

TITLE 6

MOTOR VEHICLES AND TRAFFIC

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CHAPTER 1

**GENERAL TRAFFIC REGULATIONS;
ENFORCEMENT PROCEDURES**

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6-1-1: **TITLE:** This Title may be known and cited as the *SIBLEY TRAFFIC CODE*. (1976 Code §2.1-2.0101)

6-1-2: **DEFINITIONS:** Where words and phrases used in this Title are defined by State law, such definitions shall apply to their use herein and are adopted by reference. Those definitions so adopted that need further definition or are reiterated, and other words and phrases used herein shall have the following meanings:

BUSINESS DISTRICT The territory contiguous to and including a highway when fifty percent (50%) or more of the frontage thereon for a distance of three hundred feet (300') or more is occupied by buildings in use for business.

CONTROLLED ACCESS FACILITY	The highways or streets designated by Sections 7-1-4 and 7-1-6D of this Code.
PARK or PARKING	The standing of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
PEACE OFFICER	Every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
RESIDENCE DISTRICT	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 feet (300') or more is occupied by dwellings or by dwellings and buildings in use for business.
SCHOOL DISTRICT	The territory contiguous to and including a highway for a distance of two hundred feet (200') in either direction from a school house.
STAND or STANDING	The halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.
STOP	When required, the complete cessation of movement.
STOP or STANDING	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.
SUBURBAN DISTRICT	All other parts of the City not included in the business, school or residence districts.

**TRAFFIC-CONTROL
DEVICE**

All signs, signals, markings and devices not inconsistent with this Title, lawfully placed or erected for the purpose of regulating, warning or guiding traffic. (1976 Code §2.1-2.0102)

6-1-3: POWER TO DIRECT TRAFFIC: A peace officer and any officer of the Fire Department when at the scene of a fire are 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.¹ (1976 Code §2.1-2.0104)

6-1-4: TRAFFIC ACCIDENTS:

- A. **Reports Required:** The driver of a vehicle involved in an accident within the limits of this City shall file a report as and when required by the Iowa Department of Public Safety. A copy of this report shall be filed with the City for the confidential use of the peace officers and shall be subject to the provisions of section 321.271 of the Code of Iowa. (1976 Code §2.1-2.0105)
- B. **Investigation of Accidents:** The proper City official shall investigate all accidents reported. If sufficient evidence of a violation is found, proper action will be taken to punish the violator. (1976 Code §2.1-2.0106; 1992 Code)
- C. **Studies:** Whenever the accidents at any particular location become numerous, the proper City official shall conduct studies of such accidents and propose remedial measures. (1976 Code §2.1-2.0107; 1992 Code)

6-1-5: ENFORCEMENT OF PROVISIONS: Provisions of this Title and the State law¹ relating to motor vehicles and law of the road shall be enforced by the proper City official. (1976 Code §2.1-2.0103; 1992 Code)

6-1-6: VIOLATION OF STATE REGULATIONS: Any person who shall wilfully fail or refuse to comply with any lawful order of

1. I.C. §321.1 et seq.

a peace officer or direction of a Fire Department officer during a fire or who shall fail to abide by the provisions of this Title and the applicable provisions of the following State statutory laws relating to motor vehicles and the statutory law of the road is in violation of this Title. These sections of the Code of Iowa are:

- A. Display of registration and license to drive: 321.32, 321.174, 321.190, 321.193 and 321.218 through 321.224.
- B. Obedience to a peace officer and responsibility of public officers, emergency vehicles and bicycles to obey traffic regulations: 321.229 through 321.234.
- C. Traffic signs, signals and markings: 321.257 through 321.260.
- D. Accidents and accident reporting: 321.266 and 321.268.
- E. Operation of motorcycles: 321.275.
- F. Reckless driving, drag racing, speed, control of vehicle and minimum speed: 321.277, 321.278, 321.286 through 321.288 and 321.295.
- G. Driving on right, meeting, overtaking, following or towing: 321.297 through 321.310.
- H. Turning and starting, signals on turning and stopping: 321.311 through 321.318.
- I. Right of way: 321.319 through 321.324.
- J. Pedestrian rights and safety zones: 321.325, 321.327, 321.329, 321.330, 321.332 through 321.334 and 321.340.
- K. Railroad crossings: 321.341 through 321.344.
- L. Stopping, standing, parking: 321.354 through 321.357 and 321.359.
- M. Unattended vehicle, obstructing driver's view, crossing median, following fire apparatus or crossing fire hose and putting glass, etc., on streets: 321.362 through 321.371.

- N. Lighting equipment required and time of use: 321.384 through 321.409, 321.415, 321.418 through 321.423.
- O. Brakes, horns, sirens, mufflers, wipers, mirrors, tires, flares, windows, safety belts and special markings for transporting explosives: 321.430 through 321.443 and 321.447 through 321.450.
- P. Size, weight and load: 321.452 through 321.463, 321.465 and 321.466. (1976 Code §2.1-2.0301)

6-1-7: **ARREST OR CITATION:** Whenever a police officer has reasonable cause to believe that a person has violated any provision of this Title, such officer may:

- A. Arrest: Immediately arrest such person and take him before a local magistrate; or
- B. Issue Citation: Without arresting the person, prepare in quadruplicate 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, a copy to the defendant and retain the fourth copy for the records of the City. (1976 Code §2.1-2.1201)

6-1-8: **PARKING VIOLATIONS:**

- A. Notice and Fine: Admitted violations of any parking restrictions imposed by this Title may be charged upon a simple notice of a fine of ten dollars (\$10.00) payable at the office of the City Clerk. (1976 Code §2.1-2.1202; 1992 Code)

When a vehicle is parked in violation of this Title, and the driver is not present, the notice of fine or citation as hereinbefore provided shall be attached to the vehicle in a conspicuous place. (1976 Code §2.1-2.1203)

- B. Prima Facie Proof: 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:

- B) 1. The particular vehicle described in the information was parked in violation of this Title.
2. The defendant named in the information was the registered owner at the time in question. (1976 Code §2.1-2.1204)

6-1-9: **IMPOUNDING VEHICLES:** A police 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:

- A. Disabled Vehicle: When a vehicle is upon a roadway and is so disabled as to constitute an obstruction to traffic, and the person or persons in charge of the vehicle are, by reason of physical injury, incapacitated to such an extent as to be unable to provide for its custody or removal.
- B. Illegally Parked Vehicle: When any vehicle is left unattended upon a street and is so illegally parked as to constitute a definite hazard or obstruction to the normal movement of traffic.
- C. Snow Emergency: When any vehicle is left parked in violation of a ban or parking during a snow emergency as proclaimed by the Mayor.

In addition to a fine of five dollars (\$5.00), the owner or driver of any vehicle impounded for the violation of any of the provisions of this Title shall be required to pay the reasonable cost of towing and storage. (1976 Code §2.1-2.1205)

6-1-10: **RECORDS, STUDIES AND REPORTS:**

- A. Files Maintained: The proper City official shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions and complaints reported for each driver during the most recent three (3) year period. Such reports shall be filed alphabetically under the name of the driver concerned. (1976 Code §2.1-2.0108; 1992 Code)

- B. Habitual Traffic Violators: The proper City official shall study the cases of all drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident and shall attempt to discover the reasons therefor and shall take whatever steps are lawful and reasonable to prevent the same or to have the license of such persons suspended or revoked as provided by State law.¹ (1976 Code §2.1-2.0109; 1992 Code)
- C. Annual Traffic Reports: The proper City official shall prepare, annually, a traffic report which shall be filed with the Mayor and Council. Such report shall contain information on the number of traffic accidents, the number of persons killed and injured, the number and nature of violations and other pertinent traffic data including plans and recommendations for future traffic safety activities. (1976 Code §2.1-2.0110; 1992 Code)

1. I.C. §321.201 et seq.

CHAPTER 2

TRAFFIC-CONTROL DEVICES AND MARKINGS

SECTION:

- 6-2-1: Standards Adopted
- 6-2-2: Compliance
- 6-2-3: Authority to Designate and Install Devices and Markings
- 6-2-4: Obedience to Traffic-Control Signs, Signals and Markings

6-2-1: **STANDARDS ADOPTED:** Traffic-control devices shall comply with standards established by the Manual of Uniform Traffic Control Devices for Streets and Highways, which Manual is hereby adopted by reference, three (3) copies of which shall be and remain on file in the office of the City Clerk. (1976 Code §2.1-2.0204; 1992 Code)

6-2-2: **COMPLIANCE:** No driver of a vehicle shall disobey the instructions of any official traffic-control device placed in accordance with the provisions of this Title unless, at the time, otherwise directed by a peace officer. (1976 Code §2.1-2.0205)

6-2-3: **AUTHORITY TO DESIGNATE AND INSTALL DEVICES AND MARKINGS:**

- A. Generally: The proper City official shall cause to be placed and maintained traffic-control devices when and as required under this Title to make effective its provisions and emergency or temporary traffic-control devices for the duration of an emergency or temporary condition as traffic conditions may require to regulate traffic

- A) under this Title or under State law or to guide or warn traffic. He shall keep a record of all such traffic-control devices. (1976 Code §2.1-2.0201; 1992 Code)
- B. Crosswalks: The proper City official 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. (1976 Code §2.1-2.0202; 1992 Code)
- C. Traffic Lanes: The proper City official is hereby authorized to mark lanes for traffic on street pavements at such places as traffic conditions require consistent with this Title. 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. (1976 Code §2.1-2.0203; 1992 Code)

6-2-4: **OBEDIENCE TO TRAFFIC-CONTROL SIGNS, SIGNALS AND MARKINGS:** No driver of any vehicle or the person in charge of any animal or any pedestrian shall disobey the instructions of any official traffic sign, signal or marking placed in accordance with the provisions of this Title unless otherwise directed by a police officer. (1992 Code)

CHAPTER 3
RULES OF THE ROAD

SECTION:

- 6-3- 1: Speed Regulations
- 6-3- 2: Turning Regulations
- 6-3- 3: Through Streets
- 6-3- 4: Special Stops Required
- 6-3- 5: One-Way Streets and Alleys
- 6-3- 6: Quiet Zones
- 6-3- 7: Play Streets
- 6-3- 8: Controlled Access Facilities
- 6-3- 9: Restrictions on Driving
- 6-3-10: Funeral and Other Processions
- 6-3-11: School Buses
- 6-3-12: Golf Carts on City Streets
- 6-3-13: Prohibited Acts

6-3-1: **SPEED REGULATIONS:**

- A. Generally: 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 him 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. (1976 Code §2.1-2.0401)

- B. Speed Limits In Certain Areas: Unless otherwise specifically designated in this section, a speed in excess of the following is prohibited:

Business district	20 mph
Residence or school district	25 mph
Parks, cemeteries and parking lots	15 mph

(1976 Code §§2.1-2.0402, 2.1-2.0403, 2.1-2.0404, 2.1-2.0405; amd. 1992 Code)

- C. 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. (1976 Code §2.1-2.0406)
- D. Special Speed Limits: 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 hereinbefore set forth 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 thereat.

A speed in excess of the following speeds shall be unlawful on the following designated streets or parts thereof:

30 MPH

Iowa Highway 60 (Second Avenue), from the north corporate line to the south corporate line.

35 MPH

Twelfth Street, from Second Avenue to Ninth Avenue.

(Ord. 635-11, 9-12-2011)

- E. Exemptions For Emergency Vehicles: The speed limitations set forth in this section do not apply to authorized emergency vehicles when responding to emergency calls and the drivers thereof sound audible signal by bell, siren or whistle. This provision does not relieve such

driver from the duty to drive with due regard for the safety of others. (1976 Code §2.1-2.0407)

6-3-2: TURNING REGULATIONS:

- A. Authority To Mark: The proper city official 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 state law be traveled by vehicles turning at intersections, and when markers, buttons or signs are so placed, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons or signs. (1976 Code §2.1-2.0501; amd. 1992 Code)
- B. U-Turn: It shall be unlawful for a driver to make a U-turn except at an intersection; provided, however, that U-turns are prohibited at intersections within the business district and at intersections where there are automatic traffic signals. (1976 Code §2.1-2.0502)
- C. Right Turn On Red Signal Prohibited On Certain Streets: Vehicular traffic facing a steady red signal shall not proceed or make a right turn at the following locations when appropriate signs are in place:

Ninth Street: Vehicles traveling on Ninth Street shall not turn right on a red signal at Iowa Highway 60 (Second Avenue). (1976 Code §2.1-2.0503)

6-3-3: THROUGH STREETS: Every driver of a vehicle shall stop, unless a yield is permitted by this title before entering an intersection with the following designated through streets:

<u>Street</u>	<u>From</u>	<u>To</u>
Second Street	Second Avenue	Ninth Avenue
Fifth Street	West line of Second Avenue	Ninth Avenue
Ninth Avenue	Fifth Street	North corporate line
Ninth Avenue	Ninth Street	Fifth Street

(1976 Code §2.1-2.0601)

6-3-4: **SPECIAL STOPS REQUIRED:**

- A. Stop Streets Designated: Every driver of a vehicle shall stop in accordance with the following:

<u>Vehicle Traveling On</u>	<u>Stops At</u>
Golf View Drive	Fifth Street
Maple Drive	Ninth Avenue
Poplar Drive	Ninth Avenue
First Avenue	Fifth, Ninth and Eleventh Streets
First Avenue West	Ninth Street West
First Street Northeast	Ninth Avenue
Second Avenue West	Ninth Street West
Second Street	Second and Ninth Avenues
Second Street Northeast	Ninth and Tenth Avenues
Second Street Northeast	Eleventh Avenue
Third Avenue	Second, Third, Fifth, Ninth and Tenth Streets
Third Avenue, traveling south	Twelfth Street
Third Avenue West	Ninth Street West
Third Street	Second and Ninth Avenues
Third Street Northeast	Ninth and Tenth Avenues
Fourth Avenue	Second, Fifth, Ninth and Tenth Streets
Fourth Avenue, traveling south	Twelfth Street
Fourth Avenue West	Ninth Street West
Fourth Street	Second and Ninth Avenues
Fourth Street Northeast	Ninth Avenue
Fifth Avenue	Second, Third, Fifth, Ninth and Tenth Streets
Fifth Avenue	Eighth Street
Fifth Avenue West	Fifth Street
Fifth Place	Ninth Avenue

<u>Vehicle Traveling On</u>	<u>Stops At</u>
Fifth Street	Second and Ninth Avenues
Fifth Street	Eleventh Avenue
Fifth Street Northeast	Ninth Avenue
Sixth Avenue	Second, Fifth, Seventh, Eighth and Ninth Streets
Sixth Street	First, Second, Third, Fourth, Sixth and Ninth Avenues
Sixth Street Northeast	Ninth Avenue
Sixth Street Northeast	Eleventh Avenue Northeast
Seventh Avenue	Second, Fifth, Seventh, Eighth and Ninth Streets
Seventh Street	Second, Third, Fourth and Ninth Avenues
Eighth Avenue	Second, Fifth and Ninth Streets
Eighth Avenue, traveling south	Twelfth Street
Eighth Street	Second, Ninth and Eleventh Avenues
Ninth Avenue	Fifth Street and when traveling south at Ninth Street
Ninth Street	Second, Third, Fourth, Ninth and Tenth Avenues
Tenth Avenue	Fifth Street
Tenth Street	Second, Ninth and Eleventh Avenues
Tenth Street	Third Avenue
Tenth Street West	Third Avenue West
Eleventh Avenue	Egret Drive
Eleventh Avenue	Second Street Northeast, Fifth, Eighth and Tenth Streets
Eleventh Street	Second and First Avenues and 250 feet west of First Avenue
Twelfth Street	Second and Ninth Avenues
A Street	Ninth Street West
B Street	Ninth Street West

<u>Vehicle Traveling On</u>	<u>Stops At</u>
C Street	Ninth Street West
D Street	Ninth Street West
E Street	Ninth Street West

(Ord. 585-03, 2-10-2003; amd. Ord. 608-08, 5-27-2008; Ord. 611-08, 6-23-2008; Ord. 620-09, 8-24-2009; Ord. 631-11, 3-14-2011)

- B. Four-Way Stop Intersections: Every driver of a vehicle shall stop before entering the following designated four-way stop intersections:

Fourth Street Northeast and Eleventh Avenue Northeast.

Fifth Street and Ninth Avenue.

Sixth Street and Eighth Avenue.

Sixth Street Northeast and Tenth Avenue Northeast.

Eighth Street and Third Avenue.

Eighth Street and Fourth Avenue.

Ninth Street and Third Avenue.

Ninth Street and Fourth Avenue.

Ninth Street and Ninth Avenue.

(Ord. 585-03, 2-10-2003)

- C. School Crossing Zones: At the following school crossing zones, every driver of a vehicle approaching said zone shall bring his vehicle to a full stop at a point ten feet (10') from the approach side of the crosswalk marked by an authorized school stop sign and thereafter proceed in a careful and prudent manner until he shall have passed through such school crossing zone:

Ninth Avenue at First Street Northeast.

Twelfth Avenue.

(1976 Code §2.1-2.0605; amd. 1992 Code)

6-3-5: **ONE-WAY STREETS AND ALLEYS:** The following are designated as one-way streets and alleys in the city:

North-south alley located between lots 2 and 3, block 12, original town, now city of Sibley, with the traffic to flow from north to south. (Ord. 492-83, 8-1-1983)

6-3-6: **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. (1976 Code §2.1-2.0306)

6-3-7: **PLAY STREETS:** The proper city official shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same. 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. (1976 Code §2.1-2.0302; amd. 1992 Code)

6-3-8: **CONTROLLED ACCESS FACILITIES:**

- A. Exercise Of Police Power: This section shall be deemed an exercise of the police power of the city under chapter 306A, code of Iowa, for the preservation of the public peace, health, safety and for the promotion of the general welfare. (1976 Code §8-1.0201)
- B. Definition: The term "controlled access facility" shall mean a highway or street especially designed for through traffic and over, from or to which owners or occupants of abutting land or other persons have no right of easement or only a controlled right of easement of access, light, air or view by reason of the fact that their property abuts upon such controlled access facility or for any other reason. (1976 Code §8-1.0202)
- C. Right Of Access Limited: No person shall have any right of ingress or egress to, from or across any controlled access facility except at such points as may be permitted by the Iowa highway commission and designated by ordinance. (1976 Code §8-1.0203)

- D. Access Controls On Iowa 60: There are hereby fixed and established controlled access facilities on the primary road system extension improvements, project F-498(11) and project F-329(3) primary road Iowa 60 within the city, described as follows:

On primary road 60, project F-498(11), from station 2558+31.2 to station 2565+21.2 and project F-329(3) from station 401+45 to station 405+54.

(1976 Code §8-1.0204)

6-3-9: **RESTRICTIONS ON DRIVING:**

- A. Emerging From Alley Or Driveway: 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, he shall proceed into the sidewalk area only when he can do so without danger to pedestrian traffic, and he shall yield the right of way to any vehicular traffic on the street into which his vehicle is entering. (1976 Code §2.1-2.0606)



- B. Driving on Sidewalks: The driver of a vehicle shall not drive upon or within any sidewalk area except at a driveway. (1976 Code §2.1-2.0303)
- C. 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 he is operating. (1976 Code §2.1-2.0607)

6-3-10: FUNERAL AND OTHER PROCESSIONS:

- A. Identification Required: A funeral or other procession composed of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the proper City official. (1976 Code §2.1-2.0308; 1992 Code)
- B. Manner of Driving: Each driver in a funeral or other procession shall drive as near to the right-hand side of the roadway as practical and shall follow the vehicle ahead as closely as is practical and safe.
- C. Interrupting Procession: No driver of any vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this Section. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or peace officers. (1976 Code §2.1-2.0308)

6-3-11: SCHOOL BUSES:

- A. Receiving and Discharging Pupils:
 - 1. Signals: The driver of any school bus used to transport children to and from a public or private school shall, when stopping to receive or discharge pupils at any point within the City, turn on the flashing stop warning signal lights at a distance of not less than one hundred feet (100') nor more than three hundred feet (300')

A1) from the point where said pupils are to be received or discharged from the bus. At the point of receiving or discharging pupils, the driver of the bus shall bring the bus to a stop and extend the stop arm. After receiving or discharging pupils, the bus driver shall turn off the flashing stop warning lights, retract the stop arm and then proceed on the route. No school bus shall stop to load or unload pupils unless there is at least three hundred feet (300') of clear vision in each direction.

2. Procedure: All pupils shall be received and discharged from the right front entrance of every school bus, and if said pupils must cross the street or highway, they shall be required to pass in front of the bus, look in both directions and proceed to cross the street or highway only on signal from the bus driver.

B. Overtaking and Passing School Buses:

1. The driver of any vehicle overtaking a school bus shall not pass a school bus when flashing stop warning signal lights are flashing and shall bring said vehicle to a complete stop not closer than fifteen feet (15') of the school bus when it is stopped and stop arm is extended and shall remain stopped until the stop arm is retracted, and the school bus resumes motion or until signalled by the driver to proceed.

2. The driver of any vehicle, when meeting a school bus on which the amber warning signal lights are flashing, shall reduce the speed of said vehicle to not more than twenty (20) miles per hour and shall bring said vehicle to a complete stop when signal arm is extended, and said vehicle shall remain stopped until stop arm is retracted, after which driver may proceed with due caution.

3. The driver of a vehicle upon a highway or street providing two (2) or more lanes in each direction need not stop upon meeting a school bus which is traveling in the opposite direction even though said school bus has stopped.

C. Lights to be On: The driver of a school bus shall, while carrying passengers, have its headlights turned on.

D. Application of Provisions: This Section shall apply to the business, residential and suburban districts of the City. (1976 Code §2.1-2.0307)

6-3-12: **GOLF CARTS ON CITY STREETS:** A golf cart may be allowed to operate on city streets under the following conditions:

- A. Operator must possess a valid operator's license.
- B. Cart shall not be operated upon a city street which is a primary road extension through the city but shall be allowed to cross a city street which is a primary road extension through the city.
- C. Cart shall be equipped with a slow moving vehicle sign and a bicycle safety flag and shall operate on the streets only from sunrise to sunset.
- D. Carts operated on city streets shall be equipped with adequate brakes and shall meet any other safety requirements as imposed by the city council. (Ord. 481-82, 7-6-1982)

6-3-13: **PROHIBITED ACTS:**

- A. **Excessive Acceleration:** It shall be unlawful for any person in the operation of a motor vehicle, including motorcycles, to so accelerate such vehicle as to cause audible noise by the friction of the tires on the pavement or to cause the tires of the vehicle to leave skid marks on the pavement or to cause the front wheel of a motorcycle to leave the ground more than two inches (2"), except when such acceleration is reasonably necessary to avoid a collision. (Ord. 449-80, 5-5-1980)
- B. **Clinging To Vehicles:**
 - 1. 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.
 - 2. No person shall ride on the running board of a motor vehicle or in any other place not customarily used for carrying passengers.
 - 3. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway. (1976 Code §2.1-2.0304)
- C. **Engine Brakes/Compression Brakes; Prohibited Noises By Semi-tractors:** It shall be unlawful for any person in any part of the city of

Sibley, Iowa, to make, or cause to be made, loud or disturbing noises with any mechanical devices operating by compressed air and used for the purpose of assisting braking on any truck. The city of Sibley, Iowa, shall cause signs to be erected indicating such prohibition. (Ord. 574-01, 8-27-2001)

CHAPTER 4
PARKING REGULATIONS

SECTION:

- 6-4-1: Parking Prohibited In Specified Places
- 6-4-2: No Parking Zones
- 6-4-3: Parking Prohibited During Certain Times
- 6-4-4: Large And Recreational Vehicles Limited
- 6-4-5: Parking For Certain Purposes Prohibited
- 6-4-6: Parking During Snow Emergencies
- 6-4-7: Manner Of Parking
- 6-4-8: Signs Posted

6-4-1: **PARKING PROHIBITED IN SPECIFIED PLACES:** 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:

- A. Crosswalks: On a crosswalk at an intersection.
- B. Intersections: Within or within ten feet (10') of an intersection of any street or alley.
- C. Public Alleys: In any public alley within the fire limits of the city¹.
- D. Center Parkway: On the center parkway or dividing area of any divided street.
- E. Controlled Access Facility Approach: On the minor street approach for a distance of thirty five feet (35') in advance of the stop sign or on the exit side of the minor street for a distance of thirty five feet (35') beyond the crosswalk of any controlled access facility intersection.
- F. Sidewalks: On or across a sidewalk.

1. See section 9-1-1 of this code for fire limits of the city.

- G. Driveways: In front of a public or private driveway.
- H. Mailboxes: Within twenty feet (20') 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.
- I. Traffic Control Signs And Signals: Within ten feet (10') upon the approach to any flashing beacon, stop or yield sign or traffic control signal located at the side of a roadway.
- J. Railroad Crossings: Within fifty feet (50') of the nearest rail of a railroad crossing, except when parked parallel with such rail and not exhibiting a red light.
- K. Fire Stations: Within twenty feet (20') 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 feet (75') of said entrance when properly signposted.
- L. Fire Hydrants: Within five feet (5') of a fire hydrant.
- M. Double Parking: On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- N. 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 proper city official may cause curbing to be painted with a yellow color and erect no parking or standing signs.
- O. Theaters, Hotels And Auditoriums: A space of fifty feet (50') is hereby reserved at the side of the street in front of any theater, 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. (1976 Code §2.1-2.1006; amd. 1992 Code)
- P. Parking Between Curb And Right Of Way Boundary Prohibited: On city streets where curbs have been constructed and parking is permitted, vehicles shall be parked only between the curbs and no

person shall park a vehicle in the area outside of the curb, between the curb and the right of way boundary.

The prohibition of this subsection shall not apply:

1. To that portion of the area outside of the curb between the curb and the right of way boundary, which is a driveway or entranceway to the property.

2. To those areas in the city where the curb or sidewalk has been offset and a paved parking area constructed between the normal curb line and the right of way boundary, provided that the parking area is authorized under the city zoning ordinances or by the grant of a variance by the board of adjustment. (Ord. 627-10, 9-13-2010)

6-4-2: **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:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Second Street	South side	Second Avenue	Ninth Avenue
Third Avenue	East side	Fifth Street	Sixth Street
Fourth Avenue	East side West side	Tenth Avenue Fifth Street	Eleventh Avenue Sixth Street (except Sundays)
Fifth Street	Both sides	Second Avenue	East corporate line
Sixth Avenue	East side	Seventh Street	Eighth Street
Eighth Street	North side North side	Fourth Avenue Sixth Avenue	Fifth Avenue Seventh Avenue
Ninth Avenue	Both sides	Twelfth Street	Fifth Street
Tenth Street	North side	Fourth Avenue	Fifth Avenue
Iowa Highway 60 (Second Avenue)	Both sides	South corporate line	North corporate line

(1976 Code §2.1-2.1007; amd. Ord. 457-80, 11-3-1980; Ord. 542-94, 9-12-1994)

6-4-3: **PARKING PROHIBITED DURING CERTAIN TIMES:**

- A. Special Parking Zones: No one shall stop, stand or park a vehicle in any of the following specifically designated special parking zones during the hours listed except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal: (Ord. 555-97, 9-22-1997)

<u>Street</u>	<u>Side</u>	<u>Location</u>	<u>Hours</u>
Second Street northeast	South side	From Ninth Avenue to Eleventh Avenue	7:00 A.M. to 4:00 P.M., school days
Fourth Street	North side	From Eighth Avenue to Ninth Avenue	7:00 A.M. to 4:00 P.M., school days
Eleventh Avenue northeast	West side	Fifth Street north 342 feet	8:00 A.M. to 4:00 P.M., daily

(Ord. 538-92, 11-9-1992; amd. Ord. 555-97, 9-22-1997)

- B. All Night Parking: No person shall park, abandon or leave unattended any vehicle on the streets listed below between the hours of two o'clock (2:00) A.M. and five o'clock (5:00) A.M.:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Third Avenue	Both sides	Eighth Street	Tenth Street
Fourth Avenue	Both sides	Eighth Street	Tenth Street
Ninth Street	Both sides	First Avenue	Fifth Avenue
Tenth Street	Both sides	Second Avenue	Fifth Avenue

(Ord. 476-82, 4-5-1982)

6-4-4: **LARGE AND RECREATIONAL VEHICLES LIMITED:** No person shall park any motor truck, implement of husbandry, semitrailer, livestock trailer, any trailer exceeding twenty two feet (22') in length, other motor vehicle with trailer attached, motor homes, travel trailer, snowmobile trailer, motorcycle trailer, general purpose trailer, or fifth wheel trailer in violation of the following regulations:

- A. Large Vehicles, Parking Prohibited: Except as provided in subsection C of this section, no person shall park or leave unattended any motor truck, implement of husbandry, semitrailer, livestock trailer, any trailer exceeding twenty two feet (22') in length, or other motor vehicle with trailer attached, upon any street, public right of way, or alley for a period of time longer than one hour, between the hours of six o'clock (6:00) P.M., and six o'clock (6:00) A.M.
- B. Recreational Vehicles, Parking Prohibited: Except as provided in subsection C of this section, no person shall park or leave unattended any motor home, travel trailer, snowmobile trailer, motorcycle trailer, general purpose trailer, or fifth wheel travel trailer upon any street, public right of way, or alley for a period of time longer than twenty four (24) hours.
- C. Parking For Extended Periods: Extended periods of the parking of large vehicles and recreational trailers may be allowed for specific reasons if the owner has received a written permit from the city clerk. Such permit shall set forth the specific requirements, conditions, and standards for said parking. (Ord. 629-10, 10-25-2010)
- D. Business District: Excepting only when such vehicles are actually engaged in the delivery or receiving of merchandise or cargo, no person shall park or leave standing a motor truck, semitrailer, or other motor vehicle with trailer attached on any of the following designated streets in the business district:

Third Avenue from Eighth Street to Tenth Street.

Fourth Avenue from Eighth Street to Tenth Street.

Ninth Street from Second Avenue to Fifth Avenue.

When such vehicles are actually engaged in the delivery or receiving of merchandise or cargo such vehicle shall be parked or left standing only in a manner which will not interfere with other vehicular traffic.

- E. **No Parking On Any Street:** No person shall park or leave standing a motor truck, semitrailer, or other motor vehicle with trailer attached having a freight capacity greater than one ton at any time upon any portion of any street, except for such reasonable times as may be necessary to load or unload passengers, freight, or merchandise.
- F. **Exemptions From Restrictions:** The restrictions described in subsection E of this section shall not apply to:

The west side of 1st Avenue between 10th and 11th Street;
and

The north side of 12th Street between 3rd and 5th Avenue.
(Ord. 577-02, 5-28-2002; amd. Ord. 629-10, 10-25-2010)

6-4-5: **PARKING FOR CERTAIN PURPOSES PROHIBITED:** No person shall park a vehicle upon the roadway for any of the following principal purposes:

- A. **Sale:** Displaying such vehicle for sale.
- B. **Washing; Repairs:** For washing, greasing or repairing such vehicle except such repairs as are necessitated by an emergency.
- C. **Advertising:** Displaying advertising.
- D. **Merchandise Sales:** Selling merchandise from such vehicle except in a duly established marketplace or when so authorized or licensed under this code. (1976 Code §2.1-2.1005)

6-4-6: **PARKING DURING SNOW EMERGENCIES:** No person shall park, abandon or leave unattended any vehicle on any public street, alley or city owned off street parking area any year from November 1 of said year to April 15 of the following year between the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M. (1976 Code §2.1-2.1009)

6-4-7: **MANNER OF PARKING:**

- A. **Parallel Parking:**
1. **Generally:** 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 inches (18") 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. (1976 Code §2.1-2.1001)

2. One-Way Streets: 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 inches (18") of the curb or edge of the roadway except as hereinafter provided in the case of angle parking. (1976 Code §2.1-2.1002)

- B. Angle Parking: 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 feet (16') when measured at right angles to the adjacent curb or edge of roadway. (1976 Code §2.1-2.1004)

Angle or diagonal parking shall be permitted only in the following locations:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Third Avenue	Both sides	Eighth Street	Tenth Street
Fourth Avenue	Both sides	Ninth Street	Tenth Street
Eighth Street	South side	Third Avenue	Fourth Avenue
Ninth Street in front of lots 11 and 12 of block 18	South side (3 spaces)		
Tenth Street	Both sides	Second Avenue	Fourth Avenue

(1976 Code §2.1-2.1003)

6-4-8: **SIGNS POSTED:** Whenever, by this chapter or any other section of this code, any parking time limit is imposed or parking is prohibited on designated streets or portions of streets, it shall be the duty of the proper city official to erect or cause to be erected appropriate signs giving notice thereof, and no such regulations shall be effective unless signs are erected and in place at the time of any alleged offense. When the signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs. (1976 Code §2.1-2.1010; amd. 1992 Code)

CHAPTER 5
PEDESTRIANS

SECTION:

- 6-5-1: Right Of Way
- 6-5-2: Pedestrian Crossings
- 6-5-3: Walking Along Roadways

6-5-1: **RIGHT OF WAY:** 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 so yield, to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection. (1976 Code §2.1-2.0608)

6-5-2: **PEDESTRIAN CROSSINGS:** 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. (1976 Code §2.1-2.0804)

6-5-3: **WALKING ALONG ROADWAYS:**

- A. Use Of Sidewalks: Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent street. (1976 Code §2.1-2.0801)
- B. Walking In Streets: Where sidewalks are not provided, pedestrians shall, at all times when walking on or along a street, walk on the left side of the street. (1976 Code §2.1-2.0802)



- C. Hitchhiking: No person shall stand in the travelled portion of a street for the purpose of soliciting a ride from the driver of any private vehicle. (1976 Code §2.1-2.0803)

CHAPTER 6

VEHICLE EQUIPMENT AND CONDITION

SECTION:

- 6-6-1: Mufflers
6-6-2: Load and Weight Restrictions

6-6-1: **MUFFLERS:** It shall be unlawful for a person to operate or drive a motor vehicle on a highway that is not equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke or to use a muffler cutout, bypass or similar device. (1976 Code §2.1-2.0305)

6-6-2: **LOAD AND WEIGHT RESTRICTIONS:**

- A. 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. (1976 Code §2.1-2.0701)
- B. Permits for Excess Size and Weight: The proper City official may, upon application, in writing and good cause being shown therefor, issue a special permit, in writing, authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight or load exceeding the maximum specified by State law¹ or City ordinance over those streets named in the permit which are under the jurisdiction of the City and for which the City is responsible for maintenance. (1976 Code §2.1-2.0702; 1992 Code)

1. I.C. §321.452 et seq.

- C. 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 proper City official 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. (1976 Code §2.1-2.0704; 1992 Code)

CHAPTER 7

BICYCLES

SECTION:

- 6-7-1: Scope of Regulations
- 6-7-2: Traffic Laws Apply
- 6-7-3: Operation of Bicycles
- 6-7-4: Parking Bicycles
- 6-7-5: Bicycle Equipment
- 6-7-6: Penalty

6-7-1: **SCOPE OF REGULATIONS:** These regulations, applicable to bicycles, 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. (1976 Code §2.1-5.0101)

6-7-2: **TRAFFIC LAWS APPLY:** Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this State¹ declaring rules of the road applicable to vehicles or by this Title 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, he shall be subject to all regulations applicable to pedestrians. (1976 Code §2.1-5.0102)

6-7-3: **OPERATION OF BICYCLES:**

1. I.C. §321.234.

- A. Riding on Bicycles: 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.
- B. Riding Abreast: Persons riding bicycles upon a roadway within the business district shall ride single file and in other streets shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.
- C. Use of 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.
- D. Speed: No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.
- E. 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.
- F. 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 handlebars.
- G. Riding on Sidewalks:
 - 1. No person shall ride a bicycle upon a sidewalk within a business district.
 - 2. When signs are erected on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person, no person shall disobey the signs.
 - 3. 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.

- H. Towing: It shall be unlawful for any person riding a bicycle to be towed or to tow any other vehicle upon the streets of the City.
- I. Following Fire Trucks: No person riding a bicycle shall follow a fire truck or other fire equipment at any time.
- J. 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 operation or others. (1976 Code §2.1-5.0102)

6-7-4: **PARKING BICYCLES:** 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 and in such a manner as to afford the least obstruction to pedestrian traffic. (1976 Code §2.1-5.0103)

6-7-5: **BICYCLE EQUIPMENT:**

- A. Lights and Reflectors: 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 five hundred feet (500') to the front and with a red reflector on the rear of a type which shall be visible from all distances from fifty feet (50') to three hundred feet (300') to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet (500') to the rear may be used in addition to the red reflector.
- B. Signal Devices: No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred feet (100'); except, that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.
- C. Brakes: Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement. (1976 Code §2.1-5.0104)

6-7-6: **PENALTY:** Any person violating the provisions of this chapter may, in lieu of the standard penalty provided for violations of this code¹, suffer his 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. (1976 Code §2.1-5.0105)

1. See section 1-4-1 of this code.

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CHAPTER 8
SNOWMOBILES

SECTION:

- 6-8-1: Snowmobile Defined
6-8-2: Restrictions On Places Of Operation
6-8-3: Manner Of Operation

6-8-1: **SNOWMOBILE DEFINED:** For use in this chapter, the term "snowmobile" shall mean any self-propelled vehicle weighing less than one thousand (1,000) pounds which utilizes wheels with low pressure tires and is designed to operate on land or ice or is equipped with sled type runners or skis, endless belt type tread or any combination thereof and is designed for travel upon snow, land or ice, except any vehicle registered as a motor vehicle under state law¹. (1976 Code §2.1-6.01)

6-8-2: **RESTRICTIONS ON PLACES OF OPERATION:** The operators of snowmobiles shall observe the following limitations as to where snowmobiles may be operated:

A. Streets:

1. Unplowed Streets: Snowmobiles may be operated upon streets which have not been plowed during the snow season.

2. Prohibited Streets: Snowmobiles may not be operated on the following designated streets:

Second Avenue (Iowa Highway 60).
Second Street.
Fifth Street.
Ninth Avenue.
Ninth Street.

1. IC §321G.1 et seq.

3. Other Streets: Snowmobiles may be operated on any other street within the city for the sole and exclusive purpose of using the most direct roadway for the ingress to and egress from the city. No snowmobile shall be driven on any roadway solely for entertainment or pleasure.

- B. Parks And Other Public Land: Snowmobiles shall not be operated in any city park, playground or upon any other publicly owned property.
- C. Private Property: No snowmobile shall be operated upon private property without the express consent of the owner thereof.
- D. Sidewalks Or Parking: No snowmobiles shall be operated upon the public sidewalk nor shall they be operated upon 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. (1976 Code §2.1-6.02)
- E. Ingress And Egress To The City Of Sibley, Iowa: Notwithstanding the other provisions of this section, snowmobiles will be allowed to travel on city streets for purposes of ingress and egress to the city as follows:

First Avenue from Eleventh Street to Tenth Street.

Third Avenue from Eleventh Street to Tenth Street.

Fourth Avenue from Twelfth Street to Eleventh Street.

All of Fifth Avenue West.

Fifth Street from the east edge of the city limits to the intersection of Ninth Avenue.

Ninth Avenue from the Winkel Trail to Twelfth Street.

Eleventh Avenue from the intersection of Fifth Street to the Winkel Trail.

Eleventh Street from Fourth Avenue to Second Avenue West.

Twelfth Street from Ninth Avenue to Second Avenue.

For purposes of this subsection, snowmobile travel shall be allowed within the area of "parking", that is the area between the lot line and that portion of the street usually traveled by vehicular traffic. (Ord. 613-08, 11-24-2008)

6-8-3: **MANNER OF OPERATION:** No person shall operate a snowmobile in the city except as hereafter provided:

- A. **Registration Required; Display:** No snowmobile shall be operated in the city unless registered pursuant to state law¹ and unless the identifying number set forth in the registration is displayed on each side of the snowmobile.
- B. **Compliance With Traffic Regulations:** Snowmobile operators shall observe all state and local traffic control regulations and devices.
- C. **Speed:** Snowmobiles shall not be operated on streets at a speed in excess of that posted nor at any time at a rate of speed greater than reasonable and proper under all existing circumstances.
- D. **Crossing Streets Or Highways:** A snowmobile may make a direct crossing of a prohibited street or highway, provided:
 - 1. The crossing is made at an angle of approximately ninety degrees (90°) to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing.
 - 2. The snowmobile is brought to a complete stop before crossing the shoulder or main traveling way of the street or highway.
 - 3. The driver yields the right of way to all oncoming traffic which constitutes an immediate hazard.
- E. **Careless Operation:** No person shall operate a snowmobile in a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.
- F. **Operation While Intoxicated:** No person shall operate a snowmobile while under the influence of intoxicating liquor or narcotics or habit forming drugs.

1. IC §321G.1 et seq.

- G. Unattended Snowmobiles: No operator or owner shall leave or allow a snowmobile to be or remain unattended on public property while the motor is running or with keys in the ignition switch.
- H. Operation During Thaw Ban: Snowmobiles shall not be operated during a publicized thaw ban in areas posted to prohibit such operation.
- I. Equipment Requirements:
1. Generally: All snowmobiles shall be equipped with muffling devices, lights and other equipment required by state law or regulation.
 2. Lights: No person shall operate a snowmobile without a lighted headlight and taillight when required for safety.
 3. Flag: No snowmobile shall be operated upon a street without displaying a flag with an area of not less than six inches by nine inches (6" x 9") of fluorescent orange color on a staff holder to put such flag at least five and one-half feet (5¹/₂') above the surface of the street.
- J. Hours Of Operation: No snowmobile shall be operated in the city between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M. except for emergency situations or for loading and unloading from a transport trailer. (1976 Code §2.1-6.03; amd. 1992 Code)

CHAPTER 9

ABANDONED, JUNKED VEHICLES

SECTION:

- 6-9-1: Definitions
- 6-9-2: Impoundment Procedures
- 6-9-3: Disposal Of Vehicles
- 6-9-4: Duties Of Demolishers
- 6-9-5: Junk Vehicles And Machinery

- 6-9-1: **DEFINITIONS:** For use in this chapter the following terms are defined:

**ABANDONED
VEHICLE:**

Any of the following:

A. A motor vehicle that has been left unattended on public property for more than forty eight (48) hours and lacks current registration plates or two (2) or more wheels or other parts which renders the vehicle totally inoperable; or

B. A motor vehicle that has remained illegally on public property for more than seventy two (72) hours; or

C. A motor vehicle that has been unlawfully parked on private property or has been placed on private property without the consent of the owner or person in control of the property for more than twenty four (24) hours; or

D. A motor vehicle that has been legally impounded by order of a police authority and has not been reclaimed for a period of ten (10) days; or

E. Any vehicle parked on the highway determined by a police authority to create a hazard to other vehicle traffic.

**INOPERABLE
VEHICLE:**

Any motor vehicle which lacks an engine or two (2) or more wheels or other parts which renders the vehicle totally inoperable.

**JUNK MOTOR
VEHICLE OR JUNK
MACHINERY:**

Any motor vehicle, dismantled vehicle, machinery and appliances or parts of vehicles, or piece of machinery stored within the corporate limits of the city, which, because of any one of the following characteristics, constitutes a threat to the public health and safety.

A. Broken Glass: Any vehicle with a broken or cracked windshield, window, headlight or taillight or any other cracked or broken glass.

B. Broken Or Loose Part: Any vehicle with a broken or loose fender, door, bumper, hood, hood ornament, door handle, window handle, running board, steering wheel, trunk top, truck handle, radio aerial, tailpipe or decorative piece.

C. Habitat For Nuisance Animals Or Insects: Any vehicle or piece of machinery which has become the habitat for rats, mice or snakes or any other vermin or insects.

D. Flammable Fuel: Any vehicle or machinery which contains gasoline or any other flammable fuel.

E. Defective Or Obsolete Condition: Any other vehicle or piece of machinery which, because of its defective or obsolete condition, in any other way constitutes a threat to the public health and safety.

F. Inoperable: Any motor vehicle if it lacks an engine or two (2) or more wheels or other structural parts, rendering said motor vehicle

totally inoperable or which motor vehicle has not been moved under its own power and has not been used as an operating vehicle for a period of thirty (30) days or more.

G. Storage: Any vehicle which is used for storage or the accumulation of junk, trash, debris, garbage, or vehicular component parts.

H. Incomplete: Any motor vehicle, recreational vehicle, boat, trailer or semitrailer which lacks a current registration or component part which renders the vehicle unfit for legal use.

I. Race Cars: Any stock car, racing car or vehicular component parts.

Mere licensing of such a vehicle or placing of such a vehicle in storage with the county treasurer's office shall not constitute a defense to the finding that the vehicle is a junk vehicle.

VEHICLE:

Every device in, upon, or by which a person or property is or may be transported or drawn upon a highway or street, except devices moved by human power or used exclusively upon stationary rails or tracks, and includes, without limitation, a motor vehicle, automobile, truck, motorcycle, tractor, buggy, wagon, farm machinery, or any combination thereof. (Ord. 586-03, 7-28-2003)

6-9-2: IMPOUNDMENT PROCEDURES:

A. Removal And Impoundment Of Abandoned Motor Vehicles: The police authority shall remove and impound any abandoned motor vehicle whether in operable or totally inoperable condition. Impoundment shall be in any city owned garage or area or in any privately owned public garage or area designated by the council.

B. Notice Of Impoundment:

1. The police authority shall notify, by certified mail within twenty (20) days of having taken possession of any abandoned operable

motor vehicle, the last known registered owner of the motor vehicle and all lienholders of record to their last known address of record that the abandoned motor vehicle has been taken into custody. Notice shall be deemed given when mailed. Notice shall describe the year, make, model and serial number of the motor vehicle, set forth the location of the facility where it is being held, inform the owner and lienholders of their right to reclaim the motor vehicle within twenty one (21) days after the effective date of the notice upon payment of all towing, preservation and storage charges resulting from placing the motor vehicle in custody. The notice shall also state that the failure of the owners or lienholders to exercise their right to reclaim the motor vehicle within the time provided shall be deemed a waiver by the owner and all lienholders of all right, title, claim and interest in the motor vehicle, and that such failure to reclaim is deemed consent to the sale of the motor vehicle at a public auction, and if lienholders do not exercise their right, they shall have no further right, title, claim or interest in or to such motor vehicle as provided by law¹.

2. If the identity of the last registered owner of an abandoned but operable vehicle cannot be determined or if the registration contains no address for the owner or if it is impossible to determine with reasonable certainty the identity and addresses of

1. IC §321.89.

- B2) all lienholders, notice by one publication in one newspaper of general circulation in this City, shall be made by the police authority, and multiple listings may be included in said notice if they are subject to the same time limits and the same information as prescribed for mailed notice shall be included.
- C. Extension of Time: The owner or any lienholder may, by written request delivered to the police authority prior to the expiration of the twenty one (21) day reclaiming period, obtain an additional fourteen (14) days within which the motor vehicle may be reclaimed.
- D. Impoundment Fees: The owner or lienholder shall pay twenty five dollars (\$25.00) if claimed within three (3) days of impounding, plus towing charges if stored by the City, or upon payment of the 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 their regularly set fees. (Ord. 499-83, 12-5-83)

6-9-3: **DISPOSAL OF VEHICLES:**

- A. Operable Vehicles: If an abandoned motor vehicle which is operable has not been reclaimed as provided by subsection 6-9-2B1 of this Chapter, the police authority shall make a determination as to whether or not the motor vehicle should be sold for use upon the highways. If it is to be sold for such use, it shall first be inspected as required by law, have a valid certificate of inspection affixed and shall then be sold and title given in accordance with law.¹ Vehicles not sold for use upon public highways shall be sold only in accordance with the restrictions in Iowa law.¹ The purchasers shall take title as provided for by law,¹ or if sold to a demolisher, no further titling of the motor vehicle shall be permitted.
- B. Inoperable Vehicles:
1. It shall be practicable to sell any totally inoperable abandoned vehicle or any such inoperable vehicle left on private property by other than the owner or person in charge of the private property as provided in subsection A1 above. A sale to a demolisher shall

1. I.C. §321.89.

- B1) not require the notification procedures or public auction, but the police authority shall endeavor to obtain as much compensation as possible to defray any costs to the City.

2. A person or this City or other unit of government 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, without notification procedures, dispose of such motor vehicle to a demolisher for junk without the title if it lacks an engine or two (2) or more wheels or other structural part which renders the vehicle totally inoperable.

- C. Proceeds from Sales: Proceeds from the sale of any abandoned vehicle shall apply to the cost of towing, preserving, storing and notification required, in accordance with State law.¹ 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 Reimbursement Fund of the Iowa Department of Public Safety. 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 Public Safety. (Ord. 499-83, 12-5-83)

6-9-4: **DUTIES OF DEMOLISHERS:** Any demolisher who purchases or otherwise acquires an abandoned motor vehicle for junk, shall junk, scrap, wreck, dismantle or otherwise demolish such motor vehicle under subsection 6-9-3B of this Chapter. The demolisher shall apply to the police authority for a certificate to demolish the vehicle. The application shall include the name and address of the applicant and the year, make, model and serial number of the motor vehicle. After the motor vehicle has been demolished, processed or changed so that it is physically no longer a motor vehicle, the demolisher shall surrender the action sales receipt or certificate of authority to dispose of or demolish a motor vehicle to the State Department of Public Safety for cancellation. (Ord. 499-83, 12-5-83)

6-9-5: **JUNK VEHICLES AND MACHINERY:**

- A. Nuisance Declared: Storage within the corporate limits of a junk motor vehicle or junk machinery upon private property owned or

¹ I.C. §321.89.

- A) controlled by the owner of the vehicle or machinery, unless excepted by subsection C of this Section, constitutes a threat to the health and safety of the citizens and is a nuisance within the meaning of the Code of Iowa, section 657.1. If any junk motor vehicle or machinery is stored upon private property in violation hereof, the owner or person in control of the property upon which it is stored shall be liable for said violation. (1976 Code §6-3.0202)
- B. Notice to Abate: Upon discovery of any junk motor vehicle or junk machinery stored upon private property in violation of subsection A of this Section, the proper City official shall, within five (5) days, initiate abatement procedures as outlined in Section 4-3-4 of this Code. (1976 Code §6-3.0204; 1992 Code)
- C. Exemptions From Provisions: The provisions of this Section shall not apply to a junk motor vehicle or junk machinery stored within:
1. A garage or other enclosed structure; or
 2. An auto salvage yard or junk yard lawfully operated within the City. (1976 Code §6-3.0203)
- D. Penalty: Any person violating any provision of this Section shall be subject to a Municipal infraction penalty as set forth in Title 1, Chapter 4, Article A of this Code. (1992 Code)

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CHAPTER 10

ROLLERBLADES AND SKATEBOARDS

SECTION:

6-10-1: Operation Of Rollerblades And Skateboards

6-10-1: **OPERATION OF ROLLERBLADES AND SKATEBOARDS:**

A. Riding On Sidewalks:

1. No person shall use rollerblades or skateboards for transportation, recreation or any other purpose upon a sidewalk within the central business commercial district of the City.

2. When signs are erected on any sidewalk or roadway prohibiting the use of rollerblades or skateboards thereon by any person, no person shall disobey the signs.

3. Whenever any person is using rollerblades or skateboards, on a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing. (Ord. 550-96, 6-10-1996)

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CHAPTER 11
ATVs AND ORVs

SECTION:

- 6-11-1: Definitions
- 6-11-2: General Regulations
- 6-11-3: Operation Of ATVs And ORVs
- 6-11-4: Negligence
- 6-11-5: Accident Reports
- 6-11-6: Hours Of Operation
- 6-11-7: Towing

6-11-1: **DEFINITIONS:** The terms "ATV" and "ORV" are defined as follows:

ALL-TERRAIN VEHICLE OR ATV:

A motorized (gasoline powered) vehicle with not less than three (3) and not more than six (6) nonhighway tires that is limited in engine displacement to less than one thousand (1,000) cubic centimeters and in total dry weight to less than one thousand two hundred (1,200) pounds and that has a seat or saddle designed to be straddled by operator and handlebars for steering control.

OFF ROAD UTILITY VEHICLE OR ORV:

A motorized vehicle with not less than four (4) and not more than eight (8) nonhighway tires that is limited in engine displacement to less than one thousand five hundred (1,500) cubic centimeters and in total dry weight to not more than two thousand (2,000) pounds and that has a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control. (Ord. 640-13, 5-13-2013)

6-11-2: **GENERAL REGULATIONS:** No person shall operate an ATV or ORV within the city limits of Sibley in violation of the provisions of chapter 321G and 321I 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. (Ord. 640-13, 5-13-2013)

6-11-3: **OPERATION OF ATVs AND ORVs:** The operators of ATVs and ORVs shall comply with the following restrictions as to where ATVs and ORVs may be operated within the city:

- A. Streets: Permitted ATVs and ORVs may be operated upon streets under the jurisdiction and within the corporate city limits of Sibley.
- B. Trails: ATVs and ORVs shall not be operated on bike trails, walking trails or snowmobile trails except where so designated.
- C. Private Property: ATVs and ORVs may only be operated on private property with the express consent of the owner.
- D. Sidewalk Or Parking: No ATV or ORV shall be operated upon sidewalks unless engaged in snow removal or maintenance activities, nor shall they be operated upon that portion of the street from the curb to the sidewalk or property line, commonly referred to as the "parking", or any off street right of way, except for the purpose of snow removal, maintenance or landscaping activities.
- E. Parks Or Other City Land: A special use permit may be issued for the operation of an ATV or ORV in city parks or other city land for special events authorized by the city council.
- F. Operator License: No person shall operate an ATV or ORV on the public street of the city without a valid motor vehicle operator's license and who is not at least eighteen (18) years of age.
- G. Equipment: All ATVs and ORVs shall be equipped according to the following provisions:
 - 1. Mufflers: No person shall operate an ATV or ORV that is constructed or altered in a manner that noise emitted from the machine exceeds ninety six (96) decibels on the A scale when measured in the manner prescribed in the revised 2008-05, Society Of Automotive Engineers Standards J1287, titled "Measurement Of Exhaust Sound Pressure Levels Of Stationary Motorcycles".

2. Headlamp, Taillamp, Brakes: Every ATV and ORV shall be equipped with a headlight and taillight which shall remain lighted at all times during operation. Every ATV and ORV shall be equipped with brakes in good working condition.

- H. Traffic Code Observed: Any operator of any ATV or ORV must observe all state and local traffic control regulations and devices and shall not operate an ATV or ORV at a speed in excess of that posted, nor at any time operates an ATV or ORV at a speed greater than is reasonable and proper under the existing conditions.
- I. Unattended ATVs Or ORVs And Parking: No owner or operator of an ATV or ORV shall leave the ATV or ORV unattended on public property while the motor is running or with keys in the ignition switch. Owners and operators of ATVs and ORVs must obey all parking regulations in the city. ATVs and ORVs may not be parked on sidewalks or in front yards.
- J. Registration: The owner or operator of an ATV or ORV must maintain current vehicle registration and title as required by Iowa law. (Ord. 640-13, 5-13-2013)

6-11-4: **NEGLIGENCE:** The owner and operator of an ATV or ORV are liable for any injury or damage caused by the negligent operation of the ATV or ORV. The owner of an ATV or ORV shall be liable for any such injury or damage only if the owner was the operator of the ATV or ORV at the time the injury or damage occurred or if the operator had the owner's consent to operate the ATV or ORV at the time the injury or damage occurred. ATV and ORV operators must carry proof of insurance coverage when operating an ATV or ORV in the city of Sibley. (Ord. 640-13, 5-13-2013)

6-11-5: **ACCIDENT REPORTS:** Whenever an ATV or ORV is involved in an accident resulting in injury or death to anyone or property damage amounting to one thousand five hundred dollars (\$1,500.00) 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. (Ord. 640-13, 5-13-2013)

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6-11-6: **HOURS OF OPERATION:** ATVs and ORVs shall not be operated between the hours of one o'clock (1:00) A.M. to five o'clock (5:00) A.M. except for emergency situations or for loading or unloading from a transport trailer and except that an ATV or ORV may be operated during prohibited hours for snow removal purposes. (Ord. 640-13, 5-13-2013)

6-11-7: **TOWING:** No items shall be towed by an ATV or ORV unless coupled to said ATV or ORV by a rigid tow bar. (Ord. 640-13, 5-13-2013)