

ORDINANCE NO. 224

AN ORDINANCE to regulate the use and operation of vehicles within the Town of Stayton; to provide penalties for the violation of this Ordinance; to repeal conflicting ordinances; and to declare an emergency.

THE TOWN OF STAYTON DO ORDAIN AS FOLLOWS:

Section 1. The following words and phrases when used in this ordinance shall, for the purpose of this ordinance, have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

Par. (a). The word "street" shall mean and include all public streets, roads, and highways within the Town of Stayton.

Par. (b) The word "vehicle" shall mean and include every device in, upon, or by which any person or property is or may be conveyed, except devices commonly moved by human power.

Par. (c). The term "motor vehicle" shall mean and include every vehicle which is self propelled.

Par. (d): The word "park" as used herein with reference to any vehicle, shall mean and refer to the stationary condition of any vehicle, and the terms "parked", "parking", and "parking lines" shall be construed with reference to such meaning.

Section 2. It shall be unlawful for any person to drive or move any vehicle upon any street, alley, or public property within the Town of Stayton, carelessly and heedlessly in wilful or wanton disregard of the rights or safety of others, or without due caution and circumspection, and at a speed or in a manner so as to endanger or be likely to endanger any person or property.

Section 3. It shall be unlawful for any person to drive or move any vehicle upon any street, alley, or public property within the Town of Stayton, at a speed greater than is reasonable and prudent, having due regard to the traffic, surface and width of the street or alley, hazard at intersections, and any other condition then existing.

Section 4. It shall be unlawful for any person to drive or move a vehicle upon any street, alley, or public property within the Town of Stayton, at a speed which is greater than will permit the driver to exercise proper control of the vehicle and to decrease speed or to stop as may be necessary to avoid colliding with any person, domestic animal, vehicle or other conveyance.

Section 5. Any person violating any of the provisions of Sections 2, 3, or 4 of this Ordinance, shall be deemed guilty of reckless driving, and upon conviction thereof shall be punished as hereafter in this ordinance provided.

Section 6. It shall be unlawful for any person to drive or move any vehicle upon any street, alley, or public property within the Town of Stayton, while under the influence of intoxicating liquor or narcotic drugs.

Section 7. It shall be unlawful for any person to drive or move a motor vehicle upon any street, alley, or public property within the Town of Stayton, unless the same is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.

Section 8. It shall be unlawful for any person to drive or move a motor vehicle upon any street or alley unless such person shall have a proper operator's license or other proper permit issued by the State of Oregon; and it shall be unlawful for any owner or person in charge of any motor vehicle to permit the same to be driven upon any street or alley by any other person not having such a license or permit.

Section 9. It shall be unlawful for any person to fail or refuse to obey the instructions of any marshals, police officer, or other peace officer, relative to the parking or operation of a vehicle.

Section 10. It shall be unlawful for any person to drive or move any vehicle upon or over any bridge or street, the total weight of which vehicle, including load, shall exceed the total weight permitted on such bridge or street.

Section 11. It shall be unlawful to drive or move any vehicle into or upon any street from any alley, private driveway or private property whatever, without first coming to a complete stop at the point of entry upon such street; and it shall likewise be unlawful to drive or move any vehicle into or upon any street properly designated as a through or stop street, without first coming to a complete stop at the point of entry upon such stop street.

Section 12. The following rules and regulations shall govern the parking and movement of vehicles in the town of Dayton, to the extent provided for, and it shall be unlawful for any person to violate of the same, namely:

Par. (a). Any vehicle parked on the west side of Third Street between High and Water Streets, and on Ida Street between Second and Third Streets, and on Water Street between Second and Third Streets, shall be parked at an angle approximating thirty five degrees with forward end touching or nearly touching the sidewalk curbing.

Par. (b). No vehicle shall be parked on those portions of streets named in the immediately preceding Par. (a) if any portion of such vehicle when parked as therein provided, shall extend more than 13 feet away from the sidewalk curbing measured at right angles.

Par. (c). Any vehicle parked on the east side of Third Street between High and Water Streets, and on the south side of Ida Street between Second and Third Streets, and on the south side of Water Street between Second and Third Streets, shall be parked parallel with the curb and close enough thereto so that no portion of such vehicle shall extend more than eight (8) feet away from the curb.

Par. (d). Any vehicle parked on any street on which the parking zones shall be designated by parking lines, shall be parked within the indicated zones.

Par. (e). On all other streets not specifically provided for, vehicles shall be parked on the proper side thereof in a manner to leave the main travelled portion of the street clear.

Par. (f). No vehicle shall be parked on any sidewalk, crosswalk, or bridge, nor in any intersection, nor in such manner as to obstruct the entrance or exit to or from any alley or private driveway.

Par. (g). No vehicle shall be parked in any alley so as to obstruct a clear passage through the same; except that vehicles may so park for a reasonable time to permit the loading or unloading of merchandise.

Par. (h). No vehicle shall be parked in any zone or on any section of street which is restricted against parking; provided that such zone or section shall be clearly marked or designated as restricted; and provided, that no such restrictions shall be permitted except with permission of the Town Council.

Par. (i). No vehicle shall be parked in such manner that any portion thereof shall be closer than 10 feet to any portion of any fire hydrant.

Par. (j). A driver of any vehicle approaching any street intersection shall look out for and give way to vehicles on the right, simultaneously approaching a given point, whether such vehicle first enter and reach the intersection or not; except that any driver guilty of reckless driving while entering an intersection shall forfeit any right of way such driver would otherwise have had. The foregoing rule as to right of way shall not prevail at any intersection where and when traffic is controlled by traffic signals or police officers.

Par. (k). The driver of any vehicle upon any street before starting, stopping, or turning from a direct line, shall first see that such movement can be made with safety, and if any pedestrian or bicycle rider may be affected by such movement shall give a clearly audible signal by sounding the horn; and whenever the operation of any other vehicle may be affected by such movement, shall give a signal clearly ~~making~~ visible to the driver of such other vehicle, as follows: a driver intending to turn left shall extend the hand and arm horizontally from and beyond the left side of the vehicle; a driver intending to turn right shall extend the hand and arm upward from and beyond the left side of the vehicle; and a driver intending to stop or suddenly decrease speed shall extend the hand and arm downward and beyond the left side of the vehicle; provided, it shall be lawful to give such signals by means of any device now or hereafter approved by the State of Oregon.

Par. (l). Reverse turns shall not be made at any place where prohibited by order of the Council, and in any case shall be made only at a street intersection or street end.

Par. (m). The driver of any vehicle shall yield the right of way to a pedestrian crossing the street within any marked crosswalk or within any unmarked crosswalk at the end of a block, except at any intersection where and when traffic is controlled by traffic signals or police officers.

Section 13. It shall be unlawful for any person except an authorized officer, marshal, constable, or police officer, to climb upon or into any motor vehicle, whether the same be at rest or in motion; or while such vehicle is at rest or unattended, to attempt to manipulate any of the levers, starting crank or other device, brakes or mechanism, or to set said vehicle in motion, without the consent of the owner or person lawfully in charge of such motor vehicle.

Section 14. Any person violating any provision of this ordinance shall, upon conviction thereof in the Recorder's Court, be punished by a fine of not more than \$100.00, or by imprisonment in the town jail for not more than 30 days, or by both such fine and imprisonment.

Section 15. If any person shall be convicted of a violation of any of the provisions of Sections 2, 3, 4, or 6 of this Ordinance, the Recorder of said town may, in addition to fixing any punishment provided in Section 13 hereof, recommend to the Secretary of State that the operator's or chauffeur's license, or both of said licenses, of said convicted person, be suspended for a period not to exceed one year.

Section 16. If any part of this Ordinance shall be declared unconstitutional, or shall be invalidated for any reason, all of the remaining portions of this Ordinance shall nevertheless remain in full force and effect.

Section 17. That Ordinance No. 136, passed by the Council and approved by the Mayor on Sept. 5, 1916, and all other ordinances and parts of ordinances in conflict herewith be, and the same hereby are repealed; provided, that the same shall remain in full force and effect for the punishment of any violations thereunder occurring prior to the due passage of this Ordinance.

Section 17. Inasmuch as the Town of Stayton has in effect no ordinance adequate for the regulation of vehicular traffic, and it is necessary for the safety of the Town that the same be regulated immediately, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately following its passage by the Council and approval by the Mayor.

Passed by the Council this 7 day of October, 1937.

Attest: \_\_\_\_\_ Recorder.

Approved by the Mayor of the Town of Stayton this 8<sup>th</sup> day of October, 1937.

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Mayor.