

CHAPTER 60

ADMINISTRATION OF TRAFFIC CODE

60.01 Title

60.02 Definitions

60.03 Administration and Enforcement

60.04 Power to Direct Traffic

60.05 Traffic Accidents: Reports

60.06 Peace Officer's Authority

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60.01 TITLE. Chapters 60 through 70 of this Code of Ordinances may be known and cited as the "Shell Rock Traffic Code."

60.02 DEFINITIONS. Where words and phrases used in the Traffic Code are defined by State law, such definitions apply to their use in said Traffic Code and are adopted by reference. Those definitions so adopted that need further definition or are reiterated, and other words and phrases used herein, have the following meanings:

(Code of Iowa, Sec. 321.1)

1. "Business District" means the territory contiguous to and including a highway when fifty percent (50%) or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business.
2. "Park" or "parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
3. "Peace officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
4. "Residence district" means the territory contiguous to and including a highway not comprising a business, suburban or school district, where forty percent (40%) or more of the frontage on such a highway for a distance of three hundred (300) feet or more is occupied by dwellings or by dwellings and buildings in use for business.
5. "School district" means the territory contiguous to and including a highway for a distance of two hundred (200) feet in either direction from a school house.
6. "Stand" or "standing" means the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.
7. "Stop" means when required, the complete cessation of movement.
8. "Stop" or "stopping" means when prohibited, any halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control sign or signal.
9. "Suburban district" means all other parts of the City not included in the business,

school or residence districts.

10. "Traffic control device" means all signs, signals, markings, and devices not inconsistent with this chapter, lawfully placed or erected for the purpose of regulating, warning, or guiding traffic.

11. "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, street, or alley.

60.03 ADMINISTRATION AND ENFORCEMENT. Provisions of this Traffic Code and State law relating to motor vehicles and law of the road are enforced by the Police Chief.

(Code of Iowa, Sec. 372.13[4])

60.04 POWER TO DIRECT TRAFFIC. A peace officer, and, in the absence of a peace officer, any officer of the fire department when at the scene of a fire, is authorized to direct all traffic by voice, hand or signal in conformance with traffic laws. In the event of an emergency, traffic may be directed as conditions require, notwithstanding the provisions of the traffic laws.

(Code of Iowa, Sec. 102.4 & 321.236[2])

60.05 TRAFFIC ACCIDENTS: REPORTS. The driver of a vehicle involved in an accident within the limits of the City shall file a report as and when required by the Iowa Department of Transportation. A copy of this report shall be filed with the City for the confidential use of peace officers and shall be subject to the provisions of Section 321.271 of the Code of Iowa.

(Code of Iowa, Sec. 321.273 & 321.274)

60.06 PEACE OFFICER'S AUTHORITY. A peace officer is authorized to stop a vehicle to require exhibition of the driver's license of the driver, to serve a summons or memorandum of traffic violation, to inspect the condition of the vehicle, to inspect the vehicle with reference to size, weight, cargo, log book, bills of lading or other manifest of employment, tires and safety equipment, or to inspect the registration certificate, the compensation certificate, travel order, or permit of such vehicle. A peace officer having probable cause to stop a vehicle may require exhibition of the proof of financial liability coverage card issued for the vehicle.

(Code of Iowa, Sec. 321.492)

60.07 OBEDIENCE TO PEACE OFFICERS. No person shall willfully fail or refuse to comply with any lawful order or direction of any peace officer invested by law with authority to direct, control, or regulate traffic.

(Code of Iowa, Sec. 321.229)

CHAPTER 61

TRAFFIC CONTROL DEVICES

61.01 Installation
61.02 Crosswalks
61.03 Traffic Lanes

61.04 Standards
61.05 Compliance

61.01 INSTALLATION. The Police Chief shall cause to be placed and maintained traffic control devices when and as required under this Traffic Code or under State law or emergency or temporary traffic control devices for the duration of an emergency or temporary condition as traffic conditions may require to regulate, guide or warn traffic. The Police Chief shall keep a record of all such traffic control devices.

(Code of Iowa, Sec. 321.255)

61.02 CROSSWALKS. The Police Chief is hereby authorized, subject to approval of the Council by resolution, to designate and maintain crosswalks by appropriate traffic control devices at intersections where, due to traffic conditions, there is particular danger to pedestrians crossing the street Or roadway, and at such other places as traffic conditions require.

(Code of Iowa, Sec. 372.13[4] & 321.255)

61.03 TRAFFIC LANES. The Police Chief is hereby authorized to mark lanes for traffic on street pavements at such places as traffic conditions require, consistent with the traffic code of the City. Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

(Code of Iowa, Sec. 372.13[4] & 321.255)

61.04 STANDARDS. Traffic control devices shall comply with standards established by The Manual of Uniform Traffic Control Devices for Streets and Highways.

(Code of Iowa, Sec. 321.255)

61.05 COMPLIANCE. No driver of a vehicle shall disobey the instructions of any official traffic control device placed in accordance with the provisions of this chapter, unless at the time otherwise directed by a peace officer.

(Code of Iowa, Sec. 321.256)

CHAPTER 62

GENERAL TRAFFIC REGULATIONS

62.01 Violation of Regulations

62.02 Play Streets Designated on Streets and Highways

62.03 Vehicles on Sidewalks

62.04 Clinging to Vehicle

62.05 Quiet Zones

62.06 Funeral Processions

62.07 Tampering with Vehicle

62.08 Open Container of Alcoholic Beverage, Wine or Beer

62.09 Obstructing View at Intersections

62.10 Reckless Driving

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62.12 Milling

62.01 VIOLATION OF REGULATIONS. Any person who willfully fails or refuses to comply with any lawful order of a peace officer or direction of a fire department officer during a fire, or who fails to abide by the applicable provisions of the following Iowa statutory laws relating to motor vehicles and the statutory law of the road is in violation of this section. These sections of the Code of Iowa are adopted by reference and are as follows:

1. Section 321.20B - Proof of security against liability.
2. Section 321.32 - Registration card, carried and exhibited.
3. Section 321.37- Display of plates.
4. Section 321.38 - Plates, method of attaching, imitations prohibited.
5. Section 321.79 - Intent to injure.
6. Section 321.98 - Operation without registration.
7. Section 321.174 - Operators licensed.
8. Section 321.174A - Operation of motor vehicles with expired license.
9. Section 321.180 - Instruction permits.
10. Section 321.180B - Graduated driver's licenses for persons aged fourteen through seventeen.
11. Section 321.193 - Restricted licenses.
12. Section 321.194 - Special minor's licenses.
13. Section 321.216 - Unlawful use of license and nonoperator's identification card.

14. Section 321.216B - Use of driver's license or nonoperator's identification card by underage person to obtain alcohol.
15. Section 321.219 - Permitting unauthorized minor to drive.
16. Section 321.220 - Permitting unauthorized person to drive.
17. Section 321.221 - Employing unlicensed chauffeur.
18. Section 321.222 - Renting motor vehicle to another.
19. Section 321.223 - License inspected.
20. Section 321.224- Record kept.
21. Section 321.232- Radar jamming devices; penalty.
22. Section 321.234A - All-terrain vehicles.
23. Section 321.247 - Golf cart operation on City streets.
24. Section 321.259 - Unauthorized signs, signals or markings.
25. Section 321.262 - Damage to vehicle.
26. Section 321.263 - Information and aid.
27. Section 321.264 - Striking unattended vehicle.
28. Section 321.265 - Striking fixtures upon a highway.
29. Section 321.275 - Operation of motorcycles and motorized bicycles.
30. Section 321.278 - Drag racing prohibited.
31. Section 321.288 - Control of vehicle; reduced speed.
32. Section 321.295 - Limitation on bridge or elevated structures.
33. Section 321.297 - Driving on right-hand side of roadways; exceptions.
34. Section 321.298 - Meeting and turning to right.
35. Section 321.299 - Overtaking a vehicle.
36. Section 321.302 - Overtaking on the right.
37. Section 321.303 - Limitations on overtaking on the left.

38. Section 321.304 - Prohibited passing.
39. Section 321.307 - Following too closely.
40. Section 321.308 - Motor trucks and towed vehicles; distance requirements.
41. Section 321.309 - Towing; convoys; drawbars.
42. Section 321.310 - Towing four-wheel trailers.
43. Section 321.312 — Turning on curve or crest of grade.
44. Section 321.313 — Starting parked vehicle.
45. Section 321.314 — When signal required.
46. Section 321.315 — Signal continuous.
47. Section 321.316 — Stopping.
48. Section 321.317 — Signals by hand and arm or signal device.
49. Section 321.319 — Entering intersections from different highways.
50. Section 321.320 — Left turns; yielding.
51. Section 321.321 — Entering through highways.
52. Section 321.322 — Vehicles entering stop or yield intersection.
53. Section 321.323 — Moving vehicle backward on highway.
54. Section 321.324 — Operation on approach of emergency vehicles.
55. Section 321.329 — Duty of driver — pedestrians crossing or working on highways.
56. Section 321.330 — Use of crosswalks.
57. Section 321.332 — White canes restricted to blind persons.
58. Section 321.333 — Duty of drivers.
59. Section 321.340 — Driving through safety zone.
60. Section 321.341 — Obedience to signal of train.
61. Section 321.342 — Stop at certain railroad crossings; posting warning.

62. Section 321.343 — Certain vehicles must stop.
63. Section 321.344 — Heavy equipment at crossing.
64. Section 321.354 — Stopping on traveled way.
65. Section 321.359 — Moving other vehicle.
66. Section 321.362— Unattended motor vehicle.
67. Section 321.363 — Obstruction to driver's view.
68. Section 321.364 — Preventing contamination of food by hazardous material.
69. Section 321.365 — Coasting prohibited.
70. Section 321.367 — Following fire apparatus.
71. Section 321.368 - Crossing fire hose.
72. Section 321.369- Putting debris on highway.
73. Section 321.370- Removing injurious material.
74. Section 321.371 - Clearing up wrecks.
75. Section 321.372 - School buses.
76. Section 321.381 - Movement of unsafe or improperly equipped vehicles.
77. Section 321.382 - Upgrade pulls; minimum speed.
78. Section 321.383 - Exceptions; slow vehicles identified.
79. Section 321.384 - When lighted lamps required.
80. Section 321.385 - Head lamps on motor vehicles.
81. Section 321.386- Head lamps on motorcycles and motorized bicycles.
82. Section 321.387 - Rear lamps.
83. Section 321.388 - Illuminating plates.
84. Section 321.389 - Reflector requirement.

85. Section 321.390 - Reflector requirements.
86. Section 321.392 - Clearance and identification lights.
87. Section 321.393 - Color and mounting.
88. Section 321.394 - Lamp or flag on projecting load.
89. Section 321.395 - Lamps on parked vehicles.
90. Section 321.398 - Lamps on other vehicles and equipment.
91. Section 321.402 - Spot lamps.
92. Section 321.403 - Auxiliary driving lamps.
93. Section 321.404 - Signal lamps and signal devices.
94. Section 321.405 - Self-illumination.
95. Section 321.406 - Cowl lamps.
96. Section 321.408 - Back-up lamps.
97. Section 321.409 - Mandatory lighting equipment.
98. Section 321.415 - Required usage of lighting devices.
99. Section 321.417 - Single-beam road-lighting equipment.
100. Section 321.418 - Alternate road-lighting equipment.
101. Section 321.419- Number of driving lamps required or permitted.
102. Section 321.420- Number of lamps lighted.
103. Section 321.421 - Special restrictions on lamps.
104. Section 321.422 - Red light in front.
105. Section 321.423 - Flashing lights.
106. Section 321.430 - Brake, hitch and control requirements.
107. Section 321.431 - Performance ability.
108. Section 321.432 - Horns and warning devices.

109. Section 321.433 - Sirens, whistles and bells prohibited.
110. Section 321.434 - Bicycle sirens or whistles.
111. Section 321.436 - Mufflers, prevention of noise.
112. Section 321.437 - Mirrors.
113. Section 321.438 - Windshields and windows.
114. Section 321.439 - Windshield wipers.
115. Section 321.440 - Restrictions as to tire equipment.
116. Section 321.441 - Metal tires prohibited.
117. Section 321.442 - Projections on wheels.
118. Section 321.444 - Safety glass.
119. Section 321.445 - Safety belts and safety harnesses - use required.
120. Section 321.446 - Child restraint devices.
121. Section 321.449 - Motor carrier safety regulations.
122. Section 321.450 - Hazardous materials transportation.
123. Section 321.454 - Width of vehicles.
124. Section 321.455 - Projecting loads on passenger vehicles.
125. Section 321.456 - Height of vehicles; permits.
126. Section 321.457 - Maximum length.
127. Section 321.458 - Loading beyond front.
128. Section 321.460— Spilling loads on highways.
129. Section 321.461— Trailers and towed vehicles.
130. Section 321.462— Drawbars and safety chains.
131. Section 321.463 — Maximum gross weight.

132. Section 321.465 — Weighing vehicles and removal of excess.

133. Section 321.466 — Increased loading capacity - reregistration.

62.02 PLAY STREETS DESIGNATED. The Police Chief shall have authority to declare any street or part thereof a play street and cause to be placed appropriate signs or devices in the roadway indicating and helping to protect the same. Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

(Code of Iowa, Sec. 321.255)

62.03 VEHICLES ON SIDEWALKS. The driver of a vehicle shall not drive upon or within any sidewalk area except at a driveway.

62.04 CLINGING TO VEHICLE. No person shall drive a motor vehicle on the streets of the City unless all passengers of said vehicle are inside the vehicle in the place intended for their accommodation. No person shall ride on the running board of a motor vehicle or in any other place not customarily used for carrying passengers. No person riding upon any bicycle, coaster, roller skates, in-line skates, sled or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

62.05 QUIET ZONES. Whenever authorized signs are erected indicating a quiet zone, no person operating a motor vehicle within any such zone shall sound the horn or other warning device of such vehicle except in an emergency.

62.06 FUNERAL PROCESSIONS. Upon the immediate approach of a funeral procession, the driver of every other vehicle, except an authorized emergency vehicle, shall yield the right-of-way. An operator of a motor vehicle which is part of a funeral procession shall not be charged with violating traffic rules and regulations relating to traffic signals and devices while participating in the procession unless the operation is reckless.

(Code of Iowa, Sec. 321.324A)

62.07 TAMPERING WITH VEHICLE. It is unlawful for any person, either individually or in association with one or more other persons, to willfully injure or tamper with any vehicle or break or remove any part or parts of or from a vehicle without the consent of the owner.

62.08 OPEN CONTAINER OF ALCOHOLIC BEVERAGE, WINE OR BEER ON STREETS AND HIGHWAYS. A person driving a motor vehicle shall not knowingly possess in a motor vehicle upon a public street or highway an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage, wine, or beer with the intent to consume the alcoholic beverage, wine, or beer while the motor vehicle is upon a public street or highway. Evidence that an open or unsealed receptacle containing an alcoholic beverage, wine or beer was found during an authorized search in the glove compartment, utility compartment, console, front passenger seat, or any unlocked portable device and within the immediate reach of the driver while the motor vehicle is upon a public street or highway is evidence from which the court or jury may infer that the driver intended to consume the alcoholic beverage, wine or beer while upon the public street or highway if

the inference is supported by corroborative evidence. However, an open or unsealed receptacle containing an alcoholic beverage, wine or beer may be transported at any time in the trunk of the motor vehicle or in some other area of the interior of the motor vehicle not designed or intended to be occupied by the driver and not readily accessible to the driver while the motor vehicle is in motion.

(Code of Iowa, Sec. 321.284)

62.09 OBSTRUCTING VIEW AT INTERSECTIONS. It is unlawful to allow any tree, hedge, billboard or other object to obstruct the view of an intersection by preventing persons from having a clear view of traffic approaching the intersection from cross streets. Any such obstruction is deemed a nuisance and in addition to the standard penalty may be abated in the manner provided by Chapter 50 of this Code of Ordinances.

62.10 RECKLESS DRIVING. No person shall drive any vehicle in such manner as to indicate a willful or a wanton disregard for the safety of persons or property.

(Code of Iowa, Sec. 321.277)

62.11 CARELESS DRIVING. No person shall intentionally operate a motor vehicle on a street or highway in any one of the following ways:

(Code of Iowa, Sec. 321.277A)

1. Creating or causing unnecessary tire squealing, skidding or sliding upon acceleration or stopping.
2. Simulating a temporary race.
3. Causing any wheel or wheels to unnecessarily lose contact with the ground.
4. Causing the vehicle to unnecessarily turn abruptly or sway.

CHAPTER 63

SPEED REGULATIONS

63.01 General

63.02 State Code Speed Limits

63.03 Parks, Cemeteries and Parking Lots

63.04 Special Speed Restrictions

63.05 Minimum Speed

63.06 Emergency Vehicles

63.01 GENERAL. Every driver of a motor vehicle on a street shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the street and of any other conditions then existing, and no person shall drive a vehicle on any street at a speed greater than will permit said driver to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said street will observe the law.

(Code of Iowa, Sec. 321.285)

63.02 STATE CODE SPEED LIMITS. The following speed limits are established in Section 321.285 of the Code of Iowa and any speed in excess thereof is unlawful unless specifically designated otherwise in this chapter as a special speed zone.

1. Business District — Twenty (20) miles per hour.
(Code of Iowa, Sec. 321.285 [1])
2. Residence or School District — Twenty-five (25) miles per hour.
(Code of Iowa, Sec. 321.285 [2])
3. Suburban District — Forty-five (45) miles per hour.
(Code of Iowa, Sec. 321.285 [4])

63.03 PARKS, CEMETERIES AND PARKING LOTS. A speed in excess of fifteen (15) miles per hour in any public park, cemetery or parking lot, unless specifically designated otherwise in this chapter, is unlawful.

(Code of Iowa, Sec. 321.236[5])

63.04 SPECIAL SPEED RESTRICTIONS. In accordance with requirements of the Iowa State Department of Transportation, or whenever the Council shall determine upon the basis of an engineering and traffic investigation that any speed limit listed in Section 63.02 is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of the City street system, the Council shall determine and adopt by ordinance such higher or lower speed limit as it deems reasonable and safe at such location. The following special speed zones have been established:

(Code of Iowa, Sec. 321.290)

1. Special 20 MPH Speed Zones. A speed in excess of twenty (20) miles per hour is unlawful on any of the following designated streets or parts thereof.
 - A. Cherry Street from its intersection with Prospect Street to its intersection with

Grove Street;

B. Main Street from its intersection with South Adams Street to its intersection with South Cherry Street;

C. East Grove Street from its intersection with North Williams Street to its intersection with North Cherry Street.

2. Special 25 MPH Speed Zones. A speed in excess of twenty-five (25) miles per hour is unlawful on any of the following designated streets or parts thereof.

A. South Cherry Street from the south boundary of the right-of-way of the Chicago, Rock Island and Pacific Railroad to its intersection with Prospect Street;

B. North Cherry Street from its intersection with Grove Street to its intersection with North Public Road;

C. West Main Street from the second bridge on West Main Street south of the north City limits to its intersection with South Adams Street;

D. East Washington Street from the south City limits to its intersection with South Cherry Street;

E. East Grove Street from the east City limits to its intersection with North Williams Street;

F. Glen Hall Road (an extension of Walnut Street) from its intersection with State Highway No. 3 to its intersection with West Grove Street;

G. North Public Road, from the north City limits to its intersection with North Cherry Street.

3. Special 35 MPH Speed Zones. A speed in excess of thirty-five (35) miles per hour is unlawful on any of the following designated streets or parts thereof

A. South Cherry Street from the south City limits to the south boundary of the right-of-way of the Chicago, Rock Island and Pacific Railroad;

B. West Main Street from the north City limits to the second bridge on West Main Street south of the north City limits;

C. North Public Road from the north City limits to a point 600 feet south of the north City limits.

4. Special 40 MPH Speed Zones. A speed in excess of forty (40) miles per hour is unlawful on any of the following designated streets or parts thereof.

A. Glen Hall Road (an extension of Walnut Street) from the north City limits to

its intersection with State Highway No. 3.

5. Special 50 MPH Speed Zones. A speed in excess of fifty (50) miles per hour is unlawful on any of the following designated streets or parts thereof.

A. Highway No. 3 from the east City limits to 500 feet west of Glen Hall Road.

63.05 MINIMUM SPEED. No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation, or in compliance with law.

(Code of Iowa, Sec. 321.294)

63.06 EMERGENCY VEHICLES. The speed limitations set forth in this chapter do not apply to authorized emergency vehicles or the rider of a police bicycle when responding to an emergency call or when in the pursuit of an actual or suspected perpetrator of a felony or in response to an incident dangerous to the public and the drivers thereof use an audible signaling device or a visual signaling device. This provision does not relieve the driver of an authorized emergency vehicle or the rider of a police bicycle from the duty to drive or ride with due regard for the safety of others.

(Code of Iowa, Sec. 321.231)

CHAPTER 64

TURNING REGULATIONS

64.01 Authority to Mark

64.03 Left Turn for Parking

64.02 U-turns

64.01 AUTHORITY TO MARK. The Police Chief may cause markers, buttons or signs to be placed within or adjacent to intersections and thereby require and direct, as traffic conditions require, that a different course from that specified by the State law be traveled by vehicles turning at intersections, and when markers, buttons or signs are so placed, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons or signs.

(Code of Iowa, Sec. 321.311)

64.02 U-TURNS. It is unlawful for a driver to make a U-turn except at an intersection, however, U-turns are prohibited within the business district, at the following designated intersections and at intersections where there are automatic traffic signals.

(Code of Iowa, Sec. 321.236[9])

1. At the intersection of South Cherry Street and Main Street;
2. At the intersection of Washington Street and South Cherry Street.

64.03 LEFT TURN FOR PARKING. No person shall make a left hand turn, crossing the centerline of the street, for the purpose of parking on said street.

CHAPTER 65

STOP OR YIELD REQUIRED

65.01 Through Streets - Stop

65.02 Stop Required

65.03 Yield Required

65.04 School Stops

65.05 Stop Before Crossing Sidewalk

65.06 Stop When Traffic Is Obstructed

65.07 Yield to Pedestrians in Crosswalks

65.01 THROUGH STREETS — STOP. Every driver of a vehicle shall stop, unless a yield is permitted by this chapter, before entering an intersection with the following designated through streets.

(Code of Iowa, Sec. 321.345)

1. West South Street from South Cherry Street to South Adams Street;
2. South Lake Street from South Adams Street to west City limits;
3. West Prospect Street from South Cherry Street to South Parsons Street;
4. West Washington Street from South Wright Street to South Cherry Street;
5. East Washington Street from South Cherry Street to dry run bridge;
6. East Washington Street from dry run bridge to south City limits;
7. West Main Street from South Cherry Street to northwest City limits;
8. West Water Street from North Cherry Street to northwest City. limits;
9. West Adair Street from North Cherry Street to North Adams Street;
10. East Grove Street from North Cherry Street to east City limits;
11. North Cherry Street and North Public Road from the south City limits to its intersection with U.S. Highway No. 3;
12. East Jackson Street from East Washington Street to South James Street;
13. East Railroad Street from South Cherry Street to South James Street;
14. South James Street and South Prairie Street from south City limits to East Washington Street.

65.02 STOP REQUIRED. Every driver of a vehicle shall stop in accordance with the following:

(Code of Iowa, Sec. 321.345)

1. South Cherry Street. Vehicles traveling northeast on South Cherry Street shall stop at Main Street;
2. Main Street. Vehicles traveling on Main Street shall stop at South Cherry Street;
3. North Cherry Street. Vehicles traveling west on North Cherry Street shall stop at North Public Road;
4. North Williams Street. Vehicles traveling northeast on North Williams Street shall stop at North Public Road;
5. North Public Road. Vehicles traveling northerly on North Public Road shall stop at North Cherry Street;
6. North Cherry Street. Vehicles traveling east on North Cherry Street shall stop at North Public Road;
7. East Prospect Street. Vehicles traveling on East Prospect Street shall stop at South Prairie Street;
8. North Walnut Street. Vehicles traveling on North Walnut Street shall stop at West Grove Street;
9. Triangle Drive. Vehicles traveling east on Triangle Drive shall stop at Glen Hall Road;
10. East Jackson Street. Vehicles traveling west on East Jackson Street shall stop at South James Street;
11. South James Street. Vehicles traveling on South James Street shall stop at East Jackson Street;
12. South James Street. Vehicles traveling north on South James Street shall stop at East Courtland Street;
13. East Railroad Street. Vehicles traveling southeast on East Railroad Street shall stop at South James Street;
14. South Prairie Street. Vehicles traveling northeast on South Prairie Street shall stop at East Main Street;
15. East Courtland Street. Vehicles traveling west on East Courtland Street shall stop at South James Street;
16. West Grove Street. Vehicles traveling on West Grove Street shall stop at North Walnut Street;
17. West South Street. Vehicles traveling southeast on West South Street shall stop at

South Adams Street.

18. North Lori Street. Vehicles traveling southerly on North Lori Street shall stop at East Grove Street.

19. East Mark Street. Vehicles traveling west on East Mark Street shall stop at North Kelly Street.

65.03 YIELD REQUIRED. Every driver of a vehicle shall yield in accordance with the following:

(Code of Iowa, Sec. 321.345)

1. North Public Road. Vehicles traveling south on North Public Road shall yield at East Grove Street.

2. South Prairie Street. Vehicles traveling north on South Prairie Street shall yield at the intersection of South Prairie Street and South James Street.

65.04 SCHOOL STOPS. At the following school crossing zones every driver of a vehicle approaching said zone shall bring the vehicle to a full stop at a point ten (10) feet from the approach side of the crosswalk marked by an authorized school stop sign and thereafter proceed in a careful and prudent manner until the vehicle shall have passed through such school crossing zone.

(Code of Iowa, Sec. 321.249)

1. Intersection of North Cherry Street and Water Street;

2. Intersection of North Cherry Street and Adair Street.

65.05 STOP BEFORE CROSSING SIDEWALK. The driver of a vehicle emerging from a private roadway, alley, driveway, or building shall stop such vehicle immediately prior to driving onto the sidewalk area and thereafter shall proceed into the sidewalk area only when able to do so without danger to pedestrian traffic and shall yield the right-of-way to any vehicular traffic on the street into which the vehicle is entering.

(Code of Iowa, Sec. 321.353)

65.06 STOP WHEN TRAFFIC IS OBSTRUCTED. Notwithstanding any traffic control signal indication to proceed, 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 the vehicle.

65.07 YIELD TO PEDESTRIANS IN CROSSWALKS. Where traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping, if need be, to yield to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection.

(Code of Iowa, Sec. 321.327)

CHAPTER 66

LOAD AND WEIGHT RESTRICTIONS

66.01 Temporary Embargo

66.03 Load Limits Upon Certain Streets

66.02 Permits for Excess Size and Weight

66.04 Load Limits on Bridges

66.01 TEMPORARY EMBARGO. If the Council declares an embargo when it appears by reason of deterioration, rain, snow or other climatic conditions that certain streets will be seriously damaged or destroyed by vehicles weighing in excess of an amount specified by the signs, no such vehicles shall be operated on streets so designated by such signs. Such temporary embargo shall not exceed ninety (90) days in any calendar year.

(Code of Iowa, Sec. 321.471 & 472)

66.02 PERMITS FOR EXCESS SIZE AND WEIGHT. The Police Chief may, upon application and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight or load exceeding the maximum specified by State law or City ordinance over those streets named in the permit which are under the jurisdiction of the City and for which the City is responsible for maintenance.

(Code of Iowa, Sec. 321.473 & 321E.1)

66.03 LOAD LIMITS UPON CERTAIN STREETS. When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts specified on such signs at any time upon any of the following streets or parts of streets:

(Code of Iowa, Sec. 321.473 & 475)

1. Five-ton limit on West Grove Street from North Cherry Street to North Walnut Street;
2. [Deleted.]
3. Five-ton limit on Glen Hall Road and North Walnut Street from Highway 3 to West Water Street with the following exceptions:
 - A. Trucks making delivery to the business property at 32682 Highway 3 may come as far as their delivery point and exit either the same way or by driving across the property at 32682 Highway 3 to North Cherry Street.
 - B. City trucks on official business.
 - C. Refuse trucks on their normal route.
 - D. School buses when the normal route is on this road.
 - E. Wreckers which must use this road to make a service call.
 - F. Moving trucks and vans which must use this road to make their pickups

and/or deliveries.

66.04 LOAD LIMITS ON BRIDGES. Where it has been determined that any City bridge has a capacity less than the maximum permitted on the streets of the City, or on the street serving the bridge, the Police Chief may cause to be posted and maintained signs on said bridge and at suitable distances ahead of the entrances thereof to warn drivers of such maximum load limits, and no person shall drive a vehicle weighing, loaded or unloaded, upon said bridge in excess of such posted limit.

(Code of Iowa, Sec. 321.471)

CHAPTER 67

PEDESTRIANS

67.01 Walking in Street

67.02 Hitchhiking

67.03 Pedestrian Crossing

67.04 Use Sidewalks

67.01 WALKING IN STREET. Pedestrians shall at all times when walking on or along a street, walk on the left side of the street.

(Code of Iowa, Sec. 321.326)

67.02 HITCHHIKING. No person shall stand in the traveled portion of a street for the purpose of soliciting a ride from the driver of any private vehicle.

(Code of Iowa, Sec. 321.331)

67.03 PEDESTRIAN CROSSING. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(Code of Iowa, Sec. 321.328)

67.04 USE SIDEWALKS. Where sidewalks are provided it is unlawful for any pedestrian to walk along and upon an adjacent street.

CHAPTER 68

ONE-WAY TRAFFIC

68.01 ONE-WAY TRAFFIC REQUIRED. Upon the following streets and alleys vehicular traffic, other than permitted cross traffic, shall move only in the indicated direction when appropriate signs are in place.

1. All public alleys connecting Cherry Street with Prairie Street and Walnut Street in between Main Street and Prospect Street.
2. The intersection of the following public alley with North Cherry Street: The public alley connecting North Cherry Street with North Walnut Street between West Water Street and West Adair Street. Vehicular traffic shall move only northwesterly through the intersection into the alley, and shall not move southeasterly across the sidewalk or through the intersection onto North Cherry Street.

CHAPTER 69

PARKING REGULATIONS

69.01 Park Adjacent to Curb	69.08 No Parking Zones
69.02 Park Adjacent to Curb - One-way Street	69.09 All Night Parking Prohibited
69.03 Angle Parking	69.10 Truck Parking Limited
69.04 Angle Parking - Manner	69.10A Truck Parking Prohibited
69.05 Parking for Certain Purposes Illegal	69.11 Snow Emergency
69.06 Parking Prohibited	69.12 Snow Routes
69.07 Persons With Disabilities Parking	69.13 City Park
	69.14 Library Parking Lot
	69.15 Patient Parking

69.01 PARK ADJACENT TO CURB. No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within eighteen (18) inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking and vehicles parked on the left-hand side of one-way streets.

(Code of Iowa, Sec. 321.361)

69.02 PARK ADJACENT TO CURB - ONE-WAY STREET. No person shall stand or park a vehicle on the left-hand side of a one-way street other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the left-hand wheels of the vehicle within eighteen (18) inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking.

(Code of Iowa, Sec. 321.361)

69.03 ANGLE PARKING. Angle or diagonal parking is permitted only in the following locations:

(Code of Iowa, Sec. 321.361)

1. Cherry Street, on both sides, from the south end of the bridge over the Shell Rock River to Prospect Street;
2. East Main Street, on the south side, from South Cherry Street to a point 60 feet east of South Cherry Street;
3. East Washington Street, on both sides, from South Cherry Street to a point 120 feet east of South Cherry Street;
4. West Washington Street, on both sides, from South Cherry Street to a point 120 feet west of South Cherry Street.

69.04 ANGLE PARKING - MANNER. Upon those streets or portions of streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at an angle to the curb or edge of the roadway or in the center of the roadway as indicated by such signs and

markings. No part of any vehicle, or the load thereon, when parked within a diagonal parking district, shall extend into the roadway more than a distance of sixteen (16) feet when measured at right angles to the adjacent curb or edge of roadway.

(Code of Iowa, Sec. 321.361)

69.05 PARKING FOR MORE THAN 48 HOURS AND CERTAIN PURPOSES ILLEGAL.

No person shall park a vehicle upon public property for more than forty-eight (48) hours or for any of the following principal purposes:

(Code of Iowa, Sec. 321.236[1])

1. Sale. Displaying such vehicle for sale;
2. Repairing. For lubricating, repairing or for commercial washing of such vehicle except such repairs as are necessitated by an emergency;
3. Advertising. Displaying advertising;
4. Merchandise Sales. Selling merchandise from such vehicle except in a duly established market place or when so authorized or licensed under this Code of Ordinances.

69.06 PARKING PROHIBITED. No one shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device, in any of the following places:

1. Crosswalk. On a crosswalk.
(Code of Iowa, Sec. 321.358 [5])
2. Center Parkway. On the center parkway or dividing area of any divided street.
(Code of Iowa, Sec. 321.236[1])
3. Mailboxes. Within twenty (20) feet on either side of a mailbox which is so placed and so equipped as to permit the depositing of mail from vehicles on the roadway.
(Code of Iowa, Sec. 321.236 [1])
4. Sidewalks. On or across a sidewalk.
(Code of Iowa, Sec. 321.358 [1])
5. Driveway. In front of a public or private driveway.
(Code of Iowa, Sec. 321.358 [2])
6. Intersection. Within, or within ten (10) feet of an intersection of any street or alley.
(Code of Iowa, Sec. 321.358 [3])
7. Fire Hydrant. Within five (5) feet of a fire hydrant.
(Code of Iowa, Sec. 321.358[4])
8. Stop Sign or Signal. Within ten (10) feet upon the approach to any flashing beacon, stop or yield sign, or traffic control signal located at the side of a roadway.

(Code of Iowa, Sec. 321.358[6])

9. Railroad Crossing. Within fifty (50) feet of the nearest rail of a railroad crossing, except when parked parallel with such rail and not exhibiting a red light.

(Code of Iowa, Sec. 321.358 [8])

10. Fire Station. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when properly sign posted.

(Code of Iowa, Sec. 321.358 [9])

11. Excavations. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.

(Code of Iowa, Sec. 321.358 [10])

12. Double Parking. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.

(Code of Iowa, Sec. 321.358 [11])

13. Hazardous Locations. When, because of restricted visibility or when standing or parked vehicles would constitute a hazard to moving traffic, or when other traffic conditions require, the Council may cause curbs to be painted with a yellow color and erect no parking or standing signs.

(Code of Iowa, Sec. 321.358 [13])

14. Churches, Nursing Homes and Other Buildings. A space of fifty (50) feet is hereby reserved at the side of the street in front of any theatre, auditorium, hotel having more than twenty-five (25) sleeping rooms, hospital, nursing home, taxicab stand, bus depot, church, or other building where large assemblages of people are being held, within which space, when clearly marked as such, no motor vehicle shall be left standing, parked or stopped except in taking on or discharging passengers or freight, and then only for such length of time as is necessary for such purpose.

(Code of Iowa, Sec. 321.360)

15. Alleys. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property. The provisions of this subsection shall not apply to a vehicle parked in any alley which is eighteen (18) feet wide or less; provided said vehicle is parked to deliver goods or services.

(Code of Iowa, Sec. 321.236[1])

16. Ramps. In front of a curb cut or ramp which is located on public or private property in a manner which blocks access to the curb cut or ramp.

(Code of Iowa, Sec. 321.358[15])

17. Area Between Lot Line and Curb Line. That area of the public way not covered by sidewalk and lying between the lot line and the curb line, where curbing has been installed.

18. In More Than One Space. In any designated parking space so that any part of the vehicle occupies more than one such space or protrudes beyond the markings designating such space.

69.07 PERSONS WITH DISABILITIES PARKING. The following regulations shall apply to the establishment and use of persons with disabilities parking spaces:

1. Nonresidential Off-street Facilities. Nonresidential off-street parking facilities shall set aside persons with disabilities parking spaces in accordance with the following:

A. Municipal off-street public parking facilities or an entity providing nonresidential parking in off-street public parking facilities shall provide not less than two percent (2%) of the total parking spaces in each parking facility as persons with disabilities parking spaces, rounded to the nearest whole number of persons with disabilities parking spaces. However, such parking facilities having ten (10) or more parking spaces shall set aside at least one persons with disabilities parking space.

(Code of Iowa, Sec. 321L.5[3a])

B. An entity providing off-street nonresidential public parking facilities shall review the utilization of existing persons with disabilities parking spaces for a one-month period not less than once every twelve months. If upon review, the average occupancy rate for persons with disabilities parking spaces in a facility exceeds sixty percent (60%) during normal business hours, the entity shall provide additional persons with disabilities parking spaces as needed.

(Code of Iowa, Sec. 321L.5[3b])

C. An entity providing off-street nonresidential parking as a lessor shall provide a persons with disabilities parking space to an individual requesting to lease a parking space, if that individual possesses a persons with disabilities parking permit issued in accordance with Section 321L.2 of the Code of Iowa.

(Code of Iowa, Sec. 321L.5[3c])

D. A new nonresidential facility in which construction has been completed on or after July 1, 1991, providing parking to the general public shall provide persons with disabilities parking spaces as stipulated below:

TOTAL PARKING SPACES IN LOT	REQUIRED MINIMUM NUMBER OF PERSONS WITH DISABILITIES PARKING SPACES
10 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7

301 to 400	8
401 to 500	9
501 to 1000	*
1001 and over	**
* Two percent (2%) of total	
** Twenty (20) spaces plus one for each 100 over 1000	

(Code of Iowa, Sec. 321L.5[3d]).

2. Residential Buildings and Facilities. All public and private buildings and facilities, temporary and permanent, which are residences and which provide ten (10) or more tenant parking spaces, excluding extended health care facilities, shall designate at least one persons with disabilities parking space as needed for each individual dwelling unit in which a person with a disability resides. Residential buildings and facilities which provide public visitor parking of ten (10) or more spaces shall designate persons with disabilities parking spaces in the visitors' parking area in accordance with the table contained in subsection (1)(D) of this section.

(IAC, 661-18.7[321L])

3. Business District. With respect to any on-street parking areas provided by the City within the business district, not less than two percent (2%) of the total parking spaces within each business district shall be designated as persons with disabilities parking spaces. The following parking spaces are designated as persons with disabilities parking spaces:

(Code of Iowa, Sec. 321L.5[4a])

A. On South Cherry Street between East Main Street and East Washington Street, at the southeast corner of the alley and South Cherry Street, directly in front of the Security State Bank.

B. On South Cherry Street near the west corner of the intersection of West Washington and South Cherry Streets. Beginning on a point on the curb in front of the Boyd Community Building, which point is directly southeasterly from a point 12 feet southwesterly from the east corner (excluding the brick planter area) of said Boyd Building.

C. On East Washington Street near the east corner of the intersection of East Washington and South Cherry Streets. Beginning on a point on the curb on the south side of the building located at 228 South Cherry Street which point is directly southwesterly from a point 12 feet southeasterly from the north corner of said side of the building located at 228 S. Cherry Street.

4. Other Spaces. Any other person may set aside persons with disabilities parking spaces on the person's property provided each parking space is clearly and prominently designated as a persons with disabilities parking space. No unauthorized person shall establish any on-street persons with disabilities parking space without first obtaining Council approval.

(Code of Iowa, Sec. 321L. 5[3e])

5. Improper Use. The following uses of a persons with disabilities parking space,

located on either public or private property, constitute improper use of a persons with disabilities parking permit, which is a violation of this Code of Ordinances:

(Code of Iowa, Sec. 321L.4[2])

A. Use by an operator of a motor vehicle not displaying a persons with disabilities parking permit;

B. Use by an operator of a motor vehicle displaying a persons with disabilities parking permit but not being used by a person issued a permit or being transported in accordance with Section 321L.2[1b] of the Code of Iowa;

C. Use by a motor vehicle in violation of the rules adopted under Section 321L.8 of the Code of Iowa.

6. Additional Spaces. The following parking spaces are designated as persons with disabilities parking spaces:

A. On East Adair Street, on the northerly side of the street, beginning at a point on the curb ten (10) feet westerly from the intersection of the northerly curb of East Adair Street and the curb on the westerly side of North Prairie Street, then westerly 20 feet, all on the northerly side of East Adair Street.

69.08 NO PARKING ZONES. No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal.

(Code of Iowa, Sec. 321.236 [1])

1. West Main Street, on the northerly side from South Walnut Street to South Cherry Street;

2. East Adair Street, on the southerly side from a point 178 feet from the curb of North Cherry Street to the easterly boundary of North Prairie Street where the two streets meet to form an "L" — between the hours of eight o'clock (8:00) a.m. and three-thirty o'clock (3:30) p.m., Monday through Friday of each week, for the period of each year beginning September 1 and ending the following May 31;

3. North Prairie Street, on both sides from East Adair Street to a point 20 feet north of East Adair Street — between the hours of eight o'clock (8:00) a.m. and three-thirty o'clock (3:30) p.m., Monday through Friday of each week, for the period of each year beginning September 1 and ending the following May 31;

4. North Cherry Street, on the southerly side, from North Public Road to 94 feet west of North Public Road;

5. North Public Road, on both sides, from U.S. Highway 3 to North Cherry Street;

6. West Washington Street, in the reserved parking space which is the easterly most

parking space on the southerly side of West Washington Street (except for City Police Officers).

69.09 ALL NIGHT PARKING PROHIBITED. No person shall park a vehicle on any of the following named streets between the hours of two thirty o'clock (2:30) a.m. and five-thirty o'clock (5:30) a.m. of any day except as otherwise provided herein. Exempt from the prohibitions of this section are physicians and other persons on emergency calls.

(Code of Iowa, Sec. 321.236 [1])

1. All of Cherry Street on both sides between Prospect Street and Water Street;
2. Cherry Street on both sides from November 1 through March 31, inclusive.

69.10 TRUCK PARKING LIMITED. No person shall park a motor truck, semi-trailer, or other motor vehicle with trailer attached in violation of the following regulations. The provisions of this section shall not apply to pickup, light delivery or panel delivery trucks.

(Code of Iowa, Sec. 321.236 [1])

1. Business District. Excepting only when such vehicles are actually engaged in the delivery or receiving of merchandise or cargo within the prohibited area, no person shall park or leave unattended such vehicle, on any of the following designated streets. When actually receiving or delivering merchandise or cargo such vehicle shall be stopped or parked in a manner which will not interfere with other traffic.

- A. Cherry Street, on both sides, from South Street to East John Street.

2. Noise. No such vehicle shall be left standing or parked upon any street, alley, public or private parking lot, or drive of any service station between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. with the engine, auxiliary engine, air compressor, refrigerating equipment or other device in operation giving off audible sounds excepting only the drive of a service station when actually being serviced, and then in no event for more than thirty (30) minutes.

3. Livestock. No such vehicle containing livestock shall be parked on any street, alley or highway for a period of time of more than thirty (30) minutes.

69.10A TRUCK PARKING PROHIBITED. It is unlawful for any person, firm or corporation to park a truck, as hereinafter defined, upon any public street in an area zoned as a residential district for a period of time exceeding one hour, unless the truck is actually being used for the delivery or picking up of goods, or is necessary in the conduct of the truck owner's work being actually carried on by the owner upon the property abutting the street where the truck is parked, and the parking thus allowed shall be limited to the time of the delivery or picking up of goods, or during the period while work is actually being performed. For purposes of this section, a truck is defined as being any motor vehicle, other than a passenger car, designed for and capable of carrying loads in excess of three-quarters ton. The restrictions set forth in this section shall in no way apply to vehicles commonly known as pickup or panel trucks or station wagons. The Chief of Police, with Council review, or in his absence, the ranking peace officer, may waive the restrictions on parking in this section for emergencies, civic celebrations, and other similar special circumstances for periods of up to fourteen

(14) days.

69.11 SNOW EMERGENCY.

1. **Parking Prohibited.** No person shall park, abandon or leave unattended any vehicle on any public street, alley, or City-owned off- street parking area during any snow emergency unless the snow has been removed or plowed from said street, alley or parking area and the snow has ceased to fall. The parking prohibition shall not go into effect until two hours after a snow emergency has been declared in accordance with this section. A snow emergency parking ban shall continue from its proclamation throughout the duration of the snow or ice storm and the forty-eight (48) hour period after cessation of such storm except as above provided upon streets which have been fully opened. Such emergency may be extended or shortened when conditions warrant.
2. **Proclamation.** When weather forecasts or occurrences indicate the need, the Mayor or Police Chief (and in the absence or unavailability of the Mayor, the Mayor Pro Tem) or the Public Works Director or the City Clerk shall proclaim a snow emergency and request all available news media to publicize the proclamation and applicable parking restrictions.
3. When it is declared that a snow emergency is in effect, it is unlawful for the driver of any vehicle to impede or block traffic on any City street and to park on any City street.

69.12 SNOW ROUTES. The Council may designate certain streets in the City as snow routes. When conditions of snow or ice exist on the traffic surface of a designated snow route, it is unlawful for the driver of a vehicle to impede or block traffic and to park on the City street.

(Code of Iowa, Sec. 321.236[12])

69.13 CITY PARK. No person shall stop, stand or park a vehicle in the Shell Rock City Park at any place except in accordance with the following:

1. **Swimming Pool.** Parking will be permitted in designated parking lots at the swimming pool.
2. **Special Events.** The Park Board may, after consultation with the Council, designate specific areas within the park in which vehicles may be parked during specified times for special events.
3. **Official Vehicles.** Authorized vehicles in the conduct of official duties shall not be subject to the restrictions of this section.

69.14 LIBRARY PARKING LOT. No person shall stop, stand or park a vehicle in the Shell Rock Library parking lot, while the library is open, unless the vehicle is parked in the lot by a patron actually visiting the library.

69.15 PATIENT PARKING. The parking space on South Cherry Street between East Main Street and East Washington Street, at the Southwest corner of the alley and South Cherry Street, shall be

designated "Patient Parking Only." Use of the parking space by any person other than a medical or chiropractic patient, or a person transporting a patient, during the regular hours of such clinics, is a violation of this Code of Ordinance.

CHAPTER 70

TRAFFIC CODE ENFORCEMENT PROCEDURES

70.01 Arrest or Citation	70.04 Parking Violations: Vehicle Unattended
70.02 Scheduled Violations	70.05 Presumption in Reference to Illegal Parking
70.03 Parking Violations: Alternate	70.06 Impounding Vehicles

70.01 ARREST OR CITATION. Whenever a peace officer has reasonable cause to believe that a person has violated any provision of the Traffic Code, such officer may:

1. Immediate Arrest. Immediately arrest such person and take such person before a local magistrate, or
2. Issue Citation. Without arresting the person, prepare in quintuplicate a combined traffic citation and complaint as adopted by the Iowa Commissioner of Public Safety and deliver the original and a copy to the court where the defendant is to appear, two copies to the defendant and retain the fifth copy for the records of the City.
(Code of Iowa, Sec. 805.6, 321.485)

70.02 SCHEDULED VIOLATIONS. For violations of the Traffic Code which are designated by Section 805.8 of the Code of Iowa to be scheduled violations, the scheduled fine for each of those violations shall be as specified in Section 805.8 of the Code of Iowa.
(Code of Iowa, Sec. 805.6, 805.8)

70.03 PARKING VIOLATIONS: ALTERNATE. Admitted violations of parking restrictions imposed by this Code of Ordinances may be charged upon a simple notice of a fine payable at the office of the City Clerk. The simple notice of a fine shall be in the amount of twenty five dollars (\$25.00) for all violations except snow route parking violations and improper use of a persons with disabilities parking permit. If such fine is not paid within thirty (30) days, it shall be increased to thirty dollars (\$30.00). The simple notice of a fine for snow route parking violations is twenty-five dollars (\$25.00), and the simple notice of a fine for improper use of a persons with disabilities parking permit is one hundred dollars (\$100.00). Failure to pay the simple notice of a fine shall be grounds for the filing of a complaint in District Court.
(Code of Iowa, Sec. 321.236 [1a] & 321L.4[2])

EDITOR'S NOTE: A snow route parking violation occurs when the driver of a vehicle impedes or blocks traffic or parks on a designated snow route during conditions of ice or snow. (See Section 69.12.)

70.04 PARKING VIOLATIONS: VEHICLE UNATTENDED. When a vehicle is parked in violation of any provision of the Traffic Code, and the driver is not present, the notice of fine or citation as herein provided shall be attached to the vehicle in a conspicuous place.

70.05 PRESUMPTION IN REFERENCE TO ILLEGAL PARKING. In any proceeding

charging a standing or parking violation, a prima facie presumption that the registered owner was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred, shall be raised by proof that:

1. Described Vehicle. The particular vehicle described in the information was parked in violation of the Traffic Code, and
2. Registered Owner. The defendant named in the information was the registered owner at the time in question.

70.06 IMPOUNDING VEHICLES. A peace officer is hereby authorized to remove, or cause to be removed, a vehicle from a street, public alley, public parking lot or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the City, under the circumstances hereinafter enumerated:

1. Disabled Vehicle. When a vehicle is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.

(Code of Iowa, Sec. 321.236 [1])

2. Illegally Parked Vehicle. When any vehicle is left unattended and is so illegally parked as to constitute a definite hazard or obstruction to the normal movement of traffic.

(Code of Iowa, Sec. 321.236[1])

3. Snow Removal. When any vehicle is left parked in violation of a ban on parking during snow removal operations.

4. Parked Over Forty-eight Hour Period. When any vehicle is left parked for a continuous period of forty-eight (48) hours or more. If the owner is found, the owner shall be given an opportunity to remove the vehicle.

(Code of Iowa, Sec. 321.236[1])

5. Costs. In addition to the standard penalties provided, the owner or driver of any vehicle impounded for the violation of any of the provisions of this chapter shall be required to pay the reasonable cost of towing and storage.

(Code of Iowa, Sec. 321.236 [1])

CHAPTER 75
SNOWMOBILES

75.01 Purpose

75.02 Definition

75.03 General Regulations

75.04 Places of Operation

75.05 Hours of Operation

75.06 Negligence

75.07 Accident Reports

75.01 PURPOSE. The purpose of this chapter is to regulate the operation of snowmobiles within the City.

75.02 DEFINITION. For use in this chapter "snowmobile" means a motorized vehicle weighing less than one thousand (1,000) pounds which uses sled-type runners or skis, endless belt-type tread, or any combination of runners, skis or tread, and is designed for travel on snow or ice.

(Code of Iowa, Sec. 321G.1 [18])

75.03 GENERAL REGULATIONS. No person shall operate a snowmobile within the City in violation of the provisions of Chapter 321G of the Code of Iowa or rules established by the Natural Resource Commission of the Department of Natural Resources governing their registration, numbering, equipment and manner of operation.

(Code of Iowa, Ch. 321G)

75.04 PLACES OF OPERATION. The operators of snowmobiles shall comply with the following restrictions as to where snowmobiles may be operated within the City:

1. Streets. Snowmobiles may be operated on all City streets except the following:

(Code of Iowa, Sec. 321G.9[4a])

A. Cherry Street between Railroad Street and North Public Road, except for that part of Cherry Street lying between the intersection of South Cherry Street with Main Street and the intersection of North Cherry Street with Water Street, for the purpose of crossing the Shell Rock River, which use shall be limited to the 48 inches adjacent to the curb on the right side of the road, as determined by the direction of travel.

B. Any alley or alley-way, except for the purpose of going to the operator's own residence in the operator's own block.

2. Exceptions. Snowmobiles may be operated on prohibited streets only under the following circumstances:

A. Emergencies. Snowmobiles may be operated on any street in an emergency during the period of time when and at locations where snow upon the roadway renders travel by conventional motor vehicles impractical.

(Code of Iowa, Sec. 321G.9[4c])

B. Direct Crossing. Snowmobiles may make a direct crossing of a prohibited street provided:

(1) The crossing is made at an angle of approximately ninety degrees (90) to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;

(2) The snowmobile is brought to a complete stop before crossing the street;

(3) The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard; and

(4) In crossing a divided street, the crossing is made only at an intersection of such street with another street.

(Code of Iowa, Sec. 321G.9[2])

3. Railroad Right-of-way. Snowmobiles shall not be operated on an operating railroad right-of-way. A snowmobile may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.

(Code of Iowa, Sec. 321G.13[8])

4. Trails. Snowmobiles shall not be operated on all-terrain vehicle trails except where so designated.

(Code of Iowa, Sec. 321G.9[4g])

5. Parks and Other City Land. Snowmobiles shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City. A snowmobile shall not be operated on any City land without a snow cover of at least one-tenth of one inch.

6. Sidewalk or Parking. Snowmobiles shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "parking" except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.

75.05 HOURS OF OPERATION. Snowmobiles shall not be operated in the City between the hours of ten o'clock (10:00) p.m. and six o'clock (6:00) a.m. except in cases of emergency.

75.06 NEGLIGENCE. The owner and operator of a snowmobile are liable for any injury or damage occasioned by the negligent operation of the snowmobile.

(Code of Iowa, Sec. 321G.18)

75.07 ACCIDENT REPORTS. Whenever a snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to two hundred dollars (\$200.00) or more,

either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report within forty-eight (48) hours, in accordance with State law.

(Code of Iowa, Sec. 321G.10)

CHAPTER 76

BICYCLE REGULATIONS

76.01 Scope of Regulations	76.08 Carrying Articles
76.02 Traffic Code Applies	76.09 Riding on Sidewalks
76.03 Double Riding Restricted	76.10 Towing
76.04 Two Abreast Limit	76.11 Improper Riding
76.05 Bicycle Paths	76.12 Parking
76.06 Speed	76.13 Equipment Requirements
76.07 Emerging from Alley or Driveway	76.14 Special Penalty

76.01 SCOPE OF REGULATIONS. These regulations shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

(Code of Iowa, Sec. 321.236 [10])

76.02 TRAFFIC CODE APPLIES. 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 the laws of the State declaring rules of the road applicable to vehicles or by the traffic code of the City applicable to the driver of a vehicle, except as to those provisions which by their nature can have no application. Whenever such person dismounts from a bicycle the person shall be subject to all regulations applicable to pedestrians.

(Code of Iowa, Sec. 321.234)

76.03 DOUBLE RIDING RESTRICTED. A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(Code of Iowa, Sec. 321.234 [3 and 4])

76.04 TWO ABREAST LIMIT. Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. All bicycles ridden on the roadway shall be kept to the right and shall be operated as near as practicable to the right-hand edge of the roadway.

(Code of Iowa, Sec. 321.236 [10])

76.05 BICYCLE PATHS. Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

(Code of Iowa, Sec. 321.236 [10])

76.06 SPEED. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

(Code of Iowa, Sec. 321.236 [10])

76.07 EMERGING FROM ALLEY OR DRIVEWAY. The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or

sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

(Code of Iowa, Sec. 321.236 [10])

76.08 CARRYING ARTICLES. No person operating a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handle bars.

(Code of Iowa, Sec. 321.236 [10])

76.09 RIDING ON SIDEWALKS. No person shall ride a bicycle, scooter or skateboard on a sidewalk within the Business District or other locations when signs are erected on any sidewalk or roadway prohibiting the same. Whenever any person is riding a bicycle, scooter or skateboard upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing. No person shall ride a skateboard on school property, on the Library parking lot or sidewalks, on Cherry Street, on the Historical Museum property at 127 East Adair, or on property owned or leased by the United States Postal Service.

(Code of Iowa, Sec. 321.236 1101)

76.10 TOWING. It is unlawful for any person riding a bicycle to be towed or to tow any other vehicle upon the streets of the City.

76.11 IMPROPER RIDING. No person shall ride a bicycle in an irregular or reckless manner such as zigzagging, stunting, speeding or otherwise so as to disregard the safety of the operator or others.

76.12 PARKING. No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

(Code of Iowa, Sec. 321.236 [10])

76.13 EQUIPMENT REQUIREMENTS. Every person riding a bicycle shall be responsible for providing and using equipment as provided herein:

1. Lamps Required. Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least three hundred (300) feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of three hundred (300) feet to the rear except that a red reflector on the rear, of a type which shall be visible from all distances from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle, may be used in lieu of a rear light.

(Code of Iowa, Sec. 321.397)

2. Brakes Required. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

(Code of Iowa, Sec. 321.236 [10])

76.14 SPECIAL PENALTY. Any person violating the provisions of this chapter may, in lieu of the scheduled fine for bicyclists or standard penalty provided for violations of the Code of Ordinances, allow the person's bicycle to be impounded by the City for not less than five (5) days for

the first offense, ten (10) days for a second offense and thirty (30) days for a third offense.

CHAPTER 80

ABANDONED VEHICLES

80.01 Definitions

80.02 Authority to Take Possession of Abandoned Vehicles

80.03 Notice by Mail

80.04 Notification in Newspaper

80.05 Extension of Time

80.06 Fees for Impoundment

80.07 Disposal of Abandoned Vehicles

80.08 Disposal of Totally Inoperable Vehicles

80.09 Proceeds from Sales

80.10 Duties of Demolisher

80.01 DEFINITIONS. For use in this chapter the following terms are defined:
(Code of Iowa, Sec. 321.89[1])

1. "Abandoned vehicle" means any of the following:
 - A. A vehicle that has been left unattended on public property for more than twenty-four (24) hours and lacks current registration plates or two (2) or more wheels or other parts which renders the vehicle totally inoperable.
 - B. A vehicle that has remained illegally on public property for more than twenty-four (24) hours.
 - C. A vehicle that has been unlawfully parked or placed on private property without the consent of the owner or person in control of the property for more than twenty-four (24) hours.
 - D. A vehicle that has been legally impounded by order of a police authority and has not been reclaimed for a period of ten (10) days. However, a police authority may declare the vehicle abandoned within the ten-day period by commencing the notification process.
 - E. Any vehicle parked on the highway determined by a police authority to create a hazard to other vehicle traffic.
 - F. A vehicle that has been impounded pursuant to Section 321J.4B of the Code of Iowa by order of the court and whose owner has not paid the impoundment fees after notification by the person or agency responsible for carrying out the impoundment order.
2. "Demolisher" means any city or public agency organized for the disposal of solid waste, or any person whose business it is to convert a vehicle to junk, processed scrap or scrap metal, or otherwise to wreck, or dismantle vehicles.
3. "Police authority" means the Iowa state patrol or any law enforcement agency of a county or city.

80.02 AUTHORITY TO TAKE POSSESSION OF ABANDONED VEHICLES. A police authority, upon the authority's own initiative or upon the request of any other authority having the duties of control of highways or traffic, shall take into custody an abandoned vehicle on public property and may take into custody any abandoned vehicle on private property. A police authority taking into custody an abandoned vehicle which has been determined to create a traffic hazard shall report the reasons constituting the hazard in writing to the appropriate authority having duties of control of the highway. The police authority may employ its own personnel, equipment and facilities or hire a private entity, equipment and facilities for the purpose of removing, preserving, storing, or disposing of abandoned vehicles. If a police authority employs a private entity to dispose of abandoned vehicles, the police authority shall provide the private entity with the names and addresses of the registered owners, all lienholders of record, and any other known claimant to the vehicle or the personal property found in the vehicle.

(Code of Iowa, Sec. 321.89[2])

80.03 NOTICE BY MAIL. The police authority or private entity which takes into custody an abandoned vehicle shall notify, within twenty (20) days, by certified mail, the last known registered owner of the vehicle, all lienholders of record, and any other known claimant to the vehicle or to personal property found in the vehicle, addressed to their last known addresses of record, that the abandoned vehicle has been taken into custody. Notice shall be deemed given when mailed. The notice shall describe the year, make, model and serial number of the vehicle, describe the personal property found in the vehicle, set forth the location of the facility where the vehicle is being held, and inform the persons receiving the notice of their right to reclaim the vehicle and personal property within ten (10) days after the effective date of the notice upon payment of all towing, preservation, and storage charges resulting from placing the vehicle in custody and upon payment of the costs of the notice. The notice shall also state that the failure of the owner, lienholders or claimants to exercise their right to reclaim the vehicle or personal property within the time provided shall be deemed a waiver by the owner, lienholders and claimants of all right, title, claim and interest in the vehicle or personal property and that failure to reclaim the vehicle or personal property is deemed consent to the sale of the vehicle at a public auction or disposal of the vehicle to a demolisher and to disposal of the personal property by sale or destruction. The notice shall state that any person claiming rightful possession of the vehicle or personal property who disputes the planned disposition of the vehicle or property by the police authority or private entity or of the assessment of fees and charges provided by this section may ask for an evidentiary hearing before the police authority to contest those matters. If the persons receiving the notice do not ask for a hearing or exercise their right to reclaim the vehicle or personal property within the ten (10) day reclaiming period, the owner, lienholders or claimants shall no longer have any right, title, claim, or interest in or to the vehicle or the personal property. A court in any case in law or equity shall not recognize any right, title, claim, or interest of the owner, lienholders or claimants after the expiration of the ten (10) day reclaiming period.

(Code of Iowa, Sec. 321.89[3a])

80.04 NOTIFICATION IN NEWSPAPER. If the identity of the last registered owner cannot be determined, or if the registration contains no address for the owner, or if it is impossible to determine with reasonable certainty the identity and addresses of all lienholders, notice by one publication in one newspaper of general circulation in the area where the vehicle was abandoned shall be sufficient to meet all requirements of notice under Section 80.03. The published notice may contain multiple listings of abandoned vehicles and personal property but shall be published within the same time requirements and contain the same information as prescribed for mailed notice in Section 80.03.

(Code of Iowa, Sec. 321.89[3b])

80.05 EXTENSION OF TIME. The owner, lienholders or claimants may, by written request delivered to the police authority or private entity prior to the expiration of the ten (10) day reclaiming period, obtain an additional five (5) days within which the motor vehicle or personal property may be reclaimed.

(Code of Iowa, Sec. 321.89[3c])

80.06 FEES FOR IMPOUNDMENT. The owner, lienholder or claimant shall pay twenty five dollars (\$25.00) if claimed within five (5) days of impounding, plus ten dollars (\$10.00) for each additional day within the reclaiming period plus towing charges if stored by the City, or towing and storage fees, if stored in a public garage, whereupon said vehicle shall be released. The amount of towing charges, and the rate of storage charges by privately owned garages, shall be established by such facility.

(Code of Iowa, Sec. 321.89[3a])

80.07 DISPOSAL OF ABANDONED VEHICLES. If an abandoned vehicle has not been reclaimed as provided herein, the police authority or private entity shall make a determination as to whether or not the motor vehicle should be sold for use upon the highways, and shall dispose of the motor vehicle in accordance with State law.

(Code of Iowa, Sec. 321.89[4])

80.08 DISPOSAL OF TOTALLY INOPERABLE VEHICLES. The City or any person upon whose property or in whose possession is found any abandoned motor vehicle, or any person being the owner of a motor vehicle whose title certificate is faulty, lost or destroyed, may dispose of such motor vehicle to a demolisher for junk, without a title and without notification procedures, if such motor vehicle lacks an engine or two (2) or more wheels or other structural part which renders the vehicle totally inoperable. The police authority shall give the applicant a certificate of authority. The applicant shall then apply to the County Treasurer for a junking certificate and shall surrender the certificate of authority in lieu of the certificate of title.

(Code of Iowa, Sec. 321.90[2e])

80.09 PROCEEDS FROM SALES. Proceeds from the sale of any abandoned vehicle shall be applied to the expense of auction, cost of towing, preserving, storing and notification required, in accordance with State law. Any balance shall be held for the owner of the motor vehicle or entitled lienholder for ninety (90) days, and then shall be deposited in the State Road Use Tax Fund. Where the sale of any vehicle fails to realize the amount necessary to meet costs the police authority shall apply for reimbursement from the Department of Transportation.

(Code of Iowa, Sec. 321.89[4])

80.10 DUTIES OF DEMOLISHER. Any demolisher who purchases or otherwise acquires an abandoned motor vehicle for junk shall junk, scrap, wreck, dismantle or otherwise demolish such motor vehicle. A demolisher shall not junk, scrap, wreck, dismantle or demolish a vehicle until the demolisher has obtained the junking certificate issued for the vehicle.

(Code of Iowa, Sec. 321.90[3a])

CHAPTER 81

RAILROAD REGULATIONS

81.01 Definitions

81.02 Warning Signals

81.03 Obstructing Streets

81.04 Crossing Maintenance

81.05 Speed

81.01 DEFINITIONS. For use in this chapter, the following terms are defined:

1. "Railroad train" means an engine or locomotive, with or without cars coupled thereto, operated upon rails.

(Code of Iowa, Sec. 321.1 [29])

2. "Operator" means any individual, partnership, corporation or other association which owns, operates, drives or controls a railroad train.

81.02 WARNING SIGNALS. Operators shall sound a horn at least one thousand (1,000) feet before a street crossing is reached and after sounding the horn, shall ring the bell continuously until the crossing is passed.

(Code of Iowa, Sec. 327G.13)

81.03 OBSTRUCTING STREETS. Operators shall not operate any train in such a manner as to prevent vehicular use of any highway, street or alley for a period of time in excess of ten (10) minutes except:

(Code of Iowa, Sec. 327G.32)

1. Comply with Signals. When necessary to comply with signals affecting the safety of the movement of trains.

2. Avoid Striking When necessary to avoid striking any object or person on the track.

3. Disabled. When the train is disabled.

4. Safety Regulations. When necessary to comply with governmental safety regulations including, but not limited to, speed ordinances and speed regulations.

5. In Motion. When the train is in motion except while engaged in switching operations.

6. No Traffic. When there is no vehicular traffic waiting to use the crossing.

Operators violating any provision of this section are guilty of a misdemeanor. An employee is not guilty of such violation if the action is necessary to comply with the direct order or instructions of a railroad corporation or its supervisors. Such guilt is then with the railroad corporation.

81.04 CROSSING MAINTENANCE. Operators shall construct and maintain good, sufficient and safe crossings over any street traversed by their rails.

(Bourett vs. Chicago & N W. Ry. 152 Iowa 579, 132 NW. 973 [1943])
(Code of Iowa, Sec. 364.11)

81.05 SPEED. It is unlawful to operate any railroad train through any street crossing within the platted areas of the City at a speed greater than thirty-five (35) miles per hour.

(Girl vs. United States R. Admin., 194 Iowa 1382, 189 NW. 834, [1923])