

TITLE VII: TRAFFIC CODE

Chapter

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CHAPTER 70: TRAFFIC CONTROL

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GENERAL PROVISIONS**§ 70.01 STATE STATUTES ADOPTED.**

(A) It is the policy of the city to conform its traffic laws as closely as feasible to the traffic laws of this state. The provisions of O.R.S. Chapters 153, 801, 802, 803, 805, 806, 807, 809, 810, 811, 813, 814, 815, 816, 818, 819, 820, 821, 822 and 823 as now enacted or hereafter amended, are hereby adopted, and violation thereof shall constitute an offense against the city.

(B) The definitions in O.R.S. Chapters 153 and 801 to 823 shall apply, where the context requires, to all sections of this chapter.

(1993 Code, Comp. No. 5-4) (Ord. 416, passed 12-21-1987) Penalty, see § 70.99

§ 70.02 SHORT TITLE.

This chapter may be cited as the City Uniform Traffic Ordinance.

(1993 Code, Comp. No. 5-2) (Ord. 201, passed 11-11-1975)

§ 70.03 DEFINITIONS.

(A) In addition to those definitions contained in the State Vehicle Code, for the purpose of this Title VII, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUS STOP. A space on the edge of a roadway designated by a sign for use by buses loading or unloading passengers.

HOLIDAY. New Year's Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and any other day proclaimed by the Council to be a **HOLIDAY**.

LOADING ZONE. A space on the edge of a roadway designated by a sign for the purpose of loading or unloading passengers or materials during specified hours of specified days.

MOTOR VEHICLE. Every vehicle that is self-propelled, including tractors, fork-lift trucks, motorcycles, road-building equipment, street-cleaning equipment and any other vehicle capable of moving under its own power, notwithstanding that the vehicle may be exempt from licensing under the motor vehicle laws of this state.

PERSON. A natural person, firm, partnership, association or corporation.

TAXICAB STAND. A space on the edge of a roadway designated by sign for use by taxicabs.

TRAFFIC LANE. The area of the roadway used for the movement of a single line of traffic.

VEHICLE. As used in subsequent sections of this Title VII, includes bicycles.

(B) As used in this Title VII, the singular includes the plural, and the masculine includes the feminine.

(1993 Code, Comp. No. 5-2) (Ord. 201, passed 11-11-1975)

ADMINISTRATION

§ 70.15 POWERS OF THE COUNCIL.

Subject to state laws, the City Council shall exercise all municipal traffic authority for the city except those powers specifically and expressly delegated herein or by another ordinance.

(1993 Code, Comp. No. 5-2) (Ord. 201, passed 11-11-1975)

§ 70.16 DUTIES OF THE CITY MANAGER.

The City Manager or his or her designate shall implement the ordinances, resolutions and motions of the Council by installing traffic-control devices. The installations shall be based on the standards contained in the state *Manual on Uniform Traffic Control Devices for Streets and Highways*.

(1993 Code, Comp. No. 5-2) (Ord. 201, passed 11-11-1975; Ord. 651, passed 12-20-2010)

§ 70.17 PUBLIC DANGER.

Under conditions constituting a danger to the public, the City Manager or his or her designate may install temporary traffic-control devices deemed by him or her to be necessary.

(1993 Code, Comp. No. 5-2) (Ord. 201, passed 11-11-1975; Ord. 651, passed 12-20-2010)

§ 70.18 STANDARDS.

The regulations of the City Manager or his or her designate shall be based upon:

(A) Traffic engineering principles and traffic investigations;

(B) Standards, limitations and rules promulgated by the State Transportation Commission (see § 70.01); and

(C) Other recognized traffic-control standards.
(1993 Code, Comp. No. 5-2) (Ord. 201, passed 11-11-1975; Ord. 651, passed 12-20-2010)

§ 70.19 AUTHORITY OF POLICE AND FIRE OFFICERS.

(A) It shall be the duty of police officers to enforce the provisions of this Title VII.

(B) In the event of a fire or other public emergency, officers of the Police and Fire Departments may direct traffic as conditions require, notwithstanding the provisions of this chapter.
(1993 Code, Comp. No. 5-2) (Ord. 201, passed 11-11-1975)

GENERAL REGULATIONS

§ 70.30 CROSSING PRIVATE PROPERTY.

No operator of a vehicle shall proceed from one street to an intersecting street by crossing private property. This provision shall not apply to the operator of a vehicle who stops on the property for the purpose of procuring or providing goods or services.
(1993 Code, Comp. No. 5-2) (Ord. 201, passed 11-11-1975) Penalty, see § 70.99

§ 70.31 UNLAWFUL RIDING.

No operator shall permit a passenger and no passenger shall ride on a vehicle upon a street except on a portion of the vehicle designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to a person riding within a truck body in space intended for merchandise.
(1993 Code, Comp. No. 5-2) (Ord. 201, passed 11-11-1975) Penalty, see § 70.99

§ 70.32 DAMAGING SIDEWALKS AND CURBS.

(A) The operator of a motor vehicle shall not drive upon a sidewalk or roadside planting strip except to cross at a permanent or temporary driveway.

(B) No unauthorized person shall place dirt, wood or other material in the gutter or space next to the curb of a street with the intention of using it as a driveway.

(C) No person shall remove a portion of a curb or move a motor vehicle or device moved by a motor vehicle upon a curb or sidewalk without first obtaining authorization and posting bond if required. A person who causes damage shall be held responsible for the cost of repair.

(D) No person shall ride or lead a horse or horses on city bike paths or allow horses to be on sidewalks or bike paths.

(1993 Code, Comp. No. 5-2) (Ord. 201, passed 11-11-1975) Penalty, see § 70.99

§ 70.33 REMOVING GLASS AND DEBRIS.

A party to a vehicle accident or a person causing broken glass or other debris to be upon a street shall remove the glass and other debris from the street.

(1993 Code, Comp. No. 5-2) (Ord. 201, passed 11-11-1975)

§ 70.34 DYNAMIC BRAKING DEVICES.

(A) It shall be unlawful for any person knowingly to use, assist in using or permit the use of any unmuffled dynamic braking device on any motor vehicle, except to avoid imminent danger to person or property. A *DYNAMIC BRAKING DEVICE* is defined as a device used primarily on trucks and buses to convert a motor from an internal combustion engine to an air compressor for the purpose of vehicle braking without the use of wheel brakes.

(B) This section shall take effect 30 days after its passage by the City Council and approval by the Mayor on October 14, 2003.

(Ord. 592, passed 10-6-2003; Ord. 593, passed 12-1-2003) Penalty, see § 70.99

PROCESSIONS

§ 70.45 FUNERAL PROCESSION.

(A) A funeral procession shall proceed to the place of interment by the most direct route which is both legal and practicable.

(B) The procession shall be accompanied by adequate escort vehicles for traffic-control purposes.

(C) All motor vehicles in the procession shall be operated with their lights turned on.

(D) No person shall unreasonably interfere with a funeral procession.

(E) No person shall operate a vehicle that is not a part of the procession between the vehicles of a funeral procession.

(1993 Code, Comp. No. 5-2) (Ord. 201, passed 11-11-1975) Penalty, see § 70.99

TRUCK ROUTES**§ 70.60 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

HEAVY MOTOR TRUCKS. Motor trucks or combinations of motor trucks and trailers that have a total gross unloaded vehicle weight exceeding 20,000 pounds as posted thereon and have three or more axles.

LOADED. Carrying commercial cargo.

STREETS. Routes of travel within the city including streets, highways, public roads and public rights-of-way, paved or unpaved.

TRUCK ROUTE. A way over certain streets within the city, as established by resolution of the City Council, over and along which loaded heavy motor trucks are allowed to operate. (1993 Code, Comp. No. 5-5) (Ord. 467, passed 8-5-1991)

§ 70.61 ESTABLISHMENT OF TRUCK ROUTES.

Upon recommendation from the City Traffic Safety Commission, the City Council may from time to time by resolution establish or revise truck routes for loaded heavy motor trucks and may also designate by resolution allowable parking areas within the city for loaded heavy motor trucks. (1993 Code, Comp. No. 5-5) (Ord. 467, passed 8-5-1991)

§ 70.62 PROHIBITION.

It shall be a violation of this subchapter for any person to move, operate or drive, or cause to be moved, operated or driven, any loaded heavy motor truck on any street except on an established truck route or a parking area designated under § 70.61. (1993 Code, Comp. No. 5-5) (Ord. 467, passed 8-5-1991) Penalty, see § 70.99

§ 70.63 EXCLUSIONS.

This subchapter shall not apply to:

(A) Emergency vehicles or vehicles owned by public entities that are on official business or on an emergency call;

(B) Any detoured, loaded heavy motor truck being operated on any officially established detour, provided it would not have been a violation of this subchapter for a loaded heavy motor truck to be operated on the street from which the detour was established; or

(C) Any loaded heavy motor truck being operated on a street other than a truck route for the specific purpose of picking up or discharging goods at any business or residence located on the street.
(1993 Code, Comp. No. 5-5) (Ord. 467, passed 8-5-1991)

§ 70.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Violation of §§ 70.30 through 70.33 is punishable by fine not to exceed \$100, or confinement in the city jail not to exceed ten days, or by both the fine and imprisonment.
(1993 Code, Comp. No. 5-2)

(C) Violation of any provision of § 70.34 is an infraction and is punishable by a fine of not less than \$100 and not more than \$250. The second and subsequent violation in any one-year period is punishable by a fine of not less than \$250.

(D) Violation of §§ 70.60 through 70.63 shall constitute an offense against the city. Each separate violation of §§ 70.60 through 70.63 shall be punishable by a fine of up to \$250.
(1993 Code, Comp. No. 5-5)
(Ord. 201, passed 11-11-1975; Ord. 467, passed 8-5-1991; Ord. 592, passed 10-6-2003; Ord. 593, passed 12-1-2003)

