

# THE VILLAGE CITY CODE

## CHAPTER 13 MOTOR VEHICLES AND TRAFFIC

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### ARTICLE I. IN GENERAL

#### Sec. 13-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Authorized emergency vehicles.* Vehicles of fire departments, ambulances and police vehicles, including vehicles owned or operated by the United States Marshals Service, the Federal Bureau of Investigation or by any local organization for civil defense such vehicles shall be equipped with siren capable of giving an audible signal, as required by law, and a flashing red light.

**State law reference**--Similar provisions, 47 O.S. § 1-103.

**Cross references**--Injury to motor vehicles, § 12-102 arrests for violation of traffic ordinances, § 14-18(d) abandoned, junked, etc., vehicles, § 15-36 et seq. parades, § 21-25 et seq.

*Automobile.* Every motor vehicle of the type constructed and used for the transportation of persons for purposes other than for hire or compensation.

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This shall include all vehicles of the station wagon type whether the same are called station wagons, or ranch wagons, van wagons, except those used for commercial purposes, suburbans, town and county, or by any other name, except when owned and used as a school bus or motor bus by a school district or a religious corporation or society as elsewhere provided by law.

State law reference--Similar provisions, 47 O.S. § 1-103.1.

*Bicycle:* A *bicycle* is a device upon which any person or persons may ride, propelled solely by human power through a belt, chain, or gears, and having two or more wheels, excluding mopeds.

As used in this chapter the term "bicycle" shall include tricycles, quadcycles, or similar human-powered devices, electric-assisted bicycles, and motorized bicycles, unless otherwise specifically indicated.

(Ord, No. 601, 4-19-2005; Ord, No. 619, §1, 08-01-2006)

State law reference--Similar provisions, 47 O.S. § 1-104.

*Boulevard.* Any highway or portion thereof where vehicles are required to come to a full stop before entering from an intersecting highway.

*Bus.* Every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

State law reference--Similar provisions, 47 O.S. § 1-105.

*Business district.* The territory contiguous to and including a highway when within any six hundred (600) feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, office buildings, railroad stations and public buildings, which occupy at least three hundred (300) feet in frontage on one side or three hundred (300) feet collectively on both sides of the highway.

State law reference--Similar provisions, 47 O.S. § 1-106.

*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

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manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

State law reference--Similar provisions, 47 O.S. § 1-110.

*Crosswalk.* 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, from the edges of the traversable roadway. The term shall also mean any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

State law reference--Similar provisions, 47 O.S. § 1-111.

*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.

State law reference--Similar provisions, 47 O.S. § 1-114.

*Electric-assisted bicycle* is any bicycle with:

- (1) Two or three wheels; and
- (2) Fully operative pedals for human propulsion and equipped with an electric motor:
  - (a) With a power output not to exceed one thousand (1,000) watts;
  - (b) Incapable of propelling the device at a speed of more than twenty (20) miles per hour on level ground; and,
  - (c) Incapable of further increasing the speed of the device when human power alone is used to propel the device at a speed of twenty (20) miles per hour or more.

An electric-assisted bicycle shall meet the requirements of the Federal Motor Vehicle Safety Standards as set forth in federal regulations, and shall operate in such a manner that the electric motor disengages or ceases to function when the brakes are applied.

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(Ord. No. 601, 4-19-2005; Ord. No. 619 §1, 08-01-2006)

*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 or street.* 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. The words "highway" and "street" are synonymous.

State law reference--Similar provisions, 47 O.S. §§ 1-122, 1-171.

*Implement of husbandry.* Every vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways. Farm wagon type tank trailers of not over one thousand two hundred (1,200) gallon capacity, used during the liquid fertilizer season as field storage "nurse tanks" supplying the fertilizer to a field applicator and moved on highways only for bringing the fertilizer from a local source of supply to farms or fields or from one farm or field to another, shall be considered implements of husbandry for purposes of this chapter. Trailers or semi trailers owned by a person engaged in the business of farming and used exclusively for the purpose of transporting farm products to market or for the purpose of transporting to the farm materials or things to be used thereon shall also be considered implements of husbandry for purposes of this chapter.

State law reference--Similar provisions, 47 O.S. § 1-125.

*Intersection.* 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 (2) 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. Where a highway includes two (2) roadways thirty (30) 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 (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

State law reference--Similar provisions, 47 O.S. § 1-126.

*Laned roadway.* A roadway, which is divided into two (2) or more clearly marked lanes for vehicular traffic.

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State law reference--Similar provisions, 47 O.S. § 1-127.

*Motor vehicle.* Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails the term shall exclude implements of husbandry.

State law reference--Similar provisions, 47 O.S. § 1-134.

*Motorcycle:* A motorcycle is any motor vehicle having:

- (1) A seat or saddle for the use of each rider;
- (2) Not more than three (3) wheels in contact with the ground, but excluding a tractor; and,
- (3) A combustion engine with a piston or rotor displacement of greater than one hundred fifty cubic centimeters (150 cu cm).

State law reference--Similar provisions, 47 O.S. § 1-135.

*Motor-driven Cycle.* A motor-driven cycle is any motor vehicle having:

- (1) A power source that:
  - (a) If the power source is a combustion engine has a piston or rotor displacement of greater than thirty-five cubic centimeters (35 cu cm) but less than one hundred fifty cubic centimeters (150 cu cm) regardless of the number of chambers in the power source;
  - (b) If the power source is electric, has a power output of greater than one thousand (1,000) watts; and,
- (2) A seat or saddle for the use or each rider;
- (3) Not more than three (3) wheels in contact with the ground;

A motor-driven cycle requires a driver's license of proper class with endorsement.

State law reference--Similar provisions, 47 O.S. § 1-136.

*Motorized bicycle* is any bicycle having:

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- (1) Fully operative pedals for propulsion by human power;
- (2) An automatic transmission; and,
- (3) A combustion engine with a piston or rotor displacement of fifty cubic centimeters (50 cu cm) or less, regardless of the number of chambers in the engine, which is capable of propelling the bicycle at a maximum design speed of not more than thirty (30) miles per hour on level ground.

State law reference--Similar provisions, 47 O.S. § 1-136.1.

*Motorized Scooter:* A motorized scooter is any vehicle having:

- (1) Not more than three (3) wheels in contact with the ground;
- (2) Handlebars and a foot support or seat for the use of the operator;
- (3) A power source that is capable of propelling the vehicle at a maximum design speed of not more than twenty-five (25) miles per hour on level ground, and:
  - (a) If the power source is a combustion engine, has a piston or rotor displacement of thirty-five cubic centimeters (35 cu cm) or less regardless of the number of chambers in the power source;
  - (b) If the power source is electric, has a power output of not more than one thousand (1,000) watts.

For purposes of this section, an electric personal assistive mobility device, bicycle, electric-assisted bicycle, or motorized bicycle, shall not be considered a motorized scooter.

A motorized scooter shall not be required to be registered under the laws of this State. The operator of a motorized scooter shall not be required to possess a driver's license or to comply with the vehicle insurance or financial responsibility laws of this State.

*Official traffic-control devices.* All signs, barricades, signals, markings, and devices not inconsistent with this chapter placed or erected by authority of

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a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

State law reference--Similar provisions, 47 O.S. § 1-139.

*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.

State law reference--Similar provisions, 47 O.S. § 1-142(a).

*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.

State law reference--Similar provisions, 47 O.S. § 1-143.

*Police officer.* Every officer of the police department and any other officer who is authorized to direct or regulate traffic or to make arrests for violation of traffic ordinances.

State law reference--Similar provisions, 47 O.S. § 1-147.

*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.

State law reference--Similar provisions, 47 O.S. § 1-148.

*Railroad.* A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

State law reference--Similar provisions, 47 O.S. § 1-149.

*Railroad sign or signal.* Any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

State law reference--Similar provisions, 47 O.S. § 1-150.

*Railroad train.* A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

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State law reference--Similar provisions, 47 O.S. § 1-151.

*Resident 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 (300) feet or more is in the main improved with residences or residences and buildings in use for business.

State law reference--Similar provisions, 47 O.S. § 1-154.

*Right-of-way.* The privilege of the immediate use of the roadway.

State law reference--Similar provisions, 47 O.S. § 1-156.

*Roadway.* That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. In the event a highway includes two (2) or more separate roadways, the term "roadway" as used herein refers to any such roadway separately but not to all such roadways collectively.

State law reference--Similar provisions, 47 O.S. § 1-158.

*Safety zone or island.* An 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 or island.

State law reference--Similar provisions, 47 O.S. §1-159.

*Shoulder.* The portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles, for emergency use and for lateral support of base and surface courses.

State law reference--Similar provisions, 47 O.S. § 1-158.

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

State law reference--Similar provisions, 47 O.S. § 1-163.

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



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State law reference--Similar provisions, 47 O.S. § 1-167.

*Stop.* When required, the complete cessation from movement.

State law reference--Similar provisions, 47 O.S. § 1-169.

*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.

State law reference--Similar provisions, 47 O.S. § 1-170.

*Taxicab.* Any motor vehicle for hire, designed to carry seven (7) persons or less, operated upon any street or highway, or on call or demand, accepting or soliciting passengers indiscriminately for transportation for hire between such points along streets or highways as may be directed by the passenger or passengers so being transported but this classification shall not include motor vehicles of seven (7) passenger capacity or less operated by the owner where the cost of operation is shared by fellow workmen between their homes and the place of regular daily employment, when not operated for more than two (2) trips per day, nor shall the classification include automobiles operated by the owner where the cost of operation is shared by the passengers on a "share the expense plan," nor shall this classification include motor vehicles transporting students from the public school system when said motor vehicle is so transporting under contract with public, private or parochial school board or governing body.

State law reference--Similar provisions, 47 O.S. § 1-174.

*Through highway.* Every highway or portion thereof on which vehicle traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right-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 chapter.

State law reference--Similar provisions, 47 O.S. § 1-175.

*Traffic.* Pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any highway for purposes of travel.

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State law reference--Similar provisions, 47 O.S. § 1-177.

*Traffic-control signal.* Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

State law reference--Similar provisions, 47 O.S. § 1-178.

*Traffic lane.* The portion of the traveled way for the movement of a single line of vehicles.

State law reference--Similar provisions, 47 O.S. § 1-179.

*Truck.* Every motor vehicle designed, used or maintained primarily for the transportation of property.

State law reference--Similar provisions, 47 O.S. § 1-182.

*Urban district.* The territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than one hundred (100) feet for a distance of a quarter of a mile or more.

State law reference--Similar provisions, 47 O.S. § 1-185.

*Vehicle.* Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks provided, however, the definition of "vehicle" as used in this chapter shall not include implements of husbandry.

State law reference--Similar provisions, 47 O.S. § 1-186.

(Code 1976, § 15-1-1)

### **Sec. 13-2. Compliance.**

It is an offense for any person to do any act forbidden or fail to perform any act required in this chapter.

State law reference--Similar provisions, 47 O.S. § 11-102.

#### **Sec. 13-2.1. Penalty for violations.**

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(a) Any person who violates sections 13-9, 13-14 or 13-356 herein shall be punished according to a Class A offense subject to fine limitations as provided in section 1-9 of the Code.

(b) Any Chapter 13 Class B offense, when coupled with any Chapter 13 Class A offense, shall become punishable according to a Class A offense subject to fine limitations as provided in section 1-9 of the Code.

(Ord. No. 382, § 2, 5-19-87 Ord. No. 384, § 1, 6-16-87)

Editor's note--Codification of § 2 of Ord. No. 382, adopted May 19, 1987, as § 13-2.1 hereof was at the editor's discretion.

### **Sec. 13-3. Obedience to police and fire department officials.**

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official.

State law reference--Similar provisions, 47 O.S. § 11-103.

### **Sec. 13-4. Persons propelling pushcarts, riding animals or driving animal-drawn vehicles to obey traffic regulations.**

Every person propelling any pushcart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this chapter applicable to the driver of any vehicle, except those provisions of this chapter, which by their very nature can have no application.

State law reference--Similar provisions, 47 O.S. § 11-104.

### **Sec. 13-5. Public officers and employees to obey traffic regulations.**

The provisions of this chapter shall apply to the driver of any vehicle owned by or used in the service of the United States government, any state, county, city or other governmental unit or agency, as well as to other vehicles and it is unlawful for any such driver to violate any of the provisions of this chapter, except as otherwise permitted in this chapter or by state statute.

State law references--Similar provisions, 47 O.S. § 16-103 exemption for military convoys, and 47 O.S. § 11-107.

### **Sec. 13-6. Application of chapter to persons working on streets.**

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Unless specifically made applicable, the provisions of this chapter, except those relating to reckless driving and driving while intoxicated, shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a street, or to persons, motor vehicles and other equipment while actually engaged in construction, maintenance or repair of public utilities provided that all highway and public utility operations shall be protected by adequate warning signs, signals, devices or flagmen but the provisions of this chapter shall apply to such persons and vehicles when traveling to or from such work.

State law reference--Similar provisions, 47 O.S. § 11-105.

### **Sec. 13-7. Authorized emergency vehicles.**

(a) 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 ordinance 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.

(b) The driver of an authorized emergency vehicle may:

(1) Park or stand, irrespective of the provisions of this chapter

(2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation:

(3) Exceed the maximum speed limits so long as he does not endanger life or property and

(4) Disregard regulations governing direction of movement or turning in specific directions.

(c) The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any such vehicle is making use of audible and visual signals as required by law, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

(d) 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

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persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

State law reference--Similar provisions, 47 O.S. § 11-106.

### **Sec. 13-8. Reckless driving, careless driving, etc.**

(a) It shall be unlawful for any person to drive a motor vehicle in a careless or wanton manner without regard for the safety of persons or property.

(b) The operator of every vehicle while driving shall devote full time and attention to such driving.

(Code 1976, § 15-14-2)

State law reference--Reckless driving, 47 O.S. § 11-901.

### **Sec. 13-9. Driving while intoxicated.**

(a) It is an offense for any person to drive, operate, or be in actual physical control of a motor vehicle within this state who:

(1) Has a blood or breath alcohol concentration, as defined in Section 756 of Title 47 of the Oklahoma Statutes, of eight-hundredths (0.08) or more at the time of a test of such person's blood or breath administered within two (2) hours after the arrest of such person or

(2) Is under the influence of alcohol or

(3) Is under the influence of any other intoxicating substance to a degree which renders such person incapable of safely driving or operating a motor vehicle or

(4) Is under the combined influence of alcohol and any other intoxicating substance to a degree, which renders such person incapable of safely driving or operating a motor vehicle.

(b) The fact that any person charged with a violation of this section is or has been lawfully entitled to use alcohol or a controlled dangerous substance or any other intoxicating substance shall not constitute a defense against any charge of violating this section.

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(c) As used in this section, the term "other intoxicating substance" shall mean any controlled dangerous substance as defined in the Uniform Controlled Dangerous Substances Act and any other substance, other than alcohol, which is capable of being ingested, inhaled, injected or absorbed into the human body and is capable of adversely affecting the central nervous system, vision, hearing or other sensory or motor functions.

Cross references--Public intoxication, § 12-45 glue sniffing, and § 12-53 use of narcotics, § 12-53.

State law references--Similar provisions, 47 O.S. § 11-902 uniform Controlled Dangerous Substances Act, 63 O.S. § 2-101 et seq.

### **Sec. 13-10. Driving while ability impaired by consumption of alcohol.**

- 1) No person shall drive or operate a motor vehicle while his ability to operate such motor vehicle is impaired by the consumption of alcohol or intoxicating liquor which renders such person's driving to be affected by the consumption of alcohol to the extent that the public health and safety is threatened or that the person had violated a state statute or city ordinance in the operation of a motor vehicle.
- 2) It is unlawful for any person under twenty-one years of age to drive, operate or be in the actual physical control of a motor vehicle who:
  - a) Has any measurable quantity of alcohol in the person's blood or breath at the time of the test administered within two (2) hours after an arrest of the person;
  - b) Exhibits evidence of the combined influence of alcohol and any other intoxicating substance.
  - c) **Penalty:** Any person under twenty-one (21) years of age who violates any provision of this section shall be subject to the seizure of the driver license of that person at the time of arrest or detention and the person, upon conviction, shall be guilty of operating or being in actual physical control of a motor vehicle while under the influence while under age and shall be punished:
    1. For a first conviction, by:
    2. A fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00),

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3. Assignment to and completion of twenty (20) hours of community service,
4. Requiring the person to attend and complete a treatment program, or
5. Any combination of fine, community service, or treatment

(Ord. No. 317, § 3, 6-7-83; Ord. No. 676, §1, 10-16-2012)

Cross reference--Public intoxication, § 12-45.

State law reference--Similar provisions, 47 O.S. § 756; 47, O.S § 11-906.4

### **Sec. 13-11. Tests for alcohol use implied consent, etc.**

Any person who operates a motor vehicle upon the highways of this city shall be deemed to have given consent, subject to the provisions of law, to a chemical test or tests of his blood, breath, urine, or saliva at the election of the law enforcement officer, for the purpose of determining the alcoholic content of his blood. The test or tests shall be administered at the direction of a law enforcement officer and in accordance with the standards provided by law after having arrested a person and having reasonable grounds to believe the person driving or in actual physical control of a motor vehicle upon the highways of this city was under the influence of alcohol or intoxicating liquors.

(Ord. No. 304, § 1, 10-2-82)

State law reference--Similar provisions, 47 O.S. § 751.

### **Sec. 13-12. Transportation of alcoholic beverages.**

It shall be unlawful for any person to knowingly transport in any vehicle upon a public highway, street or alley any alcoholic beverage except in the original container which shall not have been opened and the seal upon which shall not have been broken and from which the original cap or cork shall not have been removed, unless the opened container be in the rear trunk or rear compartment, which shall include the spare tire compartment in a vehicle commonly known as a station wagon and panel truck, or any outside compartment which is not accessible to the driver or any other person in said vehicle while it is in motion.

State law reference--Similar provisions, 37 O.S. § 537(a) (7).

### **Sec. 13-13. Transportation of non-intoxicating beverages.**

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It shall be unlawful for any person to knowingly transport in any moving vehicle upon a public highway, street or alley any non-intoxicating beverage containing more than one-half of one percent alcohol by volume and not more than three and two-tenths (3.2) percent alcohol by weight except in the original container which shall not have been opened and from which the original cap or seal shall not have been removed, unless the open container is in the rear trunk or rear compartment, which shall include the spare tire compartment in a station wagon or panel truck, or any outside compartment which is not accessible to the driver or any other person in the vehicle while it is in motion.

(Code 1976, § 15-14-8 Ord. No. 353, § 1, 7-2-85)

State law reference--Similar provisions, 21 O.S. § 1220.

### **Sec. 13-14. Driver's license.**

(a) It shall be unlawful for any person to operate any motor vehicle upon the highways of this city without having in his possession while operating such motor vehicle, an unrevoked or unsuspended operator's or chauffeur's license and conforming to any specific restrictions contained thereon as required by the laws of the state unless such person is specifically exempted from such laws by the provisions thereof. However, no person charged with violating this subsection shall be convicted if he produces in court an operator's or chauffeur's license previously issued to him and valid at the time of his arrest.

(b) It is unlawful for any person whose license as required by state law for operation of a motor vehicle upon the state highways has been revoked or suspended to operate a motor vehicle during the period of suspension or revocation.

(Code 1976, §§ 15-9-1, 15-9-5 Ord. No. 338, § 1, 11-1-83 Ord. No. 339, § 1, 11-1-83 Ord. No. 357, § 1, 9-3-85)

State law reference--Drivers licenses, 47 O.S. § 6-101 et seq.

### **Sec. 13-15. Permitting unauthorized persons to drive.**



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It shall be unlawful for any person to cause or knowingly permit his child or ward under the age of sixteen (16) years to drive a motor vehicle on any of the streets of this city when such minor is not authorized to do so by the provisions of the laws of the State of Oklahoma.

(Code 1976, § 15-9-2)

### **Sec. 13-16. Certification of existence of security.**

(a) The owner of a motor vehicle registered in this state and operating the vehicle within the city shall carry in such vehicle at all times a current owner's security verification form listing the vehicle, or an equivalent form which has been used by the state department of public safety which shall be produced by any driver thereof upon request for inspection by any law enforcement officer. In case of a collision, the form shall be shown upon request to any person affected by the collision.

(b) The following shall not be required to carry an owner's or operator's security verification form or an equivalent form from the department during operation of the vehicle and shall not be required to surrender such form for vehicle registration purposes.

(1) Any vehicle owned or leased by the federal or state government, or any agency or political subdivisions thereof

(2) Any vehicle bearing the name, symbol or logo of the business, corporation or utility on the exterior and which is in compliance with the compulsory insurance law according to records of the department of public safety which reflect a deposit, bond, self-insurance, or fleet policy

(3) Any vehicle authorized for operation, under a permit number issued by the Interstate Commerce Commission, or the Oklahoma Corporation Commission

(4) Any licensed taxicab and

(5) Any vehicle owned by a licensed used motor vehicle dealer.

(c) In this section:

(1) Compulsory insurance law means the law requiring liability insurance in conjunction with the operation of a motor vehicle in this state as found in article VI, chapter 7 of title 47 of the Oklahoma Statutes.

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(2) Operator's policy means an operator's policy of liability insurance that shall insure the named person against loss for the liability imposed upon him by law for damages arising out of the operation or use by him of any motor vehicle not owned by him, subject to the same limits of liability required in an owner's policy.

(3) Owner's policy means an owner's policy of liability insurance that:

a. Designates by explicit description or by appropriate reference all vehicles with respect to which coverage is thereby to be granted

b. Shall insure the person named therein and insure any other person, except as provided in subparagraph c. of this section, using an insured vehicle with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the ownership maintenance operation or use of such vehicle

c. May provide for exclusions from coverage in accordance with existing laws and

d. Shall be issued by an authorized carrier providing coverage in accordance with section 7-204 of Title 47 of the Oklahoma Statutes.

(4) Security means:

a. A policy or bond meeting the requirements of section 7-204 of title 47 of the Oklahoma Statutes

b. A deposit of cash or securities having the equivalency of limits required under section 7-204 of title 47 of the Oklahoma Statutes as acceptable limits for a policy or bond or

c. Self-insurance, pursuant to the provisions of section 7-503 of title 47 of the Oklahoma Statutes, having the equivalency of limits required under section 7-204 of title 47 of the Oklahoma Statutes as acceptable limits for a policy or bond.

(5) Security verification form means a form, approved by the state board for property and casualty rates, verifying the existence of security required by the compulsory insurance law.

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(d) Every operator of a motor vehicle registered in this state shall, while operating or using such vehicle within the city's boundaries, carry either an operator's or an owner's security verification form issued by a carrier, providing the operator is not excluded from coverage thereon or an equivalent form issued by the department of public safety, reflecting liability coverage.

(e) An owner or operator who fails to produce for inspection a valid and current security verification form or equivalent form, which has been issued by the department upon request of any peace officer of the city, shall be guilty of an offense. A sentence imposed for any violation of this section may be suspended or deferred in whole or in part by the court.

(f) Any person producing proof in court that a current security verification form or equivalent form, which has been issued by the department reflecting this liability coverage for such person was in force at the time of the alleged offense, shall be entitled to dismissal of such charge.

(g) Upon conviction, bond forfeiture, or deferral of sentence, the court clerk shall forward an abstract to the department of public safety within ten (10) days reflecting the action taken by the court.

(Ord. No. 319, §§ 1, 2, 6-21-83)

State law reference--Certificate of insurance, 47 O.S. § 7-602.1.

### **Section 13-17. Impoundment of Vehicles/Seizure of License Plate for No Insurance.**

1. Upon issuing a citation for failure to comply with the Compulsory Insurance Law of the state, the law enforcement officer issuing the citation may as provided by Title 47, O.S. Chapter 7, Article 6, Section 7-606:
  - a. Seize the vehicle being operated by the person and cause the vehicle to be towed and stored as provided by Title 47 O.S. Section 955, Subsection B of Section 955, provided the officer has probable cause to believe that the vehicle is not insured as required by the Compulsory Insurance Law of this state, or
  - b. Seize the license plate of the vehicle and issue the citation to the vehicle operator, provided that the vehicle is in a drivable condition at the time of issuing the citation.

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2. After the issuance of the citation, The Village Police Department shall, within three (3) days, deposit the license plate and deliver a copy of the citation to the Oklahoma County Sheriff's office.
3. The vehicle owner or operator may retrieve the license plate from the County Sheriff's office upon providing verification of compliance with the Compulsory Insurance Law, payment in full of all administrative fees and other charges authorized specifically by applicable law.
4. If the operator of the vehicle produces what appears to be a valid security verification form and the officer is unable to confirm compliance through the online verification system or noncompliance by a subsequent investigation, the officer shall be prohibited from seizing the license plate or seizing the vehicle and causing such vehicle to be towed and stored. Further, no vehicle shall be seized and towed under the provisions of this paragraph if said vehicle is displaying a temporary license plate that has not expired pursuant to the provisions of Title 47, O.S. Sections 1137.1 and 1137.3.

(Ord. No. 687 §1, 11-19-2013, Effective Date 02-01-2014)

**Sacs. 13-18--13-30. Reserved.**

### ARTICLE II. ADMINISTRATION AND ENFORCEMENT

#### DIVISION 1. GENERALLY

**Sec. 13-31. General Powers of police and fire departments and building inspector.**

(a) It is the duty of the police department to enforce the street traffic regulations of this city and all of the state vehicle laws applicable to street traffic in this city, to make arrests for traffic violations, to investigate accidents, and to cooperate with 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 department by any traffic ordinances of this city.

(b) 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 and ordinances provided that in the event of a fire or other emergency or to expedite traffic or to safeguard

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pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws and ordinances.

(c) Officers of the fire department, when at the scene of a fire or other emergency, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

(d) The Building Inspector and Code Enforcement Officer are hereby authorized to issue citations for all parking and other nonmoving violations under this chapter.

(Ord. No. 282, § 1(15-18a-1), 8-5-80)

### **Sec. 13-32. Traffic safety commission.**

(a) There is hereby established a traffic and safety commission, which shall consist of five (5) members, appointed by the mayor with the consent of city council. Members shall serve without compensation. The chief of police shall serve as an ex officio member of the commission.

(b) Members shall serve for terms of three (3) years. Vacancies occasioned by resignations or otherwise shall be filled in the same manner as the original appointments except that the person filling the vacancy shall serve the remainder of the un-expired term of the member he is replacing.

(c) The commission shall organize by the selection of one (1) of its members as chairman, another as vice-chairman, and another as secretary, who shall serve for one (1) year. Such selection of officers will again be made by the members of the commission each year.

(d) The traffic commission shall study traffic, streets and highways, traffic control devices and their location, and traffic regulations, and make recommendations and reports thereon as it deems desirable, or as may be required by ordinance to the city council, the city manager, and other appropriate officers and agents. It shall have all powers and duties prescribed for it by ordinance.

(Code 1976, §§ 15-2-1--15-2-4)

### **Sec. 13-33. Payment of fines in advance.**

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Persons charged with a violation of this chapter may enter a plea of guilty and pay a fine in the amount designated by the municipal judge before such person's assigned date to appear in court.

Cross reference--Municipal court, Ch. 14.

### **Sec. 13-34. Impoundment of vehicles.**

Authorized agents of the city may impound vehicles parked or left standing upon the streets under the circumstances enumerated in section 15-38, subsection (b) in the manner provided for in such subsection.

### **Sec. 13-35. Arrests on boundary line streets and highways.**

Any police officer is authorized to make arrests for violations of traffic ordinances of the city he observes on any highway or street that forms the boundary line of the city and any other adjoining political jurisdiction.

(Ord. No. 405, § 2, 2-2-88)

Cross reference--Speed limits on boundary roads, § 13-151.

State law reference--Authority to enforce traffic ordinances on boundary line streets, 47 O.S. Section 15-101.1.

### **Secs. 13-36--13-45. Reserved.**

## **DIVISION 2. TRAFFIC-CONTROL SIGNS, SIGNALS AND DEVICES**

### **Sec. 13-46. Obedience.**

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 chapter or law, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter.

State law reference--Similar provisions, 47 O.S. § 11-201(a).

### **Sec. 13-47. Ratification.**

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All traffic control signs, signals, devices and marking which are in place on the adoption date of this Code are hereby ratified and confirmed and shall be considered to have been authorized by the board of commissioners.

### **Sec. 13-48. When required for enforcement purposes.**

No provision of this chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place.

State law reference--Similar provisions, 47 O.S. § 11-201(b).

### **Sec. 13-49. Erection, etc.**

All traffic control signs, signals, devices, and marking shall be designated:

Upon the recommendation of the traffic and safety commission and with the approval of the city council. The city manager shall cause same to be installed.

(Code 1976, § 15-6-1)

### **Sec. 13-50. Traffic-control signal legend.**

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) Green indication:**

- (a) Vehicular traffic facing a circular green signal, except when prohibited under section 13-307 of this Code, 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.

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- (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, 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 circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter.
- (b) Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal 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 circular red signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in paragraph b. below.
- (b) Except when a sign is in place prohibiting a turn, vehicular traffic facing any steady red signal may cautiously enter the intersection to turn right or to turn left from a one-way street into a one-way street after stopping as required by paragraph a. above. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.



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- (c) Unless otherwise directed by a pedestrian-control signal, pedestrians facing a steady circular red signal alone shall not enter the roadway.

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--Similar provisions, 47 O.S. § 11-202.

### **Sec. 13-51. Pedestrian-control signals.**

Whenever special pedestrian-control signals exhibiting the words "Walk" or "Wait" or "Don't Walk" is 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 in the direction of the signal by the driver 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 island while the wait signal is showing.

State law reference--Similar provisions, 47 O.S. § 11-203.

### **Sec. 13-52. Flashing signals.**

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:

(1) 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.

(2) Flashing yellow (caution signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the

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intersection or past such signal only with caution, and in obedience to any signs posted in addition to such signal device denoting rate of speed either for approaching or passing through the intersection or zone governed by such caution signal.

State law reference--Similar provisions, 47 O.S. § 11-204.

### **Sec. 13-53. Lane use control signals.**

When lane use control signals are placed over individual lanes, said signals shall indicate and apply to drivers of vehicles as follows:

(1) Green indication: Vehicular traffic may travel in any lane over which a green signal is shown

(2) Steady yellow indication: Vehicular traffic is thereby warned that a lane control change is being made

(3) Steady red indication: Vehicular traffic shall not enter or travel in any lane over which a red signal is shown

(4) Flashing yellow indication: Vehicular traffic may use the lane only for the purpose of approaching and making a left turn.

State law reference--Similar provisions, 47 O.S. § 11-204.1.

### **Sec. 13-54. Pedestrian-actuated school crossing signals.**

Whenever a pedestrian actuated school-crossing signal is provided, it shall require obedience by vehicular traffic and pedestrians in accordance with sections 13-50 and 13-51 of this Code.

State law reference--Similar provisions, 47 O.S. § 11-205.

### **Sec. 13-55. Display of unauthorized signs, signals or markings.**

(a) 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 railroad sign or signal, or which attempts to direct the movement of traffic, or which projects any flashing or revolving beams of light, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal.

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(b) No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign, signal or device bearing thereon any commercial advertising.

(c) This section shall not prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(d) Every such prohibited sign, signal, marking, or device is hereby declared to be a public nuisance the city manager is hereby empowered to remove the same without notice.

State law reference--Similar provisions, 47 O.S. § 11-206.

### **Sec. 13-56. Interference with official control devices or railroad signs or signals.**

No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield or insignia thereon, or any other part thereof.

State law reference--Similar provisions, 47 O.S. § 11-207.

**Secs. 13-57--13-85. Reserved.**

## **ARTICLE III. ACCIDENTS AND ACCIDENT REPORTS\***

### **Sec. 13-86. Driver to give immediate notice of accident.**

The driver of a vehicle involved in an accident resulting in injury to or death of any person shall immediately by the quickest means of communication give notice of such accident to the police department if such accident occurs within this city.

State law reference--Similar provisions, 47 O.S. § 10-107.

### **Sec. 13-87. Duty to give information and render aid.**

(a) The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person or damage to other personal property shall give his correct name,

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address and registration number of the vehicle he is driving, and shall, upon request and if available, exhibit his operator's or chauffeur's license and his security verification form as defined in section 13-16 to the person struck or the driver or occupant of or person attending any vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person.

State law reference--Accidents and accident reports, 10 O.S. § 10-101 et seq.

(b) Any person willfully or maliciously failing to stop, or to comply with said requirements herein, shall be guilty of a Class A offense.

(Ord. No. 409, § 1, 6-21-88)

State law reference--Similar provisions, 47 O.S. § 10-104.

### **Sec. 13-88. 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 (\$500.00) or more shall, within six (6) months after such accident, forward a written report of such accident to the state department of public safety. If settlement of the collision has not been made within six (6) months after the date of the accident, and provided that if a settlement has been made, a report of such settlement must be made by the parties.

State law reference--Similar provisions, 47 O.S. § 10-108.

**Secs. 13-89--13-100. Reserved.**

## **ARTICLE IV. OVERTAKING, PASSING, ETC.\***

### **Sec. 13-101. Drive on right side of roadway.**

(a) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

State law reference--Overtaking, passing, etc., 47 O.S. § 11-301 et seq.

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(1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement

(2) When an obstruction exists making it necessary to drive to the left of the center of the highway provided, any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard

(3) Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon

(4) Upon a roadway restricted to one-way traffic or

(5) Upon a roadway having four (4) or more lanes for moving traffic and providing for two-way movement of traffic.

(b) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane when available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

(c) Upon any roadway having four (4) or more lanes for moving traffic and providing for two-way movement of traffic, no vehicle shall be driven to the left of the center line of the roadway, except when authorized by official traffic-control devices designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use such lanes, or except as permitted under subsection (a), paragraph (2) of this section. However, this subsection shall not be construed as prohibiting the crossing of the centerline in making a left turn into or from an alley, private road, or driveway.

State law reference--Similar provisions, 47 O.S. § 11-301.

### **Sec. 13-102. Passing vehicles proceeding in opposite directions.**

Drivers of vehicles proceeding in opposite directions shall pass each other to the right and upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half of the main-traveled portion of the roadway as nearly as possible.

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State law reference--Similar provisions, 47 O.S. § 11-302.

### **Sec. 13-103. Overtaking a vehicle on the left generally.**

The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions and special rules 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.

(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 on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

(3) Every driver who intends to pass another vehicle proceeding in the same direction, which requires moving his vehicle from one lane of traffic to another, shall first see that such movement can be made with safety and shall proceed to pass only after giving a proper signal by hand or mechanical device.

State law reference--Similar provisions, 47 O.S. § 11-303.

### **Sec. 13-104. When overtaking on the right is permitted.**

(a) The driver of a vehicle may overtake and pass upon 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 street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two (2) or more lines of moving vehicles in each direction.

(3) Upon a one-way street or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles.

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(b) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway.

State law reference--Similar provisions, 47 O.S. § 11-304.

### **Sec. 13-105. Limitations on overtaking on the left.**

No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.

State law reference--Similar provisions, 47 O.S. § 11-305.

### **Sec. 13-106. Other limitations on driving to left of center of roadway.**

(a) No vehicle shall be driven on the left side of the roadway under the following conditions:

(1) When approaching or upon the crest of a grade or a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction

(2) When approaching within one hundred (100) feet of or traversing any intersection or railroad grade crossing unless otherwise indicated by official traffic-control devices:

(3) When the view is obstructed upon approaching when within one hundred (100) feet of any bridge, viaduct or tunnel.

(b) The foregoing limitations shall not apply upon a one-way roadway nor under the conditions described in section 13-101, subsection (a), paragraph (2) of this Code, nor to the driver of a vehicle turning left into or from an alley, private road, or driveway.

State law reference--Similar provisions, 47 O.S. § 11-306.

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### **Sec. 13-107. No-passing zones.**

(a) Where signs or markings are in place to define a no-passing zone, no driver shall at any time drive to the left side of the roadway within such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its length.

(b) It shall be unlawful for any person driving any vehicle to pass any other vehicle, which is in motion and being driven in the same direction in any school zone between the hours of 8:00 a.m. and 4:00 p.m., unless otherwise designated, on all days when any school or schools are in session.

(Code 1976, § 15-4-5)

State law reference--Similar provisions, 47 O.S. § 11-307.

### **Sec. 13-108. One-way streets and alleys.**

Upon those alleys and parts of alleys designated as one-way streets and alleys, 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 references--Municipal authority to designate one-way streets, 47 O.S. § 15-102(a) 4 one-way streets, and 47 O.S. § 11-308.

### **Sec. 13-109. Rotary traffic islands.**

A vehicle passing around a rotary traffic island shall be driven only to the right of such island.

State law reference--Similar provisions, 47 O.S. § 11-308.

### **Sec. 13-110. Driving on roadways laned for traffic.**

Whenever any roadway has been divided into two (2) 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, and then given a



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signal, not less than one hundred (100) feet traveled by the vehicle, or his intention to change lanes.

(2) Upon a roadway which is divided into three (3) lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway 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 signposted to give notice of such allocation.

(3) Upon a roadway which is divided into four (4) or more lanes, a vehicle proceeding at less than the maximum posted speed, except when reduced speed is necessary for safe operation, shall not impede the normal flow of traffic by driving in the left lane. Such vehicle shall be driven in the right-hand lane except when overtaking the passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

Official signs may be erected directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, and drivers of vehicles shall obey the directions of every such sign.

State law reference--Similar provisions, 47 O.S. § 11-309.

### **Sec. 13-111. Following too closely.**

(a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the highway.

(b) The driver of any truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residential district and which is following another truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger, except that this shall not prevent a motor truck or motor vehicle drawing another vehicle from overtaking and passing any like vehicle or another vehicle.

(c) No vehicle, which has more than six (6) tires in contact with the road, shall approach from the rear of another vehicle, which has more than six (6)

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tires in contact with the road closer than three hundred (300) feet except when passing the vehicle.

(d) Motor vehicles being drawn upon any roadway outside of a business or residential district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. The distance between such vehicles shall be a minimum of two hundred (200) feet under all conditions. This provision shall not apply to funeral or other permitted processions.

State law reference--Similar provisions, 47 O.S. § 11-310.

### **Sec. 13-112. Driving on divided highways.**

Whenever any highway has been divided into two (2) or more roadways by leaving an intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway unless directed or permitted to use another roadway by official traffic-control devices or police officers. No vehicle shall be driven over, across or within any such dividing space, barrier, or section, except through an opening in such physical barrier or dividing section or space or at a crossover or intersection as established unless specifically prohibited by public authority.

State law reference--Similar provisions, 47 O.S. § 11-311.

### **Secs. 13-113--13-125. Reserved.**

## **ARTICLE V. RIGHT-OF-WAY\***

### **Sec. 13-126. Vehicle approaching or entering intersection.**

(a) The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway provided that the driver of a vehicle on a street which is not a state or federal highway approaching an intersection with a state or federal highway shall stop and yield the right-of-way to a vehicle which has entered the intersection or which is so close thereto as to constitute an immediate hazard.

State law reference--Right-of-way generally, 47 O.S. § 11-401 et seq.

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(b) When two (2) vehicles enter or approach an intersection from different highways, at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

(c) The right-of-way rules declared in subsections (a) and (b) are modified at through highways and otherwise as stated in this chapter.

State law reference--Similar provisions, 47 O.S. § 11-401.

### **Sec. 13-127. Vehicle turning left at intersection.**

The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard but said driver, having so yielded and having given a signal when and as required by this chapter, may make such left turn, and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn.

State law reference--Similar provisions, 47 O.S. § 11-402.

### **Sec. 13-128. Vehicle entering stop or yield intersection.**

(a) Preferential right-of-way at an intersection may be indicated by stop signs or yield signs.

(b) 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 13-193 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, but said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection shall yield the right-of-way to the vehicle so proceeding.

(c) 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, or shall stop if necessary as provided in section 13-193, subsection (e), and shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard. Said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding, provided, however, that if

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such driver is involved in a collision with a pedestrian in a crosswalk or 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.

(d) Where two (2) or more vehicles face stop, slow, warning or caution signs or signals on two (2) or more intersecting cross streets, and are approaching so as to enter the intersection at the same time, where each vehicle is required to stop, the vehicle coming from the right shall have the right-of-way. Where each vehicle is required to slow, the vehicle coming from the right shall have the right-of-way. Where each vehicle is required to take caution, the vehicle coming from the right shall have the right-of-way. Where one vehicle is required to stop and the other to slow or take caution, the one slowing or taking caution shall have the right-of-way. Where one vehicle is required to slow and the other to take caution, the one required to take caution shall have the right-of-way. In any event, a vehicle, which has already entered the intersection, shall have the right-of-way over one, which has not so entered the intersection.

State law reference--Similar provisions, 47 O.S. § 11-403.

### **Sec. 13-129. Vehicles entering highway from private road or driveway.**

The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on said highway.

State law reference--Similar provisions, 47 O.S. § 11-404.

### **Sec. 13-130. Approach of authorized emergency vehicles.**

(a) 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.

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(b) 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--Similar provisions, 47 O.S. § 11-405.

### **Sec. 13-131. Vehicles parking.**

(a) On leaving a parking space, the driver shall yield the right-of-way to all vehicles moving along the street.

(b) Any vehicle attempting to park by backing into a parking space shall have the right-of-way to such parking space over any other vehicle heading into such place.

(Code 1976, §§ 15-8-4, 15-8-5)

### **Secs. 13-132--13-145. Reserved.**

## **ARTICLE VI. SPEED AND RELATED OFFENSES\***

### **Sec. 13-146. Basic rule and maximum limits.**

(a) Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and any other conditions then existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead.

(b) No person shall drive any vehicle or combination of vehicles with solid rubber or metal tires at a speed greater than ten (10) miles per hour.

State law references--Municipal authority to alter speed limits, 47 O.S. §§ 15-102(a) 10, 11-803 speed generally, 47 O.S. § 11-801 et seq.

(c) The driver of every vehicle shall, consistent with the requirements of subsection (a), drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hillcrest, when driving upon any narrow or winding roadway, and when special hazards exist with respect to pedestrians or other traffic, or by reason of weather or highway conditions.

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State law reference--Similar provisions, 47 O.S. § 11-801.

### **Sec. 13-147. Specific limits.**

Except when a special hazard exists that requires lower speed for compliance with law or ordinance, the limits specified in this chapter, or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle on a highway at a speed in excess of such maximum limits as follows:

(1) On designated boulevards, thirty-five (35) miles per hour and on boulevards designated as state highways, forty (40) miles per hour, except as otherwise provided in this section

(2) On streets not designated as boulevards, twenty-five (25) miles per hour

(3) Within any school zone, twenty-five (25) miles per hour where that portion of the highway surrounds or is adjacent to any school between the hours of 8:00 a.m. and 4:00 p.m., unless such speed or time is otherwise designated, on all days when any such school is in session and in all other areas where school zone warning lights are on and operating.

(Code 1976, § 15-7-2 Ord. No. 287, § 1, 1-20-81)

### **Sec. 13-148. Minimum speed.**

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

(b) Whenever the state, the city or other local authority has determined on the basis of an engineering and traffic investigation that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic, no person shall drive a vehicle below such speed except when necessary for safe operation or in compliance with law.

State law reference--Similar provisions, 47 O.S. § 11-804.

### **Sec. 13-150. Special speed limitations.**

(a) No person shall drive a vehicle over any bridge, viaduct, or other elevated structure constituting a part of a highway at a speed, which is greater

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than the maximum speed, which can be maintained with safety to such bridge or structure, when such structure is signposted as provided by law.

(b) Where any street or state or federal highway shall be under construction or repair or a detour shall have been designated by reason of construction or repairs in progress and the Oklahoma Department of Highways, or the city shall have determined a maximum safe, careful and prudent speed on such highway, street or detour during the period of such construction or repairs and shall have plainly posted at each terminus thereof and at not less than each half mile along the route thereof such determined maximum speed, no person shall drive any vehicle upon such portion of such highway or upon such detour at a speed in excess of the speed so determined and posted.

(c) Upon the trial of any person charged with a violation of this section, proof of said determination of the maximum speed by the city or the department of highways and the existence of said signs shall constitute conclusive evidence of the maximum speed, which can be maintained with safety.

State law reference--Similar provisions, 47 O.S. § 11-806.

### **Sec. 13-151. Specific limits on city boundaries.**

No person shall drive any vehicle in violation of the speed limits set forth in section 13-147 on any highway or street that forms the boundary line of the city and any other adjoining political jurisdiction.

(Ord. No. 405, § 2, 2-2-88)

Cross reference--Enforcement of traffic ordinances on boundary roads, § 13-35.

State law reference--Authority to adopt ordinances regulating traffic on boundary line streets, 47 O.S. Section 15-101.1.

### **Sec. 13-152. Child Restraint Systems**

- A. Every driver, when transporting a child under eight (8) years of age in a motor vehicle operated on the roadways, streets, or highways of this city, shall provide for the protection of said child by properly using a child passenger restraint system as follows:
  - 1. A child under four (4) years of age shall be properly secured in a child passenger restraint system. The child passenger restraint system shall

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be rear-facing until the child reaches two (2) years of age or until the child reaches the weight or height limit of the rear-facing child passenger restraint system as allowed by the manufacturer of the child passenger restraint system, whichever occurs first; and

2. A child at least four (4) years of age but younger than eight (8) years of age, if not taller than 4 feet 9 inches in height, shall be properly secured in either a child passenger restraint system or child booster seat.

For purposes of this section a "child passenger restraint system" means an infant or child passenger restraint system which meets the federal standards as set by 49 C.F.R., Section 571.213.

- B. If a child is eight (8) years of age or is taller than 4 feet 9 inches in height, a seat belt properly secured to the vehicle shall be sufficient to meet the requirements of this section.
- C. The provisions of this section shall not apply to:
  1. The driver of a school bus, taxicab, moped, motorcycle, or other motor vehicle not required to be equipped with safety belts pursuant to state or federal laws;
  2. The driver of an ambulance or emergency vehicle;
  3. The driver of a vehicle in which all of the seat belts are in use;
  4. The transportation of children who for medical reasons are unable to be placed in such devices, provided there is written documentation from a physician of such medical reason; or
  5. The transportation of a child who weighs more than forty (40) pounds and who is being transported in the back seat of a vehicle while wearing only a lap safety belt when the back seat of the vehicle is not equipped with combination lap and shoulder safety belts, or when the combination lap and shoulder safety belts in the back seat are being used by other children who weigh more than forty (40) pounds. Provided, however, for purposes of this paragraph, back seat shall include all seats located behind the front seat of a vehicle operated by a licensed child care facility or church. Provided further, there shall be a rebuttable presumption that a child has met the weight requirements of this paragraph if at the request of any law



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enforcement officer, the licensed child care facility or church provides the officer with a written statement verified by the parent or legal guardian that the child weighs more than forty (40) pounds.

D. Any person convicted of violating subsection A or B of this section shall be punished by a fine of Fifty Dollars (\$50.00) and shall pay all court costs thereof. This fine shall be suspended and the court costs limited to a maximum of Fifteen Dollars (\$15.00) in the case of the first offense upon proof of purchase or acquisition by loan of a child passenger restraint system.

E. This section shall become effective November 1, 2015.

State law reference - Title 47 O.S. 2011, Section 11-1112 as amended.  
(Ord. No. 709, §1, 07-21-2015)

### **Sec. 13-153. Seat belts required for operator, front passengers.**

(a) Every operator and front seat passenger of a passenger car operated in this city shall wear a properly adjusted and fastened safety seat belt system, required to be installed in the motor vehicle when manufactured pursuant to 49 C.F.R. §571-.208. For the purpose of this section, "passenger car" shall mean "vehicle" as defined by O.S. Title 47, Section 1102. "Passenger car" shall include the passenger compartment of pickups, vans, minivans, and sport utility vehicles. "Passenger car" shall not include trucks, truck-tractors, recreational vehicles, motorcycles, or motorized bicycles. Passenger car shall not include a vehicle used primarily for farm use, which is registered and licensed pursuant to the provision of O.S. Title 47, Section 1134.

(b) This section shall not apply to an operator or passenger of a passenger car in which the operator or passenger possesses a written verification from a physician licensed in this state that he is unable to wear a safety seat belt system for medical reasons. Provided, the issuance of such verification by a physician, in good faith, shall not give rise to, nor shall such physician thereby incur, any liability whatsoever in damages or otherwise, to any person injured by reason of such failure to wear a safety seat belt system.

(c) This section shall not apply to an operator of a motor vehicle who is a route carrier of the U.S. Postal Service.

(d) Any person convicted of violating this section shall be punished by a fine and court costs not to exceed twenty (\$20.00) Dollars.

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(Ord. No. 551, §1, 1-18-00; 2004 City Code)

State Law Reference: Title 47 §12-417 as amended.

### **Sec. 13-154. Fines Doubled For Speeding in School Zones.**

Where any portion of a road, street, or highway is a properly marked school zone, as indicated with appropriate warning signs placed in accordance with the latest edition of the Manual on Uniform Traffic Control Devices, and a reduced speed limit as properly posted, shall be in effect during certain times due to the presence or potential presence of school children, no person shall drive any vehicle upon that portion of the highway which is the school zone in excess of the reduced speed limit so posted when the reduced speed limit is in effect. Violation of the posted reduced speed limit in the school zone shall result in the doubling of the appropriate fine.

(Ord. No. 587, §1, 10-7-2003)

State Law Reference - Title 47 O.S. 2001, Section 11-403, 76, Chapter 468, O.S.L. 2002

**Secs. 13-155--13-165. Reserved.**

## **ARTICLE VII. TURNING MOVEMENTS, ETC.\***

### **Sec. 13-166. Required position and method of turning at intersections.**

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.

(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.

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(3) Left turns on other than two-way roadway. 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.

State law reference--Similar provisions, 47 O.S. § 11-601.

State law references--Municipal authority to regulate turning, 47 O.S. § 15-102(a) 10 turning movements generally 47 O.S. § 11-601 et seq.

### **Sec. 13-167. Authority to place and obedience to turning markers.**

(a) The city manager is authorized to have placed 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.

(b) 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--Similar provisions, 47 O.S. § 11-601.

### **Sec. 13-168 Reserved.**

(Code 1976, § 15-5-5 Ord. No. 489, § 1, 8-17-93)

### **Sec. 13-169. Obedience to no-turn signs.**

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

### **Sec. 13-170. Turning on curve or crest of grade.**

No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred (500) feet.

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State law reference--Similar provisions, 47 O.S. § 11-602.

### **Sec. 13-171. Turning movements and required signals.**

(a) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required by ordinance or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway, unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinafter provided in the event any other traffic may be affected by such movement.

(b) A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred (100) feet traveled by the vehicle before turning.

(c) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

State law reference--Similar provisions, 47 O.S. § 11-604.

### **Sec. 13-172. Unauthorized use of turning lane.**

It shall be unlawful and an offense to use a lane designated for turning for any other purpose.

(Code 1976, § 15-5-8)

### **Sec. 13-173. Starting parked vehicle.**

No person shall start a vehicle, which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

State law reference--Similar provisions, 47 O.S. § 11-603.

### **Sec. 13-174. Signals by hand and arm or signal lamps.**

(a) Any stop or turn signal, when required herein, shall be given either by means of the hand and arm or by signal lamps, except as otherwise provided in subsection (b).

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(b) Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, signal lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle exceeds twenty-four (24) inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen (14) feet. The latter measurement shall apply to any single vehicle, and also to any combination of vehicles.

State law reference--Similar provisions, 47 O.S. § 11-605.

### **Sec. 13-175. Method of giving hand-and-arm signals.**

All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner, and such signals shall indicate as follows:

- (1) Left turn: Hand and arm extended horizontally.
- (2) Right turn: Hand and arm extended upward.
- (3) Stop or decrease speed: Hand and arm extended downward.

State law reference--Similar provisions, 47 O.S. § 11-606.

**Secs. 13-176--13-190. Reserved.**

## **ARTICLE VIII. SPECIAL STOPS**

**Secs. 13-191, 13-192. Reserved.**

### **Sec. 13-193. Signs and yield signs.**

(a) Preferential right-of-way at an intersection may be indicated by stop signs or yield signs.

(b) Every stop sign and every yield sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then as near as practicable to the nearest line of the intersecting roadway however, such yield signs shall not be erected upon the approaches of but one of the intersecting streets.

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(c) Every stop sign shall bear the word "Stop." Every yield signs shall bear the word "Yield." Every stop sign and every yield sign shall at nighttime be rendered luminous by internal illumination, or by a floodlight projected on the face of the sign or by efficient reflecting elements in or on the face of the sign.

(d) 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.

(e) 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.

State law reference--Similar provisions, 47 O.S. § 11-703.

### **Sec. 13-194. Emerging from alley, driveway or building.**

The driver of a vehicle 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 the roadway.

State law reference--Similar provisions, 47 O.S. § 11-704.

### **Sec. 13-195. Meeting or overtaking stopped school bus.**

(a) The driver of a vehicle meeting or overtaking a school bus that is stopped to take on or discharge school children, and on which the red loading signals are in operation, is to stop his vehicle before it reaches the school bus and not proceed until the loading signals are deactivated and then proceed past such school bus at a speed which is reasonable and with due caution for the safety of such school children and other occupants.

(b) Every school bus used for the transportation of school children shall bear upon the front and rear thereof plainly visible signs containing the words

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"School Bus" in letters not less than eight (8) inches in height and in addition shall be equipped with visual signals meeting the requirements of law which shall be actuated by the driver of said school bus whenever but only whenever such vehicle is stopped on the highway for the purpose of receiving or discharging school children.

(c) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a controlled-access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

State law reference--Similar provisions, 47 O.S. § 11-705.

### **Sec. 13-196. Meeting and overtaking stopped church buses.**

(a) "Church bus" as used herein shall mean a vehicle operated by a nonprofit religious organization, which transports persons, including school-age children, to and from religious services.

(b) The driver of a vehicle meeting or overtaking a church bus that is stopped to take on or discharge passengers, and on which the red loading signals are in operation, is to stop his vehicle before it reaches the church bus and not proceed until the loading signals are deactivated and then proceed past such bus at a speed which is reasonable and with due caution for the safety of such occupants.

(c) Every church bus used for the transportation of persons to and from religious services shall bear upon the front and rear thereof plainly visible signs containing the words "CHURCH BUS" in letters not less than eight (8) inches in height and in addition may be equipped with visual signals meeting the requirements of law, which shall be actuated by the driver of said church bus whenever, but only whenever, such vehicle is stopped on the highway for the purpose of receiving or discharging passengers.

(d) The driver of a vehicle upon a highway with separated roadways need not stop upon meeting or passing a church bus which is on a different roadway or when upon a controlled-access highway and the church bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

State law reference--Similar provisions, 47 O.S. § 11-705.1.

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**Secs. 13-197--13-210. Reserved.**

### **ARTICLE IX. STOPPING, STANDING OR PARKING**

**Sec. 13-211. Compliance.**

(a) Whenever parking has been prohibited upon any street, or has established parking time limits for any street or portion thereof, and the same has been duly posted, no vehicle shall be parked thereon in violation therefore or in excess of the time limits as posted.

(b) When any street has been designated and posted for one-way traffic, or for parking on only one (1) side of any street, vehicles shall not be parked thereon except upon the side posted and indicated for parking, and shall not be parked so as to face against the flow of traffic thereon.

**Sec. 13-212. Exceptions, etc., for authorized emergency vehicles and vehicles used in road construction or maintenance.**

The provisions of this article shall not apply to authorized emergency vehicles or to vehicles or machinery used in the construction or maintenance of highways, and such vehicles or machinery may be operated on any part of the road, whether same is open to traffic or closed, when such operation is necessary in the maintenance or construction of the highway provided that all such operations shall be protected with adequate warnings, signs, signals, lights, devices or flagmen.

Cross-reference--Parking in fire lanes, § 10-5.

State law references--Municipal authority to regulate stopping, standing or parking, 47 O.S. § 15-102(a) 2 stopping, standing or parking generally, 47 O.S. § 11-1001 et seq.

**Sec. 13-213. Manner of parking.**

(a) Except as otherwise provided in this section, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within eighteen (18) inches of the right-hand curb.

(b) Vehicles may be parked with the left-hand wheels adjacent to and within eighteen (18) inches of the left-hand curb of a one-way roadway when so allowed by the city.



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(c) Angle parking shall be allowed only in those locations designated by the city.

State law reference--Similar provisions, 47 O.S. § 11-1004.

### **Sec. 13-214. Parking prohibited in specified places.**

(a) No person shall stop, stand, or park a vehicle at any time in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with law or ordinance or the directions of a police officer or traffic-control device:

- (1) On a sidewalk
- (2) In front of a public or private driveway
- (3) Within an intersection
- (4) Within fifteen (15) feet of a fire hydrant, except when a no parking zone adjacent to a fire hydrant has been clearly marked with red paint as approved by the Fire Marshal.
- (5) On a marked crosswalk
- (6) Within twenty (20) feet of a marked crosswalk at an intersection
- (7) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of a roadway
- (8) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the city indicates a different length by signs or markings
- (9) 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 the entrance when properly signposted
- (10) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic

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- (11) On the roadway side of any vehicle stopped or parked at the edge or curb of a street
- (12) Upon any bridge or other elevated structure upon a highway or within a highway underpass
- (13) At any place where official signs prohibit stopping, standing or parking.
- (14) On Britton Road, Hefner Road, Pennsylvania Avenue, May Avenue or Vineyard Boulevard.

(b) No person shall move a vehicle not lawfully under his control into any prohibited area or away from a curb, such distance as is unlawful.

(Ord. No. 406, § 1, 5-3-88 Ord. No. 545, §2, 12-15-98; Ord. No 560 §1, 9-19-00)

State law reference--Similar provisions, 47 O.S. § 11-1003.

### **Sec. 13-215. Authorized use of bus or taxicab stands.**

No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter such zone.

### **Sec. 13-216. Stopping, standing, and parking of buses and taxicabs.**

(a) The operator of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand.

(b) The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand or passenger loading zone so designated as provided herein, except in case of an emergency.

(c) The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus, when stopped to load or unload passengers or baggage, shall be in a position with the right front wheel of such vehicle not further than eighteen (18) inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

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(d) The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

### **Sec. 13-217. Construction equipment on residential streets.**

All tractors, trailers, backhoes, or any other construction related equipment, machine, or vehicles may not park on the residential streets or highways of the city except during the hours of actual construction on abutting property and loading or unloading. Members of the police department are hereby authorized to cause tractors, trailers, backhoes, or any other construction related equipment, machines or vehicles to be impounded where there is a violation of this section. All impoundment expenses shall be the obligation of the owner or operator of the vehicle and any impounded vehicle will be released only after such charges are paid. All impoundment fees and charges shall be in addition to any fines or costs in connection with violations.

(Code 1976, § 15-3-7(c) Ord. No. 292, 6-2-81)

### **Sec. 13-218. Truck parking.**

No tractor-trailer, van, or similar vehicle may be parked on public or private property within the city unless the city fire department is notified of the vehicle location and contents, if any. The fire chief may require the relocation of any such vehicle containing explosives or other volatile substances.

(Code 1976, § 15-17-13)

### **Sec. 13-219. Parking of vehicles on posted private property.**

(a) It shall be unlawful to place or park any motor vehicle or any trailer upon the posted private property of another, without first obtaining permission from the landowner or the person in charge of such property, except where said placing or parking is casual or involuntary.

(b) Violation of the terms of this section shall be considered to be an offense and violators shall pay any and all reasonable and necessary charges

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incurred by the landowner or other person in having any vehicle or trailer removed from his property and stored.

State law reference--Similar provisions, 47 O.S. § 11-1006. (Ord. No. 557, §1, 7-18-00)

### **Sec. 13-220. Bicycles or motorcycles.**

(a) No bicycle, motorcycle, or other similar vehicle shall be parked or left unattended in such a way as to obstruct traffic on public highways or in areas set aside for public parking.

(b) No bicycle, motorcycle, or other similar vehicle shall be parked or left unattended on any sidewalk adjacent to any business open to the public or any private membership meeting place in such a manner as to obstruct pedestrian traffic on said sidewalk or interfere in any way with exit from or entrance to such building. It shall be conclusively presumed to constitute an obstruction if more than two (2) such vehicles are parked abreast on such a sidewalk.

(c) Owners, managers, and employees of any business open to the public or of any business open only to members shall be individually responsible to maintain the sidewalks adjacent to their premises free from obstructions to pedestrian traffic on adjacent sidewalks as required in subsection (b). Violation of this section shall constitute an offense.

(d) Any law enforcement agent of the city may remove an offending vehicle from the premises and impound the vehicle as security for the payment of the necessary fines and expenses of impoundment.

(e) Vehicles impounded under this section shall be held a minimum of thirty (30) days if fines and expenses have not been satisfied. After the thirty-day period has passed, such vehicles may be sold at public auction by the chief of police or his delegate according to rules and regulations for such auctions duly promulgated by the city manager.

(Code 1976, § 15-15-7)

### **Sec. 13-221. Placing or Parking Vehicle in Parking Space Designated and Posted for Physically Disabled Persons.**

- a) It shall be unlawful for any person to place or park a motor vehicle in any parking space that is designated and posted as a reserved area for the parking of a motor vehicle operated by or transporting a

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physically disabled person unless such person has applied for and been issued a detachable placard indicating physical disability under the provisions of Title 47 O.S. § 15-112, and such placard is displayed as provided in said title or in rules adopted pursuant thereto, or has applied for and been issued a physically disabled license plate pursuant to the provisions of Title 47 O.S. § 1135.1 or 1135.2 and such license plate is displayed pursuant to the provisions of the Oklahoma Vehicle License and Registration Act.

- b) It shall also be unlawful for any person to place or park a motor vehicle, whether with or without a physically disabled placard or plate, in any disabled parking space access aisle, wheelchair ramp, wheelchair loading/unloading area or any portion thereof.
- c) Violation of these provisions shall be a misdemeanor and upon conviction the person shall be guilty of a Class B Offense and subject to a fine of up to two-hundred (\$200.00) dollars. Provided, any person cited for a first offense of a violation of this section who has displayed a placard which has expired pursuant to Title 47 O.S paragraph 4 or 5 of subsection D of Section 15-112 shall be entitled to dismissal of such charge and shall not be required to pay the fine or court costs if the person presents to the court within thirty (30) days of the issuance of the citation a notice from the Department of Public Safety that the person has obtained a valid placard pursuant to the provisions of subsection D of Section 15-112 of this title. (Ord. No. 704 §1, 04-21-2015)
- d) In addition, vehicles unlawfully parked in violation of these provisions shall be subject to immediate tow by a licensed tow truck operator at the request of the landowner or a duly appointed agent of the landowner, at the request of any person unable to lawfully gain access to or move their vehicle, at the request of any person unable to lawfully gain access to the area blocked by the unlawfully parked vehicle, or at the request of appropriate law-enforcement personnel. The owner of any vehicle unlawfully parked in violation of these provisions shall pay any and all reasonable and necessary costs associated with towing and storage of the vehicle.”

State law reference - Title 47 O.S. § 11-1007 et seq.

(Ord. No. 703 §1, 03-03-2015)

### **Sec. 13-222. Parking of trailers, boats, motor homes, or recreational vehicles.**

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(a) Except as provided in subsection (b) of this section, all trailers, boats, motor homes or recreational vehicles of any kind, are prohibited from parking on any street or highway in the city at any time except for the purposes of loading or unloading, which procedure shall be limited to a total of two (2) hours.

(Ord. No. 386, §1, 7-21-87 Ord. No. 469, §1, 5-19-92)

(b) A permit may be obtained from the city clerk for the temporary parking of motor homes or recreational vehicles on residential streets. Motor homes or recreational vehicles that have obtained a temporary parking permit pursuant to this section shall not be subject to the twenty-four (24) hour parking provisions contained in Section 13-224 of this chapter. Said permit shall be in an amount established by resolution of the city council and shall be issued in accordance with the following regulations:

(1) No permit shall authorize temporary parking for more than four (4) consecutive days.

(2) No residence shall be allowed more than two (2) temporary parking permits per calendar year.

(3) All permits shall be subject to revocation if the parking of any motor home or recreational vehicle is determined by the city to constitute a traffic hazard.

(4) Permits shall be placed on the vehicle in plain view at all times.

(Ord. No. 469, §1, 5-19-92)

Cross references--Chapter 13, Sections 13-214 (c), 13-224.

### **Sec. 13-223. Parking of trucks, vans, buses.**

a) No van or bus in excess of one-half-ton capacity or any dual-wheeled pickup truck may be parked on any street or highway within the city between the hours of 6:00 p.m. and 6:00 a.m., except for the purpose of loading or unloading, which procedure shall be limited to a total of two hours.

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- b) No bus or van designed to carry more than twelve passengers may be parked on any residential lot or driveway, unless said bus or van is parked in an enclosed area and out of public view.

(Ord. No. 386, §1, 7-21-87; Ord. No. 616, §1, 04-18-2006; 2014 City Code).

### **Sec. 13-224. Parked vehicles must be moved every twenty-four hours.**

All vehicles, which may properly be parked on the streets or highways of the city, must be moved from the place where such vehicle is parked at least once every twenty-four (24) hours. For the purpose of this section "moved" means relocation of the vehicle away from the premises or from the street on which it is located for at least fifteen (15) minutes.

(Ord. No. 386, § 1, 7-21-87)

### **Sec. 13-225. Unauthorized parking or sale of vehicles.**

#### **1. Commercial Areas:**

- a) It shall be unlawful for any person to park or leave unattended any vehicle displaying a "For Sale" or similar sign in the parking lot area of any commercially zoned property without the written authorization of the property owner of said area. This section, however, shall not apply to any person who has parked a vehicle displaying a "For Sale" or similar sign in said area for the purpose of engaging in commercial activity with any of the businesses in said area during regular business hours.
- b) The prohibition in the above paragraph shall not apply unless the owner of said area has posted a sign or signs no less than one square foot in area bearing the inscription "Unauthorized and/or Non-Customer Parking Not Permitted. Violators subject to Fine and Impoundment of Vehicles Under Authority of City of The Village Ordinances" or words to this effect.
- c) It shall be presumed that the owner of a vehicle referred to in this section, which is parked in said area does not have the written permission of the property owner of said area.

(Ord. No. 385, § 1, 7-21-87)

#### **2. Residential Areas:**

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- a) It shall be unlawful for any person to bring into a residential area, or park any vehicle on a residential street, for the sole purpose of offering said vehicle for sale to the public.
- b) It shall be unlawful for any person to offer for sale in any residential area, more than two (2) vehicles per calendar year.
- c) It shall be unlawful for any person to offer for sale more than one vehicle at the same time in any residential area.

(Ord. No. 611, §1, 11-15-2005)

### **Sec. 13-226. Truck parking on commercial lots and on residentially zoned property.**

- (a) It shall be unlawful for any person to park or leave unattended any eighteen-wheel tractor-trailer unit, semi tractor, or semi trailer in the parking lot of any commercially zoned district from 10:00 p.m. to 8:00 am. This section shall not apply to any person who has parked said tractor-trailer unit, semi tractor, or semi trailer for the purpose of loading or unloading it for a business during its regular business hours. (Ord. No. 390, § 1, 8-4-87)
- (b) It shall be unlawful for any person to park or leave unattended any eighteen-wheel tractor-trailer unit, semi tractor, or semi trailer in any residentially zoned district, except for the purpose of loading or unloading said truck. This paragraph shall not apply to any semi trailer parked or left unattended as incidental and accessory to construction activities on any lot in said district.
- (c) It shall be unlawful for any person to park or leave unattended in any driveway located in a residentially zoned district any truck in excess of 3/4 Ton capacity that is equipped with a flat or dump bed, except for the purpose of loading or unloading said truck.

(Ord. No. 390, § 1, 8-4-87 Ord. No. 449, § 1, 8-21-90 Ord. No. 469, §2, 5-19-92 Ord. No. 557, §2, 7-18-00; Ord. No. 602 §1, 05-02-2005)

### **Sec. 13-227. Parking of vehicles transporting portable toilets.**

It shall be unlawful for any person to park any vehicle transporting a portable outdoor toilet(s) on any residential property or street abutting



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residential property in the city unless said portable outdoor toilet(s) are completely screened from view by adequate sideboards or similar devices.

(Ord. No. 370, § 1, 7-15-86)

### **Sec. 13-228. Parking vehicles/farm equipment on paved surface, rights-of-way, etc.**

(1) **Definitions.** In this section:

(a) *Vehicle* shall be defined to mean automobiles, boats, vans, trucks, travel trailers, or any other similar type conveyance propelled or towed by motorized power.

(b) *Farm equipment* shall mean any tractor designed and used primarily as a farm implement or any trailer or wagon designed or used for carrying passengers or property and being drawn by animal or motive power.

(c) *Paved surface* shall mean a solid, sealed surface constructed of asphalt, concrete, stone, brick, or other similar material which is designed to adequately support the weight of vehicles using such surface and which is designed to prevent the occurrence of mud and dust with continued vehicular use. Honeycombed concrete, brick, or stone pavers that are designed by the manufacturer for use as a decorative parking surface shall be deemed a paved surface, provided that adequate surface area is provided so that all wheels of the vehicle are parked on such surface. Gravel, loose aggregate or other similar materials that are not bonded together so as to provide a solid, sealed surface shall not be deemed a paved surface.

(d) *Unpaved surface* shall mean a surface consisting of crushed gravel, loose aggregate, or similar material provided as a surface over a compacted base material sufficient to withstand the weight of the vehicle to be parked on it; and sufficiently designed, constructed, or maintained to prevent erosion, rutting, and vegetation.

(e) *Yard, front* means a yard located in front of the front elevation of a main building and extending across a lot between the side yard lines and being the horizontal distance between the front property line and the main building or any projection thereof, other than steps, unenclosed balconies or unenclosed porches.

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(f) *Yard, rear* means a yard extending across the rear of a lot measured between the side yard lines and being the horizontal distance between the rear lot line and the rear of the main building or any projections other than steps, unenclosed balconies or unenclosed porches. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

(g) *Yard, side* means a yard between the main building and sideline of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the side of the main building or any projections other than steps, unenclosed balconies or unenclosed porches.

(h) *Front building line* means a line extending from side property line to side property line and being the minimum horizontal distance between the front property line and the front of the main building or any projections thereof other than steps, unenclosed balconies, or unenclosed porches.

**(2) Parking on Unpaved Surfaces.** Except as described in this Section, it shall be unlawful for any person to park any vehicle on any unpaved surface on any residential lot.

(a) Exception for rear yard and side yard behind the front building line of interior lots. No more than one (1) vehicle may be parked on an unpaved surface located in the rear yard, or in the portion of the side yard that is situated behind the front building line, of any residential lot in the city, provided that the following screening and load bearing design requirements are met:

(i) *Screening Requirements.* Any vehicle on parked on any unpaved surface located behind a minimum six (6) foot high sight-proof fence erected so that any vehicle so parked will not be visible from outside the premises.

(ii) *Design and load bearing requirements.* Any unpaved surfaces upon which a vehicle may be parked pursuant to this Section: (1) must consist of crushed gravel, loose aggregate, or similar material; (2) must be provided as a surface over a compacted base material sufficient to withstand the weight of the vehicle to be parked on it; and (3) must be

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sufficiently designed, constructed, or maintained to prevent erosion, rutting, and vegetation.

### **(3) Maximum Number of Vehicles Permitted on a Residential Lot.**

(a) Each legal and current occupant of any single-family residence who holds a valid Oklahoma Driver's License shall be allowed to park two (2) passenger vehicles on the lot occupied by said residence provided however, that in no instance shall more than six (6) vehicles be parked in an unenclosed parking area on any residential lot occupied as a single-family residence.

(b) No more than two (2) vehicles may be stored in an unenclosed parking area on any unoccupied or vacant single-family residential property.

(c) Nothing contained in this subsection shall be construed to supersede or negate other parking regulations contained in this chapter, including by not limited to, provisions relating to parking on a paved surface parking in the front, side and rear yards, sight-proof fencing and green area requirements.

### **(4) Exposure of Unpaved Rights-of-Way to Vehicle Traffic.**

(a) It shall be unlawful for any person, firm, or corporation to allow the unpaved right-of-way adjacent to the front or side property line of any lot to be subjected to continued exposure of vehicle traffic so as to create mud, dust, or ruts in said right-of-way.

(b) City street rights-of-way shall not be paved or used for vehicle parking except for ingress and egress driveways or as may otherwise be provided for herein.

**(5) Parking of Farm Equipment.** It shall be unlawful for any person to park, place, keep, or maintain on any residential lot in the city any farm equipment, regardless of use or purpose, without storing said farm equipment behind a minimum six (6) foot high sight-proof fence so that said farm equipment will not be visible from outside the premises.

### **(6) Parking on Driveways.**

(a) No person shall stop, stand or park upon a paved portion of the right-of-way used for an ingress and egress driveway, except for the

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purpose of loading or unloading, any vehicle, which by virtue of its length or height, creates a sight restriction for motorists using an adjacent ingress-egress driveway.

(b) No recreational vehicle (RV) or motor home shall be parked so as to encroach on any paved portion of the right-of-way, including a paved portion of the right-of-way used for an ingress and egress driveway. Recreational vehicles or motor homes tagged with a legal and current handicap license plate shall be exempt from this subsection. (Ord. No. 643, §1, 09-15-2009)

**(7) Exemptions.** The following vehicles shall be exempt from the provisions of this section:

(a) Vehicles engaged in the construction and/or maintenance of utilities, buildings, or properties when parking on an unpaved surface is necessary to facilitate the timely completion of the activity and

(b) Vehicles parked at YMCAs, schools, churches or public property during sporting events, carnivals, circuses and similar public events when adequate paved parking space is not available.

**(8) Additional Uses Not Authorized.**

(a) This section shall not be deemed to allow uses in any zoning district where the provisions of any such zoning district do not expressly allow such use.

(b) This section shall not be deemed to authorize the erection of any fence on property that does not conform to other applicable building regulations or area regulations to which the authorized use of the property is subject.

(Code 1976, §12-5-2 Ord. No. 262, § 1, 8-7-79 Ord. No. 288, § 2, 4-21-81 Ord. No. 362, § 1, 4-1-86 Ord. No. 365, § 1, 6-3-86 Ord. No. 368, §§ 2--7, 6-17-86 Ord. No. 375, § 1, 11-4-86 Ord. No. 406, § 1, 5-3-88 Ord. No. 461, § 4, 11-5-91 Ord. No. 508, § 1, 9-20-9 Ord. No. 545, §1, 12-15-98; Ord. No. 725, § 1, 03-20-2017)

**Sec. 13-229. Commercial parking, sale of certain vehicles in residential districts prohibited.**

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It shall be unlawful for any person to use any property in residential zoned districts for commercial parking purposes, including but not limited to, the sale or offer to sell of automobiles, trucks, buses, vans, boats, recreational vehicles, motor scooters or motorcycles, except in connection with, or as an accessory to the primary use of such property for residential purposes.

(Ord. No. 312, §1(12-6-16), 11-16-82 Ord. No. 508, § 1, 9-20-94)

### **Sec. 13-230. Parking, current inspection sticker, and registration to be displayed.**

(a) Every motor vehicle parked on any public street or right-of-way within the city is required to display on the rear of said vehicle the current year's license plate issued by the state or any other state in the United States, the United States Government or by any Native American Tribe recognized by the State of Oklahoma. Such plate shall be so placed on the vehicle so that the plate may be read or seen at all times during the day or night. Said plates shall be kept reasonably clean and clear of mud, grease, dirt or any other substance in order that the same may be easily seen, discerned, and read.

(b) Vehicles found in violation of subsection (a) above are subject to the issuance of a parking citation and/or impoundment.

(Ord. No. 550, §1, 1-4-00 Ord. No. 557, §3, 7-18-00)

### **Sec. 13-231. Parking or placement of storage pods.**

- (a) It shall be unlawful for any person to park or place a storage pod on any public street, approach, easement, right-of-way, or unpaved surface.
- (b) It shall be unlawful for any person to park or place a storage pod on any private driveway for more than thirty (30) consecutive days in any calendar year.
- (c) It shall be unlawful for any person to park or place a storage pod on any residential property without first having secured a permit from the City. The amount of the permit shall be established by resolution of the City Council. (2008 Code)

(2006 City Code; 2008 City Code)

### **Section 13-232. Placement of commercial roll off dumpsters.**

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- a) **Time Period.** It shall be unlawful for any person to place a twenty yard or larger commercial roll off dumpster on residential property for more than ninety (90) consecutive days in any twelve (12) month period. This subsection shall not apply to new residential subdivisions where new housing is under construction.
- b) **Placement Prohibited:** It shall be unlawful for any person to park or place a commercial roll off dumpster on any public street, approach, easement, or right-of-way.
- c) **Remedies.** Commercial roll off dumpsters that are placed in violation of this section are declared a public nuisance and shall be subject to summary abatement and removal by the City.

(Ord. 646, §1, 10-06-2009)

### **Sec. 13-233. Vehicles Parked in Driveways; extension into street unlawful.**

It shall be unlawful for any vehicle, boat or trailer, or any equipment or material placed in or attached thereto, parked in a driveway to extend into the street past the curb.

(Ord. 672, §1, 07-17-2012; Ord. 725, §2, 03-20-2017)

### **Secs. 13-234--13-255. Reserved.**

## ARTICLE X. PEDESTRIANS

### **Sec. 13-256. Subject to traffic regulations.**

(a) A pedestrian shall obey the instructions of any official traffic-control device specifically applicable to him, unless otherwise directed by a police officer.

(b) Pedestrians shall be subject to traffic and pedestrian-control signals as provided in sections 13-50 and 13-51 of this Code.

(c) At all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this chapter.

State law reference--Similar provisions, 47 O.S. § 11-501.

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### **Sec. 13-257. Right-of-way in crosswalks.**

(a) 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.

(b) 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.

**State law reference--**Pedestrians generally, 47 O.S. § 11-501 et seq.

(c) Subsection (a) shall not apply under the conditions stated in subsection (b) of section 13-258 of this Code.

(d) 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--**Similar provisions, 47 O.S. § 11-502.

### **Sec. 13-258. When pedestrian shall yield.**

(a) 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.

(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(c) The foregoing rules in this section have no application under the conditions stated in section 13-259 of this Code, when pedestrians are prohibited from crossing at certain designated places.

**State law reference--**Similar provisions, 47 O.S. § 11-503.

### **Sec. 13-259. Use of crosswalks.**

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Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.

**State law reference--**Similar provisions, 47 O.S. § 11-503.

### **Sec. 13-260. Use of right half of crosswalks.**

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

**State law reference--**Similar provisions, 47 O.S. § 11-505.

### **Sec. 13-261. Walking on roadways.**

(a) Where sidewalks are provided, it is unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) 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, and shall yield to approaching vehicles.

**State law reference--**Similar provisions, 47 O.S. § 11-506.

### **Sec. 13-262. Persons soliciting rides or business not to stand in roadway.**

No person shall stand in a roadway for the purpose of soliciting a ride, donation, employment, or business from the occupant of any vehicle.

**State law reference--**Similar provisions, 47 O.S. § 11-507.

### **Sec. 13-263. Stopping vehicles to solicit prohibited.**

No person shall stand in or beside any highway in the city and stop or attempt to stop and engage any person in any vehicle for the purpose of soliciting donations or sell or attempt to sell anything to any person in any vehicle or hand or attempt to hand to any person in any vehicle any circular, advertisement, handbill, or any political campaign literature, or any sample, souvenir, or gift or in any manner attempt to interfere with the normal flow of traffic for any other similar purpose.

(Code 1976, § 15-17-12(b))



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### **Sec. 13-264. Drivers to exercise due care.**

Notwithstanding the foregoing provisions of this article, every driver of a vehicle shall exercise due 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--**Similar provisions, 47 O.S. § 11-504.

**Secs. 13-265--13-280. Reserved.**

## **ARTICLE XI. BICYCLES AND PLAY VEHICLES**

### **Sec. 13-281. Compliance, parental responsibility, and scope.**

(a) It is an offense for any person to do any act forbidden or fail to perform any act required in this article.

(b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this article.

(c) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to the exceptions stated herein.

**State law reference--**Similar provisions, 47 O.S. § 11-1201.

### **Sec. 13-282. Traffic laws apply to persons riding bicycles.**

- A. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic ordinances of this city applicable to the driver of a vehicle, except as to special regulations in this article and except as to those provisions of laws and ordinances which by their nature can have no application.
- B. When overtaking and passing a bicycle proceeding in the same direction, a person driving a motor vehicle shall exercise due care by leaving a safe distance between the motor vehicle and the bicycle of

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not less than three (3) feet until the motor vehicle is safely past the overtaken bicycle.

- C. If a person violates the provisions of Subsection B of this section and the violation results in a collision causing serious physical injury to another person, the person shall be subject to a fine of not more than Five Hundred Dollars (\$500.00).
- D. If a person violates the provisions of Subsection B of this section and the violation results in the death of another person, the person shall be subject to a fine of not more than Seven Hundred and Fifty Dollars (\$750.00), in addition to any other penalties prescribed by law.

(Ord. No, 619, §4, 08-01-2006)

State law reference--Similar provisions, 47 O.S. § 11-1202, §11-1208.

### **Sec. 13-283. Impoundment of bicycles.**

Any bicycle found upon any of the streets, sidewalks, alleys, parks, or public ways, or upon private property not under the control of the owner of the bicycle, and not licensed as herein required, or which does not otherwise comply with the provisions hereof, shall be impounded until compliance is made. Abandoned bicycles shall be seized and impounded for safekeeping by the police department.

(Code 1976, § 15-18-6)

### **Secs. 13-284, 13-286. Reserved**

### **Sec. 13-287. Clinging to vehicles.**

No person on foot, riding upon any bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

State law reference--Similar provisions, 47 O.S. § 11-1204.

### **Sec. 13-290. Equipment.**

- (a) Every bicycle in use at the times described by subsection B of Section 12-201 of Title 47 of the Oklahoma Statutes shall be equipped with a lamp on the front emitting a white light visible from a distance of at least one thousand (1000) feet to the front, provided however that

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this section shall not apply to a street or highway with a speed limit of twenty-five (25) miles per hour or less. Title 47. O.S. §12-702.

- (b) Every bicycle in use at the times described by subsection B of Section 12-201 of Title 47 of the Oklahoma Statutes shall be equipped with a lamp on the rear emitting a red light visible from a distance of at least one thousand (1000) feet to the rear, provided however that this section shall not apply to a street or highway with a speed limit of twenty-five (25) miles per hour or less. Title 47. O.S. §12-703.
- (c) Every bicycle shall be equipped with a lighted lamp visible from both sides from a distance of at least one thousand (1000) feet, provided however that this section shall not apply to a street or highway with a speed limit of twenty-five (25) miles per hour or less. Title 47. O.S. §12-705.

**State law reference--**Similar provisions, 47 O.S. § 12-702 et seq.

### **Sec. 13-291. Skateboards.**

No person shall ride or propel a skateboard upon May Avenue, Hefner Road, Britton Road or Pennsylvania Avenue.

**Secs. 13-292--13-305. Reserved.**

## **ARTICLE XII. MAINTENANCE, CONSTRUCTION AND SAFETY ZONES**

### **Sec. 13-306. Driving through safety zone prohibited.**

No vehicle shall at any time be driven through or within a safety zone or island.

**State law reference--**Similar provisions, 47 O.S. § 11-1301.

### **Sec. 13-307. Maintenance and construction zones, etc.**

(a) City personnel or contractors, while repairing or improving the streets of the city, and city personnel and utility companies, when installing, improving, or repairing lines or other utility facilities in the streets, are hereby authorized as necessary, subject to control by the city council to close any street or section thereof to traffic during such repair, maintenance, or construction and in exercising such authority, shall erect or cause to be erected

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proper control devices and barricades to warn and notify the public that the street has been closed to traffic.

(b) When any street has been closed to traffic under the provisions of subsection (a) or pursuant to state law and traffic-control devices or barricades have been erected, it is unlawful for any person to drive any vehicle through, under, over, or around such traffic-control devices or barricades, or otherwise to enter the closed area except that the provisions of this subsection shall not apply to persons while engaged in such construction, maintenance, and repair, or to persons entering therein for the protection of lives or property provided that persons having their places of residence or places of business within the closed area may travel, when possible to do so, through the area at their own risk.

**State law reference--**Maintenance, construction and safety zones, 47 O.S. § 11-1301 et seq.

(c) Whenever construction, repair or maintenance of any street or utility line or facility is being performed under traffic, the city personnel, contractor or utility company concerned shall erect, or cause to be erected, traffic-control devices to warn and guide the public and every person using such street shall obey all signs, signals, markings, flagmen, or other traffic-control devices which are placed to regulate, control, and guide traffic through the construction or maintenance area.

(d) No person shall remove, change, modify, deface, or alter any traffic-control device or barricade, which has been erected on any highway under the provisions of this section.

(e) Nothing in this section shall relieve the state or any of its subdivisions or their contractors, agents, servants or employees from liability for failure to perform any of the duties imposed herein.

**State law reference--**Similar provisions, 47 O.S. § 11-1302.

**Secs. 13-308--13-320. Reserved.**

### ARTICLE XIII. MOTORCYCLES, ETC.

**Sec. 13-323. Required equipment.**

The following equipment shall be required on all motorcycles and all motor scooters being operated and driven in the city:

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(1) Rear view mirrors. All vehicles covered under this section shall be equipped with two (2) mirrors, containing a reflection surface of not less than three (3) inches in diameter, mounted one on each side of the vehicle and positioned so as to enable the operator to clearly view the roadway for a distance of two hundred (200) feet to the rear of his vehicle.

(2) Windshield. All vehicles covered under this section shall be equipped with a windshield of sufficient quality, size, and thickness to protect the operator from foreign objects, except that in lieu of such windshield the operator shall wear goggles or face shield of material and design to protect him from foreign objects.

(3) Brakes. All vehicles covered under this section shall be equipped with brakes adequate to control the movement of same to stop and hold such vehicles, including two (2) separate means of applying the brakes to the front wheel and one means shall be effective to apply the brakes to the rear wheels. All such vehicles shall be equipped with a stop lamp on the rear of the vehicle, which shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight, and which shall be actuated upon application of the service brake.

(4) Speedometer. All vehicles covered under this section shall be equipped with a properly operating speedometer capable of registering at least the maximum legal speed limit for that vehicle.

(5) Fenders. All vehicles covered under this section shall be equipped with a fender over each wheel. All fenders shall be of the type provided by the manufacturer.

(6) Lights. All vehicles covered under this section shall carry at least one lighted headlamp capable of showing a white light visible at least three hundred (300) feet in the direction in which the same are proceeding, and one tail lamp mounted on the rear which, when lighted, shall emit a red light plainly visible from at least three hundred (300) feet to the rear, and such lights required by this section shall be burning whenever such vehicles are in motion during the period from one-half hour after sunset and one-half hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the streets are not clearly discernible at a distance of at least five hundred (500) feet ahead.

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(7) Headgear. No person under eighteen (18) years of age shall operate or ride upon any vehicle covered under this section unless such person is equipped with and wearing on the head a crash helmet of a type, which complies with standards established, by the state. All crash helmets shall consist of lining, padding, and chin straps and be of the type as not to distort the view of the driver.

**State law reference--**Similar provisions, 47 O.S. § 40-105.

### **Sec. 13-324. Driver's license.**

No person shall operate a motorcycle, motor driven cycle or a motorized bicycle on the streets within the city without first having obtained a Class A, B, C, or D license with a motorcycle endorsement.

(Ord. No. 493, § 1, 10-19-93)

### **Sec 13-325. Special rules for motorized scooters, motor-driven cycles, and motor-driven bicycles.**

#### **(A) Motorized Scooters and Motor-Driven Cycles:**

- (1) No person shall operate any motor-driven cycle at a speed greater than the legally posted speed limit; provided, in no event nor at any time shall any operator drive a motor-driven cycle at a speed greater than thirty-five (35) miles per hour;
- (2) No person shall operate a motorized scooter at a speed greater than the legally posted speed limit; provided, in no event nor at any time shall any operator drive a motorized scooter at a speed greater than twenty-five (25) miles per hour, or on any roadway with a posted speed limit of greater than twenty five (25) miles per hour.
- (3) Operators of motorized scooters and motor-driven cycles shall wear goggles or a face shield, and all operators under the age of eighteen (18) years shall wear protective headgear meeting the standards established by the State of Oklahoma.
- (4) Motor-driven cycles operated on City streets shall be equipped with all lights and equipment required for motorcycles by Oklahoma law.
- (5) No motor-driven cycle or motorized scooter shall be driven on any public street between sunset and sunrise.

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### (B) Motorized Scooters and Bicycles.

- (1) Every person operating a bicycle or motorized scooter upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as is safe to the right-hand curb or edge of the roadway, except under any of the following situations:
  - (a) When overtaking and passing another vehicle proceeding in the same direction;
  - (b) When preparing for a left turn at an intersection or into a private road or driveway;
  - (c) When reasonably necessary to avoid conditions and while exercising due care, including but not limited to:
    - i. Fixed or moving objects;
    - ii. Parked or moving vehicles;
    - iii. Pedestrians or animals;
    - iv. Surface hazards; or,
    - v. Any time it is unsafe to continue along the right-hand curb or edge of the roadway.
  - (d) When riding in the right-turn-only lane.
- (2) Any person riding a bicycle or motorized scooter upon a one-way street or highway with two or more marked lanes of travel may ride as close as is safe to the left-hand curb or edge of the street or highway.
- (3) No person operating a bicycle or motorized scooter shall pass other vehicles between lanes of traffic traveling the same direction.
- (4) Persons riding bicycles or motorized scooters upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles or motorized scooters. Persons riding two abreast shall not impede the normal and reasonable flow of traffic and, on a laned roadway, shall ride within a single lane.

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- (5) A Class A, B, C, or D license, but no motorcycle endorsement, is required to operate an electric-assisted bicycle.
- (6) No person operating a bicycle or motorized scooter shall carry any package, bundle, or article which prevents the driver from keeping at least one hand on the handlebars.
- (7) No person riding upon any bicycle or motorized scooter shall attach the same or himself to any vehicle upon a roadway.
- (8) A person propelling a bicycle or motorized scooter shall not ride other than astride a permanent and regular seat attached thereto.
- (9) No bicycle or motor scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.
- (10) Persons shall ride a bicycle or motor scooter only in the manner in which it is designed and equipped to carry them.

(Ord. No. 619, §3, 08-01-2006)

- (C) All motor vehicles shall comply with all rules of the road in operation of a vehicle on the public streets.

**Secs. 13-326--13-335 Reserved.**

### ARTICLE XIV. VEHICLE EQUIPMENT, CONDITION, ETC.

#### **Sec. 13-336. Equipment generally.**

It is unlawful and an offense for any person to drive or move, or for the owner to cause or knowingly permit to be driven or moved on any highway or street any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required by 47 O.S. § 12-101 et seq., or which is equipped in any manner in violation of said law or for any person to do any act forbidden or fail to perform any act required under said law.

(1986 Code §13-336 Ord. No. 477, §§1, 2, 8-4-92; Ord. No. 526, §1, 5-6-96)



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**State law reference--**Vehicle equipment, 47 O.S. § 12-101 et seq.

### **Sec. 13-337. Unsafe conditions, etc.**

No person shall drive or move on any highway or street any motor vehicle, trailer, semi trailer or pole trailer, or any combination of vehicles, unless the equipment upon any and every said vehicle is in good working order and adjustment as required by law and said vehicle is in such safe mechanical condition as not to endanger the driver or other occupant of any vehicle upon the highway.

**State law reference--**Similar provisions, 47 O.S. § 13-101.

### **Sec. 13-338. Mufflers, prevention of noise.**

Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cut-out, bypass or similar device upon a motor vehicle on a highway. No person shall modify the exhaust system of a motor vehicle in any manner, which will amplify or increase the noise or sound emitted louder than that emitted by the muffler originally installed on the vehicle.

**State law reference--**Mufflers, 47 O.S. § 12-402.

### **Sec. 13-339. Width, height, length, weight, and load.**

No person shall drive or convey through any street any vehicle the width, height, length, weight or load of which exceeds that authorized by state law, except in accordance with a permit issued by state authority or by the chief of police.

**State law reference--**Size, weight and load restrictions, 47 O.S. § 14-101 et seq.

**Cross-reference--**Motor vehicle pollution control devices, § 3-22.

### **Sec. 13-340. Trucks.**

No eighteen-wheel or other vehicle used primarily or exclusively for the purpose of hauling cars, trucks, and other vehicles, whether loaded or not, or any tractor or tractor trailer rig shall be permitted to use or drive upon any

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street if the street is abutted by residences or other types of living quarters except on May Avenue, Hefner Road, Britton Road, and Pennsylvania Avenue.

(Ord. No. 264, § 1(15-17-1), 8-7-79 Ord. No. 275, § 1, 1-15-80)

### **Sec. 13-341. Towing vehicles.**

When any vehicle is drawn along the highways of this city by means of ropes, cables, or other method of towing, which are attached to any other vehicle, the total length of such ropes, cables or material used shall be so fastened to each said vehicle that the distance between the towing vehicle and the towed vehicle shall not exceed twelve (12) feet in length.

(Code 1976, § 15-17-9)

### **Sec. 13-342. Dismissal of Charges upon Remedy of Defective Condition.**

Any person producing proof within forty-eight (48) hours that a condition or equipment for which the person was cited as defective, missing, prohibited, improper, unauthorized or otherwise in violation of this chapter has been remedied by the person shall be entitled to dismissal of such charge without assessment of court costs.

(Ord. No. 587, §3, 10-7-2003)

**State law reference--**Vehicle inspection stickers, 47 O.S. § 851 et seq.

### **Sec. 13-343. Vehicle license tag/sticker.**

(a) It shall be an offense for any person to operate a motor vehicle without displaying on the rear of said vehicle the current year's license plate and sticker issued by the State or any other State in the United States or the United States Government. Such plate and sticker shall be so placed on the vehicle so that the plate may be read or seen at all times during the day or night. Said plates and stickers shall be kept reasonably clean and clear of mud, grease, dirt or any other substance in order that the same may be easily seen, discerned, and read.

(Ord. No. 684 § 1, 04-16-2013)

(b) Subsection (a) does not apply to vehicles stored in enclosed buildings.

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(c) The police department is authorized to impound vehicles found in violation of subsection (a) above, provided that the vehicle's annual registration has been expired more than ninety (90) days. A vehicle impounded pursuant to this section shall not be released to the owner until it is duly registered and the license, registration, or title fee and penalties due are paid in full, proof of security or an affidavit that the vehicle will not be used on public highways or public streets, as required pursuant to O.S. Title 47 Section 7-600, et. seq. is furnished, and the cost of seizure including the reasonable cost of taking the vehicle into custody and storing the vehicle, have been paid.

(Ord. No. 552, §1, 1-18-00)

(d) Either a tail lamp or a separate lamp shall be so constructed as to illuminate with a light the rear registration plate and render it clearly legible from a distance of fifty (50) feet to the rear. Any tail lamp or tail lamps together with any separate lamp for illuminating the rear registration plate shall be so wired as to be lighted whenever the headlamps, clearance lamps, or auxiliary driving lamps are lighted.

(Code 1976, § 15-11-9 Ord. No. 500, § 1, 3-15-94)

**State law reference--**Licensing and use of wreckers and towing services, 47 O.S. § 951 et seq.

### **Sec. 13-344. Inspection by police**

Police officers shall have authority to inspect and test any vehicle upon the streets of the city at any time to determine whether it is safe, whether it is properly equipped, and/or whether its equipment is in proper adjustment and repair.

**State law reference--**Refusal to allow inspection, 47 O.S. § 13-103.

### **Sec. 13-345. Window tint.**

It shall be an offense for any person to operate a motor vehicle upon public roads and streets of this city on which the percentage of tint on the front windshield, the side windows to the immediate right or left of the driver, [or] the side wings forward of and to the left and right of the driver, exceed thirty (30) percent tint available as a factory option or after-market application.

(Ord. No. 428, § 1, 9-5-89)

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**Secs. 13-346--13-355. Reserved.**

### **ARTICLE XV. MISCELLANEOUS REGULATIONS**

**Sec. 13-356. Eluding police officer.**

Any operator of a motor vehicle who has received a visual and audible signal, a red light and a siren from a police officer driving a motor vehicle showing the same to be an official police patrol car directing the said operator to bring his vehicle to a stop and who willfully increases his speed or extinguishes his lights in an attempt to elude such police officer, or willfully attempts in any other manner to elude the police officer or who does elude such police officer, is guilty of an offense.

(Code 1976, § 10-16-3, 15-17-11)

**Cross-reference--**Offenses against public authority, § 12-16 et seq.

**State law reference--**Similar provisions, 21 O.S. § 540A.

**Sec. 13-357. Unattended motor vehicle.**

(a) The person driving or in charge of a motor vehicle shall not permit it to stand unattended without first stopping the engine, and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the highway.

(b) No person shall back a vehicle across lanes on a thoroughfare.

**State law reference--**Similar provisions, 47 O.S. § 11-1101.

**Sec. 13-358. Limitations on backing.**

(a) No vehicle shall be backed upon any street or highway except for such distance as may be necessary to permit the vehicle to enter the proper driving lane from a parked position. Such backing shall be done only after the driver of said vehicle has ascertained that such movement can be made without endangering other traffic.

(b) No person shall back a vehicle across lanes on a thoroughfare.

**State law reference--**Similar provisions, 47 O.S. § 11-1102.

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### **Sec. 13-359. Riding on motorcycles, etc.**

No person shall drive a motorcycle, motor scooter, or a motor bicycle while transporting more than one passenger, except a motorcycle, motor scooter, or motor bicycle factory-designed for the purpose of carrying additional passengers.

**State law reference--**Similar provisions, 47 O.S. § 11-1103.

### **Sec. 13-360. Driver's view not to be obstructed.**

(a) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(b) No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides or to interfere with his control over the driving mechanism of the vehicle.

(c) No school bus shall be operated on the streets or highways in the city when loaded with passengers in excess of the number of which such bus is designed to carry. The number of passengers, as determined by the local school board, which the bus is designed to carry, shall be posted in a conspicuous place on the bus.

**State law reference--**Similar provisions, 47 O.S. § 11-1104.

### **Sec. 13-361. 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--**Similar provisions, 47 O.S. § 11-1105.

### **Sec. 13-362. Coasting.**

(a) The driver of a motor vehicle when traveling on a downgrade shall not coast with the gears of such vehicle in neutral.

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(b) The driver of any motor vehicle when traveling upon a downgrade shall not coast with the clutch, disengaged.

**State law reference--**Similar provisions, 47 O.S. § 11-1107.

### **Sec. 13-363. Following fire apparatus prohibited.**

(a) The driver of any vehicle other than one (1) on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. The driver of any vehicle other than one (1) on official business shall not follow any emergency vehicle or shall not purposely drive to any location on a highway where an emergency exists which would interfere with the free movement of authorized emergency vehicles or any other traffic using the highway at that location.

(b) For the purpose of this section, the definition of emergency shall include traffic accidents, airplane accidents, disasters, explosions, civil disturbances and (without limitation by the foregoing) any other related circumstances which tend to cause traffic congestion.

(c) The purpose of this section is to eliminate sightseers and other persons who do not have official business at the scene of an emergency, and whose presence would tend to cause traffic congestion.

**State law reference--**Similar provisions, 47 O.S. 11-1108.

### **Sec. 13-364. Crossing fire hose.**

No vehicle shall be driven over any unprotected hose of the 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--**Similar provisions, 47 O.S. § 11-1109.

### **Sec. 13-365. Putting glass, etc., on highway.**

(a) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, or any other substances likely to injure any person, animal, or vehicle upon such highway.

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(b) Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.

(c) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

(d) No person shall throw any substance at a standing vehicle or any occupant thereof, nor shall any person throw any substance at a person on or adjacent to the highway.

**State law reference--**Similar provisions, 47 O.S. § 11-1110.

### **Sec. 13-366. Driving through service drives and private residential driveways.**

No person shall drive any vehicle through any service drive or any residential driveway without stopping, where such service drive or residential driveway is located at a street intersection within the city. It is the intent of this section to make it unlawful to drive any vehicle through such service drive or residential driveway for the purposes of avoiding a stop sign or traffic-control signal at such intersection or for the purpose of traveling from one street or thoroughfare to another or for the purpose of traveling in the opposite direction on the same street or thoroughfare when the driver of such vehicle does not intend to transact business on the premises or visit the premises where such service drive or residential driveway is located. (Code 1976, § 15-17-5; Ord. No. 701 §1, 02-03-2015)

### **Sec. 13-367. Driving through funeral or other procession.**

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers. (Code 1976, § 15-7-1)

### **Sec. 13-368. Drivers in a procession.**

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway a practicable and shall follow the vehicle ahead as close as is practicable and safe.

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**State law reference--**Municipal authority to regulate processions, 47 O.S. § 15-102(a) 3.

### **Sec. 13-369. Driving vehicle on sidewalk.**

The driver of a vehicle shall not drive upon a sidewalk or within any sidewalk area except at a permanent or temporary driveway.

### **Sec. 13-370. Boarding or alighting from vehicles.**

No person shall board or alight from any vehicle while such vehicle is in motion.

(Code 1976, § 15-17-6)

### **Sec. 13-371. Riding in portions of vehicles not intended for passengers.**

No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. (Code 1976, § 15-17-2)

### **Sec. 13-372. Texting while driving.**

- A. It shall be unlawful for any person to operate a motor vehicle on any street or highway within this city while using a hand-held electronic communication device to manually compose, send or read an electronic text message while the motor vehicle is in motion.
- B. Any person who violates the provisions of subsection A of this section shall, upon conviction, be punished by a fine of not more than One Hundred Dollars (\$100.00).
- C. The provisions of subsection A of this section shall not apply if the person is using the cellular telephone or electronic communication device for the sole purpose of communicating with any of the following regarding an imminent emergency situation:
  1. *An emergency response operator;*
  2. *A hospital, physician's office or health clinic;*
  3. *A provider of ambulance services;*
  4. *A provider of firefighting services; or*



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5. *A law enforcement agency.*

D. For the purpose of this section:

1. "*Cellular telephone*" means an analog or digital wireless telephone authorized by the Federal Communications Commission to operate in the frequency bandwidth reserved for cellular telephones;
2. "*Compose*", "*send*" or "*read*" with respect to a text message means the manual entry, sending or retrieval of a text message to communicate with any person or device;
3. "*Electronic communication device*" means an electronic device that permits the user to manually transmit a communication of written text by means other than through an oral transfer or wire communication. This term does not include a device that is physically or electronically integrated into a motor vehicle or a voice-operated global positioning or navigation system that is affixed to a motor vehicle, or a hands-free device that allows the user to write, send or read a text message without the use of either hand except to activate, deactivate or initiate a feature or function; and
4. "*Text message*" includes a text-based message, instant message, electronic message, photo, video or electronic mail.

E. Chapter 13, Section 13-372 shall become effective November 1, 2015."

State law reference - Title 47, O.S. Section 11-901d  
(Ord. No. 708, §1, 07-21-2015)