

TRAFFIC AND VEHICLES

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CHAPTER 60

ADMINISTRATION OF TRAFFIC CODE

60.01 Title
60.02 Definitions
60.03 Administration and Enforcement
60.04 Power to Direct Traffic

60.05 Traffic Accidents: Reports
60.06 Peace Officer's Authority
60.07 Obedience to Peace Officers
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60.01 TITLE. Chapters 60 through 70 of this Code of Ordinances may be known and cited as the "Colfax Traffic Code."

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

(Code of Iowa, Sec. 321.1)

1. "Business District" means the territory contiguous to and including a highway when fifty percent (50%) or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business.
2. "Park" or "parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
3. "Peace officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
4. "Residence district" means the territory contiguous to and including a highway not comprising a business, suburban or school district, where forty percent (40%) or more of the frontage on such a highway for a distance of three hundred (300) feet or more is occupied by dwellings or by dwellings and buildings in use for business.
5. "School district" means the territory contiguous to and including a highway for a distance of two hundred (200) feet in either direction from a school house.
6. "Stand" or "standing" means the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

7. "Stop" means when required, the complete cessation of movement.
8. "Stop" or "stopping" means when prohibited, any halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control sign or signal.
9. "Suburban district" means all other parts of the City not included in the business, school or residence districts.
10. "Traffic control device" means all signs, signals, markings, and devices not inconsistent with this chapter, lawfully placed or erected for the purpose of regulating, warning, or guiding traffic.
11. "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, street, or alley.

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

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

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

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

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

(Code of Iowa, Sec. 321.273 & 321.274)

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

or permit of such vehicle. A peace officer having probable cause to stop a vehicle may require exhibition of the proof of financial liability coverage card issued for the vehicle.

(Code of Iowa, Sec. 321.492)

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

(Code of Iowa, Sec. 321.229)

60.08 PARADES REGULATED. No person shall conduct or cause any parade on any street except as provided herein:

1. "Parade" Defined. "Parade" means any march or procession of persons or vehicles organized for marching or moving on the streets in an organized fashion or manner or any march or procession of persons or vehicles represented or advertised to the public as a parade.
2. Permit Required. No parade shall be conducted without first obtaining a written permit from the Mayor. Such permit shall state the time and date for the parade to be held and the streets or general route therefor. Such written permit granted to the person organizing or sponsoring the parade shall be permission for all participants therein to parade when such participants have been invited by the permittee to participate therein. No fee shall be required for such permit.
3. Parade Not A Street Obstruction. Any parade for which a permit has been issued as herein required, and the persons lawfully participating therein, shall not be deemed an obstruction of the streets notwithstanding the provisions of any other ordinance to the contrary.
4. Control By Police and Fire Fighters. Persons participating in any parade shall at all times be subject to the lawful orders and directions in the performance of their duties of law enforcement personnel and members of the fire department.

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CHAPTER 61

TRAFFIC CONTROL DEVICES

61.01 Installation
61.02 Crosswalks
61.03 Traffic Lanes

61.04 Standards
61.05 Compliance

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

(Code of Iowa, Sec. 321.255)

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

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

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

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

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

(Code of Iowa, Sec. 321.255)

61.05 COMPLIANCE. No driver of a vehicle shall disobey the instructions of any official traffic control device placed in accordance with the provisions of

this chapter, unless at the time otherwise directed by a peace officer, subject to the exceptions granted the driver of an authorized emergency vehicle under Section 321.231 of the Code of Iowa.

(Code of Iowa, Sec. 321.256)

CHAPTER 62

GENERAL TRAFFIC REGULATIONS

62.01 Violation of Regulations
62.02 Play Streets Designated
62.03 Vehicles on Sidewalks
62.04 Clinging to Vehicle
62.05 Quiet Zones
62.06 Funeral Processions

62.07 Tampering with Vehicle
62.08 Open Containers in Motor Vehicles
62.09 Obstructing View at Intersections
62.10 Reckless Driving
62.11 Careless Driving
62.12 Engine Brakes and Compression Brakes

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

1. Section 321.17 – Operating non-registered vehicle.
2. Section 321.25 – Violation of “registration applied for” card.
3. Section 321.32 – Registration card, carried and exhibited.
4. Section 321.34 – Registration violation.
5. Section 321.37 – Display of plates.
6. Section 321.38 – Plates, method of attaching, imitations prohibited.
7. Section 321.41 – Fail to give notice, address/name change.
8. Section 321.45 – Violation of title transfer.
9. Section 321.46 – Violation of new title & registration upon transfer to new owner.
10. Section 321.47 – Transfer by operation of law.
11. Section 321.48 – Violation of title – vehicles acquired for resale.
12. Section 321.52 – Violation of title – out of state sale, junked, dismantled, wrecked or salvaged vehicle.
13. Section 321.54 – Registration required/certain non-resident carriers.
14. Section 321.55 – Registration required – other non-resident carriers.
15. Section 321.57 – Failure to have proper plates (manufacturer, transporter, dealer).
16. Section 321. 62 – Failure to have proper records of special plates.

17. Section 321.67 – Failure to deliver/acquire certificate of title upon sale/purchase of vehicle.
18. Section 321.79 – Intent to injure.
19. Section 321.91 – Abandonment of vehicle.
20. Section 321.98 – Operation without registration.
21. Section 321.99 – Improper use of registration.
22. Section 321.104 – (1) Operation with canceled title or suspended or revoked registration.
23. Section 321.115 – Improper use of antique plates.
24. Section 321.174 – Operators licensed.
25. Section 321.174A – Operation of motor vehicles with expired license.
26. Section 321.180 – Instruction permits.
27. Section 321.180B – Graduated driver's licenses for persons aged fourteen through seventeen.
28. Section 321.193 – Restricted licenses.
29. Section 321.194 – Special minor's licenses.
30. Section 321.208A – Violation of out-of-service order.
31. Section 321.216 – Unlawful use of license and nonoperator's identification card.
32. Section 321.216B – Use of driver's license or nonoperator's identification card by underage person to obtain alcohol.
33. Section 321.216C – Misuse of driver's license or nonoperator's identification card by underage person to acquire tobacco.
34. Section 321.219 – Permitting unauthorized minor to drive.
35. Section 321.220 – Permitting unauthorized person to drive.
36. Section 321.229 – Fail to comply with order of peace officer.
37. Section 321.231 – Fail of caution by driver of emergency vehicles.
38. Section 321.232 – Radar jamming devices; penalty.
39. Section 321.234 – (3,4) Failure to observe seating requirements.
40. Section 321.234A – All-terrain vehicles.
41. Section 321.247 – Unlawful golf cart operation.
42. Section 321.256 – Fail to obey traffic control device.
43. Section 321.257 – Fail to obey official traffic control signal, vehicle & pedestrian.
44. Section 321.262 – Damage to vehicle.

45. Section 321.263 – Information and aid.
46. Section 321.264 – Striking unattended vehicle.
47. Section 321.265 – Striking fixtures upon a highway.
48. Section 321.275 – Operation of motorcycles and motorized bicycles/safety flag.
49. Section 321.278 – Drag racing prohibited.
50. Section 321.288 – Control of vehicle; reduced speed.
51. Section 321.294 – Fail to maintain minimum speed.
52. Section 321.295 – Limitation on bridge or elevated structures.
53. Section 321.297 – Driving on right-hand side of roadways; exceptions.
54. Section 321.298 – Meeting and turning to right.
55. Section 321.299 – Overtaking a vehicle.
56. Section 321.302 – Overtaking on the right.
57. Section 321.303 – Limitations on overtaking on the left.
58. Section 321.304 – Prohibited passing.
59. Section 321.305 – Violating one-way traffic designation.
60. Section 321.306 – Improper use of lanes.
61. Section 321.307 – Following too closely.
62. Section 321.308 – Motor trucks and towed vehicles; distance requirements.
63. Section 321.309 – Towing; convoys; drawbars.
64. Section 321.310 – Towing four-wheel trailers.
65. Section 321.312 – Turning on curve or crest of grade.
66. Section 321.313 – Starting parked vehicle.
67. Section 321.314 – When signal required.
68. Section 321.315 – Signal continuous.
69. Section 321.316 – Stopping.
70. Section 321.317 – Signals by hand and arm or signal device.
71. Section 321.318 – Incorrect hand signal.
72. Section 321.319 – Entering intersections from different highways.
73. Section 321.320 – Left turns; yielding.
74. Section 321.321 – Entering through highways.
75. Section 321.322 – Vehicles entering stop or yield intersection.
76. Section 321.323 – Moving vehicle backward on highway.
77. Section 321.324 – Operation on approach of emergency vehicles.

78. Section 321.325 – Pedestrian disobeying traffic control signal.
79. Section 321.326 – Pedestrian walking on wrong side of highway.
80. Section 321.327 – Fail to yield to pedestrians' right-of-way.
81. Section 321.328 – Pedestrian failing to use crosswalk.
82. Section 321.329 – Duty of driver – pedestrians crossing or working on highways.
83. Section 321.331 – Soliciting ride from within roadway.
84. Section 321.332 – White canes restricted to blind persons.
85. Section 321.333 – Duty of drivers.
86. Section 321.340 – Driving through safety zone.
87. Section 321.341 – Obedience to signal of train.
88. Section 321.342 – Stop at certain railroad crossings; posting warning.
89. Section 321.343 – Certain vehicles must stop.
90. Section 321.344 – Heavy equipment at crossing.
91. Section 321.344B – Creating an immediate safety threat at RR crossing.
92. Section 321.353 – Unsafe entry onto sidewalk or roadway.
93. Section 321.354 – Stopping on traveled way.
94. Section 321.359 – Moving other vehicle.
95. Section 321.362 – Unattended motor vehicle.
96. Section 321.363 – Obstruction to driver's view.
97. Section 321.364 – Preventing contamination of food by hazardous material.
98. Section 321.365 – Coasting prohibited.
99. Section 321.366 – Improper use of median, curb or access facility.
100. Section 321.367 – Following fire apparatus.
101. Section 321.368 – Crossing fire hose.
102. Section 321.369 – Putting debris on highway.
103. Section 321.370 – Removing injurious material.
104. Section 321.372 – School buses.
105. Section 321.381 – Movement of unsafe or improperly equipped vehicles.
106. Section 321.381A – Improper operation of low-speed vehicle.
107. Section 321.382 – Upgrade pulls; minimum speed.

108. Section 321.383 – Exceptions; slow vehicles identified.
109. Section 321.384 – When lighted lamps required.
110. Section 321.385 – Head lamps on motor vehicles.
111. Section 321.386 – Head lamps on motorcycles and motorized bicycles.
112. Section 321.387 – Rear lamps.
113. Section 321.388 – Illuminating plates.
114. Section 321.389 – Reflector requirement.
115. Section 321.390 – Reflector requirements.
116. Section 321.392 – Clearance and identification lights.
117. Section 321.393 – Color and mounting.
118. Section 321.394 – Lamp or flag on projecting load.
119. Section 321.395 – Lamps on parked vehicles.
120. Section 321.397 – Improper light on bicycle.
121. Section 321.398 – Lamps on other vehicles and equipment.
122. Section 321.402 – Spot lamps.
123. Section 321.403 – Auxiliary driving lamps.
124. Section 321.404 – Signal lamps and signal devices.
125. Section 321.404A – Light-restricting devices prohibited.
126. Section 321.409 – Mandatory lighting equipment.
127. Section 321.415 – Required usage of lighting devices.
128. Section 321.419 – Number of driving lamps required or permitted.
129. Section 321.420 – Number of lamps lighted.
130. Section 321.421 – Special restrictions on lamps.
131. Section 321.422 – Red light in front.
132. Section 321.423 – Flashing lights.
133. Section 321.430 – Brake, hitch and control requirements.
134. Section 321.432 – Horns and warning devices.
135. Section 321.433 – Sirens, whistles and bells prohibited.
136. Section 321.434 – Bicycle sirens or whistles.
137. Section 321.436 – Mufflers, prevention of noise.
138. Section 321.437 – Mirrors.
139. Section 321.438 – Windshields and windows.
140. Section 321.439 – Windshield wipers.
141. Section 321.440 – Restrictions as to tire equipment.

142. Section 321.441 – Metal tires prohibited.
143. Section 321.442 – Projections on wheels.
144. Section 321.444 – Safety glass.
145. Section 321.445 – Safety belts and safety harnesses – use required.
146. Section 321.446 – Child restraint devices.
147. Section 321.449 – Motor carrier safety regulations.
148. Section 321.450 – Hazardous materials transportation.
149. Section 321.454 – Width of vehicles.
150. Section 321.455 – Projecting loads on passenger vehicles.
151. Section 321.456 – Height of vehicles; permits.
152. Section 321.457 – Maximum length.
153. Section 321.458 – Loading beyond front.
154. Section 321.460 – Spilling loads on highways.
155. Section 321.461 – Trailers and towed vehicles.
156. Section 321.462 – Drawbars and safety chains.
157. Section 321.463 – Maximum gross weight.
158. Section 321.465 – Weighing vehicles and removal of excess.
159. Section 321.466 – Increased loading capacity - reregistration.

(Ord. 455 – Mar. 03 Supp.)

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

(Code of Iowa, Sec. 321.255)

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

62.04 CLINGING TO VEHICLE. No person shall drive a motor vehicle on the streets of the City unless all passengers of said vehicle are inside the vehicle in the place intended for their accommodation. No person riding upon any bicycle, coaster, roller skates, in-line skates, sled or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

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

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

(Code of Iowa, Sec. 321.324A)

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

62.08 OPEN CONTAINERS IN MOTOR VEHICLES.

1. Drivers. A driver of a motor vehicle upon a public street or highway shall not possess in the passenger area of the motor vehicle an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage.

(Code of Iowa, Sec. 321.284)

2. Passengers. A passenger in a motor vehicle upon a public street or highway shall not possess in the passenger area of the motor vehicle an open or unsealed bottle, can, jar or other receptacle containing an alcoholic beverage.

(Code of Iowa, Sec. 321.284A)

As used in this section "passenger area" means the area of a motor vehicle designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seating positions, including the glove compartment. An open or unsealed receptacle containing an alcoholic beverage may be transported in the trunk of the motor vehicle. An unsealed receptacle containing an alcoholic beverage may be transported behind the last upright seat of the motor vehicle if the motor vehicle does not have a trunk.

62.09 OBSTRUCTING VIEW AT INTERSECTIONS. It is unlawful to allow any tree, hedge, billboard or other object to obstruct the view of an intersection by preventing persons from having a clear view of traffic approaching the intersection from cross streets. Any such obstruction is deemed

a nuisance and in addition to the standard penalty may be abated in the manner provided by Chapter 50 of this Code of Ordinances.

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

(Code of Iowa, Sec. 321.277)

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

(Code of Iowa, Sec. 321.277A)

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

62.12 ENGINE BRAKES AND COMPRESSION BRAKES.

1. It is unlawful for the driver of any vehicle to use or operate, or cause to be used or operated within the City any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual or explosive noise from such vehicle. Violations of this section will be considered a non-moving violation.

2. The usage of an engine brake; compression brake or mechanical exhaust device designed to aid in braking or deceleration in such a manner so as to be audible at a distance of three hundred feet (300') from the motor vehicle.

(Ord. 554 – May 10 Supp.)

CHAPTER 63

SPEED REGULATIONS

63.01 General

63.02 State Code Speed Limits

63.03 Parks, Cemeteries and Parking Lots

63.04 Special Speed Restrictions

63.05 Minimum Speed

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

(Code of Iowa, Sec. 321.285)

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

1. Business District – twenty (20) miles per hour.
2. Residence or School District – twenty-five (25) miles per hour.
3. Suburban District – forty-five (45) miles per hour.

63.03 PARKS, CEMETERIES AND PARKING LOTS. A speed in excess of five (5) miles per hour in any public park, cemetery or parking lot, unless specifically designated otherwise in this chapter, is unlawful.

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

(Code of Iowa, Sec. 321.290)

1. Special 35 MPH Speed Zones. A speed in excess of thirty-five miles per hour is unlawful on any of the following designated streets or parts thereof.
 - A. On State Street from South Thomas Street to Walnut Street;
 - B. On League Road from south corporate limit to Division Street;
 - C. On East State Street from Walnut Street to one hundred (100) feet east of Goodrich Street. *(Ord. 429 – Sep. 01 Supp.)*
2. Special 45 MPH Speed Zones. A speed in excess of forty-five miles per hour is unlawful on any of the following designated streets or parts thereof.
 - A. On State Street from west corporate limit to South Thomas Street;
 - B. On East State Street from one hundred (100) feet east of Goodrich Street to the east corporate limits. *(Ord. 429 – Sep. 01 Supp.)*
3. Special 55 MPH Speed Zones. A speed in excess of fifty-five miles per hour is unlawful on any of the following designated streets or parts thereof.
 - A. On West State Street from 235 feet west of Hastings Street to the west City limits;
 - B. On South League Road from Olive Avenue to south City limits.

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

(Code of Iowa, Sec. 321.294)

CHAPTER 64

TURNING REGULATIONS

64.01 Authority to Mark
64.02 U-turns

64.03 Left Turn for Parking

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

(Code of Iowa, Sec. 321.311)

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

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

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

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CHAPTER 65

STOP OR YIELD REQUIRED

65.01 Through Streets – Stop
65.02 Stop Required
65.03 Three-Way Stop Intersections
65.04 Four-Way Stop Intersections
65.05 Yield Required

65.06 School Stops
65.07 Stop Before Crossing Sidewalk
65.08 Stop When Traffic Is Obstructed
65.09 Yield to Pedestrians in Crosswalks

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

(Code of Iowa, Sec. 321.345)

1. W. State, from Locust to Hastings;
2. W. Spring, from Walnut to Kelly;
3. W. Broadway, from Walnut to Kelly;
4. W. Washington, from Walnut to Kelly;
5. Division, from Madison to College;
6. Walnut, from Weaver to Front;
7. E. State, from Walnut to League;
8. E. Front, from Walnut to Lincoln;
9. E. Howard, from Walnut to Oak Park;
10. Pleasant, from Walnut to Hastings;
11. E. Broadway from Elm to Iowa;
12. E. Washington, from Iowa to Goodrich;
13. E. Spring, from Ryan to Oak Park.

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

(Code of Iowa, Sec. 321.345)

1. (Repealed by Ordinance No. 600 – Jan. 14 Supp.)
2. S. Oak Park Street. Vehicles traveling south on S. Oak Park Street shall stop at Blake Street;
3. College Street. Vehicles traveling south on College Street shall stop at Clark Street;

4. Goodrich Street. Vehicles traveling south on Goodrich Street shall stop at Chautauqua Street;
5. Lake Street. Vehicles traveling west on Lake Street shall stop at Goodrich Street;
6. Ryan Street. Vehicles traveling south on Ryan Street shall stop at Cherry Street;
7. Boise Street. Vehicles traveling north on Boise Street shall stop at Holland Street;
8. Holland Street. Vehicles traveling east on Holland Street shall stop at Lincoln Street;
9. Spring Street. Vehicles traveling west on Spring Street shall stop at Iowa Street;
10. Clark Street. Vehicles traveling east on Clark Street shall stop at League Street;
11. Division Street. Vehicles traveling east on Division Street shall stop at League Street;
12. Locust Street. Vehicles traveling north on Locust Street shall stop at Front Street;
13. Locust Street. Vehicles traveling south on Locust Street shall stop at High Street;
14. Thomas Street. Vehicles traveling south on Thomas Street shall stop at High Street;
15. High Street. Vehicles traveling west on High Street shall stop at Hastings Street;
16. Federal Avenue. Vehicles traveling on Federal Avenue shall stop at North Walnut (Hwy. 117);
17. Orchard Avenue. Vehicles traveling on Orchard Avenue shall stop at North Walnut (Hwy. 117);
18. Interstate 80. Vehicles exiting Interstate 80 eastbound shall stop at North Walnut (Hwy. 117).
(Subsections 16-18 - Ord. 438 – Sep. 01 Supp.)
19. High Street. Vehicles traveling east on High Street shall stop at Walnut Street.
(Ord. 464 – Mar. 03 Supp.)

65.03 THREE-WAY STOP INTERSECTIONS. Every driver of a vehicle shall stop before entering the following designated three-way stop intersections:

1. Walnut Street and State Street. Vehicles approaching the intersection of Walnut Street and State Street from the south, east and west shall stop before entering such intersection.
2. Chautauqua Street and Oak Park Street. Vehicles approaching the intersection of Chautauqua Street and Oak Park Street from the south, east and west shall stop before entering such intersection.
3. (Repealed by Ordinance No. 463 – Mar. 03 Supp.)
4. West Street and High Street. Vehicles approaching the intersection of West Street and High Street from the north, east and west shall stop before entering such intersection.
5. Oak Park Street and Division Street. Vehicles approaching the intersection of Oak Park Street and Division Street from the north, south and west shall stop before entering such intersection.

65.04 FOUR-WAY STOP INTERSECTIONS. Every driver of a vehicle shall stop before entering the following designated four-way stop intersections:

(Code of Iowa, Sec. 321.345)

1. Intersection of Kelly Street and Broadway Street;
2. Intersection of Broadway Street and Locust Street;
3. Intersection of Iowa Street and Division Street;
4. Intersection of Montgomery Street and Division Street;
5. Intersection of Washington Street and Locust Street;
6. Intersection of West Street and West Washington Street.
(Ord. 575 – Jun. 11 Supp.)
7. Intersection of Goodrich Street and Blake Street.
(Ord. 600 – Jan. 14 Supp.)

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

(Code of Iowa, Sec. 321.345)

1. Lincoln Street. Vehicles traveling on Lincoln Street shall yield at Broadway Street;
2. Washington Street. Vehicles traveling on Washington Street shall yield at Elm Street;

3. Chautauqua Street. Vehicles traveling southwest on Chautauqua Street shall yield at Goodrich Street;
4. Montgomery Street. Vehicles traveling on Montgomery Street shall yield at High Street;
5. Wall Street. Vehicles traveling on Wall Street shall yield at High Street.

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

(Code of Iowa, Sec. 321.249)

1. Intersection of Walnut Street and Washington Street.

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

(Code of Iowa, Sec. 321.353)

65.08 STOP WHEN TRAFFIC IS OBSTRUCTED. Notwithstanding any traffic control signal indication to proceed, no driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle.

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

(Code of Iowa, Sec. 321.327)

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CHAPTER 66

LOAD AND WEIGHT RESTRICTIONS

66.01 Temporary Embargo
66.02 Permits for Excess Size and Weight
66.03 Load Limits Upon Certain Streets

66.04 Load Limits on Bridges
66.05 Truck Route

66.01 TEMPORARY EMBARGO. If the Council declares an embargo when it appears by reason of deterioration, rain, snow or other climatic conditions that certain streets will be seriously damaged or destroyed by vehicles weighing in excess of an amount specified by the signs, no such vehicles shall be operated on streets so designated by such signs.

(Code of Iowa, Sec. 321.471 & 472)

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

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

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

(Code of Iowa, Sec. 321.473 & 475)

— NONE —

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

(Code of Iowa, Sec. 321.471)

66.05 TRUCK ROUTE. Truck route regulations are established as follows:

1. Truck Routes Designated. Every motor vehicle weighing ten (10) tons or more, when loaded or empty, having no fixed terminal within the City or making no scheduled or definite stops within the City for the purpose of loading or unloading shall travel over or upon the following streets within the City and none other:

(Code of Iowa, Sec. 321.473)

- A. North and South Walnut Street to State Street;
- B. All of East and West State Street from east to west City limits;
- C. East Division Street from Walnut Street to League Road;
- D. South League Road from East Division Street to south City limits;
- E. West Division Street from Walnut Street to Locust Street;
- F. West Front Street from North Walnut Street to Locust Street;
- G. North Locust Street to West Division Street;
- H. West Division Street to Walnut Street;
- I. East Front Street to North Maple Street;
- J. North Maple Street to East Division Street;
- K. West Howard Street to North Walnut Street;
- L. East Howard Street to Maple Street;
- M. North Elm Street from East Front Street to East Division Street.

2. Deliveries Off Truck Route. Any motor vehicle weighing ten (10) tons or more, when loaded or empty, having a fixed terminal, making a scheduled or definite stop within the City for the purpose of loading or unloading shall proceed over or upon the designated routes set out in this section to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload and return, by the most direct route to its point of departure from said designated route.

(Code of Iowa, Sec. 321.473)

3. Employer's Responsibility. The owner, or any other person, employing or otherwise directing the driver of any vehicle shall not require or knowingly permit the operation of such vehicle upon a street in any manner contrary to this section.

(Code of Iowa, Sec. 321.473)

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CHAPTER 67

PEDESTRIANS

67.01 Walking in Street

67.02 Hitchhiking

67.03 Pedestrian Crossing

67.04 Use Sidewalks

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

(Code of Iowa, Sec. 321.326)

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

(Code of Iowa, Sec. 321.331)

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

(Code of Iowa, Sec. 321.328)

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

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CHAPTER 68

ONE-WAY TRAFFIC

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

(Code of Iowa, Sec. 321.236 [4])

1. North Elm Street shall be northbound only from East Howard Street to East Front Street;
2. The north-south alley connecting Howard Street and Division Street between Walnut Street and Elm Street shall be one way northbound;
3. West Washington Street between Walnut Street and Locust Street (½ block) shall be westbound only;
4. The north-south alley connecting West Washington Street and West Division Street shall be one way northbound only.

(Subsections 3 and 4 Added by Ord. 549 – Apr. 10 Supp.)

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CHAPTER 69

PARKING REGULATIONS

69.01 Park Adjacent to Curb
69.02 Park Adjacent to Curb - One-way Street
69.03 Angle Parking
69.04 Angle Parking - Manner
69.05 Parking for Certain Purposes Illegal
69.06 Parking Prohibited

69.07 Persons With Disabilities Parking
69.08 No Parking Zones
69.09 Truck Parking Limited
69.10 Snow and Ice
69.11 Snow Routes
69.12 Special Parking Regulations

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

(Code of Iowa, Sec. 321.361)

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

(Code of Iowa, Sec. 321.361)

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

(Code of Iowa, Sec. 321.361)

1. West Howard Street on the north side from Walnut Street to Locust Street;
2. East Howard Street on the south side from Elm Street to Walnut Street;
3. North Elm Street on both sides from East Howard Street to East Front Street.

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

district, shall extend into the roadway more than a distance of sixteen (16) feet when measured at right angles to the adjacent curb or edge of roadway.

(Code of Iowa, Sec. 321.361)

69.05 PARKING FOR CERTAIN PURPOSES ILLEGAL. No person shall park a vehicle upon public property for more than twenty-four (24) hours or for any of the following principal purposes:

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

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

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

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

8. Stop Sign or Signal. Within ten (10) feet upon the approach to any flashing beacon, stop or yield sign, or traffic control signal located at the side of a roadway.

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

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

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

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

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

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

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

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

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

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

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

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

(Code of Iowa, Sec. 321.360)

15. Alleys. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting

property. The provisions of this subsection shall not apply to a vehicle parked in any alley which is eighteen (18) feet wide or less; provided said vehicle is parked to deliver goods or services.

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

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

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

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

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

19. Parking Inside the City Limits.

A. No person may park any unlicensed commercial, agricultural or industrial equipment or machinery in a parking space, on a sidewalk or alley of the downtown business district.

B. For purposes of this requirement, the downtown business district is defined as Walnut Street from the railroad tracks to Division Street, Front Street from West Street to Elm Street, Howard Street from Locust Street to Elm Street, Division Street from Locust Street to Elm Street, Elm street from Division Street to Front Street and Locust Street from Division Street to Front Street and all alleys falling inside these boundaries.

(Ord. 459 – Mar. 03 Supp.)

C. No person may park any vehicle between 2:00 a.m. and 6:00 a.m. daily year around in the downtown business district as defined in Subsection 69.10(1) with the exception of the west side of Elm Street between Howard and Front Streets.

(Ord. 597 – Feb. 13 Supp.)

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

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

A. Municipal off-street public parking facilities or an entity providing nonresidential parking in off-street public parking facilities shall provide not less than two percent (2%) of the total parking spaces in each parking facility as persons with disabilities

parking spaces, rounded to the nearest whole number of persons with disabilities parking spaces. However, such parking facilities having ten (10) or more parking spaces shall set aside at least one persons with disabilities parking space.

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

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

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

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

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

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

TOTAL PARKING SPACES IN LOT	REQUIRED MINIMUM NUMBER OF PERSONS WITH DISABILITIES PARKING SPACES
10 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	†
1001 and over	‡
† Two percent (2%) of total	
‡ Twenty (20) spaces plus one for each 100 over 1000	

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

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

(IAC, 661-18.7[321L])

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

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

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

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

5. Improper Use. The following uses of a persons with disabilities parking space, located on either public or private property, constitute improper use of a persons with disabilities parking permit, which is a violation of this Code of Ordinances:

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

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

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

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

69.08 NO PARKING ZONES. No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when

necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal.

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

1. North Walnut Street on the west side from West Howard Street to 115 North Walnut Street.
2. Within 100 feet south on North Oak Park from the intersection of North Oak Park and Front Street.
3. Within 100 feet west on Front Street from the intersection of North Oak Park and Front Street.
4. West Broadway Street on the north side from South Walnut Street to South Locust Street from 7:30 a.m. to 3:30 p.m. on school days.
5. At both curbs of Division Street within 100 feet of its intersection with Kelly Street.
6. West Howard Street on the north side from its intersection with North Walnut Street west 100 feet.
7. Compact Car Parking spaces are established in the last parking spaces on the northeast and northwest corners of North Walnut St. at Front, on the northeast, northwest, and southeast corners of the intersection of North Walnut St. at Howard. And on the northeast corner of North Walnut St. and Division St.. A vehicle is not considered a compact vehicle if it exceeds either five feet (60 inches) in height or 16.5 feet in length.
8. No parking on the east side of South Walnut Street from Weaver Street to the south city limits during the hours of 7:30 AM- 5:00 PM on weekdays.
9. No parking on the north side of Chautauqua Ave. At said street's intersection with South Oak Park east to its intersection with South Goodrich Street; and on the south side of Chautauqua Ave. from its intersection with South Oak Park Ave. to the north-south alley connecting Chautauqua Ave. and Blake St. between South Oak Park Ave. and South Goodrich St.
10. No Parking in the alley beginning at West Division Street and running north to the east-west alley connecting North Locust Street and North Walnut Street.
11. A handicap parking space is established on the north side of East Division Street directly in front of the ramp leading to the door of the church.

12. A handicap parking space is established on the west side of the 200 block of N. Walnut St. directly in front of Mineral Springs Park.
13. A handicap parking space is established in the 10 block of West Division Street directly in front of the Colfax Public Library.
14. No parking on the north side of East Division St. from Elm St. to League Rd. and no parking on the south side of East Division St. from Elm St. to Maple St.
15. No parking on the south side of East Division St. on weekdays, during the hours between 7:30 a.m. to 5:00 p.m.
16. No parking on the south side of East Howard St. from North Elm St. to North Oak Park Ave.
17. No parking on the east side of Oak Park Ave. from East Howard St. to East State St.
18. No parking on the north & south sides of West State St. from South Walnut St. to the west city limits.
19. No parking on the north & south sides of East State St. (Hwy.117) from South Walnut St. to the east city limits.
20. (Repealed by Ordinance No. 491 – Oct. 04 Supp.)
21. No parking on the south side of East Front St. from North Elm St. to North Oak Park Ave.
22. No parking on the east & west sides of South Walnut St. from Division St. to State St.
23. No parking on the east & west sides of North Walnut St. from the south side of the Skunk River bridge to the north city limits.
24. No parking on the west side of South Locust St. from West Pleasant St. to West High St.
25. No parking on the north side of West Spring St. from South West St. to South Montgomery St.
26. No parking on the east side of South Montgomery St. to the east/west alley between South West St. and South Montgomery St.
27. No parking on the west side of South Kelly St. from West Division St. to West State St.
28. No parking on the west side of South Locust St. from West Division St. to West Spring St. between the hours of 7:30 a.m. to 5:00 p.m. on weekdays.

29. No parking on the east and west sides of South Ryan St. from East State St. to Holland St.
30. No parking on the south side of Holland St. from South Ryan St. to Boise St. And no parking on the north side of Holland St. for 100 feet east of South Ryan St.
31. No vehicle shall be parked along yellow painted curbs or yellow marked areas, designated no parking areas, in the City.
32. A handicap parking space is established at the first diagonal parking space, on the north side of West Howard St. 100 feet west of North Walnut St.
(Subsections 7-32 added by Ord. 453 – Mar. 03 Supp.)
33. A handicap parking space is established at the first parking space south of the alley on the east side of the 100 block of North Walnut St.
(Ord. 482 – Oct. 03 Supp.)
34. No parking on the south side of Jefferson Street from the intersection of Iowa Street and Jefferson Street to the dead end.
(Ord. 490 – Oct. 04 Supp.)
35. No parking on N. League Road from the north High School driveway to the north end of N. League Road on the east side of the road.
(Ord. 500 – Jan. 06 Supp.)
36. No parking on East Broadway Street from South Walnut Street to Elm Street.
(Ord. 578 – Aug. 11 Supp.)
37. *Repealed by Ordinance No. 601, Feb. 14 Supp.*

69.09 TRUCK PARKING LIMITED. No person shall park or leave unattended a semi-tractor, semi-trailer, or other motor vehicle with a trailer attached which is in excess of sixteen (16) feet in length or which has a freight capacity greater than one ton on any public street except designated areas within the City excepting only when such vehicles are actually engaged in the delivery or receiving of merchandise or cargo. When actually receiving or delivering merchandise or cargo, such vehicle shall be stopped or parked in a manner which will not interfere with other traffic. No such vehicle containing livestock shall be parked on any street, alley or highway for a period of time of more than thirty (30) minutes.

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

69.10 SNOW AND ICE. From November 1st through March 31st all vehicles must be parked off the streets once the snow accumulates to the depth of one inch (1") with more expected and remain parked off the traveled portion of the

street until 48 hours after the snowfall ends. The exception being, parking is allowed in the downtown area except from 2:00 a.m. to 6:00 a.m. daily.

(Ord. 553 – May 10 Supp.)

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

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

69.12 SPECIAL PARKING REGULATIONS.

1. With approval of the Mayor, the Police Department may impose regulations on parking on City streets and property as needed to accommodate special events which, due to their nature, create special traffic considerations requiring specific parking regulations for a limited period of time. Said regulations or prohibitions as may be imposed will be clearly marked and posted with temporary signage.

2. An owner or operator of a vehicle in violation of the provisions of this section shall, in addition to receiving a parking citation, be responsible for towing expenses, and said vehicle violating the provisions of this section may be towed from the public streets within the City whenever said vehicle constitutes a traffic hazard.

3. Such special parking regulations shall be set out in a written notice signed by the Police Chief and approved by the Mayor and filed with the Clerk for public inspection no later than twenty-four (24) hours prior to the application of said parking regulations.

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CHAPTER 70

TRAFFIC CODE ENFORCEMENT PROCEDURES

70.01 Arrest or Citation
70.02 Scheduled Violations
70.03 Parking Violations: Alternate

70.04 Parking Violations: Vehicle Unattended
70.05 Presumption in Reference to Illegal Parking
70.06 Impounding Vehicles

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

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

(Code of Iowa, Sec. 805.6, 321.485)

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

(Code of Iowa, Sec. 805.6, 805.8)

70.03 PARKING VIOLATIONS: ALTERNATE. Admitted violations of parking restrictions imposed by this Code of Ordinances may be charged upon a simple notice of a fine payable at the office of the City Clerk. The simple notice of a fine shall be in the amount of ten dollars (\$10.00) for all violations except snow route parking violations and improper use of a persons with disabilities parking permit[†] and truck parking violations (Section 69.06). The simple notice of a fine for snow route parking violations and truck parking violations is twenty-five dollars (\$25.00), and the simple notice of a fine for improper use of a persons with disabilities parking permit is one hundred dollars (\$100.00). If such fine is not paid within thirty (30) days, it shall be increased by twenty dollars (\$20.00). Failure to pay the simple notice of a fine shall be grounds for the filing of a complaint in District Court.

(Ord. 478 – Jul. 03 Supp.)

(Code of Iowa, Sec. 321.236 [1a] & 321L.4[2])

[†] A snow route parking violation occurs when the driver of a vehicle impedes or blocks traffic on a designated snow route. (See Section 69.11.)

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

70.05 PRESUMPTION IN REFERENCE TO ILLEGAL PARKING. In any proceeding charging a standing or parking violation, a prima facie presumption that the registered owner was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred, shall be raised by proof that:

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

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

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

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

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

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

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

4. Parked Over Twenty-four Hour Period. When any vehicle is left parked for a continuous period of twenty-four (24) hours or more. If the owner is found, the owner shall be given an opportunity to remove the vehicle.

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

5. Costs. In addition to the standard penalties provided, the owner or driver of any vehicle impounded for the violation of any of the

provisions of this chapter shall be required to pay the reasonable cost of towing and storage.

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

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CHAPTER 75

ALL-TERRAIN VEHICLES AND SNOWMOBILES

75.01 Purpose

75.02 Definitions

75.03 General Regulations

75.04 Places of Operation

75.05 Hours of Operation

75.06 Negligence

75.07 Accident Reports

75.08 Thaw Ban

75.01 PURPOSE. The purpose of this chapter is to regulate the operation of all-terrain vehicles and snowmobiles within the City.

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

1. "All-terrain vehicle" or "ATV" means a motorized flotation-tire vehicle with not less than three (3) low pressure tires, but not more than six (6) low pressure tires, or a two-wheeled, off-road motorcycle, that is limited in engine displacement to less than eight hundred (800) cubic centimeters and in total dry weight to less than seven hundred fifty (750) pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control. Two-wheeled, off-road motorcycles shall be considered all-terrain vehicles only for the purpose of titling and registration and not for the purpose of regulation.

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

2. "Snowmobile" means a motorized vehicle weighing less than one thousand (1,000) pounds which uses sled-type runners or skis, endless belt-type tread, or any combination of runners, skis or tread, and is designed for travel on snow or ice.

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

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

(Code of Iowa, Ch. 321G)

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

1. Streets. ATV's and snowmobiles shall be operated only upon streets which have not been plowed during the snow season and on such other streets as may be designated by resolution of the Council.

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

2. Exceptions. ATV's and snowmobiles may be operated on prohibited streets only under the following circumstances:

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

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

B. Direct Crossing. ATV's and snowmobiles may make a direct crossing of a prohibited street provided:

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

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

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

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

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

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

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

4. Trails. ATV's shall not be operated on snowmobile trails and snowmobiles shall not be operated on all-terrain vehicle trails except where so designated.

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

5. Parks and Other City Land. ATV's and snowmobiles shall not be operated in any park, playground or upon any other City-owned property

without the express permission of the City. A snowmobile shall not be operated on any City land without a snow cover of at least one-tenth of one inch.

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

75.05 HOURS OF OPERATION. No snowmobile or ATV shall be operated in the City between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. except for emergency situations or for loading and unloading from a transport trailer.

75.06 NEGLIGENCE. The owner and operator of an ATV or snowmobile shall be liable for any injury or damage occasioned by the negligent operation of the ATV or snowmobile.

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

75.07 ACCIDENT REPORTS. Whenever an ATV or snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to two hundred dollars (\$200.00) or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report within forty-eight (48) hours, in accordance with State law.

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

75.08 THAW BAN. Snowmobiles shall not be operated during a publicized thaw ban in areas posted to prohibit such operation.

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CHAPTER 76

BICYCLE REGULATIONS

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

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

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

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

(Code of Iowa, Sec. 321.234)

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

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

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

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

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

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

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

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

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

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

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

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

76.09 RIDING ON SIDEWALKS. The following shall apply to riding bicycles on sidewalks:

1. **Business District.** No person shall ride a bicycle upon a sidewalk within the Business District, as defined in Section 60.02(1) of this Code of Ordinances.

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

2. **Other Locations.** When signs are erected on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person, no person shall disobey the signs.

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

3. **Yield Right-of-way.** Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing.

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

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

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

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

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

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

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

(Code of Iowa, Sec. 321.397)

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

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

76.14 SPECIAL PENALTY. Any person violating the provisions of this chapter may, in lieu of the scheduled fine for bicyclists or standard penalty provided for violations of the Code of Ordinances, allow the person's bicycle to be impounded by the City for not less than five (5) days for the first offense, ten (10) days for a second offense and thirty (30) days for a third offense.

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CHAPTER 77

SKATEBOARDS, ROLLER SKATES AND SCOOTERS

77.01 Purpose

77.02 Definitions

77.03 Operation Prohibited in Certain Areas

77.04 Use of Sidewalks

77.05 Use on Streets

77.06 Time Restriction

77.01 PURPOSE. The purpose of this chapter is to provide reasonable rules and regulations for the use and operation of skateboards, roller skates and scooters and to establish areas where the use and operation of the same are prohibited for the protection, safety and general welfare of the public in the City.

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

1. "Roller skates" means skates with wheels instead of a runner.
2. "Scooter" means a child's vehicle consisting of a narrow board mounted on two wheels tandem and guided by a handle attached to the front wheel, on which the operator stands with one foot on the board and pushes with the other.
3. "Skateboard" means a foot, motor or wind propelled vehicle consisting of a board equipped with two or more wheels tandem and guided by the user or rider standing on same and pushing same with foot power or operating with motor or wind power.

77.03 OPERATION PROHIBITED IN CERTAIN AREAS. Skateboards, roller skates and scooters are prohibited from public parks, and from the following streets and sidewalks within the corporate limits of the City, namely:

1. Upon the sidewalks within any Business District; and
2. Upon any streets within the following area:

Commencing at the center of Front Street and Elm Street, running thence west in the center of Front Street to the center of Locust Street, thence south along the center of Locust Street to the center of Division Street, thence east along the center of Division Street to the center of Elm Street and thence north along the center of Elm Street to the place of beginning.

77.04 USE ON SIDEWALKS. Whenever any person is using a skateboard, roller skates or scooter upon a sidewalk, such person shall yield the right-of-

way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

77.05 USE ON STREETS. Anyone using a skateboard, roller skates or scooter in the street shall:

1. Observe all traffic control devices and be subject to all the duties applicable to the use of vehicles as required by statute or ordinance;
2. Stay as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

77.06 TIME RESTRICTION. No person shall use or operate any skateboard, roller skates or scooter upon any sidewalk or street between the hours of dusk and dawn.

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CHAPTER 80

ABANDONED VEHICLES

80.01 Definitions	80.06 Disposal of Abandoned Vehicles
80.02 Authority to Take Possession of Abandoned Vehicles	80.07 Disposal of Totally Inoperable Vehicles
80.03 Notice by Mail	80.08 Proceeds from Sales
80.04 Notification in Newspaper	80.09 Duties of Demolisher
80.05 Fees for Impoundment	80.10 Limitation on Liability—Penalty for Abandonment

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

(Code of Iowa, Sec. 321.89[1])

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

3. "Police authority" means the Iowa state patrol or any law enforcement agency of a county or city.

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

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

80.03 NOTICE BY MAIL. The police authority or private entity that takes into custody an abandoned vehicle shall notify, within twenty (20) days, by certified mail, the last known registered owner of the vehicle, all lienholders of record, and any other known claimant to the vehicle or to personal property found in the vehicle, addressed to the parties' last known addresses of record, that the abandoned vehicle has been taken into custody. Notice shall be deemed given when mailed. The notice shall describe the year, make, model and vehicle identification number of the vehicle, describe the personal property found in the vehicle, set forth the location of the facility where the vehicle is being held, and inform the persons receiving the notice of their right to reclaim the vehicle and personal property within ten (10) days after the effective date of the notice upon payment of all towing, preservation, and storage charges resulting from placing the vehicle in custody and upon payment of the costs of the notice. The notice shall also state that the failure of the owner, lienholders or claimants to exercise their right to reclaim the vehicle or personal property within the time provided shall be deemed a waiver by the owner, lienholders and claimants of all right, title, claim and interest in the vehicle or personal property and that failure to reclaim the vehicle or personal property is deemed consent to the sale of the vehicle at a public auction or disposal of the vehicle to a demolisher and to disposal of the personal property by sale or destruction. The notice shall state that any person claiming rightful possession of the vehicle or personal property who disputes the planned disposition of the vehicle or property by the police authority or private entity or of the assessment of fees and charges provided by this section may ask for an evidentiary hearing before the police authority to contest those matters. If the persons receiving the notice do not ask for a hearing or exercise their right to reclaim the vehicle or personal

property within the ten-day reclaiming period, the owner, lienholders or claimants shall no longer have any right, title, claim, or interest in or to the vehicle or the personal property. A court in any case in law or equity shall not recognize any right, title, claim, or interest of the owner, lienholders or claimants after the expiration of the ten-day reclaiming period.

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

80.04 NOTIFICATION IN NEWSPAPER. If it is impossible to determine with reasonable certainty the identity and addresses of the last registered owner and all lienholders, notice by one publication in one newspaper of general circulation in the area where the vehicle was abandoned shall be sufficient to meet all requirements of notice under Section 80.03. The published notice may contain multiple listings of abandoned vehicles and personal property but shall be published within the same time requirements and contain the same information as prescribed for mailed notice in Section 80.03.

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

80.05 FEES FOR IMPOUNDMENT. The owner, lienholder or claimant shall pay impounding fees as set by resolution of the Council plus towing charges if stored by the City, or towing and storage fees, if stored in a public garage, whereupon said vehicle shall be released. The amount of towing charges, and the rate of storage charges by privately owned garages, shall be established by such facility.

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

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

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

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

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

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

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

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

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

80.10 LIMITATION ON LIABILITY—PENALTY FOR ABANDONMENT.

1. No person, firm, corporation, unit of government, garage keeper or police authority upon whose property an abandoned vehicle is found or who disposes of such abandoned vehicle in accordance with this chapter, shall be liable for damages by reason of the removal, sale or disposal of such vehicle.
2. Any person who abandons a vehicle shall be guilty of a simple misdemeanor.

(Code of Iowa, Sec. 321.91)

(Ch. 80 - Ord. 499 - Jan. 06 Supp.)

CHAPTER 81

RAILROAD REGULATIONS

81.01 Definitions
81.02 Warning Signals
81.03 Obstructing Streets

81.04 Crossing Maintenance
81.05 Speed

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

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

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

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

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

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

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

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

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

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

3. Disabled. When the train is disabled.

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

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

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

An employee is not guilty of a violation of this section if the employee's action was necessary to comply with the direct order or instructions of a railroad corporation or its supervisors. Guilt is then with the railroad corporation.

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

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

81.05 SPEED. It is unlawful to operate any railroad train through any street crossing within the platted areas of the City at a speed greater than twenty-five (25) miles per hour.

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

CHAPTER 82

PROOF OF SECURITY

(Ordinance No. 435, supplemented September 2001, adopted the provisions of the Iowa Code Chapter 321.20B, Proof of security against liability—driving without liability coverage.)

1. Notwithstanding Iowa Code chapter 321A, which requires certain persons to maintain proof of financial responsibility, a person shall not drive a motor vehicle on the highways of this city unless financial liability coverage, as defined in Iowa Code section 321.1, subsection 24B, is in effect for the motor vehicle and unless the driver has in the motor vehicle the proof of financial liability coverage card issued for the motor vehicle, or if the vehicle is registered in another state, other evidence that financial liability coverage is in effect for the motor vehicle.

It shall be conclusively presumed that a motor vehicle driven upon a parking lot which is available to the public or which is available to customers or invitees of a business or facility was driven on the streets or highways of this city in order to enter the parking lot, and this section shall be applicable to such a motor vehicle. As used in this section, "parking lot" includes access roads, drives, lanes, aisles, entrances, and exits to and from a parking lot described in this paragraph.

This subsection does not apply to the operator of a motor vehicle owned by or leased to the United States, this state or another state, or any political subdivision of this state or of another state, or to a motor vehicle which is subject to Iowa Code section 325A.6 or 327B.6.

3. If the financial liability coverage for a motor vehicle which is registered in this state is canceled or terminated effective prior to the expiration date indicated on the financial liability coverage card issued for the vehicle, the person to whom the financial liability coverage card was issued shall destroy the card.

4. a. If a peace officer stops a motor vehicle registered in this state and the driver is unable to provide proof of financial liability coverage, the peace officer shall do one of the following:

(1) Issue a warning memorandum to the driver.

(2) Issue a citation to the driver. If a citation is issued, the citation shall be issued under this subparagraph unless the driver has been previously charged and cited for a violation of subsection 1. A citation which is issued and subsequently dismissed shall be disregarded for purposes of determining if the driver has been previously charged and cited.

(3) (a) Issue a citation, remove the motor vehicle's license plates and registration receipt, and impound the motor vehicle. The peace officer shall deliver the plates for destruction, as appropriate, and forward the registration receipt and evidence of the violation, as determined by the department, to the county treasurer of the county in which the motor vehicle is registered.

(b) A motor vehicle which is impounded may be claimed by a person if the owner provides proof of financial liability coverage and proof of payment of any applicable fine and the costs of towing and storage for the motor vehicle. If the motor vehicle is not claimed within thirty days after impoundment, the motor vehicle may be treated as an abandoned vehicle pursuant to section Iowa Code section 321.89.

b. An owner or driver of a motor vehicle who is charged with a violation of subsection 1 and issued a citation under paragraph "a", subparagraph (3) is subject to the following: (1) An owner or driver who produces to the clerk of court, within thirty days of the issuance of the citation under paragraph "a", or prior to the date of the individual's court appearance as indicated on the citation, whichever is earlier, proof that financial liability coverage was in effect for the motor vehicle at the time the person was stopped and cited, or, if the driver is not the owner of the motor vehicle, proof that liability coverage was in effect for the driver with respect to the motor vehicle being driven at the time the driver was stopped and cited, in the same manner as if the motor vehicle were owned by the driver, shall be given a receipt indicating that such proof was provided and be subject to one of the following:

(a) If the person was cited pursuant to paragraph "a", subparagraph (3), the owner or driver shall provide a copy of the receipt to the county treasurer of the county in which the motor vehicle is registered and the owner shall be assessed a fifteen dollar administrative fee by the county treasurer who shall issue new license plates and registration to the person after payment of the fee.

(2) An owner or driver who is charged with a violation of subsection 1 and is unable to show that financial liability coverage was in effect for the motor vehicle at the time the person was stopped and cited may do either of the following:

(a) Sign an admission of violation on the citation and remit to the clerk of court a scheduled fine as provided in Iowa Code section 805.8, subsection 2, for a violation of subsection 1. Upon payment of the fine to the clerk of court of the county where the citation was issued, payment of a fifteen dollar administrative fee to the county treasurer of the county in which the motor vehicle is registered, and providing proof of payment of any applicable fine and proof of financial liability coverages to the county treasurer of the county in which the motor vehicle is registered, the treasurer shall issue new license plates and registration to the owner.

(b) Request an appearance before the court on the matter. If the matter goes before the court, and the owner or driver is found guilty of a violation of subsection 1, the court may impose a fine as provided in section 805.8, subsection 2, for a violation of subsection 1, or the court may order the person to perform unpaid community service instead of the fine. Upon the payment of the fine or the entry of the order for unpaid community service, the person shall provide proof of payment or entry of such order and the county treasurer of the county in which the motor vehicle is registered shall issue new license plates and registration to the owner upon the owner providing proof of financial liability coverage and paying a fifteen dollar administrative fee to the county treasurer.

c. An owner or driver cited for a violation of subsection 1, who produces to the clerk of court within thirty days of the issuance of the citation proof that financial liability coverage was in effect for the motor vehicle at the time the person was stopped and

cited, shall not be convicted of such violation and the citation issued shall be dismissed.

5. If the motor vehicle is not registered in this state and the driver is a nonresident, the peace officer shall do one of the following:

a. Issue a warning memorandum to the driver.

b. Issue a citation. An owner or driver who produces to the clerk of court within thirty days of the issuance of the citation, or prior to the date of the individual's court appearance as indicated on the citation, whichever is earlier, proof that the financial liability coverage was in effect for the motor vehicle at the time the person was stopped and cited, or if the driver is not the owner of the motor vehicle, proof that liability coverage was in effect for the driver with respect to the motor vehicle being driven at the time the driver was stopped and cited in the same manner as if the motor vehicle were owned by the driver, shall be given a receipt indicating that proof was provided, and the citation issued shall be dismissed.

6. This section does not apply to a motor vehicle identified in Iowa Code section 321.18, subsections 1 through 6, and subsection 8.

7. This section does not apply to a lienholder who has a security interest in a motor vehicle subject to the registration requirements of this chapter, so long as such lienholder maintains financial liability coverage for any motor vehicle driven or moved by the lienholder in which the lienholder has an interest.

8. This section does not apply to a motor vehicle owned by a motor vehicle dealer or wholesaler licensed pursuant to Iowa Code chapter 322.

9. The penalties for violations of this section shall be consistent with the scheduled violations established by the State of Iowa.

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CHAPTER 83

OPERATING A MOTOR VEHICLE

83.01 Violation

83.02 Presumption

83.01 VIOLATION. A person whose drivers license or operating privilege has been denied, canceled, suspended or revoked as provided in Iowa Code Chapters 321 and 321A and Iowa Code Sections 252J.8 or 901.5(10) and who operates a motor vehicle upon the streets or highways within the City commits a simple misdemeanor.

83.02 PRESUMPTION. It shall be presumed that a motor vehicle driven upon a parking lot which is within the City limits or which is available to customers or invitees of a business or facility was driven on the streets or highways of this City in order to enter the parking lot, and this section shall be applicable to such a motor vehicle. As used in this section, "parking lot" includes access roads, drives, lanes, aisles, entrances and exits to and from a parking lot described in this section.

(Ord. 436 – Sep. 01 Supp.)

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CHAPTER 84

OUTSIDE PARKING AND STORAGE OF VEHICLES

84.01 Definitions

84.02 Declaration of Nuisance

84.03 Unlawful Parking and Storage

84.04 Exceptions

84.01 DEFINITIONS. For use in this chapter, the following words are defined:

1. "Fifth-wheel travel trailer" means a type of travel trailer which is towed by a pickup by a connecting device known as a fifth wheel. However, this type of travel trailer may have an overall length which shall not exceed forty-two (42) feet.
2. "Front yard area" means all that area between the front property line and a line drawn along the front face or faces of the principal structure on the property and extended to the side property line. The front shall be determined by the address assigned to the property.
3. "Motor home" means a motor vehicle designed as an integral unit to be used as a conveyance upon the public streets and highways and for use as a temporary or recreational dwelling and having at least four of the following permanently installed systems which meet American National Standards Institute and National Fire Protection Association standards in effect on the date of manufacture:
 - A. Cooking facilities;
 - B. Ice box or mechanical refrigerator;
 - C. Portable water supply including plumbing and a sink with faucet either self-contained or with connection for external water disposal or both;
 - D. Self-contained toilet or a toilet connected to a plumbing system with connection for external water disposal or both;
 - E. Heating or air-conditioning system or both, separate from the vehicle engine or the vehicle engine electrical system;
 - F. A 110/115 volt alternating current electrical system separate from the vehicle engine electrical system.
4. "Outside" means to be outside of an enclosed storage facility and visible from any other property, including the public right-of-way.

5. "Side yard corner lot" means the yard area adjacent to the street right-of-way on a corner lot extending from the front yard along the side of the structure to the rear property line.

6. "Trailer" means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that only the tongue weight rests upon the towing vehicle.

7. "Travel trailer" means a vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed to permit the vehicle to be used as a place of human habitation by one or more persons. Said vehicle may be up to eight and one-half (8½) feet in width and its overall length shall not exceed forty-two (42) feet unless width and length are in conflict with Chapter 321 of the Code of Iowa. Such vehicle shall be customarily or ordinarily used for vacation or recreational purposes and may not be used as a place of permanent habitation. If any such vehicle is used as a place of human habitation for more than ninety (90) consecutive days in one location, it shall be classed as a mobile home regardless of the size limitations herein provided.

8. "Driveway" means the hard surface area leading from the street or alley whichever is the shortest/most direct route to the nearest City right-of-way whether an alley or street to a garage not to exceed 1½ times the width of the garage with a maximum of 36 feet wide. In the case of no garage, the one hard surfaced area not to exceed 24 feet wide from the street or alley to a house or to a location where a garage could be by ordinance. There may be no more than a single driveway per addressed location.
(Ord. 494 – Jan. 05 Supp.)

84.02 DECLARATION OF NUISANCE. The outside parking and storage on property used for residential purposes, including the area between the property line and the edge of the street or alley, of more than four (4) vehicles, water craft, trailers, materials, supplies or equipment not customarily used for residential purposes in violation of the requirements set forth below is declared to be a public nuisance because it (a) obstructs views on streets and private property, (b) creates cluttered and otherwise unsightly areas, (c) decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood and (d) otherwise adversely affects property values and neighborhood patterns.
(Ord. 471 – Jun. 03 Supp.)

84.03 UNLAWFUL PARKING AND STORAGE.

1. No person may place, store or allow the placement or storage of ice fish houses, skateboard ramps or other similar non-permanent structures outside continuously for longer than twenty-four (24) hours in the front yard area or side yard corner lots of property used for residential purposes.
2. No person may place, store or allow the placement or storage of pipe, lumber, forms, steel, machinery or similar materials including all materials used in connection with a business, outside on property used for residential purposes.
3. No person shall cause, undertake, permit or allow the outside parking and storage of vehicles on property used for residential purposes unless it complies with the following requirements: Parking or storing of water craft or trailers is prohibited within the front yards. Parking and storage of water craft or trailers is also prohibited on side yard corner lots. However, water craft or trailer parking is permitted on side yard corner lots where the rear yard is not accessible.

84.04 EXCEPTIONS. The prohibitions of this chapter do not apply to the following:

1. Any motor vehicle parked on a driveway. *(Ord. 471 – Jun 03 Supp.)*
2. Any motor truck, pickup truck or similar vehicle being used by a public utility, moving company or similar company, which is actually being used to serve a residence not belonging to or occupied by the operator of the vehicle.
3. Any vehicle which is actually making a pickup or delivery at the location where it is parked. Parking for any period of time beyond the period of time reasonably necessary to make such pickup or delivery is prohibited.

(Ch. 84 - Ord. 437 – Sep. 01 Supp.)

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