

CHAPTER 20
TRAFFIC
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**CHAPTER 20
TRAFFIC**

SUBCHAPTER A- TRAFFIC ADMINISTRATION

ARTICLE 1: GENERAL

20.005. Definitions

The following words and phrases when used in this ordinance mean:

Alley or alleyway, any street with a roadway of less than twenty feet in width;

All-terrain vehicle, any motorized vehicle manufactured and used exclusively for off-highway use, with an unladen dry weight of eight hundred pounds or less, traveling on three, four or more low pressure tires.

Authorized emergency vehicle, a vehicle publicly owned and operated as an ambulance, or a vehicle publicly owned and operated by the state highway patrol, police or fire department, sheriff or constable or deputy sheriff, traffic officer, or any privately owned vehicle operated as an ambulance when responding to emergency calls;

Business district, the territory contiguous to and including a highway when within any six hundred feet along the highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, and public buildings which occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of the highway;

Central business (or traffic) district, all streets and portions of streets within the area described by city ordinance as such;

Commercial vehicle, every vehicle designed, maintained, or used primarily for the transportation of property;

Controlled access highway, every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over the highway, street or roadway;

Crosswalk, (a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs of the traversable roadway; (b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface;

Curb loading zone, a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials;

Driver, every person who drives or is in actual physical control of a vehicle;

Freight curb loading zone, a space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight (or passengers);

Highway, the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel;

Intersection, (a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict; (b) Where a highway includes two roadways thirty feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection;

Laned roadway, a roadway which is divided into two or more clearly marked lanes for vehicular traffic;

Motor vehicle, any self-propelled vehicle not operated exclusively upon tracks, except farm tractors and motorized bicycles;

Motorcycle, every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor;

Motorized bicycle, any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

Official time standard, whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in the city;

Official traffic control devices, all signs, signals, markings and devices not inconsistent with this ordinance placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic;

Park or parking, 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;

Passenger curb loading zone, a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers;

Pedestrian, any person afoot;

Person, every natural person, firm, co-partnership, association or corporation;

Police Officer, every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations;

Private road or driveway, every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons;

Residence district, the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred feet or more in the main improved with residences or residences and buildings in use for business;

Right-of-way, the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other;

Roadway, that portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively;

Safety zone, the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone;

Sidewalk, that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians;

Stand or standing, the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers;

Stop, when required, complete cessation from movement;

Stop or stopping, when prohibited, any halting even momentarily of a vehicle, 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;

Street or highway, the entire width between the lines of every way publicly maintained when any part thereof is open to the uses of the public for purposes of vehicular travel. "State highway", a highway maintained by the state of Missouri as a part of the state highway system;

Through highway, every highway or portion thereof on which vehicular traffic is given preferential rights-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield rights-of-way to vehicles on such through highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this ordinance;

Traffic, pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances either singly or together while using any highway for purposes of travel;

Traffic control signal, any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed;

Traffic division, the traffic division of the police department of the city, or in the event a traffic division is not established, then said term whenever used herein shall be deemed to refer to the police department of the city; and

Vehicle, any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, cotton trailers or motorized wheelchairs operated by handicapped persons.

20.010. Police administrator

There is established in the police department of the City of Ashland, Missouri a traffic division to be under the control of the chief of police.

20.015. Duty of traffic division

The traffic division with such aid as may be rendered by other members of the police department shall enforce the street traffic regulations of the city and all of the state vehicle laws applicable to street traffic in the city, to make arrests for traffic violations, to investigate accidents and to cooperate with the city traffic engineer and other officers of the city in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon the division by this ordinance and the traffic ordinances of the city. (State Law Reference-300.020. RSMo.)

20.020. Records of traffic violations

- (1) The police department or the traffic division thereof shall keep a record of all violations of the traffic ordinances of the city or of the state vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.
- (2) All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.
- (3) All such records and reports shall be public records.

(State Law Reference 300.025 RSMo.)

20.025. Traffic division to investigate accidents

It shall be the duty of the traffic division, assisted by other police officers of the department, to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents. (State Law Reference 300.030 RSMo.)

20.030. Traffic Engineer, Designated

The Board of Aldermen shall designate a person to serve as Traffic Engineer. Unless some other individual has been so designated, the Chief of Police shall serve as Traffic Engineer.

20.035. Traffic accident studies

Whenever the accidents at any particular location become numerous, the traffic division shall cooperate with the city traffic engineer in conducting studies of such accidents and determining remedial measures. (State Law Reference 300.035. RSMo.)

20.040. Traffic accident reports

The traffic division shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the city traffic engineer. (State Law Reference-300.040 RSMo.)

20.045. Driver files to be maintained

The police department or the traffic division thereof shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions, and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned. (State Law Reference 300.045 RSMo.)

20.050. Traffic division to submit annual traffic safety report

The traffic division shall, at the request of the Board of Aldermen, annually prepare a traffic report which shall be filed with the Mayor. Such report shall contain information on traffic matters in the City as follows:

- (1) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data; and
- (2) The number of traffic accidents investigated and other pertinent data on the safety activities of the police; and
- (3) The plans and recommendations of the division for future traffic safety activities.
(State Law Reference 300.050 RSMo.)

20.055. City Traffic engineer

- (1) The office of city traffic engineer is established. The city engineer or other designated city official shall serve as city traffic engineer in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this ordinance.
- (2) The city traffic engineer shall determine the installation and proper timing and maintenance of traffic control devices, direct engineering analyses of traffic accidents and devise remedial measures, supervise investigation of traffic conditions, plan the operation of traffic on the streets and highways of the city, and cooperate with other city officials in the development of ways and means to improve traffic conditions, and carry out the additional powers and duties imposed by ordinances of the city. (State Law Reference-300.060. RSMo.)

20.060. Emergency and experimental regulations

- (1) The chief of police by and with the approval of the city traffic engineer is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of the city and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety days.

- (2) The city traffic engineer may test traffic control devices under actual conditions of traffic. (State Law Reference-300.065. RSMo.)

ARTICLE 2. ENFORCEMENT AND OBEDIENCE OF TRAFFIC REGULATIONS

20.100. Authority of police and fire department officials

- (1) It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all traffic laws of the city and all of the state vehicle laws applicable to traffic in the city.
- (2) Officers of the police department or such officers as are assigned by the chief of police are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws; provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.
- (3) Officers of the fire department, when at the scene of an incident, may direct or assist the police in directing traffic thereat or in the immediate vicinity. (State Law Reference-300.075 RSMo.)

20.105. Obedience to police and fire department officials

No person shall knowingly fail or refuse to comply with any lawful order or direction of a police officer or fire department official. (State Law Reference-300.080 RSMo.)

20.110. Persons propelling push carts or riding animals to obey traffic regulations

Every person propelling any push cart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this ordinance which by their very nature can have no application. (State Law Reference-300.085 RSMo.)

20.120. Public employees to obey traffic regulations

The provisions of this ordinance shall apply to the driver of any vehicle owned by or used in the service of the United States government, this state, county, or city, and it shall be unlawful for any said driver to violate any of the provisions of this ordinance, except as otherwise permitted in this ordinance. (State Law Reference-300.095 RSMo.)

20.125. Authorized emergency vehicles—permitted acts of drivers

1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of

the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

2. The driver of an authorized emergency vehicle may:
 - (a) Park or stand, irrespective of the provisions of this ordinance;
 - (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - (c) Exceed the maximum speed limits so long as he does not endanger life or property;
 - (d) Disregard regulations governing direction of movement or turning in specified directions.
3. The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds audible signal by siren, or while having at least one lighted lamp exhibiting a red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or flashing blue light authorized by section 307.175 RSMo.
4. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (State Law Reference-300.100. RSMo.)

20.130. Operation of vehicles on approach of authorized emergency vehicles

- (1) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the laws of this state, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer;
- (2) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway. (State Law Reference-300.105. RSMo)

20.135. Immediate notice of accident within city

The driver of a vehicle involved in an accident within the city resulting in injury to or death of any person or total property damage to an apparent extent of five hundred dollars or more to one person shall give, or cause to be given, notice of such accident to the

police department as soon as reasonably possible. (State Law Reference-300.110 RSMo.)

20.140. Written report of accident

The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to or death of any person or total property damage to an apparent extent of five hundred dollars or more to one person shall, within five days after such accident, forward a written report of such accident to the police department. The provisions of this section shall not be applicable when the accident has been investigated at the scene by a police officer while such driver was present. (State Law Reference-300.115 RSMo.)

20.145. When driver unable to report

- (1) Whenever the driver of a vehicle is physically incapable of giving immediate notice of an accident as required in Section 20.140 and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall give, or cause to be given, the notice not given by the driver.
- (2) Whenever the driver is physically incapable of making a written report of an accident as required in Section 20.140. and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall within five days after the accident make such report not made by the driver. (State Law Reference-300.120 RSMo.)

ARTICLE 3. TRAFFIC CONTROL DEVICES

20.205. Authority to install traffic control devices

The city traffic engineer shall place and maintain traffic control signs, signals, and devices when and as required under the traffic ordinances of the city to make effective the provisions of said ordinances, and may place and maintain such additional traffic control devices as he may deem necessary to regulate traffic under the traffic ordinances of the city or under state law or to guide or warn traffic. (State Law Reference-300.130 RSMo.)

20.210. Manual and specifications for traffic control devices

All traffic control signs, signals and devices shall conform to the manual and specifications approved by the Missouri Department of Transportation Commission or resolution adopted by the legislative body of the city. All signs or signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the city. All traffic control devices so erected and not inconsistent with the provisions of this ordinance shall be official traffic control devices. (State Law Reference-300.135 RSMo.)

20.215. Obedience to traffic control devices

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this ordinance, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this ordinance. (State Law Reference-300.140 RSMo.)

20.220. When official traffic control devices required for enforcement purposes

No provision of this ordinance for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic control devices are required, such section shall be effective even though no devices are erected or in place. (State Law Reference-300.145 RSMo.)

20.225. Official traffic control devices-presumption of legality

- (1) Whenever official traffic control devices are placed in position approximately conforming to the requirements of this ordinance, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

- (2) Any official traffic control device placed pursuant to the provisions of this ordinance and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this ordinance, unless the contrary shall be established by competent evidence. (State Law Reference-300.150 RSMo.)

20.230. Traffic control signal legend-right turn on red light, when

Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

- (1) Steady Green Indication
 - (a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited;
 - (b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;
 - (c) Unless otherwise directed by a pedestrian control signal as provided in Sections 23.235., pedestrians facing any green signal, except when the sole green signal is a turn arrow may proceed across the roadway within any marked or unmarked crosswalk.
- (2) Steady yellow indication;
 - (a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection;
 - (b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in Section 23.235., are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.
- (3) Steady red indication;
 - (a) Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown except as provided in paragraph (b) of this subdivision;

- (b) The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the state highways and transportation commission with reference to an intersection involving a state highway, and local authorities with reference to an intersection involving other highways under their jurisdiction, may prohibit any such right turn against a red signal at any intersection where safety conditions so require, said prohibition shall be effective when a sign is erected at such intersection giving notice thereof;
 - (c) Unless otherwise directed by a pedestrian control signal as provided in Section 23.235., pedestrians facing a steady red signal alone shall not enter the roadway;
- (4) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking, the stop shall be made at the signal. (State Law Reference-300.155 RSMo.)

20.235. Pedestrian control signals

Whenever special pedestrian control signals exhibiting the words “Walk” or “Don’t Walk” or appropriate symbols are in place such signals shall indicate as follows:

- (1) “Walk”, pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles;
- (2) “Wait” or “Don’t Walk”, no pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety zone while the wait signal is showing. (State Law Reference-300.160 RSMo.)

20.240. Flashing signals

- (1) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal, it shall require obedience by vehicular traffic as follows:
 - (a) Flashing red (stop signal), when a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign;
 - (b) Flashing yellow (caution signal), when a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

20.245. Lane direction control signals

When lane direction control signals are placed over the individual lanes of a street or highway, vehicular traffic may travel in any lane over which a green signal is shown, but shall not enter or travel in any lane over which a red signal is shown. (State Law Reference-300.170 RSMo.)

20.250. Display of unauthorized signs, signals or markings

No person shall place, maintain or display upon or in view of any highway an unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic control device, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device. (State Law Reference-300.175 RSMo.)

20.255. Interference with official traffic control devices

No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic control device involving all signage or signal or any inscription, shield or insignia thereon, or any other part thereof. (State Law Reference-300.180 RSMo.)

20.260. Authority to establish play streets

The city traffic engineer shall have 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. (State Law Reference-300.185 RSMo.)

20.265. Play streets

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. (State Law Reference- 300.190 RSMo.)

20.270. City traffic engineer to designate crosswalks and establish safety zones

The city traffic engineer is hereby authorized

- (1) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary;
- (2) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians. (State Law Reference-300.195 RSMo.)

20.275. Traffic lanes

- (1) The city traffic engineer is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.
- (2) 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. (State Law Reference-300.200 RSMo.)

ARTICLE 4. SPEED REGULATIONS

20.305. State speed laws applicable

The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within the city, except that the city may by ordinance, declare and determine upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared when signs are in place giving notice thereof, but no city ordinance shall regulate the speed of vehicles upon controlled access highways of the state. (State Law References-300.205 RSMo.)

20.310. Speed limit generally

The speed limit on all streets and roadways within the City shall be twenty (20) miles per hour unless some other speed has been designated by ordinance and such speed limit is posted.

20.315. Regulation of speed by traffic signals

The city traffic engineer is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof.

20.320. Speed limits

The speed limits for all motor vehicles on certain streets and roadways shall be as set forth in Appendix A, which is attached to this code, and by this reference incorporated herein as if more fully set out.

20.325. Penalties

Any person convicted of violating Sections 20.310 and 20.320, "Speed Limits", shall be fined not less than twenty-five dollars (\$25.00), nor more than five hundred dollars (\$500.00) for each violation.

ARTICLE 5. TURNING MOVEMENTS

20.400. Required position and method of turning at intersection

The driver of a vehicle intending to turn at an intersection shall do so as follows:

- (1) Right turns: both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway, except where multiple turn lanes have been established.
- (2) Left turns on two-way roadways: At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.
- (3) Left turns on other than two-road roadways: At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered, except where multiple turn lanes have been established. (State Law Reference-300.215 RSMo.)
- (4) Designated two-way left turn lanes: Where a special lane for making left turns by drivers proceeding in opposite directions have been indicated by official traffic control devices;
 - (a) A left turn shall not be made from any other lane;
 - (b) A vehicle shall not be driven in the lane except when preparing for or making a left turn from or into the roadway or when preparing for or making a u-turn when otherwise permitted by law;
 - (c) A vehicle shall not be driven in the lane for a distance more than five hundred feet.

20.405. Authority to place and obedience to turning markers

- (1) The city traffic engineer is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance.

- (2) When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. (State Law Reference- 300.220 RSMo.)

20.410. Authority to place restricted turn signs

The city traffic engineer is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U-turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted. (State Law Reference-300.225 RSMo.)

20.415. Obedience to no-turn signs

Whenever authorized signs are erected indicating that no right or left turn or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign. (State Law Reference-300.230. RSMo.)

20.420. Limitations on turning around

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic. (State Law Reference-300.235 RSMo.)

20.425. Limitation on entering and exiting marked parking spaces

The driver of any vehicle shall not turn such vehicle so as to cross a lane of traffic in order to enter or exit a parking space.

ARTICLE 6. ONE-WAY STREETS AND ALLEYS

20.500. Authority to sign one-way streets and alleys

Whenever any ordinance of the city designates any one-way street or alley the city traffic engineer shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. (State Law Reference 300.240 RSMo.)

20.505. One-way streets and alleys

Upon those streets and parts of streets and in those alleys described and designated by ordinance, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited. (State Law Reference-300.245 RSMo.)

20.510. Authority to restrict direction of movement on streets during certain periods.

- (1) The city traffic engineer is hereby authorized to determine and designate streets, parts of streets or specific 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 place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The city traffic engineer may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line to the roadway.
- (2) It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers or other devices so placed in accordance with this section. (State Law Reference-300.250 RSMo.)

ARTICLE 7. STOP AND YIELD INTERSECTIONS

20.600. Through streets designated

Those streets and parts of streets described by ordinances of the city are declared to be through streets for the purposes of sections 20.600 and 20.635. (State Law Reference-300.255 RSMo.)

20.605. Signs required at through streets

Whenever any ordinance of the city designates and describes a through street it shall be the duty of the city traffic engineer to place and maintain a stop sign, or on the basis of an engineering and traffic investigation at any intersection a yield sign, on each and every street intersecting such through street unless traffic at any such intersection is controlled at all times by traffic control signals; provided, however, that at the intersection of two such through streets or at the intersection of a through street and a heavy traffic street not so designated, stop signs shall be erected at the approaches of either of said streets as may be determined by the city traffic engineer upon the basis of an engineering and traffic study. (State Law Reference-300.260. RSMo.)

20.610. Other intersections where stop or yield required

The city traffic engineer is hereby authorized to determine and designate intersections where particular hazard exists upon other than through streets and to determine whether vehicles shall stop at one or more entrances to any such intersection, in which event he shall cause to be erected a stop sign at every such place where a stop is required, or whether vehicles shall yield the right-of-way to vehicles on a different street at such intersection as prescribed in Section 20.615., in which event he shall cause to be erected a yield sign at every place where obedience thereto is required. (State Law Reference-300.265 RSMo.)

20.615. Stop and yield signs

- (1) The driver of a vehicle approaching a yield sign if required for safety to stop shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.
- (2) Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. (State Law Reference-300.270 RSMo.)

20.620. Vehicle entering stop intersection

Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop as required by Section 20.615. and after having stopped shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection. (State Law Reference-300.275 RSMo.)

20.625. Vehicle entering yield intersection

The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection; provided, however, that if such a driver is involved in a collision with a vehicle in the intersection, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right-of-way. (State Law Reference-300.280 RSMo.)

20.630. Emerging from alley, driveway or building

The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway. (State Law Reference-300.285 RSMo.)

20.635. Stop when traffic obstructed

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 he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed. (State Law Reference-300.290 RSMo.)

ARTICLE 8. MISCELLANEOUS DRIVING RULES

20.700. Following Emergency Vehicle prohibited

The driver of any vehicle other than one on official business shall not follow any emergency vehicle traveling in response to an emergency call closer than five hundred feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (State Law Reference-300.300. RSMo.)

20.705. Crossing fire hose

No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street or private driveway, to be used at any fire or alarm of fire, without the consent of the fire department official in command. (State Law Reference-300.305.)

20.715. Funeral Procession, Definitions

The following terms mean:

- (1) "Funeral director," a person licensed as a funeral director pursuant to the provisions of Chapter 333, RSMo;
- (2) "Funeral lead vehicle" or "lead vehicle", any motor vehicle equipped with at least one lighted circulating lamp exhibiting an amber or purple light or lens or alternating flashing headlamps visible under normal atmospheric conditions for a distance of five hundred feet from the front of the vehicle. A hearse or coach properly equipped may be a lead vehicle;
- (3) "Organized funeral procession", two or more vehicles accompanying the remains of a deceased person from a funeral establishment, church, synagogue or other place where a funeral service has taken place to a cemetery, crematory or other place of final disposition, or a funeral establishment, church, synagogue or other place where additional funeral services will be performed, if directed by a licensed funeral director from a licensed establishment.

20.720. Funeral Processions, Right-of-way—use of lead vehicles-emergency vehicles with right-of-way, when-

1. Except as otherwise provided for in this subsection, pedestrians and operators of all other vehicles shall yield the right-of-way to any vehicle which is a part of an organized funeral procession.
2. Notwithstanding any traffic control device or right-of-way provision prescribed by state or local law, when the funeral lead vehicle in an organized funeral procession lawfully enters an intersection, all vehicles in the procession shall follow the lead vehicle through the intersection. The operator of each vehicle in

the procession shall exercise the highest degree of care toward any other vehicle or pedestrian on the roadway.

3. An organized funeral procession shall have the right-of-way at all intersections regardless of any traffic control device at such intersections, except that operators of vehicles in an organized funeral procession shall yield the right-of-way to any approaching emergency vehicle pursuant to the provisions of section 304.022, RSMo, or when directed to do so by a law enforcement officer.

20.725. Funeral Processions, Following distance-flashing emergency lights used

1. All vehicles in an organized funeral procession shall follow the preceding vehicle in the procession as closely as is practical and safe under the conditions.
2. No person shall operate any vehicle as part of an organized funeral procession without the flashing emergency lights of such vehicle being lighted.

20.730. Funeral Processions, Regulations for nonparticipating vehicle operators-violations, penalty-

1. Any person who is not an operator of a vehicle in an organized funeral procession shall not:
 - (1) Drive between the vehicles comprising an organized funeral procession while such vehicles are in motion and have the flashing emergency lights lighted except when required to do so by a law enforcement officer or when such person is operating an emergency vehicle giving an audible or visual signal;
 - (2) Join a funeral procession for the purpose of securing the right-of-way granted in section 20.720; or
 - (3) Attempt to pass any vehicle in an organized funeral procession, except where a passing lane has been specifically provided.
2. When an organized funeral procession is proceeding through a red signal light as permitted in section 20.720, a vehicle not in the organized funeral procession shall not enter the intersection unless such vehicle may do so without crossing the path of the funeral procession.
3. Violation of this ordinance shall be punishable by a fine of not less than Fifty and no/100 Dollars (\$50.00).

20.740. When permits required for parades and processions

No funeral, procession or parade containing two hundred or more persons or fifty or more vehicles except the forces of the United States army or navy, the military forces of this state and the forces of the police and fire departments, shall occupy, march or proceed along any street except in accordance with a permit issued by the Chief of Police and such other regulations as are set forth herein which may apply. (State Law Reference-300.325 RSMo.-previous code reference 11.530)

20.745. Vehicle shall not be driven on sidewalk

The driver of a vehicle shall not drive within any sidewalk area except as a permanent or temporary driveway. (State Law Reference-300.330. RSMo.)

20.750. Limitations on backing

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. (State Law Reference-300.335 RSMo.)

20.755. Opening and closing vehicle doors

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (State Law Reference-300.340 RSMo.)

20.790. Driving through a safety zone prohibited-

No vehicle shall at any time be driven through or within a safety zone. (State Law Reference-300.365 RSMo.)

20.810. Passing on the right

1. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations and exceptions hereinafter stated:
 - (1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle; and
 - (2) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle and shall not increase the speed of such driver's vehicle until completely passed by the overtaking vehicle.

2. The driver of a motor vehicle may overtake and pass to the right of another vehicle only under the following conditions:
 - (1) When the vehicle overtaken is making or about to make a left turn;
 - (2) Upon a one-way street;
 - (3) Upon any roadway within the city with unobstructed pavement of sufficient width and clearly marked for four or more lanes of traffic. The driver of a motor vehicle may overtake and pass another vehicle upon the right only under the foregoing conditions when such movement may be made in safety. In no event shall such movement be made by driving off the paved or a main traveled portion of the roadway. The provisions of this subsection shall not relieve the driver of a slow-moving vehicle from the duty to drive as closely as practicable to the right-hand edge of the roadway.

ARTICLE 9. PEDESTRIAN'S RIGHTS AND DUTIES

20.900. Pedestrians subject to traffic control devices

Pedestrians shall be subject to traffic control signals as heretofore, declared in sections: 20.205. to 20.275. (All traffic control devices sections) of this ordinance, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in sections: 20.900. to 20.940. (all sections covering Pedestrian rights and duties) (State Law Reference-300.370 RSMo.)

20.905. Pedestrians' right-of-way in crosswalks

- (1) When traffic control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- (2) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.
- (3) Subsection 1 shall not apply under the conditions stated in subsection 2 of section: 20.920. "When Pedestrians Shall Yield".
- (4) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. (State Law Reference-300.375 RSMo.)

20.910. Pedestrians to use right half of crosswalks

Pedestrians shall move, whenever practicable, upon the right half of crosswalks. (State Law Reference-300.380 RSMo.)

20.915. Crossing at right angles

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb. (State Law Reference-300.385 RSMo.)

20.920. When pedestrian shall yield

- (1) 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.

20.935. Pedestrians walking along roadways

- (1) Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
- (2) Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction. (State Law Reference-300.405 RSMo.)

20.940. Drivers to exercise highest degree of care

Notwithstanding the foregoing provisions of section 20.900. "Pedestrians subject to traffic control devices" and section 20.920. "When Pedestrians Shall Yield", every driver of a vehicle shall exercise the highest degree of care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway. (State Law Reference-300.410 RSMo.)

ARTICLE 10. OPERATION OF VEHICLES

20.1000. Following too closely

The driver of a vehicle shall not follow another vehicle more closely than is reasonably safe and prudent, having due regard for the speed of the vehicle being followed, the traffic upon and condition of the roadway and the amount of pedestrian traffic adjacent to the roadway. (State Law Reference-Similar provisions RSMo., Section 304.017)

20.1040. Careless and reckless driving

No vehicle shall be operated in a careless and reckless manner. A “careless and reckless manner” is defined as such a manner to indicate a disregard for the safety of person or property.

20.1060. Drive on right of highway-traffic lanes-signs-violations, penalties-

1. All vehicles not in motion shall be placed with their right side as near the right-hand side of the street or highway as practicable, except on streets where vehicles are obliged to move in one direction only or parking of motor vehicles is regulated by ordinance.
2. Upon all public roads or highways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:
 - (1) When overtaking and passing another vehicle proceeding in the same direction pursuant to the rules governing such movement;
 - (2) When placing a vehicle in position for and when such vehicle is lawfully making a left turn in compliance with the provisions of this chapter;
 - (3) When the right half of a roadway is closed to traffic while under construction or repair;
 - (4) Upon a roadway designated by ordinance as a one-way street and marked or signed for one-way traffic.
3. It is unlawful to drive any vehicle upon any highway or road which has been divided into two or more roadways by means of a physical barrier or by means of a dividing section or delineated by curbs, lines or other markings on the roadway, except to the right of such barrier or dividing section, or to make any left turn or semicircular or U-turn on any such divided highway, except in a crossover or intersection.
4. The City Engineer or 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 highway, and all members of the City of Ashland Police Department and other peace officers may direct traffic in conformance with such

signs. When authorized signs have been erected designating off-center traffic lanes, no person shall disobey the instructions given by such signs.

5. Whenever any roadway has been divided into three or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:
 - (1) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety;
 - (2) Upon a roadway which is divided into three lanes a vehicle shall not be driven in the center lane, except when overtaking and passing another vehicle where the roadway ahead is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign-posted to give notice of such allocation;
 - (3) Upon all highways any vehicle proceeding at less than the normal speed of traffic thereon shall be driven in the right-hand lane for traffic or as close as practicable to the right-hand edge or curb, except as otherwise provided in this chapter;
 - (4) Official signs may be erected by the highways and transportation commission or the highway patrol may place temporary signs directing slow moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the directions of every such sign;
 - (5) Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and except when a roadway has been divided into traffic lanes, each driver shall give to the other at least one-half of the main traveled portion of the roadway whenever possible.
6. All vehicles in motion upon a highway having two or more lanes of traffic proceeding in the same direction shall be driven in the right-hand lane except when overtaking and passing another vehicle or when preparing to make a proper left turn or when otherwise directed by traffic markings, signs or signals. (State Law Reference 304.015 RSMo.)

ARTICLE 11. PROCEDURE ON ARREST

20.1100. Forms and records of traffic citations and arrests

- (1) The municipality shall provide books containing uniform traffic tickets as prescribed by Supreme Court rule no. 37.46. Said books shall include serially numbered sets of citations in quadruplicate in the form prescribed by Supreme Court rule.
- (2) Such books shall be issued to the Chief of Police or his duly authorized agent, a record shall be maintained of every book so issued and a written receipt shall be required for every book. The judge or judges hearing municipal ordinance violation cases may require that a copy of such record and receipts be filed with the court.
- (3) The Chief of Police shall be responsible for the issuance of such books to individual members of the police department. The Chief of Police shall require a written receipt for every book so issued and shall maintain a record of every such book and each set of citations contained therein. (State Law Reference-300.575 RSMo.)

20.1110. Parking ticket to be issued when vehicle illegally parked or stopped

Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of the city or by state law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a Parking ticket for the driver to answer to the charge against him within five days during the hours and at a place specified in the traffic ticket. (State Law Reference-300.585 RSMo.)

20.1115. Warning of arrest sent upon failure to appear

If a violator of the restrictions on stopping, standing or parking under the traffic laws or ordinances does not appear in response to a Parking ticket affixed to such motor vehicle within a period of five days, the traffic violations bureau shall send to the owner of the motor vehicle to which the traffic ticket was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five days a warrant of arrest will be issued. (State Law Reference-300.590 RSMo.)

ARTICLE 12. REMOVAL OF VEHICLES

20.1200. Definitions

As used in this article, the following terms shall mean:

Abandoned property. Any unattended motor vehicle, trailer, all-terrain vehicle, out-board motor or vessel removed or subject to removal from public or private property as provided in this Article, whether or not operational.

Person. Any natural person, corporation, or other legal entity.

Right-of-way. The entire width of land between the boundary lines of a public road or state highway, including any roadway.

Roadway. That portion of a public road or state highway ordinarily used for vehicular travel exclusive of the berm or shoulder.

Towing company. Any person or entity which tows, removes or stores abandoned property.

20.1205. Abandoned vehicles prohibited

No person shall abandon any motor vehicle on the right-of-way of any public road or state highway or on any private real property owned by another without his consent. (State Law Reference 577.080 RSMo.)

20.1210. Open storage of inoperable vehicles or public safety hazards prohibited, exceptions.

The open storage of inoperable vehicles or other vehicles deemed by the City to constitute a public safety hazard is prohibited. Nothing in this subsection shall apply to a vehicle which is completely enclosed within a locked building or locked fenced area and not visible from adjacent public or private property, nor to any vehicle upon the property of a business licensed as salvage, swap, junk dealer, towing or storage facility so long as the business is operated in compliance with its business license and the property is in compliance with applicable zoning ordinances. (State Law Reference-304.159 RSMo.)

20.1215. Obstructing the flow of traffic prohibited.

Except in the case of an accident resulting in the injury or death of any person, the driver of a vehicle which for any reason obstructs the regular flow of traffic on the roadway of any public road or state highway shall make every reasonable effort to move the vehicle or have it moved so as not to block the regular flow of traffic. Any person who fails to comply with the requirements of this section is guilty of an ordinance violation and, upon

conviction thereof, shall be punished by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00). (State Law Reference-304.151. RSMo.)

20.1220. Towing of abandoned property on public real property

- (A) Any law enforcement officer, or an official of the City where the City's real property is concerned, may authorize a towing company to remove to a place of safety:
- (1) Any abandoned property on the right-of-way of:
 - (a) Any state highway, or interstate highway or freeway outside of any urbanized area of the City, left unattended for more than forty-eight (48) hours; provided that commercial motor vehicles not hauling waste designated as hazardous under 49 U.S.C. 5103 (a) may only be removed under this Section to a place of safety until the owner or owner's representative has had a reasonable opportunity to contact a towing company of choice;
 - (2) Any unattended abandoned property illegally left standing upon any highway or bridge if the abandoned property is left in a position or under such circumstances as to obstruct the normal movement of traffic where there is no reasonable indication that the person in control of the property is arranging for its immediate control or removal;
 - (3) Any abandoned property which has been abandoned under Section 20.1200 of this Code or Section 577.080 RSMo.);
 - (4) Any abandoned property which has been reported as stolen or taken without consent of the owner;
 - (5) Any abandoned property for which the person operating such property is arrested for an alleged offense for which the officer is required to take the person into custody and where such person is unable to arrange for the property's timely removal;
 - (6) Any abandoned property which due to any other state law or City ordinances is subject to towing because the owner's outstanding traffic or parking violations;
 - (7) Any abandoned property left unattended in violation of a state law or City ordinance where signs have been posted giving notice of the law or where the violation causes a safety hazard. (State Law Reference-304.155.1 RSMo.)
 - (B) When the City Police Department authorizes a tow pursuant to this Section in which the abandoned property is moved from the immediate vicinity shall complete a crime inquiry and inspection report.

- (C) Any City agency other than the City Police Department authorizing a tow under this Section where property is towed away from the immediate vicinity shall report the tow to the City Police Department within two (2) hours of the tow, along with a crime inquiry and inspection report. (State Law Reference-304.155.3 RSMo.)

20.1225. Towing of abandoned property on private real property.

- (A) If a person abandons property, as defined in section 304.001 RSMo. on any real property owned by another without consent of the owner or person in possession of the property, at the request of the person in possession of the real property, any member of the state highway patrol, state water patrol, sheriff, or other law enforcement officer within his jurisdiction may authorize a towing company to remove such abandoned property from the property in the following circumstances:
 - (1) The abandoned property is left unattended for more than forty-eight hours; or
 - (2) In the judgment of the law enforcement officer, the abandoned property constitutes a safety hazard or unreasonably interferes with the use of the real property by the person in possession.
- (B) The owner of real property or lessee or property or security manager in lawful possession of the real property may authorize a towing company to remove abandoned property or property parked in a restricted or assigned area without authorization by a law enforcement officer only when the owner, lessee or property or security manager of the real property is present. A property or security manager must be a full-time employee of a business entity. An authorization to tow under this subsection may be made only under any of the following circumstances:
 - (1) There is displayed, in plain view at all entrances to the property, a sign not less than seventeen by twenty-two inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that unauthorized abandoned property or property improperly parked in a restricted or assigned area will be removed at the owner's expense, disclosing the maximum fee for all charges related to towing and storage, and containing the telephone number of the local traffic law enforcement agency where information can be obtained; or a twenty-four-hour staffed emergency information telephone number, other than the number of a towing company, by which the owner of the abandoned property or improperly parked property may call to receive information regarding the location of such owner's property; or
 - (2) The abandoned property is on private property and lacks an engine, transmission, wheels, tires, doors, windshield or any other major part or equipment necessary to operate safely on the highways, the owner or lessee of the private property has notified the city police or county sheriff,

as appropriate, and ninety-six hours have elapsed since that notification;
or

- (3) The abandoned property is left unattended on private property, and the owner, lessee or agent of the real property in lawful possession of real property has notified the appropriate law enforcement agency, and ten days have elapsed since that notification.

- (C) Pursuant to this section, any owner or lessee in lawful possession of real property that requests a towing company to tow abandoned property without authorization from a law enforcement officer shall within one hour of the tow file an abandoned property report with the appropriate law enforcement agency where the property is located. The report shall contain the following:

- (1) The year, model, make and abandoned property identification number of the property and the owner and any lien holders, if known;
- (2) A description of any damage to the abandoned property noted by owner, lessee or property or security manager in possession of the real property;
- (3) The license plate or registration number and the state of issuance, if available;
- (4) The physical location of the property and the reason for requesting the property to be towed;
- (5) The date the report is completed;
- (6) The signature and printed name, address and phone number of the owner, lessee or property or security manager in possession of the real property;
- (7) The towing company's name and address;
- (8) The signature of the towing operator;
- (9) The name of the law enforcement agency notified of the abandoned property.

The form shall contain lines for time, date, location, descriptive information of the vehicle, reason for towing, the tow operator and company and signature of authorizing officer. The completed form shall be issued by the authorizing officer to the tow operator for that company's records as proof of authorization to tow a particular vehicle.

- (D) The law enforcement agency receiving such abandoned property report must record the date the abandoned property report is filed with such agency and within five days of such filing make an inquiry into the national crime information center and any statewide Missouri law enforcement computer system to determine if the abandoned property has been reported as stolen. The law enforcement agency shall enter the information pertaining to the towed property into the statewide enforcement computer system. The department of revenue may design and sell to towing companies informational brochures outlining owner of lessee of real property obligations pursuant to this section.
- (E) Neither the law enforcement officer nor anyone having custody of abandoned property under his direction shall be liable for any damage to such abandoned

property occasioned by a removal authorized by this section other than damages occasioned by negligence or by willfully or wanton acts or omissions.

- (F) Any towing company which tows abandoned property without authorization from a law enforcement officer pursuant to this section shall within one hour of the tow report of event and the circumstances to the local law enforcement agency where the abandoned property report was filed.
- (G) The law enforcement agency receiving notification that abandoned property has been towed by a towing company shall record the date the property was towed and shall forward a copy of the abandoned property report to the director of revenue.
- (H) If any owner or lessee of real property authorizes the removal of abandoned property pursuant to of this section and such property is so removed and no sign is displayed prior to such removal as required pursuant to this section, then the owner or lessee shall be deemed guilty of a violation of this ordinance.

20.1230. General provisions and procedures.

(A) Payment of charges. The owner of abandoned property removed as provided in this Article shall be responsible for payment of all reasonable charges for towing and storage of such abandoned property as provided in Section 20.1205. All such payments shall be made in full prior to the release of said vehicles to its owner.

(B) Notice

1. Notice as to the removal of any abandoned property pursuant to section 304.155 or 304.157 RSMo. shall be made in writing within five working days to the registered owner and any lien holder of the fact of the removal, the grounds for the removal, and the place to which the property has been removed by either:
 - (1) The department authorizing the removal; or
 - (2) The towing company, where authorization was made by an owner or lessee of real property.

If the abandoned property is stored in any storage facility, a copy of the notice shall be given to the operator of the facility. The notice provided for in this section shall include the amount of mileage, if available, shown on the abandoned property at the time of removal.

2. Any owner of any private real property causing the removal of abandoned property from that real property shall state the grounds for the removal of the abandoned property if requested by the registered owner of that abandoned property. Any towing company that lawfully removes abandoned property from private property with the written authorization of the property owner or the

property owner's agent who is present at the time of removal shall not be held responsible in any situation relating to the validity of the removal. Any towing company that removes abandoned property at the direction of the landowner shall be responsible for:

- (1) Any damage caused by the towing company to the property in the transit and subsequent storage of the property; and
- (2) The removal of property other than the property specified by the owner of the private property from which the abandoned property was removed.
3. The owner of abandoned property removed from private property may recover for any damage to the property resulting from an act of any person causing the removal of, or removing the abandoned property.
4. Any owner of any private property causing the removal of abandoned property parked on that property is liable to the owner of the abandoned property for double the storage or towing charges whenever there has been a failure to comply with the requirements of this section or Section 304.157 RSMo.
5. Any towing company which tows abandoned property for hire shall have the towing company's name, city and state clearly printed in letters at least three inches in height on the sides of the truck, wrecker or other vehicle used in the towing.
6. A towing company may impose a charge of not more than one-half of the regular towing charge for the towing of abandoned property at the request of the owner of private property or that owner's agent pursuant to this section if the owner of the abandoned property or to the owner's agent returns to the abandoned property before it is removed from the private property. The regular towing charge may only be imposed after the abandoned property has been removed from the property and is in transit.
7. Persons operating or in charge of any storage facility where the abandoned property is stored pursuant to this section shall accept cash for payment of towing and storage by a registered owner or the owner's agent claiming the abandoned property. In addition, persons operating or in charge of the storage facility shall have sufficient monies on the premises to accommodate, and make change in, a reasonable monetary transaction.
8. Except for the removal of abandoned property authorized by a law enforcement agency pursuant to section 304.157 RSMo., a towing company shall not remove or commence the removal of abandoned property from private property without first obtaining written authorization from the property owner. All written authorizations shall be maintained for at least one year by the towing company. General authorization to remove or commence removal of abandoned property at

the towing company's discretion shall not be delegated to a towing company or its affiliates except in the case of abandoned property unlawfully parked within fifteen feet of a fire hydrant or in a fire lane designated by a fire department or the state fire marshal.

9. Any towing company, or any affiliate of a towing company, which removes, or commences removal of, abandoned property from private property without first obtaining written authorization from the property owner or lessee, or an employee or agent thereof, who is present at the time of removal or commencement of the removal, except as permitted in subsection 8 of this section, is liable to the owner of the property for four times the amount of towing and storage charges, in addition to any applicable criminal penalty, for a violation of this section. (State Law Reference 304.155.5 RSMo.)
- (C) Reclaiming property. The owner of such abandoned property, or the holder of a valid security interest of record, may reclaim it from the towing company upon proof of ownership or valid security interest of record and payment of all reasonable charges for the towing and storage of the abandoned property. (State Law Reference-304.155.6 RSMo.)
- (D) Lien holder repossession. If a lien holder repossesses any motor vehicle, trailer, all-terrain vehicle, outboard motor or vessel without the knowledge or cooperation of the owner, then the reposessor shall notify the City Police Department within two (2) hours of the repossession and shall further provide the Police Department with any additional information the Police Department deems appropriate. The City Police Department shall make an inquiry with the national crime information center and the Missouri statewide law enforcement computer system and shall enter the repossessed vehicle into the statewide law enforcement computer systems. (State Law Reference-304.155.11 RSMo.)
- (E) Neither the law enforcement officer nor anyone having custody of abandoned property under his direction shall be liable for any damage to such abandoned property occasioned by a removal authorized by this section or by ordinance of a county or municipality licensing and regulating the sale of abandoned property by the municipality, other than damages occasioned by negligence or by willful or wanton acts or omissions. (State Law Reference-304.156 RSMo.)

20.1245. Penalties

Any violation of the provisions of this article of this Chapter shall be deemed a violation of this Section of the Code and shall be punishable by a fine not exceeding \$500.00 unless otherwise herein set out.

**SUBCHAPTER B-PARKING
ARTICLE 1. ANGLE PARKING**

20.1295. Signs and markings indicating angle parking

- (1) The City Traffic Engineer shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets but such angle parking shall not be indicated upon any federal-aid or state highway within the city unless the state highways and transportation commission has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.
- (2) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

20.1300. Obedience to angle parking signs or markers

On those streets which have been signed or marked by the city traffic engineer for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

20.1305. Permits for loading or unloading at an angle to the curb

- (1) The City Traffic Engineer is authorized to issue special permits to permit the backing of a vehicle to the curb for purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein.
- (2) It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

20.1310. Departing from angle parking

Whensoever a vehicle should be angle parked it should be unlawful for the driver thereof to depart said parking space in a manner which would cause said driver to cross center line dividing two or more lanes of traffic.

ARTICLE 2. PARKING REGULATIONS

20.1320. Stopping, standing or parking prohibited

(1) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(a) Stop, stand or park a vehicle:

- On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- On a sidewalk;
- Within an intersection;
- On a crosswalk;
- Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless the (traffic authority) indicates a different length by signs or markings;
- Along or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- At any place where official signs prohibit stopping.

(b) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

- In front of a public or private driveway;
- In front of a public or private mail box;
- Within fifteen (15) feet of a fire hydrant;
- Within ten (10) feet of a crosswalk at an intersection;
- Within twenty (20) feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway;
- 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);
- At any place where official signs prohibit standing.

(c) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

- At any place where official signs prohibit parking

(2) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful (State Law Reference 300.440 RSMo).

20.1325. Parking not to obstruct traffic

No person shall park any vehicle upon a street, other than 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 free movement of vehicular traffic. (State Law Reference 300.445. RSMo)

20.1330. Parking in 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 position as to block the driveway entrance to any abutting property. (State Law Reference 300.450 RSMo)

20.1335. Parking for certain purposes prohibited

No person shall park a vehicle upon any roadway for the principal purpose of:

- (1) Displaying such vehicle for sale; or
- (2) Repair such vehicle except repairs necessitated by an emergency. (State Law Reference 300.455 RSMo)

20.1336. Parking of unattended or unattached trailers.

It shall hereafter be unlawful for any unattended trailer, which is incapable of moving under its own power and not attached to a motor vehicle to be parked on the public streets, alleys and thoroughfares of the City of Ashland.

20.1337. Parking trucks, trailers, etc. restricted in residential areas.

No person shall stand or park any bus, truck, tractor, trailer, house trailer, tractor trailer or truck-trailer combination, or cause or permit any such vehicle or vehicle combination owned by him or under his control to be stood or parked for longer than two (2) hours at any one (1) time on any street in a residence district of this city, except that a delivery truck may be parked in front of a place of business in such district during the business hours of such business, but subject to other parking regulations affecting the particular location.

20.1340. Parking adjacent to schools

- (1) The City traffic engineer is hereby authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would in his opinion, interfere with traffic or create a hazardous situation.

- (2) When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place. (State Law Reference 300.460)

20.1345. Parking Prohibited on narrow streets

- (1) The City traffic engineer is authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed thirty (30) feet.
- (2) When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign. (State Law Reference 300.465 RSMo)

20.1350. Standing or parking on one-way streets

The City traffic engineer is authorized to erect signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign. (State Law Reference 300.470 RSMo)

20.1355. Standing or parking on one-way roadways

In the event a highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. The city traffic engineer is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof.

20.1360. No stopping, standing or parking near hazardous or congested places

- (1) The City traffic engineer is hereby authorized to determine and designate by proper signs places not exceeding one hundred (100) feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic;
- (2) When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand, or park a vehicle in such designated place. (State Law Reference 300.480 RSMo.)

20.1365. Uniform traffic ticket to be issued when vehicle illegally parked or stopped.

Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of the city or by state law, the officer finding such vehicle shall take its registration number and may take any other information

displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a uniform traffic ticket or other citation for the driver to answer to the charge against him within five days during the hours and at a place specified in the traffic ticket.

20.1370. Parking against the flow of traffic. It shall be unlawful for any person to park any vehicle in a direction against the flow of traffic. (amended 6-17-08 Ordinance No. 2008-030)

SUBCHAPTER C- STOPPING, STANDING OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS

20.1405. Application of ordinance

The provisions of this ordinance prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

20.1410. Regulations not exclusive

The provisions of this ordinance imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times. (State Law Reference 300.525 RSMo)

20.1415. Parking prohibited at all times on certain streets

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described by ordinance. (State Law Reference 300.530 RSMo)

20.1420. Parking prohibited during certain hours on certain streets

When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours specified by ordinance of any day except Sunday and public holidays within the district or upon any of the streets described by ordinance. (State Law Reference 300.535 RSMo)

20.1425. Stopping, standing or parking prohibited during certain hours on certain streets

When signs are erected in each block giving notice thereof, no person shall stop, stand or park a vehicle between the hours specified by ordinance of any day except Sundays and public holidays within the district or upon any of the streets described by ordinance. (State Law Reference 300.540 RSMo)

20.1430. Parking signs required

Whenever by this ordinance or any ordinance of the city any parking time limit is imposed or parking is prohibited on designated streets it shall be the duty of the city traffic engineer to erect appropriate signs giving notice thereof and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense. (State Law Reference 300.545 RSMo)

20.1435. Commercial vehicles prohibited from using certain streets

In cases where an equally direct and convenient alternate route is provided, an ordinance may describe and signs may be erected giving notice thereof, that no persons shall operate any commercial vehicle upon streets or parts of streets so described except those commercial vehicles making deliveries thereon. (State Law Reference 300.550 RSMo)

20.1440. Streets prohibited to commercial traffic

When signs are erected giving notice thereof, no person shall operate a commercial vehicle upon any street or parts of street where said signs are erected.

20.1445. Designated one-way streets and alleys

When properly signposted, traffic shall move only in the direction indicated upon said signs.

**SUBCHAPTER D – BICYCLES, MOTORIZED BICYCLES, MOTORCYCLES ,
ALL-TERRAIN VEHICLES, SLEDS AND ROLLER SKATES**

**ARTICLE 1.
BICYCLE REGULATIONS**

20.1500. Definitions. The following words and phrases when used in this Subdivision mean:

1. Bicycle, Shall mean every vehicle propelled solely by human power upon which any person may ride, having two tandem wheels, or two parallel wheels and one or two forward or rear wheels, all of which are more than fourteen inches in diameter, except scooters and similar devices.
2. Motorized bicycle, Shall mean any two or three wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground. A motorized bicycle shall be considered a motor vehicle for purposes of any homeowners' or renters' insurance policy.

20.1505. Brakes required. Every bicycle and motorized bicycle shall be equipped with a brake or brakes which will enable its driver to stop the bicycle or motorized bicycle within twenty-five feet from a speed of ten miles per hour on dry, level, clean pavement.

20.1510. Clinging to vehicle.

1. No person riding upon any bicycle, motorized bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.
2. No person shall operate a motor vehicle upon a roadway when he knows that a person riding upon a bicycle, motorized bicycle, coaster, roller skates, sled or toy vehicle is attached to his vehicle.

20.1515. Lights and reflectors, when required, standards to be met. Every bicycle and motorized bicycle when in use on a street or highway during the period from one-half after sunset to one-half hour before sunrise shall be equipped with the following:

1. A front-facing lamp on the front or carried by the rider which shall emit a white light visible at night under normal atmospheric conditions on a straight, level unlighted roadway at five hundred feet;

2. A rear-facing red reflector, at least two square inches in reflective surface area, or a rear-facing red lamp, on the rear, which shall be visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lower beams of vehicle headlights at six hundred feet;
3. Reflective material and/or lights on any part of the bicyclist's pedals, crank arms, shoes or lower leg, visible from the front and the rear at night under normal atmospheric conditions on a straight, level unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at two hundred feet; and
4. Reflective material and/or lights visible on each side of the bicycle or bicyclist and visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at three hundred feet. The provisions of this subdivision shall not apply to motorized bicycles which comply with National Highway Traffic and Safety Traffic and Safety Administration regulations relating to reflectors on motorized bicycles.

20.1520. Riding to right, required for bicycles and motorized bicycles. Every person operating a bicycle or motorized bicycle at less than the posted speed or slower than the flow of traffic upon a street upon a street or highway shall ride as near to the right side of the roadway as safe, exercising due care when passing a standing vehicle or one proceeding in the same direction, except when making a left turn, when avoiding hazardous conditions, when the lane is too narrow to share with another vehicle, or when on a one-way street. Bicyclists may ride abreast when not impeding other vehicles.

20.1525. Riding bicycle on sidewalks, limitations, motorized bicycles prohibited.

1. No person shall ride a bicycle upon a sidewalk within a business district.
2. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.
3. No person shall ride a motorized bicycle upon a sidewalk.

20.1530. Rights and duties of bicycle and motorized bicycle riders. Every person riding a bicycle or motorized bicycle upon a street or highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle as provided by Chapter 304, RSMo., or Chapter 20 of the City Code, except as to special regulations in Sections 307.180 to 307.193 RSMo. or Chapter 20 of the City Code, and except as to those provisions of Chapter 304, RSMo, which by their nature can have no application.

20.1535. Penalty for violation.

- A. Any person seventeen years of age or older who violates any provision of this Subchapter is guilty of an ordinance violation and, upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than twenty-five dollars. Such an ordinance violation does not constitute a crime and conviction shall not give rise to any disability or legal disadvantage based on conviction of a criminal offense. If any person under seventeen years of age violates any provision of this Subchapter in the presence of a peace officer possessing the duty and power of arrest for violation of the general criminal laws of the State or for violation of ordinances of counties or municipalities of the State, said officer may impound the bicycle or motorized bicycle involved for a period not to exceed five days upon issuance of a receipt to the child riding it or to its owner. (State Law Reference 307.193)

ARTICLE 2.
REGULATIONS PERTAINING TO MOTORCYCLES

20.1600. Riding on motorcycles, additional passenger, requirements

1. A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two person, or upon another seat firmly attached to the rear or side of the operator.

2. The operator of a motorized bicycle shall ride only astride the permanent and regular seat attached thereto, and shall not permit more than one person to ride thereon at the same time, unless the motorized bicycle is designed to carry more than one person. Any motorized bicycle designed to carry more than one person must be equipped with a passenger seat and footrests for the use of a passenger.(State law Reference-300.345 RSMo.)

ARTICLE 3.
ALL-TERRAIN VEHICLES

20.1700. All-terrain vehicles, prohibited-exceptions, operation of all –terrain vehicles under an exception-prohibited uses-penalty.

1. No person shall operate an all-terrain vehicle, as defined in Section 20.005., upon the streets and highways of this City, except as follows:
 - A. All-terrain vehicles owned and operated by a governmental entity for official use;
 - B. All-terrain vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation.
2. A person operating an all-terrain vehicle on a street or highway pursuant to an exception covered in this Section shall have a valid operator's or chauffeur's license, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than thirty miles per hour. When operated on a street or highway, an all-terrain vehicle shall have a bicycle safety flag, which extends not less than seven feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color.
3. No person shall operate an all-terrain vehicle:
 - A. In any careless way as to endanger the person or property of another;
 - B. While under the influence of alcohol or any controlled substance; or
 - C. Without a securely fastened safety helmet on the head of an individual who operates an all-terrain vehicle or who is being towed or otherwise propelled by an all-terrain vehicle, unless the individual is at least eighteen years of age.
4. No operator of an all-terrain vehicle shall carry a passenger, except for agricultural purposes.

ARTICLE 4.
MOTORIZED BICYCLES

20.1800. Equipment required. No person shall operate a motorized bicycle on any street or highway in this State unless it is equipped in accordance with the minimum requirements for construction and equipment of MOPEDS, Regulations VESC-17, approved July, 1977, as promulgated by the Vehicle Equipment Safety Commission, this State being a party thereto as provided in Section 307.250. RSMo., and the regulation is hereby approved as provided in Section 307.260 RSMo., and the regulation shall be published in the Code of State regulations.

20.1805. Motorized bicycles prohibited on sidewalks. No person shall operate a motorized bicycle on any sidewalk or walking trail within the city limits.

ARTICLE 5.
COASTERS, ROLLER SKATES AND SIMILAR DEVICES RESTRICTED

20.1900. Use of coasters, skateboards, roller skates and similar devices restricted.

No person upon a skateboard, roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinance of the city.

20.1905. Riding skateboards, roller skates, coasters or similar devices on sidewalks; limitations-motorized coasters prohibited;

1. No person shall ride skateboards, roller skates, coasters or similar device upon a sidewalk within a business district. A business district is any property zoned for commercial or industrial uses and the public right-of-way adjoining the property.
2. Whenever any person riding a skateboard, roller skates, coaster or similar device upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.
3. No person shall ride a motorized coaster or similar device, except a motorized wheel chair if handicapped, upon a sidewalk.

**ARTICLE 6.
MOTORIZED PLAY VEHICLES**

20.2000. Definitions, The following words and phrases when used in this Article mean:

1. Motorized Play Vehicle, includes mini-motorcycles, pocket bikes, and any other vehicle that is capable of transporting a person or persons at a speed in excess of five (5) miles per hour; that is self propelled by a motor or engine and that is not otherwise defined by Missouri Statutes or the City of Ashland City Code as a motor vehicle, motorcycle, bicycle, or motorized bicycle.
2. Vehicle, Any mechanical device on wheels designed primarily for use or used on highways, except motorized bicycles, motorized scooters, motorized play vehicles, vehicles propelled or drawn by horses or human power, cotton trailers or motorized wheelchairs operated by handicapped persons.

20.2005. Use of coasters, roller skates and similar devices restricted.

1. No person shall ride on or operate a motorized scooter or motorized play vehicle upon any street, highway, roadway or sidewalk within the City, or within the boundaries of any City park.

20.2010. Restrictions on use of parks

It shall be unlawful for any person to be upon or riding in or by means of any coaster, toy, vehicle, motorized scooter, motorized play vehicle, or similar device while in or upon any portion of any park premises unless specifically designated therefore; provided however, this provision shall not apply to a show, exhibition, demonstration or other activity which is a part of a special event being sponsored on park premises, nor shall this provision apply to child carrying devices such as baby strollers, carriages or wagons, or to a disabled person.

PENALTIES

20.3000. General Penalty

Whenever in this Chapter of the City Code, any act is prohibited or is declared to be unlawful or an offense or misdemeanor or the doing of any act is required or the failure to do any act declared to be unlawful or an offense or a misdemeanor, and no specific penalty is provided for the violation thereof, upon conviction of a violation of any such provision of this Code or of any such ordinance, rule, regulation, notice, or order, the violator shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the county jail not exceeding ninety (90) days or by both such fine and imprisonment; provided, that in any case where the penalty for an offense is fixed by statute of the state, the statutory penalty, and no other, shall be imposed for such offense.

20.3005. Continuing Violation

Every day any violation of this Code or any other ordinance or any such rule, regulation, notice, or order shall continue shall constitute a separate offense.

20.3010. Responsibility

Whenever any act is prohibited by this Code, by an amendment thereof, or by any rule or regulation adopted hereunder, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by this Code, an attempt to do the act is likewise prohibited.

(Chapter adopted 2-20-06; Council Bill No. 2006-006)

APPENDIX A

<u>ASHLAND STREET NAMES</u>	<u>POSTED SPEED LIMITS</u>
AMANDA	20
ANGEL LANE	20
APPALOOSA	20
ASH STREET	20
ASHLEY DRIVE	20
AUTUMN COURT	20
AUTUMN LANE (subject to change name)	20
BASS STREET	20
BILLY JOE SAPP	20
BRENTON WAY	20
BROADWAY - EAST (100 - 200 BLOCK IS 20 MPH)	35
BROADWAY - WEST (100 - 200 BLOCK IS 20 MPH)	35
BURNAM AVENUE	20
CASPIAN CIRCLE	20
CHICO DRIVE	20
CHURCH STREET	20
CIRCLE DRIVE	20
COLLEGE AVENUE – NORTH	20
COLLEGE AVENUE – SOUTH	20
COLLINS COURT	20
COMMERCE DRIVE	20
COTTONWOOD DRIVE	20
CRUMP LANE	20
DOE RUN COURT	20
DOGWOOD COURT	20
DOUGLAS DRIVE	20
DOUGLAS	20
EAGLE LAKE DRIVE	20
EAST SIDE DRIVE	35
FALL COURT	
FOXTAIL COURT	20
GOLDEN WINDMILL VILLAGE	20
HARDWICK LANE	20
HENRY CLAY – NORTH	30
HENRY CLAY – SOUTH	30
HICKMAN ALLEY	20
INDUSTIAL DRIVE	20
JAMES COURT	20
JOHNSON COURT	20
JOHNSON AVENUE - EAST	20

JOHNSON – WEST	20
JUSTIN LANE	20
KATER LANE	20
KENTUCKY DRIVE	20
KIMBERLY DRIVE	20
KRISTI LANE	20
LAUREL LANE	20
LIBERTY LANE – EAST	25
LIBERTY LANE - EAST CONT.	25
LOY MARTIN ROAD	20
MAIN STREET - NORTH	20
MAIN STREET - SOUTH	20
MAPLE LEAF DRIVE	20
MAPLE STREET	20
MARTHA CRUMP DRIVE	20
MEADOW LANE	20
MEADOWMERE DRIVE	20
MEADOWMERE VIEW	20
MIDDLETON DRIVE	20
MISTY LANE	20
MORGAN DRIVE	20
MUSTANG DRIVE	20
NEW SALEM ROAD EAST	20
NICHOLS DRIVE	20
NICKMAN ROAD	20
NORMA LANE	20
NORTH COLLEGE	20
NORTH STREET	20
OAK STREET	20
OLD STREET	20
OPTIMIST DRIVE	20
PACER DRIVE	20
PERRY AVENUE	20
PETERSON LANE	20
PINTO PONY DRIVE	20
REDBUD LANE	20
REDWING DRIVE	20
REDWOOD DRIVE	20
RENEE DRIVE	20
RICHARDSON COURT	20
RICHARDSON DRIVE	20
SALINDA DRIVE	20
SAPPINGTON DRIVE	20

amended 2008-015 on 0
amended 2008-015 on 0

SARAH DRIVE	20
SEASON'S RIDGE DRIVE	20
SILVERADO	20
SOUTHWOODS COURTS	20
SPRINGTIME DRIVE	20
STATE ROUTE EAST Y	20
SUNSHINE DRIVE	20
TANDY COURT	20
TANDY STREET	20
TEAKWOOD COURT	20
TERRA LINDA LANE	20
TROTTER LANE	20
TURNER AVENUE	20
WALNUT STREET	20
WATSON COURT	20
WEST WIND COURT	20
WILLIAMS COURT	20
WILSON LANE	20
WINTERWAY DRIVE	20