

3. For more than 48 hours, after the parking of such vehicle shall have become illegal if left on a portion of public property on which parking is legally permitted;

4. For more than seven days on private property if left initially without the permission of the owner, or after permission of the owner shall be terminated.

No person in charge or control of any private property, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, nonoperating, wrecked, junked or discarded vehicle to remain on such property longer than seven continuous days. Any vehicle described in this paragraph shall be deemed to be an abandoned vehicle for purposes of this article.

For purposes of this article, "public property" shall mean (A) any public right of way, street, highway, alley, park or other city-owned property, and (B) any privately owned property which is not included within the definition of public property. Vehicles in an enclosed building, appropriate storage pound, or depository licensed by the City, or owned and being restored or repaired, with satisfactory progress being shown by the controller of the real property where said vehicle is located, is specifically hereby excluded from this section.

## SECTION 3-202: ENFORCEMENT

The city police shall remove or cause to be removed any abandoned vehicle. Such vehicle shall be impounded until lawfully claimed or disposed of, as

provided in Section 3-204 hereafter; provided, any such abandoned vehicle which is located on private property shall not be removed or impounded until the city police have given written notice of intent to remove said abandoned vehicle ten days prior thereto to the property owner upon whose property said abandoned vehicle is located. The city police may enter upon private property at all reasonable hours for the purpose of inspecting such abandoned vehicle, posting notice thereon and/or removing or impounding such abandoned vehicle. It shall be unlawful for any person to prevent the city police from entering on private property for the purpose of carrying out his/her/their duties. Neither the owner, lessee, occupant of the premises from which any abandoned vehicle shall be removed, nor the city shall be liable for any loss or damage to such abandoned vehicle which occurs during its removal, while in the possession of the City, or as a result of any subsequent disposition.

#### SECTION 3-203: NOTICE

Except for vehicles automatically becoming the property of the City as set forth in Section 3-205 hereunder, the City Council shall make an inquiry concerning the last registered owner of such abandoned vehicle as follows:

1. Abandoned vehicles with numbered plates affixed---to the jurisdiction which issued said plates; or
2. Abandoned vehicles with no numbered plates affixed---to the Department of Motor Vehicles.

The city police shall notify the last registered owner, if any, that the vehicle in question has been recovered as an abandoned vehicle and that, if unclaimed, it will be sold at public auction after five days from the date that such notice was mailed. If the agency described in Subsections 1 or 2 of this section also notifies the city police that a lien or mortgage exists, such notice shall also be sent to the lien holder or mortgagee. Any person claiming such vehicle shall be required to pay the cost of its removal and storage. In the event the owner does not appear within the time prescribed herein, or in the event that the owner cannot be determined, such abandoned vehicle shall be disposed of as hereinafter provided.

#### SECTION 3-204: DISPOSITION

The city police shall sell said abandoned vehicle at public auction to the highest bidder within 60 days from the date that title to an abandoned vehicle is vested in the city as provided for in Section 3-205 hereafter. Such sale and the time and place thereof shall be advertised for one week in a newspaper of general circulation in the City. Any proceeds from the sale of an abandoned vehicle, less any expenses incurred by the City, shall be held by the City without interest for the benefit of the owner of such abandoned vehicle for a period of two years. If not claimed within such two year period, such proceeds shall be paid into the general fund of the City.

#### SECTION 3-205: TRANSFER OF TITLE

If an abandoned vehicle at the time of abandonment has no numbered plates of the current year affixed and is of a wholesale value of \$500.00 or less, taking into consideration the vehicle's condition as determined by the city police, title shall immediately vest in the City and the city police are not required to follow Section 3-203 herein. With respect to those abandoned vehicles governed by Section 3-203 herein, title to such vehicles, if unclaimed, shall vest in the City five days from the date the notice referred to therein is mailed or, if the last registered owner cannot be determined, when notice of that fact is received by the city police. Upon the sale of an abandoned vehicle at auction, the City shall furnish the purchaser with the requisite affidavit to provide to the county clerk where the vehicle was last registered that said vehicle was abandoned and became the property of the City prior to the sale.

#### SECTION 3-206: PENAL PROVISIONS

Any person who violates any of the prohibitions or provisions of this article shall be deemed guilty of a misdemeanor. Penalties for such violation shall not exceed \$500.00 and/or imprisonment for a time not to exceed three months, in the discretion of the court.

### ARTICLE III - VEHICLE OPERATION

#### SECTION 3-301: MUFFLER

Every motor vehicle operated within this city shall be provided with a muffler in good working order to prevent excessive or unusual noise. It shall be unlawful to use a "muffler cut-out" on any motor vehicle upon any streets; provided, the provisions of this section shall not apply to authorized emergency vehicles.

#### SECTION 3-302: LOADS; PROJECTING

When any vehicle shall be loaded in such a manner that any portion of the load

extends more than four feet beyond the rear of the bed or the body of such vehicles, a red flag shall be carried by day and red light after sunset on such load.

#### SECTION 3-303: LOADS; SPILLING

All vehicles used for carrying coal, earth, sand, gravel, rock, asphalt, tar or any similar substance shall be so constructed as to prevent the sifting or spilling of any of the contents.

#### SECTION 3-304: SPILLING OF LIVESTOCK WASTE OR GRAIN

It is deemed unlawful for any person to permit the spilling of any animal wastes, manure, or grain from any livestock trailer or truck on any street or highway within the corporate limits of the City.

### ARTICLE IV - PARKING

#### SECTION 3-401: PARKING; GENERALLY

All vehicles parked on the streets of the City shall be parked next to the curb or curb line and parallel thereto so that the right wheels of each vehicle shall be next to the curb or curb line, except in those areas of the City where diagonal parking

is clearly marked.

#### SECTION 3-402: PARKING; PROHIBITED AREAS

- 1) No vehicle shall be parked or left standing on the east side of 17th Avenue within 30 feet south of the curb corner at its intersection with 16th Street, nor on the south side of 16th Street within 40 feet east of its intersection with 17th Avenue.
- 2) All distances with reference to intersections shall be measured from curb corner to curb line intersections.
- 3) No vehicle shall be parked on either side of 17<sup>th</sup> Avenue south of 18<sup>th</sup> Street, except on Sunday when parking of 17<sup>th</sup> Avenue is permitted.
- 4) No vehicle shall be parked on the south side of 25<sup>th</sup> Street, between 18<sup>th</sup> Avenue and 19<sup>th</sup> Avenue, from 7:00 a.m. to 4:00 p.m., Monday through Friday.

#### SECTION 3-403: PARKING; DIRECTION

Any vehicle parked on the streets within the City shall be parked in the direction of the flow of traffic.

#### SECTION 3-404: BUSINESS DISTRICT UNLOADING

It shall be unlawful for the operator of any school bus, semi-truck consisting of a tractor and trailer, or any motor vehicle with an overall length of more than 27 feet to stop or park any such vehicle on a street within the "business district," except to load or unload. Vehicles may stop or stand for a period of time not to exceed what is reasonably necessary to load or unload, and shall be parked in the direction of the traffic flow. It shall be unlawful for the operator of any truck, regardless of length, to park said vehicle within a street intersection, on a crosswalk, in front of a private driveway, or on a sidewalk. The City Council may, by resolution, provide truck parking areas adjoining or adjacent to the business district, and when such parking areas are provided, it shall be the duty of all truck operators to use such parking areas for all parking purposes.

#### SECTION 3-405: SCHOOL BUSES, SEMI-TRUCKS AND RECREATIONAL VEHICLES

It shall be unlawful for any person to park a school bus of any length, semi-truck or the tractor unit or the trailer unit of such semi-truck, and any other vehicle or trailer which is 27 feet or more in length overall, except as hereinafter provided, on the public streets for a period longer than three hours as hereinafter provided.

The emergency parking of vehicles described above, due to mechanical breakdown or failure, is permitted on any street, alley or highway for not longer than ten hours. It shall be unlawful to park a travel trailer or a self-propelled recreational vehicle for more than 72 hours on any street.

For purposes of this section, "public street" shall include public street right of way as platted, whether or not improved.

#### SECTION 3-406: FIRE HYDRANTS AND STATIONS

No vehicle shall be parked within 15 feet in either direction of any fire hydrant nor within 20 feet of the driveway entrance to any fire station. The curb space within such area of 15 feet in either direction of such fire hydrant shall be painted yellow to indicate such prohibition.

#### SECTION 3-407: OBSTRUCTING TRAFFIC

No vehicle shall, except in case of an accident or emergency, stop within any street intersection, alley entrance or any such location as to obstruct any street, intersection or entrance to an alley or public or private drive.

#### SECTION 3-408: CURBS, PAINTED

It shall be the duty of the street superintendent to cause the curb space to be painted and keep the same painted as provided in this article. No person, firm or corporation shall paint the curb of any street, or in any manner set aside or attempt to prevent the parking of vehicles in any street or part thereof, except at such places where the parking of vehicles is prohibited by the provisions of this article. The marking or designating of portions of streets or alleys where the parking of vehicles is prohibited or limited shall be done only by the City through its proper officers, at the direction of the City Council.

#### SECTION 3-409: TIME LIMIT, MAXIMUM

The parking of a motor vehicle, trailer, dumpster, roll-off, or any like type object, on a public street for over 96 hours is unlawful, except where a different maximum time limit is posted.

#### SECTION 3-410: FARM IMPLEMENTS

It shall be unlawful for any person to park any farm tractor or implement on the streets within the City.

#### SECTION 3-411: SNOW REMOVAL; BUSINESS DISTRICT

Whenever the mayor, or in his/her absence, the president of the Council, shall find on the basis of accumulated snowfall that street conditions make it necessary that parking on streets in the business district as shown by streets hereinafter designated be prohibited or restricted for snow plowing, snow removal and related purposes, he/she may put into effect a parking prohibition on parts of or on all streets hereinafter designated by declaring that parking be prohibited on the streets designated as follows, which shall be considered streets in the business district, to-wit:

16th Street from Burlington-Northern Railroad right of way to 17th Street;  
G Street from 17th Avenue to Avenue F;  
16th Avenue from Union Pacific Railroad right of way to 17th Street;  
17th Avenue from Union Pacific Railroad right of way to 18th Street;  
B Avenue from Union Pacific Railroad right of way to 17th Avenue;  
C Avenue from Union Pacific Railroad right of way to 17th Avenue;  
D Avenue from Union Pacific Railroad right of way to H Street;  
E Avenue from Union Pacific Railroad right of way to G Street;  
H Street from 17th Avenue to D Avenue;  
17th Street from 15th Avenue to 17th Avenue;  
15th Avenue from 16th Street to 19th Street;

and may order signs to be placed on said streets prohibiting parking thereon until snow removal operations are completed, and at which time the signs will be removed.

#### SECTION 3-412: SNOW REMOVAL; OTHER AREAS

Prohibition of parking on streets outside of the business district: Whenever the

mayor, or in his/her absence the president of the Council, shall find on the basis of accumulated snowfall that street conditions make it necessary that parking on streets outside of the business district as referred to in the previous section be prohibited or restricted for snowplowing and snow removal and related purposes, he/she may put into effect a parking prohibition on parts of or all of such streets outside of the business district by declaring that parking be prohibited for the first 24 hours after snowfall has ended and no vehicle shall be parked on the west and south sides of any such street. For the second 24 hours period after snowfall has ended, no vehicle shall be parked on the north and east sides of any street outside of the business district.

#### SECTION 3-413: SNOW REMOVAL; EMERGENCY DECLARATION

The mayor, or in his/her absence, the president of the Council, shall cause each declaration of a snow emergency made by him/her, pursuant to this article, to be publicly announced by means of broadcast or telecast from a broadcasting station with a normal operating range covering the City. Each announcement shall describe the action taken by the mayor, or in his/her absence the president of the Council, including the time it became or it will become effective and shall specify the area affected. The mayor, or in his/her absence the president of the Council, shall make or cause to be made a record of each time and date when any declaration is announced to the public by issuing an executive order as soon after the declaration of emergency is feasible.

#### SECTION 3-414: SNOW REMOVAL; REMOVAL OF VEHICLES

Members of the police department are hereby authorized to remove or have removed a vehicle from a street to another place or location on a street or to a lot, garage or other similar facility designated by the police department when:

1. The vehicle is parked or stalled on any street on which there is a parking prohibition in effect and is interfering with snow removal operations.
2. The vehicle is parked on any street in violation of any parking prohibition or provision of law and is interfering or about to interfere with snow removal operations.

#### SECTION 3-415: SNOW REMOVAL; MOVEMENT OF SNOW FROM PRIVATE PROPERTY INTO CITY STREETS

Property owners, lessees or renters in all areas of the City shall not move the snow from lots, driveways or sidewalks owned or controlled by them onto the city streets. The only exception being that snow from sidewalks in the business district as described in Section 5-301 may be pushed into the city streets.

#### SECTION 3-416: SNOW REMOVAL; PENALTY

Any person or corporation in violation of the provisions concerning snow removal shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined \$10.00 plus the charge for towing.

#### SECTION 3-417: EMERGENCY VEHICLES

The provisions of this article regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles, as defined in this article, while the driver of such vehicle is operating the same in an emergency in the necessary performance of public duties.

#### SECTION 3-418: RAILROAD RIGHT OF WAY

No person shall park a vehicle within the south 16 feet of the alley or public way of the Union Pacific Railroad right of way, northerly of and adjacent to Block 29, Original Town of Lone Tree, now Central City, Nebraska, occupied and used as an alley or public way, except for purposes of loading or unloading.

#### SECTION 3-419: PARKING; AREAS

The City Council, may, by resolution, set aside and post any street, alley, public way or portion thereof for the parking of any particular kind or class of vehicle, and where the parking of vehicles has been prohibited by resolution, no vehicle prohibited from parking thereon shall stand or be parked adjacent to the curb of said street, alley, public way or portion thereof, longer than a period of time necessary to load and unload freight or passengers. The placement of no parking or restricted parking signs shall be prima facie evidence of the restricting resolution.

#### SECTION 3-420: LOADING ZONES; DESIGNATION

The City Council may, by resolution, designate loading zones and parking times therein.

#### SECTION 3-421: ALLEYS; LOADING AND UNLOADING

No vehicle shall be parked in any alley except for the purpose of loading or unloading during the time necessary to load or unload, which shall not exceed the maximum limit of one half hour. Every vehicle while loading or unloading in any alley shall be parked in such manner as will cause the least obstruction possible to traffic in such alley.

#### SECTION 3-422: UNLOADING; FREIGHT VEHICLES

Vehicles of an overall length of less than 20 feet, including load, while discharging freight may back to the curb, but shall occupy as little of the street as possible.

#### SECTION 3-423: SCHOOLS, THEATERS

The City Council may, by resolution, prohibit the parking or stopping of vehicles at the curb on streets directly in front of any entrance to a school house, school building, fire station or theater, and such curbs adjacent to the entrance of said school house, school building, fire station or theater shall be painted red to indicate such prohibition.

#### SECTION 3-424: CURB INTERSECTIONS

No vehicle shall be parked or left standing for any purpose near the intersection of curb lines where said curb lines are painted red to indicate such prohibition.

#### SECTION 3-425: DISPLAY OR REPAIR OF VEHICLES

It shall be unlawful for any person to park upon any street, alley or public place within this city any vehicle displayed for sale. No person shall adjust or repair any automobile or motorcycle, or race the motor of same, while standing on the public streets or alleys of this city, excepting in case of breakdown or other emergency requiring same. No person, hobbyist, or employee connected with a garage or repair shop shall use sidewalks, streets or alleys in the vicinity of such garage or shop for the purpose of working on automobiles or vehicles of any description.

#### SECTION 3-426: PARKED VEHICLES; LICENSE PLATES REQUIRED

Every vehicle parked or left standing upon any street, alley, public way or public property shall have license plates attached thereto which are issued for the vehicle to which said license plates are attached and are registered in the name of the owner of the vehicle in accordance with the laws of the State of Nebraska, or of the state wherein the license is issued. If any vehicle is found upon any street or alley in violation of any of the provisions 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.

#### SECTION 3-427: OBSTRUCTING PRIVATE DRIVEWAYS

Except as otherwise provided herein, it shall be unlawful for any person to stop or park any vehicle so as to obstruct a private driveway in any manner, which includes stopping or parking any vehicle within five feet of the outer portion of a curb cut on a private driveway; provided, however, that in the congested district a vehicle may be parked at the entrance to a driveway providing that ingress and egress to a business conducted on the adjacent premises, only between the period of time after the business served by such driveway has been closed for the day and opening of business on the following day, unless prohibited by signs posted by the City Council.

#### SECTION 3-428: VEHICLES PARKED IN SIDEWALK SPACE

It shall be unlawful for any person to park or place, or cause to be parked or placed, any motor vehicle or other vehicle upon any part of the sidewalk space or that space between the curb line and the lot line.

#### SECTION 3-429: HANDICAPPED OR DISABLED PERSONS; DESIGNATION OF ON-STREET PARKING SPACES; DISPLAY OF PERMITS

The City Council may designate parking spaces for the exclusive use of (a) handicapped or disabled persons whose vehicles display the distinguishing license plates issued to handicapped or disabled persons pursuant to Section 60-311.14, R.S. Neb., (b) handicapped or disabled persons whose vehicles display a distinguishing license plate issued to a handicapped or disabled person by another state, (c) such other handicapped or disabled persons or temporarily handicapped or disabled persons, as certified by the City Council, whose vehicles display the identification specified in Section 3-434, and (d) such other motor

vehicles, as certified by the City Council, which display such identification. All such permits shall be displayed in the operator's area in a conspicuous location upon the vehicle's dashboard or its equivalent so as to be clearly visible through the front windshield.

Whenever the City Council so designates a parking space, it shall be indicated by a sign which is in conformance with the 19th edition of the Manual on Uniform Traffic Control

Devices for Streets and Highways issued by the Federal Highway Administration. In addition to such sign, the space may also be indicated by blue paint on the curb or edge of the paved portion of the street adjacent to the space.

SECTION 3-430: HANDICAPPED OR DISABLED PERSONS; DESIGNATION OF OFF-STREET PARKING SPACES

The City Council and any person in lawful possession of any OFF-STREET parking facility may designate stalls or spaces in such facility for the exclusive use of (a) handicapped or disabled persons whose vehicles display the distinguishing license plates issued to such individuals pursuant to Section 60-311.14, R.S. Neb., (b) such other handicapped or disabled persons or temporarily handicapped or disabled persons, as certified by the City Council, whose vehicles display the identification specified in Section 3-434, and (c) such other motor vehicles, as certified by the City Council, which display such identification. Such designation shall be made by posting immediately adjacent to and visible from each stall or space a sign which is in conformance with the 19th edition of the Manual on Uniform Traffic Control Devices for Streets and Highways issued by the Federal Highway Administration.

SECTION 3-431: HANDICAPPED OR DISABLED PERSONS, HANDICAPPED PARKING INFRACTION; DEFINED

For the purposes of Sections 3-429 through 3-437, the following terms shall be defined as follows:

The term "handicapped or disabled person" shall mean any individual with a severe visual or physical impairment which limits personal mobility and results in an inability to travel unassisted more than 200 feet without the use of a wheelchair, crutch, walker, or prosthetic, orthotic, or other assistant device, any

individual whose personal mobility is limited as a result of respiratory problems, and any individual who has permanently lost all or substantially all the use of one or more limbs.

The term "temporarily handicapped or disabled person" shall mean any handicapped or disabled person whose personal mobility is expected to be limited in such a manner for no longer than one year.

The term "handicapped parking infraction" shall mean the violation of any section of this article regulating the use of parking spaces designated for use by handicapped or disabled persons.

SECTION 3-432: HANDICAPPED OR DISABLED PERSONS;  
PERMIT ISSUANCE

The city clerk shall take an application from handicapped or disabled or temporarily handicapped or disabled person or their parent, legal guardian or foster parent for a permit which will entitle the holder thereof or a person driving a motor vehicle for the purpose of transporting such holder to park in those spaces provided for by these Sections 3-429 through 3-437. Persons applying for a permit shall complete such forms as are provided to the city clerk by the Department of Motor Vehicles and shall demonstrate to the satisfaction of the city clerk that he or she is handicapped or disabled. The city clerk may require medical certificates and proof of a handicap or disability.

The city clerk shall issue a permit to approved applicants, and before issuing such permit, shall enter all information required pursuant to Section 3-434. The city clerk shall submit to the Department of Motor Vehicles the name, address and license number of all persons receiving a permit pursuant to this section.

SECTION 3-433: HANDICAPPED OR DISABLED PERSONS; MOTOR VEHICLE  
PERMIT ISSUANCE

The city clerk shall take an application from any person for a motor vehicle permit which will entitle the holder thereof or a person driving the motor vehicle for the purpose of transporting handicapped or disabled persons or temporarily handicapped or disabled person to park in those spaces provided by this section, if the motor vehicle is used primarily for the transportation of such persons. Such parking permit shall be used only when the motor vehicle for which it was

issued is being used for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons.

Persons applying for permits pursuant to this section shall apply for a permit for each motor vehicle used for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons, shall complete such forms as are provided by the Department of Motor Vehicles, and shall demonstrate to the city clerk that each such motor vehicle is used primarily for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons.

The city clerk shall issue a permit to approved applicants, and before issuing such permit, shall enter all information required pursuant to Section 3-434. The city clerk shall submit to the Department of Motor Vehicles the name, address and license number of all persons receiving a permit pursuant to this section.

SECTION 3-434: HANDICAPPED OR DISABLED PERSONS; PERMIT  
CONTENTS, DUPLICATE PERMITS

The permit to be issued by the city clerk shall be a card four inches by four inches in size constructed so that it may be easily and conspicuously displayed from a vehicle's rearview mirror and on which is prominently displayed the date of expiration, the internationally accepted wheelchair symbol, which symbol is a representation of a person seated in a wheelchair surrounded by a border six units wide by seven units high, and an identifying number on the front of the card.

The color of the permit issued to handicapped or disabled persons or for the transportation of such persons shall be white on blue. The permit issued to temporarily handicapped or disabled persons or for the transportation of such persons shall be a special distinguishing color as determined by the Department of Motor Vehicles. The name, address, phone number, date of birth, and age of the handicapped or disabled or temporarily handicapped or disabled person to whom issued shall appear on the reverse side. The name, address and phone number of the party to whom issued and the license plate number of the motor vehicle for which the permit is issued shall appear on the reverse side of the permit if such permit is issued for a motor vehicle used primarily for the transportation of handicapped or disabled or temporarily handicapped or disabled persons.

No permit shall be issued to any person or for any motor vehicle if any valid parking permit has been issued to such permit or for such motor vehicle if such permit has been suspended pursuant to Section 3-436.

A duplicate permit may be provided by the city clerk without cost if the original permit is destroyed, lost or stolen. Such duplicate permit shall be valid for the remainder of the period for which the original permit was issued.

SECTION 3-435: HANDICAPPED OR DISABLED PERSONS; PERMITS; PERIOD  
VALID; RENEWAL; FEE

All permits authorized under this section for handicapped or disabled parking shall be issued for a period ending September 30<sup>th</sup> of the third year following the date of issuance. All temporarily handicapped or disabled parking permits authorized under this section shall be issued for a period ending 6 months from the date of issuance, but may be renewed for up to three additional 90 day periods. For each additional 90 day renewal period, there shall be submitted an additional application with proof of a handicap or disability.

SECTION 3-436: HANDICAPPED OR DISABLED PERSONS; PERMITS  
NONTRANSFERABLE; VIOLATION; SUSPENSION

Permits issued under this section shall not be transferable and shall be used only by the party to whom issued or for the motor vehicle for which issued, and only for the purpose for which it is issued. Use by any other person, for any other motor vehicle, or for any other purpose shall be cause for suspension of such permit for a period of six months and possible fines.

SECTION 3-437: HANDICAPPED OR DISABLED PERSONS; REMOVAL OF  
UNAUTHORIZED VEHICLE; PENALTY

The owner or person in lawful possession of an OFF-STREET parking facility, after notifying the police or sheriff's department, and the City providing ON-STREET parking or owning, operating or providing an OFF-STREET parking facility, may cause the removal, from a stall or space designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons, of any vehicles not displaying proper identification or the distinguishing license plates specified in this article if there is posted immediately adjacent to and visible from

such stall or other space a sign which clearly and conspicuously states the area so designated as a tow-in zone.

Anyone parking in any ON-STREET parking space which has been designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of such persons, or in any so exclusively designated parking space in any OFF-STREET parking facility, without properly displaying the proper identification or when the handicapped or disabled person to whom or for whom the license plate or permit is issued is not being transported shall be guilty of a handicapped parking infraction as defined in Section 3-431, and shall be subject to the penalties and procedures set forth in this article. If the identity of the person who parked the vehicle in violation of this section cannot be readily determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for such violation and shall be guilty and subject to the penalty provided for in this chapter. In the case of a privately owned OFF-STREET parking facility, the owner or person in lawful possession of such facility shall inform the City of a violation of this section prior to taking any action pursuant to this section.

#### SECTION 3-438: REMOVAL OF VEHICLES FROM PUBLIC PROPERTY

Whenever any peace officer or any authorized employee of a law enforcement agency who is employed by the City finds a vehicle standing upon a public street, right-of-way, alley, highway or sidewalk in violation of the Revised Municipal Code, such individual may remove the vehicle, have the vehicle removed, or require the driver or other person in charge of the vehicle to move such vehicle to a portion off of the roadway or right-of-way.

The owner or other person lawfully entitled to possession of any vehicle towed or stored shall be charged with the reasonable cost of towing and storage fees. Any such towing or storage fee shall be a lien upon the vehicle prior to all other claims. Any person towing or storing a vehicle shall be entitled to retain possession of such vehicle until such charges are paid.

## ARTICLE V - BICYCLES, ROLLERSKATES AND SKATEBOARDS

### SECTION 3-501: BICYCLES; OPERATION

1. No person shall ride or propel a bicycle on a street or other public highway of this village with another person on the handlebars or in any position in front of the operator.

2. No bicycle shall be operated faster than is reasonable and proper, but every bicycle shall be operated with reasonable regard to the safety of the operator and any other persons upon the streets and public highways.

3. Persons riding bicycles shall observe all traffic signs and stop at all stop signs.

4. No bicycle shall be operated on any street or other public highway from sunset to sunrise without a headlight visible from the front thereof for not less than 500 feet on a clear night, and a red reflector on the rear of a type which shall be visible on a clear night from all distances between 100 feet and 600 feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle. A red light visible from a distance of 500 feet to the rear may be used in addition to such red reflector.

5. Any person who operates a bicycle upon a street or highway shall not ride more than single file, except on parts of streets or highways set aside for the exclusive use of bicycles.

6. Any person who operates a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under conditions then existing shall ride as near to the right-hand curb or right-hand edge of the roadway as practicable except when:

A. Overtaking and passing another bicycle or vehicle proceeding in the same direction;

B. Preparing for a left turn onto a private road or driveway or at an intersection;

C. Reasonably necessary to avoid conditions that make it unsafe to continue along the right-hand curb or right-hand edge of the roadway, including fixed or moving objects, stopped or moving vehicles, bicycles, pedestrians, animals or surface hazards;

D. Riding upon a lane of substandard width which is too narrow for a bicycle and vehicle to travel safely by side within the lane; or

E. Lawfully operating a bicycle on the paved shoulders of a highway included in the state highway system as provided in Section 60-6,142 R.S. Neb.

Any person who operates a bicycle upon a roadway with a posted speed limit of 35 miles per hour or less on which traffic is restricted to one direction of movement and which has two or more marked traffic lanes may ride as near to the lefthand curb or lefthand edge of the roadway as practicable. Whenever a person operating a bicycle leaves the roadway to ride on the paved shoulder or leaves the paved shoulder to enter the roadway, the person shall clearly signal his or her intention and yield the right of way to all other vehicles.

7. No person shall park a bicycle on any sidewalk unless a bicycle stand is located on said sidewalk.

8. No person shall operate a bicycle on the sidewalks within the business district.

#### SECTION 3-502: CLINGING TO MOTOR VEHICLE

No person riding upon any bicycle, coaster, roller skates, sled, skis or toy vehicle

shall attach the same or himself/herself to any moving vehicle upon any roadway, and it shall be unlawful for the driver of any vehicle to suffer or permit any person riding upon any bicycle, coaster, roller skates, sled, skis or toy vehicle to cling to or attach himself/herself or his/her bicycle, coaster, roller skates, sled, skis or toy vehicle to such vehicle so driven and operated by him/her.

SECTION 3-503: ROLLER SKATING AND SKATEBOARDING;  
WHERE PROHIBITED

It shall be unlawful for any person to operate roller skates, in-line skates, or skateboards on any public street, alley, sidewalk or parking lot within the Central Business C-1 District or the Highway Commercial C-3 District of the City, or at any other location in the City where official signs are posted prohibiting the use of skateboards.

SECTION 3-504: PEDESTRIAN AND MOTOR VEHICLE RIGHT OF WAY

Any person operating roller skates, in-line skates, skateboards or bicycles upon a sidewalk or street, where not otherwise prohibited, shall do so at his/her own risk and shall yield the right of way to any and all pedestrians and motor vehicles.

SECTION 3-505: IMPOUNDMENT

In the event of any violation of the provisions of Section 3-503 or Section 3-504, the judgment of conviction may include the impoundment of roller skates, in-line skates or skateboards, or other unpowered vehicle involved in such violation by the city police department for a period not to exceed 180 days.

ARTICLE VI - PENAL PROVISION

SECTION 3-601: VIOLATION; PENALTY

Any person, firm, association or corporation violating any of the provisions of

Chapter III hereof for which no other penalty is imposed shall, upon conviction, be deemed guilty of a misdemeanor, and be fined in any sum not exceeding that permitted by Nebraska law for violation of a municipal ordinance.