

TITLE III COMMUNITY PROTECTION

CHAPTER 3 TRAFFIC CODE

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3-3-1 **SHORT TITLE.** This chapter may be known and cited as the "Traffic Code".

3-3-2 **DEFINITIONS.** Where words and phrases used in this chapter are defined in Chapter 321 of the Code of Iowa, such definitions shall apply to this Ordinance.

1. "Park and parking" means the stopping or standing of a vehicle, except for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers.

2. "Stand or standing" means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers.

3. "Stop", when required means complete cessation of movement.

4. "Stop or stopping", when prohibited, means 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 police officer or traffic-control sign or signal.

5. "Business districts" means: the territory contiguous to and including a highway when fifty percent or more of the frontage thereon for a distance of three hundred feet or more is occupied by buildings in use for business.

6. "Residential districts" means all areas of the City not included in business districts.

(Code of Iowa, Sec. 321.1)

3-3-3 TRAFFIC ACCIDENT REPORTS. The driver of a vehicle involved in an accident within the limits of this 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 Chief of Police. All such reports shall be for the confidential use of the police department and shall be subject to the provisions of Section 321.271 of the Code of Iowa.

The City shall maintain a suitable system of filing traffic accident reports.

(Code of Iowa, Sec. 321.266)

3-3-4 POLICE DEPARTMENT TO SUBMIT ANNUAL REPORTS. The Police Chief shall prepare annually a traffic report which shall be filed with the Mayor. Such report shall contain information on traffic matters in this City concerning the number of traffic accidents, the number of persons killed or injured, the number and nature of violations, and other pertinent traffic data including the plans and recommendations for future traffic safety activities.

ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

3-3-5 AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS. Provisions of this chapter and the Iowa law relating to motor vehicles and law of the road shall be enforced by the officers of the police department. The officers of the police department are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws. In the event of a fire or other emergency, officers of the police department may direct traffic as conditions require notwithstanding the provisions of the traffic laws. Officers of the fire department may direct or assist the police in directing traffic threat or in the immediate vicinity.

(Code of Iowa, Sec. 321.229)

3-3-6 REQUIRED OBEDIENCE TO PROVISIONS OF THIS CHAPTER AND STATE LAW. Any person who shall willfully fail or refuse to comply with any lawful order of a police officer or direction of a fire department officer during a fire, or who fails to abide by the provisions of this chapter and the applicable provisions of the following Iowa statutes relating to motor vehicles and the law of the road is in violation of this chapter. These sections of the Code are adopted by reference:

1. 321.98 Operation without registration.
2. 321.180 Violations of instruction permit limitations.
3. 321.193 Violation of conditions of restricted license.
4. 321.194 Violation of conditions of minor's school license.
5. 321.216 Unlawful use of license.
6. 321.218 Driving without a valid license (as to simple misdemeanor offenses only).
7. 321.219 Permitting unauthorized minor to drive.
8. 321.220 Permitting unauthorized person to drive.
9. 321.229 Failure to comply with lawful order of peace officer.
10. 321.231 Failure of driver of emergency vehicle to exercise caution while on emergency run (stop signs and signals).
11. 321.232 Radar jamming devices.
12. 321.234 Failure to observe seating requirements.
13. 321.236 (Parking) Violation of local ordinance (not a state offense).
14. 321.256 Failure to obey traffic control device.
15. 321.257 Failure to obey or yield to pedestrian or to official traffic control signal.

- 16. 321.260 Unlawful possession of, or interference with traffic control device.
- 17. 321.264 Striking unattended vehicle.
- 18. 321.265 Striking fixtures upon a highway.
- 19. 321.275 Motorcycle and motorized bicycles violations.
- 20. 321.277 Reckless driving.
- 21. 321.278 Drag racing prohibited.
- 22. 321.285 Speed restrictions.
- 23. 321.286 Truck speed limits (highway).
- 24. 321.287 Bus speed limits (highway).
- 25. 321.288 Failure to maintain control.
- 26. 321.294 Failure to maintain minimum speed when directed by officer.
- 27. 321.295 Excessive speed on bridge.
- 28. 321.297 Driving on wrong side of two-way highway.
- 29. 321.298 Failure to yield half of roadway upon meeting vehicle.
- 30. 321.299 Passing on wrong side.
- 31. 321.303 Unsafe passing.
- 32. 321.304 Unlawful passing.
- 33. 321.305 Violating one-way traffic designation.
- 34. 321.306 Improper use of lanes.
- 35. 321.307 Following too closely.
- 36. 321.308 Following too closely (trucks and towing vehicles).
- 37. 321.309 Failure to use approved drawbar.
- 38. 321.310 Unlawful towing of four-wheeled trailer.
- 39. 321.311 Turning from improper lane.
- 40. 321.312 Making U-turn on curve or hill.
- 41. 321.313 Unsafe starting of a stopped vehicle.
- 42. 321.314 Unsafe turn or failure to give signal.
- 43. 321.315 Failure to give continuous turn signal.
- 44. 321.316 Failure to signal stop or rapid deceleration.
- 45. 321.317 Signal light requirements; see equipment violation.
- 46. 321.318 Incorrect hand signal.
- 47. 321.319 Failure to yield to vehicle on right.
- 48. 321.320 Failure to yield upon left turn.
- 49. 321.321 Failure to yield upon entering through highway.
- 50. 321.322 Failure to obey stop or yield sign.
- 51. 321.323 Unsafe backing on highway.
- 52. 321.324 Failure to yield to emergency vehicle.
- 53. 321.325 Pedestrian disobeying traffic control signal.
- 54. 321.326 Pedestrian walking on wrong side of highway.
- 55. 321.327 Pedestrian right-of-way.
- 56. 321.328 Pedestrian failing to use crosswalk.
- 57. 321.329 Vehicle failing to yield to pedestrian.
- 58. 321.331 Soliciting ride from within roadway.
- 59. 321.332 Unlawful use of white cane.
- 60. 321.333 Failure to yield to blind person.
- 61. 321.340 Driving in or through safety zone.
- 62. 321.341 Failure to properly stop at railroad crossing.
- 63. 321.342 Failure to obey stop sign at railroad crossing.
- 64. 321.343 Failure to stop certain cargo or passenger vehicle at railroad crossing.

65. 321.344 Unlawful movement of construction equipment across railroad track.

66. 321.353 Unsafe entry into sidewalk or roadway.

67. 321.354 Stopping on traveled part of highway.

68. 321.358 Stopping, standing, or parking where prohibited.

69. 321.360 Prohibited parking in front of certain buildings.

70. 321.361 Parking too far from curb/angular parking.

71. 321.362 Parking without stopping engine and setting brake.

72. 321.363 Driving with obstructed view or control.

73. 321.365 Coasting upon downgrade.

74. 321.366 Improper use of median, curb, or controlled access facility.

75. 321.367 Failure to maintain distance fire-fighting vehicle.

76. 321.368 Crossing unprotected fire hose.

77. 321.369 Putting debris on highway/roadway.

78. 321.370 Removing injurious material.

79. 321.371 Clearing up wrecks.

80. 321.372 School bus provisions.

81. 321.377 Excessive speed of school bus.

82. 321.381 Driving or towing unsafe vehicle.

83. 321.382 Operating underpowered vehicle.

84. 321.383 Failure to display reflective device on slow-moving vehicles.

85. 321.384 Failure to use headlamps when required.

86. 321.385 Insufficient number of headlamps.

87. 321.386 Insufficient number of headlamps-motorcycles and motorized bicycles.

88. 321.387 Improper rear lamp.

89. 321.388 Improper registration plate lamp.

90. 321.389 Improper rear reflector.

91. 321.390 Reflector requirements.

92. 321.391 Improper type of reflector.

93. 321.392 Improper clearance lighting on truck or trailer.

94. 321.393 Lighting device color and mounting.

95. 321.394 No lamp or flag on rear-projecting load.

96. 321.395 Parking on certain roadways without parking lights.

97. 321.397 Improper light on bicycle.

98. 321.398 Improper light on other vehicle.

99. 321.402 Improper use of spotlight.

100. 321.403 Improper use of auxiliary driving lights.

101. 321.404 Improper brake light.

102. 321.408 Back-up lamps.

103. 321.409 Improperly adjusted headlamps.

104. 321.415 Failure to dim.

105. 321.419 Improper headlighting when night driving.

106. 321.420 Excessive number of driving lights.

107. 321.422 Lights of improper color-front or rear.

108. 321.423 Special light/signal provision.

109. 321.430 Defective braking equipment.

110. 321.431 Brake performance ability.

111. 321.432 Defective audible warning device.

112. 321.433 Unauthorized use of emergency audible warning devices on motor vehicle.

113. 321.434 Use of siren or whistle on bicycle.

- 114. 321.436 Defective or unauthorized muffler system.
- 115. 321.437 Mirrors.
- 116. 321.438 Windshields.
- 117. 321.439 Defective windshield wiper.
- 118. 321.440 Defective tires.
- 119. 321.441 Unauthorized use of metal tire or track.
- 120. 321.442 Unauthorized use of metal projection on wheels.
- 121. 321.444 Failure to use safety glass.
- 122. 321.445 Failure to maintain or use safety belts.
- 123. 321.446 Failure to secure child.
- 124. 321.449 Special regulations.
- 125. 321.450 Hazardous materials.
- 126. 321.454 Width and length violations.
- 127. 321.455 Excessive side projection of load – passenger vehicle.
- 128. 321.456 Excessive height.
- 129. 321.457 Excessive length.
- 130. 321.458 Excessive projection from front of vehicle.
- 131. 321.459 Excessive weight – dual axels (each over 2000 lb. over).
- 132. 321.460 Spilling loads on highways.
- 133. 321.461 Excessive tow-bar length.
- 134. 321.462 Failure to use required towing equipment.
- 135. 321.463 Maximum gross weight.
- 136. 321.466 Gross weight in excess of registered gross weight (for each 2000 lb. over).

TRAFFIC CONTROL DEVICES

3-3-7 AUTHORITY TO INSTALL TRAFFIC-CONTROL DEVICES. The Chief of Police shall cause to be placed and maintained traffic-control devices when and as required under this chapter or other Ordinances of this City to make effective their provisions, and may so cause to be placed and maintained such additional, emergency, or temporary traffic-control devices for the duration of an emergency or temporary condition as traffic conditions may require, to regulate traffic under the traffic Ordinances of this City or under State law or to guide or warn traffic.

The Chief of Police shall keep a record of all traffic-control devices maintained by the department.

All traffic-control devices shall comply with current standards established by the Manual of Uniform Traffic Control Devices for Streets and Highways at the time the control device is placed or erected.

(Code of Iowa, Sec. 321.255 and 321.256)

3-3-8 CHIEF OF POLICE TO DESIGNATE CROSSWALKS, ESTABLISH, AND MARK TRAFFIC LANES. The Chief of Police is hereby authorized:

1. To designate and maintain by appropriate devices, marks or lines upon the surface of the roadway, crosswalks 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.
2. To mark lanes for traffic on street pavements at such places as traffic conditions require, consistent with the traffic Code of this City. Where 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 a lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

3-3-9 PLAY STREETS. The Chief of Police has the authority to declare any street or part thereof a play street and to place 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 the street or any portion thereof except drivers of vehicles having business or whose residences are within the closed area, and then the driver shall exercise the greatest care in driving upon the street or portion thereof.

SPEED REGULATIONS

3-3-10 CHANGING STATE SPEED LIMITS IN CERTAIN ZONES. It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by State law upon the following streets or portions thereof is greater or less than is necessary for the safe operation of vehicles thereon, and it is declared that the maximum speed limit upon these streets or portions thereof described shall be as follows:

1. Thirty-five miles per hour (35 mph) on South First Street from a point 167 feet north of the railroad tracks to a point 1,485 feet further north; and,

2. Thirty-five miles per hour (35 mph) on B-60 from South First Street to Highway 65.
(Code of Iowa, Sec. 321.290)

TURNING MOVEMENTS

3-3-11 TURNING MARKERS, BUTTONS AND SIGNS. The Chief of Police 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 the markers, buttons, or signs, including right-hand turns at intersections with automatic traffic signals.

(Code of Iowa, Sec. 321.311)

3-3-12 AUTHORITY TO PLACE RESTRICTED TURN SIGNS. The Chief of Police is authorized to determine those intersections, as traffic conditions require, at which the drivers of vehicles shall not make a right or left turn. The making of turns may be prohibited between certain hours of any day, in which event the same shall be plainly indicated on signs.

3-3-13 OBEDIENCE TO NO-TURN SIGNS. Whenever authorized signs are erected indicating that no right or left turn is permitted, no driver of a vehicle shall disobey the directions of any such signs.

3-3-14 "U" TURNS. It shall be unlawful for a driver to make a "U" turn except at an intersection. "U" turns are prohibited at intersections within the business district, except on the west side of the intersection of Main Street and the C.N.W. Railroad tracks if the U-turn can be made in safety and without interfering with other traffic.

ONE-WAY STREETS AND ALLEYS

3-3-15 AUTHORITY TO DESIGNATE ONE-WAY STREETS AND ALLEYS. Whenever any traffic Code of this City designates any one-way street or alley the Chief of Police shall cause to be placed and maintained signs giving notice thereof and the regulation shall not be effective unless the signs are in place. Signs indicating the direction of traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. It shall be unlawful for any person to operate any vehicle in violation of markings, signs, barriers or other devices placed in accordance with this section.

3-3-16 AUTHORITY TO RESTRICT DIRECTION OF MOVEMENT ON STREETS DURING CERTAIN PERIODS. The Chief of Police is authorized to determine and recommend to the Council certain streets, or specified lanes thereon, upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall, upon authority given by Ordinance, place and maintain appropriate markings, signs, barriers, or other devices to give notice thereof. The Chief of Police may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

It shall be unlawful for any person to operate any vehicle in violation of markings, signs, barriers, or other devices placed in accordance with this section.

The following streets may have variable laning or direction of traffic at different times of day as marked by authorized signs under the provisions of this section:

SPECIAL STOPS REQUIRED

3-3-17 THROUGH HIGHWAYS. Streets or portions of streets described below are declared to be through highways:

US Highway 65 (Partridge Avenue)

County Road B-60 (150th Street)

1st Street (Pheasant Avenue)

(Code of Iowa, Sec. 321.345 and 321.350)

3-3-18 AUTHORITY TO ERECT STOP SIGNS. Whenever any Ordinance of this City designates and describes a through highway it shall be the duty of the Chief of Police to cause to be placed and maintained a stop sign on each and every street intersecting through highway except as modified in the case of intersecting through highways.

3-3-19 STOPS AT INTERSECTING THROUGH HIGHWAYS AND OTHER INTERSECTIONS. At the intersections of through highways and at intersections upon streets other than through highways, where, because of heavy cross-traffic or other traffic conditions, particular hazard exists, the Chief of Police is hereby authorized to determine whether vehicles shall stop or yield at one or more entrances to the intersection and shall present recommendations to the Council, and, upon approval of the Council, shall erect an appropriate sign at every place where a stop or yield is required.

3-3-20 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.

3-3-21 SCHOOL STOPS. When a vehicle approaches an authorized school stop, the driver shall bring the vehicle to a full stop at a point ten 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 driver shall have passed such school site.

PEDESTRIANS' RIGHTS AND DUTIES

3-3-22 PROHIBITED CROSSING. Pedestrians crossing a street in the business district shall cross in the crosswalks only.

(Code of Iowa, Sec. 321.327)

METHOD OF PARKING

3-3-23 SIGNS OR MARKINGS INDICATING ANGLE PARKING. The Chief of Police, as traffic conditions require, shall determine upon what streets angle parking shall be permitted and shall mark or sign the streets or portions thereof indicating the method of angle parking. The determination shall be subject to approval by Council resolution.

(Code of Iowa, Sec. 321.361)

3-3-24 OBEDIENCE TO ANGLE PARKING SIGNS OR MARKINGS. Upon those streets or portions of streets that 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 the signs and markings.

STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES

3-3-25 STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES. No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

(Code of Iowa, Sec. 321.358)

1. On a sidewalk.
2. In front of a public or private driveway.
3. Within an intersection.
4. Within five (5) feet of either side of the point on the curb nearest to a fire hydrant.
5. On a crosswalk.
6. Within ten (10) feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of the roadway.

7. 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.

8. 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 signposted.

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

10. On the roadway side of any vehicle stopped or parked at the edge or curb of street.

11. Opposite the entrance to a garage or driveway in such a manner or under such conditions as to leave available less than twenty (20) feet of the width of the roadway for the free movement of vehicular traffic.

12. Upon any street or in any alley in any part of the City in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway of such street or alley for the free movement of vehicular traffic, except when necessary in obedience to traffic regulations or traffic signs, or signals of a police officer.

13. At any place where official signs or curb markings prohibit stopping, standing or parking.

14. Within ten (10) feet of the crosswalk at all intersections within the City.

15. In an alley under any fire escape at any time.

3-3-26 AUTHORITY TO PAINT CURBS AND ERECT SIGNS PROHIBITING STANDING OR PARKING. When, because of restricted visibility or when standing or parked vehicles constitute a hazard to moving traffic, or when other traffic conditions require, the Chief of Police may cause curbings to be painted with a yellow or orange color and erect "no parking" or "standing" signs. It shall be unlawful for the operator of any vehicle to stand or park a vehicle in an area so painted or sign-posted. It shall be unlawful for any person, other than after having first secured the permission of the Chief of Police, to paint any curbing, sidewalk or street with yellow or orange colored paint or to erect "no parking" signs.

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

3-3-27 AUTHORITY TO IMPOUND VEHICLES. Members of the police department are authorized to remove, or cause to be removed, a vehicle from a street, public alley, or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the police department, or otherwise maintained by the City, under the following circumstances:

1. When a vehicle is upon a roadway and 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.

2. When any vehicle is left unattended upon a street and constitutes a definite hazard or obstruction to the normal movement of traffic.

3. When any vehicle is left parked upon a street for a continuous period of forty-eight hours or more. A diligent effort shall first be made to locate the owner. If the owner is found, the owner shall be given the opportunity to remove the vehicle.

4. When any vehicle is left parked in violation of a ban on parking during a snow emergency as proclaimed by the Mayor.

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

STOPPING, STANDING OR PARKING

3-3-28 PARKING SIGNS REQUIRED. Whenever by this or any other chapter of this City Code any parking time limit is imposed or parking is prohibited on designated streets or portions of streets it shall be the duty of the Police Chief to erect appropriate signs giving notice thereof and the regulations shall not be effective unless signs are erected and in place at the time of any alleged offense. When signs are erected giving notice thereof, no person shall disobey the restrictions stated on such signs.

(Code of Iowa, Sec. 321.236)

3-3-29 PARKING DURING SNOW EMERGENCY. No person shall park, abandon, or leave unattended any vehicle on any public street, alley, or City-owned off-street parking area during the time the snow or ice begins to accumulate through the duration of the snow or ice storm unless the snow or ice has been removed or plowed from said street, alley or parking area and the snow has ceased to fall.

The ban shall be enforced whenever the parking of a vehicle interferes with the removal of snow or ice. If the owner of a vehicle in violation of the ban fails to promptly remove such vehicle, the vehicle will receive a citation and a towing service will be contacted for the purpose of removing said vehicle at the owner's expense.

(Code of Iowa, Sec. 321.236)

3-3-30 ALL-NIGHT PARKING PROHIBITED. No person, except physicians or other persons on emergency calls, shall park a vehicle on any street marked to prohibit all night parking.

3-3-31 TRUCK AND TRAILER PARKING LIMITED. Trucks licensed for ten (10) ton or more, loaded or empty, shall not be parked on any public street in the business district or in residential areas. In addition, recreation vehicles or trailers exceeding fifteen (15) feet in length shall not be parked on City streets or right-of-way used for a residential purpose within the City from November 1 to April 1.

An exemption for the November 1 to April 1 restriction would apply to driveways. For this ordinance a driveway is defined as "a short road leading from a public road to a house or garage". Recreational vehicles or trailers exceeding fifteen (15) feet may be parked in a driveway as long as it is perpendicular to the roadway and not parallel. No trailer or RV should protrude onto the paved or gravel roadway or block any sidewalks.

MISCELLANEOUS DRIVING RULES

3-3-32 VEHICLES NOT TO BE DRIVEN OR PARKED ON SIDEWALKS. The driver of a vehicle shall not drive upon or within or park on or within any sidewalk area.

3-3-33 CLINGING TO VEHICLES. No person shall drive a motor vehicle on the streets of this City unless all passengers of the 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, sled or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

3-3-34 PARKING FOR CERTAIN PURPOSES PROHIBITED. No person shall park a vehicle upon the roadway for the principal purpose of:

1. Displaying such vehicle for sale.
2. Displaying advertising.
3. Selling merchandise from the vehicle except in a duly established market place or when so authorized or licensed under the Ordinances of this City.
4. Storage or as junk or dead storage for more than forty-eight hours.

3-3-35 DRIVING THROUGH FUNERAL OR OTHER PROCESSION. No driver of any vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when the vehicles are conspicuously designated as required in this chapter. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

3-3-36 DRIVERS IN A PROCESSION. Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as closely as is practical and safe.

3-3-37 FUNERAL PROCESSIONS TO BE IDENTIFIED. A funeral procession composed of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the police department.

3-3-38 LOAD RESTRICTIONS UPON VEHICLES USING CERTAIN STREETS. When signs are erected giving notice thereof, no person shall operate any vehicle licensed in excess of the amounts specified on the signs at any time.

3-3-39 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.

(Code of Iowa, Sec. 321.471 & 472)

3-3-40 PERMITS FOR EXCESS SIZE AND WEIGHT . The Police Chief may, upon application in writing 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)

3-3-41 TRUCK ROUTES.

1. Every motor vehicle licensed for five tons or more, having no fixed terminal within the City or making no scheduled or definite stops within the City for the purpose of loading or unloading, shall travel over or upon the following streets within the City and none other:
2. Any motor vehicle licensed for five tons or more, having a fixed terminal, making a scheduled or definite stop within the City for the purpose of loading or unloading, shall proceed over or upon the designated routes set out in this section to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload and return, by the most direct route to its point of departure from the designated route.
3. The owner, or any other person, employing or otherwise directing the driver of any vehicle shall not require or knowingly permit the operation of such vehicle upon a street in any manner contrary to this section.

3-3-42 VEHICULAR NOISE.

1. It shall be unlawful for any person to make, continue or cause any disturbing, excessive or offensive noise which results in discomfort or annoyance to any reasonable person of normal sensitivity by means of radio, compact disk player, stereo, speakers, cassette tape player or similar sound device in a motor vehicle.
2. The operation of any radio, electronic devices, cell phones, compact disk player, stereo, speakers, cassette tape player or similar sound device in such a manner so as to be audible at a distance of two hundred (200') from the motor vehicle shall constitute evidence of a *prima facie* violation of this section.

3-3-43 ENGINE AND COMPRESSION BRAKES.

1. It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the City, any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual or explosive noise from such vehicle.
2. The usage of an engine brake, compression brake or mechanical exhaust device designed to aid in braking or deceleration in such a manner so as to be audible at a distance of three hundred feet (300') from the motor vehicle shall constitute evidence of a *prima facie* violation of this section.

BICYCLE REGULATIONS

3-3-44 DEFINITIONS. For the purpose of this Chapter the following terms are defined:

1. "Bicycles" shall mean either of the following:
 - a. A device having two wheels and having at least one saddle or seat for the use of a rider which is propelled by human power.

b. A device having two or more wheels with fully operable peddles and an electric motor less than seven hundred fifty watts (one horsepower), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden, is less than twenty miles per hour.

(Code of Iowa, Sec. 321.1)

3-3-45 TRAFFIC CODE APPLIES TO PERSONS RIDING BICYCLES. 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 drivers of vehicles by the laws of this State regarding rules of the road applicable to vehicles or by the traffic Ordinances of this City applicable to drivers of vehicles, except as to those provisions which by their nature can have no application. Whenever a person dismounts from a bicycle such person shall be subject to all regulations applicable to pedestrians.

3-3-46 RIDING ON BICYCLES. A person propelling a bicycle shall not ride other than astride a permanent and regular seat.

No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

3-3-47 RIDING ON ROADWAYS AND BICYCLE PATHS. Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

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.

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.

3-3-48 SPEED. No person shall operate a bicycle at a speed greater than is reasonable and prudent under existing conditions.

3-3-49 EMERGING FROM ALLEY OR DRIVEWAY. The operators 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 the sidewalk or sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

3-3-50 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.

3-3-51 PARKING. Bicycles shall be parked upon the roadway of a street against the curb, or upon the sidewalk in a rack to support bicycles, or against a building, or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

3-3-52 RIDING ON SIDEWALKS. No person shall ride a bicycle on a sidewalk within a business district.

When signs are erected on a sidewalk or roadway prohibiting the riding of bicycles on the sidewalk or roadway, no person shall disobey such signs.

Whenever a person is riding a bicycle upon a sidewalk, the person shall yield the right of way to any pedestrian and shall give a timely audible signal before overtaking and passing a pedestrian.

3-3-53 LAMPS AND OTHER EQUIPMENT ON BICYCLES. Every bicycle when in use at nighttime shall be equipped with a lamp on the front that emits a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type that is visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

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

SNOWMOBILES

3-3-54 SNOWMOBILE DEFINITIONS.

1. "Snowmobile" means a self-propelled vehicle designed for travel on snow or ice in a natural terrain steered by wheels, skis or runners.
2. "Operate" means to control the operation of a snowmobile.
3. "Operator" means a person who operates or is in actual control of a snowmobile.

3-3-55 PERMITTED AREAS OF OPERATION. Snowmobiles will be allowed to operate in the City as follows:

On public streets or alleys. Snowmobiles must travel directly from a beginning point to a terminal point in the City limits, or proceed directly to a destination outside of the City limits, or when returning to the City, proceed directly to the operator=s home.

The route established herein shall be the only permitted snowmobile route and the snowmobiles shall be operated within the roadways of said public streets and shall also be subject to the following regulations.

3-3-56 REGULATIONS. It shall be unlawful for any person to operate a snowmobile under the following circumstances:

1. On private property of another without the express permission to do so by the owner or occupant of said property.
2. On public school grounds, park property, playgrounds, recreational areas and golf courses without express permission to do so by the proper public authority.
3. In a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.

4. In a careless, reckless or negligent manner so as to endanger the safety of any person or property of any other person.

5. Without having such snowmobile registered as provided for by Iowa Statute except that this provision shall not apply to the operation of a snowmobile on the private property of the owner by the owner or a member of his immediate family.

6. Within the right-of-way of any public street or alley within the City unless the operator shall have a valid driver's license; or an instruction permit and accompanied by a qualified licensed driver.

7. No person shall operate a snowmobile in the City from ten-thirty (10:30) p.m. to seven o'clock (7:00) a.m., except for the purpose of loading and unloading a snowmobile from another vehicle or trailer, going to a destination within the City, or returning from a destination outside the city limits, in which case the operator must proceed directly to a destination and cease motor operation.

3-3-57 EQUIPMENT REQUIRED. All snowmobiles operated within the City shall have the following equipment:

1. Mufflers which are properly attached and which reduce the noise of operation of the vehicle to the minimum noise necessary for operating the vehicle and no person shall use a muffler cut-out, by-pass or similar device on said vehicle.

2. Adequate brakes in good operating condition and at least one headlight and one taillight in good operating condition.

3. A safety or so-called "dead-man" throttle in operating condition; a safety or "dead-man" throttle is defined as a device which when pressure is removed from the accelerator or throttle causes the motor to be disengaged from the driving track.

3-3-58 UNATTENDED VEHICLES. It is unlawful for the owner or operator to leave or allow a snowmobile to be or remain unattended on public property while the motor is running or the key left in the ignition.

3-3-59 RESTRICTION OF OPERATION. The City Council may, by resolution, prohibit the operation of snowmobiles within the right-of-way of the public roads, streets or alley or other City property within the City when the public safety and welfare so requires.

3-3-60 TRAFFIC REGULATION. Each person operating a snowmobile shall strictly observe all traffic signs and signals and all other traffic rules and regulations applicable thereto, and shall obey the orders and directions of any police officer of the City authorized to direct or regulate traffic.

OFF-ROAD VEHICLES

3-3-61 DEFINITIONS. For use in this Chapter the following terms are defined:

1. "All-terrain vehicle" (ATV) means a motor vehicle designed to travel on three or more wheels and designed primarily for off-road recreational use. "All-terrain vehicle" includes off-road utility vehicles as defined in Section 321I.1, but does not include farm tractors or equipment, construction equipment, forestry vehicles, or lawn and grounds maintenance vehicles.

2. "Off-road motorcycle" means a two-wheeled motor vehicle that has a seat or saddle designed to be straddled by the operator and handlebars for steering control and that is intended by the manufacturer for use on natural terrain. "Off-road motorcycle" includes a motorcycle that was originally issued a certificate of title and registered for highway use under Chapter 321, but which contains design features that enable operation over natural terrain.

3. "Off-road utility vehicle" means a motorized flotation-tire vehicle with not less than four and not more than six low-pressure tires that is limited in engine displacement to less than one thousand five hundred cubic centimeters and in total dry weight to not more than one thousand eight hundred pounds and that has a steering wheel for control.

(Code of Iowa, Sec. 321I.1(1))

3-3-62 OPERATION OF OFF-ROAD VEHICLES. The operation of ATV or off-road motorcycles shall comply with the following restrictions:

1. Streets. Only on such streets as may be designated by the City Council.

(Code of Iowa 321.234A)

(Code of Iowa 321I)

2. Prohibited Operation. Shall not be operated on sidewalks, railroad right-of-way, parks, or other City land.

3. Operation During Darkness. Every all-terrain vehicle operated during the hours of darkness shall display a proper for the vehicle (manufacturer installed or similar), lighted headlamp and tail lamp.

(Code of Iowa 321I.13)

4. Compliance with State Code. All operation shall comply with Iowa Code Chapter 321I.

5. Use of any ATV or UTV within the City must first be registered with the proper State authority. The operator must carry the registration certificate whenever the ATV or UTV is in use. The State registration decal must be displayed on the ATV or UTV and remain clearly visible. All ATVs and UTVs operated within the City must have operational headlights, taillights, break lights, horn, and rearview mirrors.

6. ATVs and UTVs operating within the City must not exceed a maximum speed of 35 miles per hour and obey the posted speed limit.

7. An individual operating an ATV or UTV within the City must be at least 18 years old with a valid driver's license and valid proof of insurance.

MOTORIZED WHEEL CHAIRS

3-3-63 MOTORIZED WHEEL CHAIRS:

1. Obedience to Traffic Laws:

A. Except as to those provisions of law which by their nature can have no application, any person operating a motorized wheel chair on a roadway or on any shoulder adjoining a roadway shall be

granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by both:

- (1) The laws of this State declaring rules of the street applicable to motor vehicles; and
- (2) The traffic laws of the City applicable to the driver of a motor vehicle.
- (3) The motorized wheel chair shall be equipped with a slow moving vehicle sign and a bicycle safety flag and shall operate on the streets only from one-half hour after sunrise to one-half hour before sunset.

GOLF CARTS

3-3-64 DEFINITIONS. For use in this ordinance “golf cart” is defined as a motorized 4-wheeled vehicle designed to transport person(s) on a golf course.

3-3-65 OPERATION OF GOLF CARTS. Golf carts may be operated on City streets by persons possessing a valid driver’s license. The City Council may impose restrictions and conditions in addition to those set forth in this section. A golf cart shall not be operated upon a City street which is a primary road extension, i.e., State or Federal highway, but shall be allowed to cross a City street which is a primary road extension through the City. The golf cart shall be equipped with adequate brakes. The golf cart shall be operated only on the streets from sunrise to sunset unless equipped with proper headlights and tail lights. Golf carts operated on City streets need not be registered under Chapter 321 of the Code of Iowa

PENALTIES AND PROCEDURE

3-3-66 NOTICE OF FINE PLACED ON ILLEGALLY PARKED VEHICLE. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by any Ordinance of this City or State law, the officer finding such vehicle shall prepare a notice of parking fine giving the registration number, and other identifying information to such vehicle in a conspicuous place and directing the driver of the vehicle to appear within thirty days, or to pay the local scheduled fine.

3-3-67 PRESUMPTION IN REFERENCE TO ILLEGAL PARKING. In any prosecution charging a violation of any parking Ordinance or State law governing the standing, stopping, or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such Ordinance or law, together with proof that the defendant named in the complaint was at the time of such parking violation the registered owner of such vehicle, shall constitute *prima facie* evidence that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which such violation occurred.

3-3-68 LOCAL PARKING FINES. Scheduled fines as follows are established, payable by mail or in person at the City Clerk’s office within thirty days of the violation, for the following parking violations:

1. Parking Violation	\$ 25.00
2. Persons with disabilities parking	\$ 100.00

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

3-3-69 FAILURE TO PAY PARKING CITATIONS. If a violator of the restrictions on stopping, standing, or parking under the parking Ordinances of this City or of State law fails to make payment of the scheduled fine as specified on a parking citation affixed to such motor vehicle within the thirty (30) days, the City shall send the owner of the motor vehicle to which the parking citation was affixed a letter informing the owner of the violation and warning that in the event the penalty is not paid within five days from date of mailing, a court citation will be issued requiring a court appearance and subjecting the violator to court costs.