

Repealed by Ordinance No. 224 - passed Oct. 7-1937.

ORDINANCE No. 136.

An Ordinance regulating the use, operation and speed of motor vehicles and all other vehicles upon the streets, highways and public places of the *Town* of Stayton, Oregon, and providing a penalty for the violation of this ordinance; repealing Ordinances No. 97 and 122 and declaring an emergency to exist.

THE TOWN OF STAYTON DO ORDAIN AS FOLLOWS:

Section 1. The terms "chauffeur", "city", "owner", "vehicle", "motor", "vehicle", "manufacturer", and "dealer", as used in this ordinance shall be as defined by Section 1 of Chapter 174 of the General Laws of Oregon, for the year 1911.

Section 2. That the laws of the road as defined by Section 2 of Chapter 174, General Laws of Oregon for 1911, insofar as the same may be applicable shall apply to the streets, highways, and public places of the town of Stayton, Oregon, and such laws of the road are particularly set out as follows, to-wit:

1. Vehicles proceeding in opposite direction shall pass to the right, giving one-half of the road to each;
2. Vehicles proceeding in the same direction overtake each other by passing to the left;
3. The overtaking vehicle shall maintain its speed until clear of the overtaken vehicle, and for such distance thereafter as shall prevent dust and mud throwing upon the overtaken vehicle;
4. The signal so to pass shall be given by one blast or stroke of horn, bell, whistle, gong or other signalling device;
5. Should the overtaken vehicle then not give way, three such blasts or signals shall be given, and on failure to comply therewith the overtaking vehicle may at the next suitable place safe to both vehicles go by without further signal;
6. It shall be the duty of every overtaken vehicle to turn to the right and give one-half of the road to the overtaking vehicle;
7. Vehicles approaching an intersecting road, street, or highway shall be under control so as to permit the vehicle on the right of the vehicle approaching to first cross the intersecting street, road or highway;
8. At all intersections the vehicle approaching the intersection shall have the right of way;
9. All vehicles approaching an intersection of a street, road or highway with the intention of turning thereat shall, in turning to the right, keep closely to the right, and in turning to the left shall run to and beyond the center of the intersection.
10. In all passing and overtaking such assistance shall be given by the occupants of each vehicle respectively to the other as the circumstances shall demand and either request and each of them exercise due care and caution to get clearance and avoid accidents. Every person having control or charge of any automobile, motor vehicle or motorcycle, whenever upon any public street or way, and approaching any vehicle drawn by a horse or horses or any horse upon which any person is riding, shall operate and manage and control such automobile, motor vehicle or motorcycle in such manner as to exercise every reasonable precaution to prevent the frightening of any such

horse, or horses, and to insure the safety and protection of any person riding or driving the same. And if such horse or horses appear frightened the person in control of such motor vehicle shall reduce its speed, and, if requested by signal or otherwise by the driver of such horse or horses, shall not proceed further toward such animal unless such movement be necessary to avoid accident or injury, or until such animal appears to be under the control of its rider or driver.

11. In parades, at theatres and all other occasions and places where traffic is congested, vehicles shall be operated with due care and caution, and jockeying vehicles or running by for position is prohibited by this ordinance. Each vehicle, upon embarking and discharging its load, shall immediately move out and away from the congested area, and the next vehicle shall follow the same.

12. Every vehicle shall be kept upon the right half of the street, road or highway traveled when the view ahead is not clear for at least one hundred yards.

13. No races or contests for speed shall be held upon any street, road or highway in the Town of Stayton, Oregon, without the permission of the Council, and then only if the street, road or highway upon which any such race or contest is to be held shall be fully and efficiently patrolled for the entire distance over which such race or contest for speed is to be held.

14. Every vehicle shall be run at a rate of speed at no time greater than is reasonable and proper, having regard to the safety of the public, the traffic and the use of the street, road or highway then being traveled.

15. The rate of speed on all streets, roads and highways within the corporate limits of the Town of Stayton, Oregon, shall be a reasonable speed up to and not exceeding 15 miles per hour, and any speed in excess of 15 miles an hour upon any street, road or highway within the corporate limits of the Town of Stayton, Oregon, shall be an unreasonable speed and is prohibited by this Ordinance; provided, however, that no motor vehicle shall be driven at a rate of speed faster than eight (8) miles an hour upon any street, road or highway within the corporate limits of the Town of Stayton, Oregon, when within one hundred (100) yards of any vehicle drawn by a horse or horses.

16. No vehicle shall be moved, run or operated on the streets, roads, or highways within the corporate limits of the Town of Stayton, Oregon, by any person unable or incapable to control the same with due regard to the safety of the public and other vehicles; provided that in all cases any person in a state of intoxication is deemed conclusively incapable and unable to operate and control the same. Any person under the age of eighteen (18) years shall be deemed to be incompetent and unable to operate a motor vehicle within the meaning of this section.

17. No vehicle used upon the streets, roads, or highways of the Town of Stayton, Oregon, shall be left standing unsecured, and howsoever it may be moved its motive power shall be so secured that the same cannot operate or move the vehicle without some action upon the part of the owner and operator so to do.

18. No vehicle shall be operated with an excessive smoking exhaust upon any street, road or highway in the Town of Stayton, Oregon.

19. Ambulances, while being operated as such, and vehicles for the use of doctors, physicians and surgeons, shall while operated upon their respective business be exempt from the provisions of this act as to speed and traffic regulations, where preference for right of way can be given them with due regard to the safety of the public; provided, that each of the same shall bear a red cross.

20. Fire engines and fire apparatus shall in all cases, with due regard to the safety of the public, have right of way, all provisions of this act to the contrary notwithstanding, but this shall not protect the driver of any vehicle from consequence in the arbitrary exercise of this right or for injuries willfully inflicted.

21. In all localities where an authorized officer, marshal, constable, or policeman, conspicuously displaying his star and then discharging the duty of regulating and directing traffic in his locality shall signal any vehicle to take a direction or to stop or otherwise to proceed for the safety of the public, it shall be the duty of such vehicle to obey said direction and to comply with the orders of said authorized officer in that behalf.

22. Duty in case of Collisions, Mistakes in judgment or Accident-- Should any pedestrian or other object, through want of care or other cause, come in contact with a moving vehicle in the streets, roads or highways of the Town of Stayton, Oregon, it shall be the duty of such vehicle to stop and of the owner or operator thereof to ascertain the name of the person or the object and to render such aid and assistance as may be required, and in case of collisions or other accident to render like assistance to the colliding vehicle or the vehicle struck, as the case may be, and to the occupants thereof as may be necessary, taking the name of the vehicle, its number, the time, the place and other data concerning the accident or event, with the names of witnesses present, and likewise giving his own name and number for identification. Each and all of said information, however, shall not be construed or determined as fixing liability in either case for fault or negligence of either party, but shall be a means of identification of the facts and circumstances only; and neither party to a collision or a consequence resulting from mistake in judgment or arising from accident shall move away from the place of its occurrence without complying with this section, however, is not done, it shall be a violation of this act and punished accordingly as herein provided.

23. Every motor vehicle shall be provided with adequate brakes sufficient to control the vehicle at all times and a suitable and adequate bell, horn, whistle, or other signalling device, and shall during the period from one hour after sunset to one hour before sunrise, display at least two white lights in lamps on the front and one red light in the rear of such vehicle. Said rear lamp shall show a white light across the rear of the vehicle. The white rays of such rear lamp shall shine upon the number plate carried on the rear of such vehicle. The light of the front lamps shall be visible at least two hundred feet in the direction in which the vehicle is proceeding; provided, that motor bicycles or motorcycles and all vehicles other than motor cars shall be required to display but one lighted lamp, such lamp to be placed in front of the vehicle so that it shall be visible one-hundred feet in the direction in which the vehicle is proceeding and show red lights to the rear.

Section 3. It shall be unlawful for any person to drive any motor vehicle through any of the streets, alleys or other public highways within the Town of Stayton, without having the same equipped with a muffler in actual use.

Section 4. It shall be unlawful for any person riding or driving any automobile, motorcycle or other vehicle within the Town of Stayton, Oregon, to turn around or attempt to turn around with any such vehicle upon any of the streets or highways within said town, except at an intersection or at the end of a street or other highway; provided, however, that any such vehicle may be turned around at any point if there is no other vehicle approaching within a block from either direction.

Section 5. It shall be unlawful to allow any automobile, motorcycle, or other vehicle to remain standing upon any street or other highway within the Town of Stayton, unless the same be banked on the right side as such vehicle faces, and close to the curb or edge of any such street or highway.

Section 6. Any person riding or driving any automobile, motorcycle or other vehicle upon any street, alley or highway within the Town of Stayton, Oregon, shall keep to the right of the center of any such street, alley or highway, and if desiring to turn to left for the purpose of going upon any other street, alley or highway, shall so indicate with the left arm by pointing in that direction; provided, that if there is no other vehicle approaching within 200 feet, it shall not be necessary to indicate the direction desired to go.

Section 7. That this ordinance shall be construed in harmony with Chapter 174 of the General Laws of Oregon, for the year 1911, and is passed subject to the provisions of Section 25 of said Chapter 174 of the General Laws of Oregon, for the year 1911, and it shall be the duty of the Chief of Police on or before Sept. 15, 1916, to place conspicuously on each main street, road or highway of the State of Oregon, at the intersection of such main street, road or highway with the boundaries of said Town of Stayton, Oregon, and on each main street, where the rate of speed changes as provided for in Section 17 of this ordinance, signs not less than ten (10) inches by fourteen (14) inches in size, upon which shall be painted in plain black letters on a white background, the following words: "Slow down to 15 miles per hour" beneath which words there shall be an arrow also painted in black pointing in the direction where the speed is to be reduced or changed.

Section 8. Any person violating any of the provisions of this ordinance and who shall be convicted thereof in the City Recorder's Court, or who shall plead guilty to any complaint for the violation thereof, shall be punished by a fine of not less than \$5.00 nor more than \$100.00 or by imprisonment in the city jail not less than one day nor more than twenty (20) days or by both such fine and imprisonment.

Section 9. That Ordinances No. 97 and 122 and all ordinances and parts of ordinances in conflict herewith, be and the same are hereby repealed.

Section 10. Whereas, the provisions of this ordinance are designed to protect the traveling public from accident or injury caused by the careless operation or driving of vehicles upon the highways of the town, it is the judgment of the Council that an emergency exists and this Ordinance is declared to be necessary for the immediate preservation of the peace, health and safety of the Town of Stayton, Oregon, and the same shall become immediately operative upon its passage by the Council and approval by the Mayor.

Passed by the Council this 5th day of September, 1916.

Attest: J. B. Grier Recorder.

Approved by the Mayor this 5th day of September, 1916.

W. A. Bunchamp Mayor.