

**Title 16 Traffic**

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1. All reference in said code to the State Road Commission shall be deemed to mean the "City of Payson" and its departments, agencies, or agents, unless the context otherwise requires.
2. All reference to "Local Authorities" shall be deemed to mean the City Council of Payson City.
3. All reference in said code to the "Department of Public Safety of the State of Utah" shall be deemed to mean the Police Department.

**Chapter 16.1**

**Adoption of Utah Criminal and Traffic Code**

(Adopted September 22, 1999)

16.1.1 Adoption of Utah Criminal and Traffic Code

**16.1.1 Adoption of Utah Criminal and Traffic Code**

The 1999 Edition of the Utah Criminal And Traffic Code (as amended) compiled by the Department of Public Safety of the State of Utah prepared and published in compiled form by said agency, and in particular those sections therein, which recite Chapters 1-25 of Title 41, Chapters 1-15 of Title 27, Chapters 1,5,49,63 and 63a of Title 63, Chapter 18 of Title 73 and Chapters 1-10 of Title 76 of Utah State Code Annotated, and all other sections and titles that contain criminal penalties is hereby approved and adopted as part of the Criminal and Traffic Code of the City of Payson except as hereinafter specified, and by this reference is made a part of this ordinance to the same extent and effect as though said code were copied herein in full:

## Chapter 16.2 Definitions

### 16.2.1 Definitions of Words and Phrases

#### 16.2.1 Definitions of Words and Phrases

The following words and phrases when used in this title shall for the purpose of this title have the meanings respectively ascribed to them in this chapter.

1. Alley or Alleyway - The term alley or alleyway shall mean a public way within a block primarily intended for service and access to abutting property by vehicles and not designed for general traffic. (Uniform Traffic Code 1-2)
2. Authorized Emergency Vehicle - The term authorized emergency vehicle shall mean vehicles of the fire department, police vehicles and such ambulances and emergency vehicles of municipal departments of public service corporations as are designated or authorized by the police department or mayor and city council. (Uniform Traffic Code 1.3: UCA 1953)
3. Bicycle - The word bicycle shall mean every device propelled by human power upon which any person may ride, having two tandem wheels either of which if more than twenty inches in diameter. (Uniform Traffic Code 1.4: 41.6.2 UCA 1953)
4. Business District - The term business district shall mean the territory contiguous to and including the highway when within any six hundred feet along such highway there are buildings in use for business or industrial purposes including but not limited to hotels, banks, or office buildings, railroad stations and public buildings which occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of the highway. (Uniform Traffic Code 1.5: 41.6.8 UCA 1953)
5. Commercial Vehicle - The term commercial vehicle shall mean every vehicle designed, maintained, or used primarily for the transportation of property. (Uniform Traffic Code 1-6)
6. Controlled-Access Highway - The term controlled-access highway shall mean every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public

- authority having jurisdiction over such highway, street or roadway. (Uniform Traffic Code 1.7: 4.6 UCA 1953)
7. Crosswalk - The word crosswalk shall mean:
  - a. The part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs from the edges of the traversable roadway.
  - b. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface. (Uniform Traffic Code 108: 41.6.9 UCA 1953)
8. Curb Loading Zone - The term curb loading zone" shall mean a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials. (Uniform Traffic 1.9)
9. Driver - The word driver shall mean every person who drives or is in actual physical control of a vehicle. (Uniform Traffic Code 1.10: 41.6.6 UCA 1953)
10. Freight Curb Loading Zone - The term freight curb loading zone shall mean a space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight. (Uniform Traffic Code. 1.11)
11. Highway or Street - The word highway or street shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. (Uniform Traffic Code 1.12)
12. Intersection - The word intersection shall mean:
  - a. The area embraced within the prolongation of connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling from different highways, joining at any other angle may come in conflict.
  - b. Where a highway includes two roadways thirty feet or more apart, then every crossing of each roadway of such highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadway thirty feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection. (Uniform Traffic Code 1.13)
13. Laned Roadway - The term laned roadway shall mean a roadway which is divided into two or

- more clearly marked lanes for vehicular traffic. (Uniform Traffic Code 1.15: 41.6.7 UCA 1953)
14. Motor Vehicle - The term motor vehicle shall mean every vehicle which is self-propelled and every vehicle which is propelled by electricity. (Uniform Traffic Code 1.15: 41.6. 2 UCA 1953)
  15. Motorcycle - The word motorcycle shall mean every vehicle other than a tractor having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground and weighing less than twelve hundred fifty pounds. (Uniform Traffic Code 1-16)
  16. Official Time Standard - Whenever certain hours are named herein, they shall mean standard time or daylight-saving time as may be in current use in this city. (Uniform Traffic Code 1.17)
  17. Official Time-Control Devices - The term official time-control devices shall mean all signs, signals, markings and devices not inconsistent with this title placed and erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic. (Uniform Traffic Code 1.18: 41.6.9 UCA 1953)
  18. Park or Parking - The word 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. (Uniform Traffic Code 1.19: 41.6.10 UCA 1953)
  19. Passenger Curb Loading Zone - The term passenger curb loading zone shall mean a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers. (Uniform Traffic Code 1.20)
  20. Pedestrian - The word pedestrian shall mean any person afoot. (Uniform Traffic Code 1.21: 41.6.6 UCA 1953)
  21. Person - The word person shall mean every natural person, firm, co-partnership, association or corporation. (Uniform Traffic Code 1.22:41.6.6 UCA 1953)
  22. Police Officer - The term police officer shall mean every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations. (Uniform Traffic Code 1.23)
  23. Private Road or Driveway - The term private road or driveway shall mean every way or place in private ownership and use for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons. (Uniform Traffic Code 1.24: 41.6.7 UCA 1953)
  24. Railroad - The word railroad shall mean a carrier of persons or property upon cars, operated upon stationary rails. (Uniform Traffic Code 1.25: 41.6.5 UCA 1953)
  25. Railroad Train - The term railroad train shall mean a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails. (Uniform Traffic Code 1.26: 41.6.5 UCA 1953)
  26. Residence District - The term residence district shall mean the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred feet or more is in the main improved within residences or residences and buildings in use for business (Uniform Traffic Code 1.27: 41. 6.8 UCA 1953)
  27. Right of Way - The term right of way shall mean the privilege of the immediate use of the roadway. (Uniform Traffic Code 1.28: 41.6.9 (e) UCA 1953)
  28. Roadway - The word roadway shall mean that portion of highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately, but not to all such roadways collectively. (Uniform Traffic Code 1.29: 41.6.7 UCA 1953)
  29. Safety Zone and Islands - The terms safety zone and islands shall mean the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone. (Uniform Traffic Code 1.30; 41.6.9 UCA 1953)
  30. Sidewalk - The word sidewalk shall mean that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians. (Uniform Traffic Code 1.31: 41.6.7 UCA 1953)
  31. Stand or Standing - The word 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. (Uniform Traffic Code 1.32: 41.6.10 UCA 1953)
  32. Stop - The word stop, when required, means complete cessation from movement. (Uniform Traffic Code 1.33: 41.6. 10 UCA 1953)
  33. Stop or Stopping - The word stop or stopping, when prohibited, means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflicting

- with other traffic or in compliance with the directions of the police officer or traffic control sign or signal. (Uniform Traffic Code 1.34: 41.6.10 UCA 1953)
34. Street or Highway - The word street or highway shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purpose of vehicular traffic. (Uniform Traffic Code 1:35: 41.6.7 UCA 1953)
  35. Through Highway - The term through highway shall mean every highway or portion thereof on which vehicular traffic is given preferential right of way, and at the entrance to which vehicular traffic from intersecting highways is required by law to yield right of way to vehicles on such highways in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this title. (Uniform Traffic Code 1.37: 41.6.9 (f) UCA 1953)
  36. Traffic - The word traffic shall mean and include pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances either singly or together while using any highway for purposes of travel. (Uniform Traffic Code 1. 38: 41.6.9 UCA 1953)
  37. Traffic Control Signal - The term traffic-control signal shall mean any device, whether manually, electrically or mechanically operated by which traffic is alternately directed to stop and to proceed. (Uniform Traffic Code 1.39: 41.6.9 UCA 1953)
  38. Vehicle - The word vehicle shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks. (Uniform Traffic Code 1.41: 41.6.2 UCA 1953)
  39. Statutory Definitions--City Defined - Whenever any words and phrases used herein are not defined herein but are defined in the state laws regulating the operation of vehicles, any such definitions therein shall be deemed to apply to such words and phrases used herein. The word "city" shall be deemed to refer to Payson City. (Uniform Traffic Code 1.42)
  40. Short Title - This title may be known and cited as the "traffic ordinance". (Uniform Traffic Code 177.3)

## **Chapter 16.3 Administration**

- 16.3.1 Duties of Police Department
- 16.3.2 Records of Traffic Violations
- 16.3.3 Traffic Accident Reports
- 16.3.4 Police Department to Submit Annual Traffic Safety Report
- 16.3.5 Traffic Commission, Its Powers and Duties

### **16.3.1 Duties of Police Department**

It shall be the general duty of the police department to determine the installation and proper timing and maintenance of traffic control devices, to plan the operation of traffic on the streets and highways of this city and to cooperate with other city officials in the development and means to improve traffic conditions and to carry out the additional powers and duties imposed by ordinances of Payson City. (Uniform Traffic Code 2.9 (b))

### **16.3.2 Records of Traffic Violations**

1. The police department shall keep a record of all violations of the traffic ordinances of this city or of the state vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show all types of violations and the total of each. Said records shall accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.
2. All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.
3. All such records and reports shall be public records. (Uniform Traffic Code 2.3)

### **16.3.3 Traffic Accident Reports**

The police department shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the police department, the Mayor and City Council, and such other persons as shall be designated by the Mayor and City Council. (Uniform Traffic Code 2.6)

### **16.3.4 Police Department to Submit Annual Traffic Safety Report**

The police department shall annually prepare a traffic report, which shall be filed with the mayor and city council. Such report shall contain information on traffic matters in this city as follows:

1. The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data.
2. The number of traffic accidents investigated and other pertinent data on the safety activities of the police.
3. The plans and recommendations of the division for future traffic safety activities. (Uniform Traffic Code 2.8)

### **16.3.5 Traffic Commission, Its Powers and Duties**

1. There is hereby established a traffic commission to serve without compensation consisting of the chief of police and such other officers and agents of the city and representatives of unofficial bodies as may be determined and appointed by the Mayor and City Council. The chairman of the commission shall be appointed by the Mayor and city council and may be removed by them.
2. It shall be the duty of the traffic commission, and to this end it shall have the authority within the limits of the funds at its disposal, to coordinate traffic activities, to carry on educational activities in traffic matters, to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters, and to recommend to the legislative body of this city and to the chief of police department and other city officials ways and means for improving traffic conditions and the administration and enforcement of traffic regulations. (Uniform Traffic Code.10)

## **Chapter 16.4 Enforcement and Obedience**

- 16.4.1 Authority of Police and Fire Department Officials
- 16.4.2 Required Obedience of Traffic Regulations
- 16.4.3 Obedience to Police and Fire Department Officials
- 16.4.4 Persons Propelling Push Carts and Riding Animals to Obey Traffic Regulations
- 16.4.5 Use of Coasters, Roller Skates and Similar Devices Restricted
- 16.4.6 Public Employees to Obey Traffic Regulations
- 16.4.7 Authorized Emergency Vehicles
- 16.4.8 Operation of Vehicles on Approach of Authorized Emergency Vehicles
- 16.4.9 Immediate Notice of Accident
- 16.4.10 Written Report of Accident
- 16.4.11 When Driver Unable to Report
- 16.4.12 Public Inspection of Reports Relating to Accidents

### **16.4.1 Authority of Police and Fire Department Officials**

1. It shall be the duty of the officers of the police department of such officers as are assigned by the chief of police to enforce all street traffic laws of this city and all of the state vehicle laws applicable to street traffic in this city.
2. Officers of the fire department, when at the scene of the fire, may be the chief of police are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.
3. Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity. (Uniform Traffic Code 3.1)

### **16.4.2 Required Obedience to Traffic Regulations**

It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this title. (Uniform Traffic Code 3. 2: 41.6.12 UCA 1953)

### **16.4.3 Obedience to Police and Fire Department Officials**

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official. (Uniform Traffic Code 3.3: 41.6.13 UCA 1953)

### **16.4.4 Person Propelling Push Carts or Riding Animals to Obey Traffic Regulations**

Every person propelling any push cart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle shall be subject to the provisions of this title applicable to the driver of any vehicle, except those provisions of this title which by their very nature can have no application. (Uniform Traffic Code 3.4: 41.6.15 UCA 1953)

### **16.4.5 Use of Coasters, Roller Skates and Similar Devices Restricted**

No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinance of this city. (Uniform Traffic Code 3.5)

### **16.4.6 Public Employees to Obey Traffic Regulations**

The provisions of this title shall apply to the driver of any vehicle owned or used in the service of the United States Government, this state, county, or city or any other political subdivision of the state, and it shall be unlawful for any said driver to violate any provisions of this title except as otherwise permitted in this title or by state statute. (Uniform Traffic Code 3.6: 41.6.14 UCA 1953)

### **16.4.7 Authorized Emergency Vehicles**

1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, shall be exempt from the driving restrictions imposed in Chapter 16.04 to and including Chapter 16.11, and Chapter 16.13 to and including Chapter 16.15 subject to the conditions set forth herein.
2. The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds an audible signal by bell, siren, or exhaust whistle as may be reasonable necessary, and when the vehicle is equipped with at least one

lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

3. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. (Uniform Traffic Code 3.7: 41.6.14 UCA 1953)

#### **16.4.8 Operation of Vehicles on Approach of Authorized Emergency Vehicles**

1. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of this title and applicable state statutes:
  - a. The driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
2. This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway. (Uniform Traffic Code 3.8: 41.6.76 UCA 1953)

#### **16.4.9 Immediate Notice of Accident**

The driver of a vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent extent of one hundred dollars or more shall immediately by the quickest means of communication give notice of such accident to the police department if such accident occurs within this city. (Uniform Traffic Code 3.9: 41.6.34 UCA 1953)

#### **16.4.10 Written Report of Accident**

The driver of a vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent extent of fifty dollars or more shall, within five days after such accident, forward a written report of such accident to the police department, or a copy of any report he is required to forward to the state. The provisions of this section shall not be applicable when the accident has been investigated at the scene by a police officer while

such driver was present thereat. (Uniform Traffic Code 3.10: 41.6.35 UCA 1953)

#### **16.4.11 When Driver Unable to Report**

1. Whenever the driver of a vehicle is physically incapable of giving immediate notice of an accident as required in Section 16-03-090 and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall give, or cause to be given, the notice not given by the driver.
2. Whenever the driver is physically incapable of making a written report of an accident as required in Section 16.03.100 and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall, within five days after learning of the accident, make such report not made by the driver. (Uniform Traffic Code 3.11: 41.6.36 UCA 1953)

#### **16.4.12 Public Inspection of Reports Relating to Accidents**

1. All accident reports made by persons involved in accidents or by garages shall be without prejudice to the individual so reporting and shall be for the confidential use of the police department or other governmental agencies having use for the reports for accident prevention purposes, or for the administration of the laws of this state relating to the deposit of security and proof financial responsibility by persons driving or the owners of motor vehicles, except that the identity of a person involved in an accident may be disclosed when such identity is not otherwise known or when such person denies his presence at such accident.
2. No reports or information mentioned in this section shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the police department shall furnish upon demand of any party to such trial, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department in compliance with the law. (Uniform Traffic Code 3.12)

## Chapter 16.5 Traffic-Control Devices

- 16.5.1 Authority to Install Traffic-Control Devices
- 16.5.2 Manual and Specifications for Traffic-Control Devices
- 16.5.3 Obedience to Official Traffic-Control Device
- 16.5.4 When Traffic Signs Required for Enforcement Purposes
- 16.5.5 Traffic-Control Signal Legend
- 16.5.6 Pedestrian-Control Signals
- 16.5.7 Flashing Signals
- 16.5.8 Display of Unauthorized Signs, Signals or Markings
- 16.5.9 Interference with Official Traffic-Control Devices or Railroad Signs and Signals
- 16.5.10 Chief of Police to Designate Crosswalks and Establish Safety Zones
- 16.5.11 Traffic Lanes

### 16.5.1 Authority to Install Traffic-Control Devices

The chief of police shall place and maintain traffic-control signs, signals, and devices when and as required under the traffic ordinances of this city to make effective the provisions of said ordinances, and may place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under the traffic ordinances of the city or under state law or to regulate, guide or warn traffic. (Uniform Traffic Code 4.1: 41.6.21, 41.6.22 UCA 1953)

### 16.5.2 Manual and Specifications for Traffic-Control Devices

All traffic control signs, signals and devices shall conform to the manual and specifications approved by the state road commission. All signs and signals required hereunder for a particular purpose shall so far as practical be uniform as to type and location throughout the city. All traffic-control devices so erected and not inconsistent with the provisions of state law or this title shall be official traffic-control devices. (Uniform Traffic Code 4.2: 41.6.22 UCA 1953)

### 16.5.3 Obedience to Official Traffic-Control Devices

The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provision of this title, unless otherwise directed by a traffic or

police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this title. (Uniform Traffic Code 4.3: 41.6.23 UCA 1953)

### 16.5.4 When Traffic Signs Required for Enforcement Purposes

No provisions of this title for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinary observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place. (Uniform Traffic Code 4.4: 41.6.23 (b) UCA 1953)

### 16.5.5 Traffic-Control Signal Legend

Whenever traffic is controlled by traffic-control signals exhibiting the words "Go," "Caution" or "Stop", or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used and said terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

1. Green alone or "Go":
  - a. Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.
  - b. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.
2. Steady yellow alone:
  - a. Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter and such vehicular traffic shall not enter or be crossing the intersection when the red or "stop" signal is exhibited.
  - b. Pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right of way to all vehicles.
3. Steady red alone, or "Stop":
  - a. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line and shall remain standing until "Green" is shown alone; provided that vehicular traffic stopped in the lane nearest the right-hand

- side of the highway, unless prohibited by a sign, may cautiously enter the intersection for the purpose of making a turn to the right but shall not interfere with other traffic nor endanger pedestrians lawfully within a crosswalk.
- b. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.
4. Steady red with green arrow:
    - a. Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right of way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.
    - b. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.
  5. In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal. (Uniform Traffic Code 4.5: 41.6.24 UCA 1953)

#### 16.5.6 Pedestrian-Control Signals

Whenever special pedestrian-control signals exhibiting the words "Walk" or "Wait" or "Don't Walk" are in place such signals shall indicate as follows:

1. **Walk** - Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right of way by the drivers of all vehicles.
2. **Wait or Don't Walk** - No pedestrian shall start to cross the roadway in the direct of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety zone while the Wait or Don't Walk signal is showing. (Uniform Traffic Code 4.6: 41.6.25 UCA 1953)

#### 16.5.7 Flashing Signals

1. Whenever an illuminated flashing red or yellow signal is used in a traffic signal or sign it shall require obedience by vehicular traffic as follows:
  - a. **Flashing red (stop signal)** - When a red lens is illuminated with rapid intermittent flashes drivers of vehicles shall stop before

entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

- b. **Flashing yellow (caution signal)** - When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.
2. This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules set forth in Section 16-07-120 of this title. (Uniform Traffic Code 4.7: 41.6.26 UCA 1953)

#### 16.5.8 Display of Unauthorized Signs, Signals or Markings

1. No person shall place, maintain or display upon or in view of any highway an unauthorized sign, signal light, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or authorized emergency vehicle flashing light, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal, or which is of such brilliant illumination and so positioned as to blind or dazzle a driver on any highway adjacent thereto.
2. No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.
3. This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.
4. Every such prohibited sign, signal, light or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice. (Uniform Traffic Code 4.8: 41.6.27 UCA 1953)

#### 16.5.9 Interference with Official Traffic-Control Devices or Rail Road Sign or Signals

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

thereon, or any other part thereof. (Uniform Traffic Code 4-9: 41-6-28 UCA 1953)

**16.5.10 Chief of Police to Designate Crosswalks and Establish Safety Zones**

The chief of police is hereby authorized:

1. To designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.
2. To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians. (Uniform Traffic Code 4.10)

**16.5.11 Traffic Lanes**

1. The chief of police is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary, including lanes designated as turning lanes only.
2. Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lanes except when lawfully passing another vehicle or preparatory to making a lawful turning movement.
3. Where special turning lanes have been designated, it shall be unlawful to turn from any lane or lanes except those specifically designated as turning lanes. (Uniform Traffic Code 4.11)

## Chapter 16.6 Speed Regulations

- 16.6.1 Speed Regulations Generally
- 16.6.2 Standing School Bus
- 16.6.3 Speeding

### 16.6.1 Speed Regulations Generally

No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with the legal requirements and the duty of all persons to use due care. (Uniform Traffic Code 5.1: 41.6.46 UCA 1953)

### 16.6.2 Speeding

1. On all public highways, it is unlawful for any person to drive a vehicle at a speed greater than is reasonable and prudent, having due regard to the traffic, surface and width of the highway and the hazard at intersections and any other conditions then existing. Nor shall any person drive at a speed which is greater than will permit the driver to exercise proper control of the vehicle and to decrease speed or to stop as may be necessary to avoid colliding with any person, vehicle, or other conveyance upon or entering the highway in compliance with legal requirements and with the duty of drivers and other persons using the highway to exercise due care.
2. Where no special hazards exist, the following speeds shall be lawful but any speed in excess of that indicated below for the particular district, location or condition shall be prima facie evidence that the speed is not reasonable or prudent and it is unlawful.
  - a. Twenty miles per hour--Upon meeting or overtaking any school bus which has stopped on the highway for the purpose of receiving or discharging any school children; provided, such school bus bears upon the front and rear thereof a plainly visible sign containing the words "School Bus" in letters not less than four inches in height.
  - b. When passing a school building or the grounds thereof during school recess or while children are going to or leaving school during opening or closing hours; provided,

- that local authorities may require a complete stop before passing a school building or grounds at any of said periods, or
- c. When approaching within 100 feet of a grade crossing of a railway or street railway where the driver's view of such crossing or of any traffic on such railway within a distance of 400 feet in either direction is obstructed.
  - d. In any business district as defined herein; or upon approaching within 50 feet and in traversing an intersection or highway where the driver's view in either direction along any intersection or highway within a distance of 200 feet is obstructed, except when traveling upon a through street or a traffic controlled intersection, the district speed shall apply.

### 16.6.3 Standing School Bus

The driver of any vehicle upon a highway, street or road, upon meeting or overtaking any school bus which has stopped on a highway, street, or road for the purpose of receiving or discharging any school children, and when such school bus is displaying alternating flashing red light signals visible from the front or rear, shall bring such vehicle to a stop immediately before reaching said school bus and shall not proceed until said flashing signals cease operations. The driver of a vehicle upon a highway with roadways separated by a dividing section need not stop upon meeting or passing a school bus which is upon the other roadway. (Uniform Traffic Code 5.2: 41.6.100 UCA 1953)

## Chapter 16.7

### Turning Movements

- 16.7.1 Required Position and Method of Turning at Intersection
- 16.7.2 Authority to Place and Obedience to Turning Markers
- 16.7.3 Authority to Place Restricted Turn Signs
- 16.7.4 Obedience to No-Turn Signs
- 16.7.5 Limitations on Turning Around

#### 16.7.1 Required Position and Method of Turning at Intersection

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

1. Right Turns--Both the approach for a right turn and a right turn shall be made as close as possible to the right hand curb or edge of the roadway.
2. Left turn on two-way roadways--At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof or in the left-turn lane, if a special left-turn lane is designated and provided at the intersection, and by passing to the right of such center line or left-turn line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection.
3. Left turns on other than two-way roadways--At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.
4. A signal of intention to turn right or left shall be given continuously during not less than the last one hundred feet traveled by the vehicle before turning. The signals herein required shall be given by means of the hand and arm or by signal lamps or other signal of a type approved by the state road commission.
5. All signals herein required given by hand and arm shall be given from the left side of the

vehicle in the following manner and such signals shall indicate as follows:

- a. Left turn. Hand and arm extended horizontally.
- b. Right Turn. Hand and arm extended upward.
- c. Stop or decrease speed. Hand and arm extended downward. (Uniform Traffic Code 6.2: 41.6.66 (d), 41.6.70 (a), 41.6.71 UCA 1953)

#### 16.7.2 Authority to Place and Obedience to Turning Markers

1. The chief of police is authorized to place markers, buttons, or signs within the adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as to indicate may conform to or be other than as prescribed by law or ordinance.
2. When authorized markers, buttons, or other indications are placed within an intersection, indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. (Uniform Traffic Code 6.2: 41.6.66 (d) UCA 1953)

#### 16.7.3 Authority to Place Restricted Turn Signs

The chief of police is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which events the same shall be plainly indicated on the signs or they may be removed when such turning is permitted. (Uniform Traffic Code 6.3)

## **Chapter 16.8 One-Way Streets and Alleys**

- 16.8.1 Authority to Sign One-Way Streets and Alleys
- 16.8.2 Movement of Traffic on One-Way Streets and Alleys
- 16.8.3 Authority to Restrict Direction of Movement on Streets during Certain Periods

### **16.8.1 Authority to Sign One-Way Streets and Alleys**

Whenever any ordinance of this city designates any one-way street or alley the chief of police shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. (Uniform Traffic Code 7.1: 41.6.17 (4) UCA 1953)

### **16.8.2 Movement of Traffic on One-Way Streets and Alleys**

Upon those streets and parts of streets where are clearly marked as one-way streets, traffic shall move only in the indicated direction indicated by the signs which signs shall be maintained at every intersection where movement in the opposite direction is prohibited. (Uniform Traffic Code 7.2: 41.6.60 (b) UCA 1953).

### **16.8.3 Authority to Restrict Direction of Movement on Streets during Certain Periods**

1. The chief of police is hereby authorized to determine and designate streets, parts of streets or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The chief of police may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.
2. It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers or other devices so placed in accordance with this section. (Uniform Traffic Code 7. 3: 41.6.17 (4) UCA 1953)

## Chapter 16.9 Stop and Yield Intersections, Railroad Crossings, Etc.

- 16.9.1 Through Streets Designated
- 16.9.2 Signs Required at Through Streets
- 16.9.3 Other Intersections Where Stop or Yield Required
- 16.9.4 Stop Signs and Yield Signs
- 16.9.5 Vehicle Entering Stop Intersection
- 16.9.6 Vehicle Entering Yield Intersection
- 16.9.7 Right of Way between Vehicles
- 16.9.8 Vehicle Turning Left at Intersection
- 16.9.9 Failure to Yield Right of Way--Effect of Collision--Rule on Entering Stop or Yield Intersection
- 16.9.10 Emerging from Alley, Driveway or Building
- 16.9.11 Stop When Traffic Obstructed
- 16.9.12 Obedience to Signal Indicating Approach of Train

### 16.9.1 Through Streets Designated

Those streets and parts of streets marked and signed as through streets are hereby declared to be streets for the purpose of this chapter. (Uniform Traffic Code 8.1: 4.6.17 (6) UCA 1953)

### 16.9.2 Signs Required at Through Streets

Whenever any ordinance of this city designates and describes a through street it shall be the duty of the chief of police to place and maintain a stop sign on each and every street intersecting such through street unless traffic at any such intersection is controlled at all times by traffic control signals provided, however, that at the intersection to two such through streets or at the intersection of a through street and a heavy traffic street not so designated, stop signs shall be erected at the approaches of either of said streets as may be determined by the chief of police. (Uniform Traffic Code 8.2: 41.6.17 (6) UCA 1953)

### 16.9.3 Other Intersections Where Stop or Yield Required

The chief of police is hereby authorized to determine and designate intersections where particular hazards exist upon other than through streets and to determine:

1. whether vehicles shall stop at one or more entrances to any such intersection, in which event he shall cause to be erected a stop sign at every such place where a stop is required, or
2. whether vehicles shall yield the right of way to vehicles on a different street at such intersections as prescribed in paragraph (a) of Section 16-08-

060, in which event he shall cause to be erected a yield sign at every place where obedience thereto is required. (Uniform Traffic Code 8.3: 41.6.17 (6) UCA 1953)

### 16.9.4 Stop Signs and Yield Signs

1. Every stop sign shall bear the word "Stop" in letters not less than eight inches in height. Every yield sign shall bear the word "Yield" in letters not less than seven inches in height. Every stop sign and every yield sign shall at nighttime be rendered luminous by internal lumination, or by a floodlight projected on the face of the sign, or by efficient reflecting elements in the face of the sign.
2. Every stop sign and every yield sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection, or if there is no crosswalk, then as near as practicable to the nearest line of the intersecting roadway. (Uniform Traffic Code 8.4: 41.6.32, 41.6.99, 41.6.72.10 UCA 1953)

### 16.9.5 Vehicle Entering Stop Intersection

1. Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection, or in the event there is no crosswalk, shall stop at a clearly marked stop line; if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.
2. Such driver after having stopped shall yield the right of way to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard, but said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection shall yield the right of way to the vehicle so proceeding into or across the through highway. (Uniform Traffic Code 8.5: 4.6.74, 41.6.99 (d) UCA 1953)

### 16.9.6 Vehicle Entering Yield Intersection

1. The yield right of way sign shall conform to the specifications outlined in the sign manual of the state road commission.
2. The driver of a vehicle approaching a yield sign shall in obedience to such sign, slow down to a speed reasonable for the existing conditions, or shall stop if necessary as provided, and shall yield the right of way to any vehicle in the

intersection or approaching on another highway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

3. If a driver of a vehicle approaches an intersection and finds a car has been stopped to yield the right of way sign on an intersecting approach and has been waiting to enter and then starts to enter, the manner as if he had been waiting at a stop sign. (Uniform Traffic Code 8-6: 41.6.72 (10).

#### **16.9.7 Right of Way between Vehicles**

1. The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle, which has entered the intersection from a different highway.
2. When two vehicles enter or approach an intersection from different highways at approximately the same time the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.
3. The right of rule declared in paragraph (b) is modified at through highways and otherwise as hereinafter stated. (41.6.72).

#### **16.9.8 Vehicle Turning Left at Intersection**

The driver of a vehicle within an intersection intending to turn to the left shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard during the time when such driver is moving within the intersection. (41.6173 UCA 1953)

#### **16.9.9 Failure to Yield Right of Way--Effect of Collision--Rule on Entering Stop and Yield Intersection**

1. Yield right of way. In the event that a driver, after having driven past a yield sign or a stop sign, is involved in a collision with a pedestrian having right of way in the intersection, such collision shall be deemed prima facie evidence of his failure to yield the right of way as required by this section, but shall not be considered negligence per se in determining legal ability for such accident.
2. Vehicle entering stop or yield intersection. Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop as required by the law and after having stopped, shall yield the right of way to any vehicle which has entered the intersection from another highway or which is approaching so closely on another highway as to constitute an immediate hazard during the time

when such driver is moving across or within the intersection (41.6.74.10 UCA 1953)

#### **16.9.10 Emerging from Alley, Driveway or Building**

The driver of a vehicle within a business or residence district emerging from a driveway, alley or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right of way to any pedestrian as may be necessary to avoid collision and upon entering the roadway shall yield the right of way to vehicle approaching on said roadway. (Uniform Traffic Code 8.7: 41.6.100 UCA 1953)

#### **16.9.11 Stop when Traffic Obstructed**

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indicating to proceed. (Uniform Traffic Code 8.8)

#### **16.9.12 Obedience to Signal Indicating Approach of Train**

1. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty feet but not less than ten feet from the nearest rail of such railroad and shall not proceed until he can do so safely. The foregoing requirements shall apply when:
  - a. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
  - b. A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
  - c. A railroad train approaching within approximately fifteen hundred feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard;
  - d. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing;
  - e. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or

closed. (Uniform Traffic Code 8.9: 41.6.95  
UCA 1953)

## Chapter 16.10 Miscellaneous Driving Rules

- 16.10.1 Following Fire Apparatus Prohibited
- 16.10.2 Crossing Fire Hose
- 16.10.3 Driving Through Funeral or Other Procession
- 16.10.4 Drivers in a Procession
- 16.10.5 When Permits Required for Parades and Processions
- 16.10.6 Vehicles shall not be driven on Any Sidewalk
- 16.10.7 Limitations on Backing
- 16.10.8 Opening and Closing Vehicle Doors
- 16.10.9 Riding on Motorcycles
- 16.10.10 Clinging to Vehicles
- 16.10.11 Controlled Access
- 16.10.12 Boarding or Alighting From Vehicles
- 16.10.13 Unlawful Riding
- 16.10.14 Driving Through Safety Zone Prohibited
- 16.10.15 Private Drives, Parking Lots and Exit Only Access
- 16.10.16 Parking Vehicles along the Parade Route

### 16.10.1 Following Fire Apparatus Prohibited

The driver of any vehicle other than on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (Uniform Traffic Code 9.1: 41.6.112 UCA 1953)

### 16.10.2 Crossing Fire Hose

No vehicle shall be drive over any unprotected hose of a fire department when laid down on any street, private driveway, to be used at any fire or alarm of fire, without the consent of the fire department official in command. (Uniform Traffic Code 9.2: 41.6.113 UCA 1953)

### 16.10.3 Driving Through Funeral or Other Procession

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion or when such vehicles are conspicuously designated as required in this title. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers. (Uniform Traffic Code 9.3: 41.6.62 (c) UCA 1953)

### 16.10.4 Drivers in a Procession

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe. (Uniform Traffic Code 9.4: 41. 6.32 (a) UCA 1953)

### 16.10.5 When Permits Required for Parades or Processions

No funeral, procession or parade containing two hundred or more persons or fifty or more vehicles except the forces of the United States Army or Navy, the military forces of this state and the forces of the police and fire departments, shall occupy, march or proceed along any street except in accordance with a permit issued by the chief of police and such other regulations as are set forth herein which may apply. (Uniform Traffic Code 9.6: 41.6.17(3) UCA 1953)

### 16.10.6 Vehicle shall not be driven on a Sidewalk

The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway. (Uniform Traffic Code 9.7: 41.6.103 (a) (1) UCA 1953)

### 16.10.7 Limitations on Backing

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. (Uniform Traffic Code 9.8: 41.6.106 UCA 1953)

### 16.10.8 Opening and Closing Vehicle Doors

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (Uniform Traffic Code 9. 9)

### 16.10.9 Riding on Motorcycles

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry other persons nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear or side of the motorcycle. (Uniform Traffic Code 9.10: 41.6.107 UCA 1953)

### 16.10.10 Clinging to Vehicles

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. (Uniform Traffic Code 41.6.108 UCA 1953)

**16.10.11 Controlled Access**

No person shall drive a vehicle onto or from any controlled-access roadway except at such entrances and exits as are established by public authority. (Uniform Traffic Code 9.12)

**16.10.12 Boarding or Alighting From Vehicles**

No person shall be boarding or alighting from any vehicle while such vehicle is in motion. (Uniform Traffic Code 9.13)

**16.10.13 Unlawful Riding**

No person shall ride on any vehicle upon any portion thereof not designated 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 persons riding within truck bodies in space intended for merchandise. (Uniform Traffic Code 9.14: 41.6.108 UCA 1953)

**16.10.14 Driving Through Safety Zone Prohibited**

No vehicle shall at any time be driven through or within a safety zone. (Uniform Traffic Code 9.15: 41.6.94 UCA 1953)

**16.10.15 Private Drives, Parking Lots and Exit Only Access**

It is an infraction for any person to drive non-stop through or across any private driveway or parking lot, to block the access or use of any private driveway or parking lot by those entitled to the access of use thereof, and to enter a private driveway or parking lot from an exit only access.

**16.10.16 Parking Vehicles Along the Parade Route**

It is an infraction for any person to park a vehicle of any kind along the designated parade route beginning the morning before the Onion Days Parade and continuing until the completion of the parade. The parade route begins at the location of Main Street and 700 South and proceeds north to 100 North. The route then turns East on 100 North to 500 East. The route then proceeds South on 500 East to 100 South and then proceeds West on 100 South to 200 East.

## **Chapter 16.11 Driving On Right Side of Highway, Overtaking, Passing and Other Rules Of The Road**

- 16.11.1 Duty to Drive on Right Side of Highway--  
Exceptions
- 16.11.2 Passing Vehicles Proceeding in Opposite  
Direction
- 16.11.3 Overtaking and Passing Vehicles Proceeding  
in Same Direction
- 16.11.4 Passing upon Right--When Permissible
- 16.11.5 Limitation of Passing Privilege
- 16.11.6 Driving on Left Side of Road
- 16.11.7 Signs Indicating Passing Zones
- 16.11.8 One-way Traffic--Signs
- 16.11.9 Roadway Laned for Traffic--Rules in  
Driving Thereon--Designating Lanes for  
Certain Traffic
- 16.11.10 Following another Vehicle--Proximity and  
Distance--Space between Vehicles in Motor  
Caravan--Exception as to Funeral  
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- 16.11.11 Designation of Distinctive Roadway  
Marking or Markings--Where Placed--Rules  
for Drivers--Description of Markings--Local  
Authorities May Place Markings
- 16.11.12 Highway Divided Into Two Separate  
Roadways by Dividing Section--Unlawful  
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Defined and Described
- 16.11.13 Limited-Access Roadway--Driving Upon--  
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- 16.11.14 Prohibiting Use of Limited-Access  
Highways by Pedestrians, Non-Motorized  
Traffic and Motor-Driven Cycles

### **16.11.1 Duty to Drive on Right Side of Highway-- Exceptions**

1. Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:
  - a. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
  - b. When the right half of the roadway is closed to traffic while under construction or repair;
  - c. Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or
  - d. Upon a roadway designed and sign-posted for one-way traffic.

2. Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place under the conditions then existing, shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway. (41.6.53 UCA 1953)

### **16.11.2 Passing Vehicles Proceeding in Opposite Direction**

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

### **16.11.3 Overtaking and Passing Vehicles Proceeding in the Same Direction**

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

1. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
2. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. (41.6.55 UCA 1953)

### **16.11.4 Passing upon Right--When Permissible**

1. The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:
  - a. When the vehicle overtaken is making or about to make a left turn;
  - b. Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving vehicles in each direction;
  - c. Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving traffic.

2. The driver of a vehicle may overtake and, allowing sufficient clearance, pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway. (41.6.56 UCA 1953)

#### **16.11.5 Limitation of Passing Privilege**

No vehicle shall be driven on the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicles approaching from the opposite direction of any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred feet of any vehicle approaching from the opposite direction. (41.6.57 UCA 1953)

#### **16.11.6 Driving on Left Side of Road**

1. No vehicle shall at any time be driven to the left side of the roadway under the following conditions:
  - a. When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.
  - b. When approaching within one hundred feet of or transverse any intersection or railroad grade crossing.
  - c. When the view is obstructed upon approaching within one hundred feet of any bridge, viaduct, or tunnel.
2. The foregoing limitations shall not apply upon a one-way roadway. (41.6.58 UCA 1953)

#### **16.11.7 Signs Indicating Passing Zones**

The chief of police or city council is authorized to determine those portions of any highway where overtaking and passing or driving to the left of the roadway would be especially hazardous or may be appropriate signs or marks on the roadway indicate the beginning and the end of such zones and when such signs or markings are in place and clearly visible to an ordinarily observant person every driver of a vehicle shall obey the directions thereof. (41.6.59 UCA 1953)

#### **16.11.8 One-Way Traffic--Signs**

1. The chief of police or city council may designate any highway or any separate roadway under its jurisdiction for one-way traffic and shall erect appropriate signs giving notice thereof.
2. Upon a roadway designated and sign posted for one-way traffic, a vehicle shall be driven only in the direction designated.
3. A vehicle passing around a rotary traffic island shall be driven only to the right of such island. (41.6.60 UCA 1953)

#### **16.11.9 Roadway Laned for Traffic--Rules in Driving Thereon--Designating Lanes for Certain Traffic**

Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:

1. A vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.
2. Upon a roadway which is divided into three lanes a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation of a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign posted to give notice of such allocation.
3. Official signs may be entered directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the directions of every such sign. (41.6.61 UCA 1953)

#### **16.11.10 Following another Vehicle—Proximity and Distance--Space between Vehicles in Motor Caravan--Exception as to Funeral Procession**

1. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard of the highway.
2. The driver of any truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district shall not follow within one hundred fifty feet of another truck or motor vehicle drawing another vehicle. The provisions of this subdivision shall not apply to funeral processions. (41.6.162 UCA 1953)

**16.11.11 Designation of distinctive Roadway Marking or Markings--Where Placed--Rule for Drivers--Description of Markings--Local Authorities May Place Markings**

1. The chief of police or city council shall be regulation, designate a distinctive roadway marking or markings which shall indicate that no vehicle shall drive along the highway to the left thereof, and the chief of police or city council is authorized to place such marking or markings on any portion of a highway where the volume of traffic or the vertical or horizontal curvature of the roadway renders it hazardous to drive along the highway on the left of such marking or markings. When such marking or markings are in place the driver of a vehicle shall not drive along the highway to the left thereof.
2. The following markings, until so changed by regulations of the city council or the chief of police, shall be distinctive roadway markings:
  - a. A double longitudinal line, painted yellow, each line four inches wide, and spaced four inches apart.
3. Whenever the state road commission has designated a distinctive roadway marking or markings which shall indicate no driving along a highway to the left thereof, local authorities may place such markings upon streets or highways under their jurisdiction under the same conditions and with like effect as such marking or markings placed by the state road commission. (41.6.63 UCA 1953)

**16.11.12 Highway Divided Into Two Separate Roadways by Dividing Section--Unlawful Actions of Drivers--Dividing Section Defined and Described**

Whenever a highway has been divided into two separate roadways by a dividing section, it shall be unlawful to drive any vehicle upon any such highway except to the right of such dividing section, or to drive any vehicle over, upon, or across any such dividing section or to make any left turn or semicircular or U-turn on any such dividing section designed and designated for such left turn, semicircular or U-turn, unless a sign or signs authorized and displayed by the state road commission or other governmental agency shall otherwise indicate.

A dividing section shall divide a highway into two separate roadways and shall consist of:

1. an unpaved dividing area; or

2. a physical barrier, curbs, or other clearly indicated dividing area so constructed as to impede vehicular traffic across the same; or
3. a standard double line marking consisting of two four-inch wide lines four inches apart, or
4. other marking, on each side of the divided section of a type designated by the city council or chief of police to indicate no driving along a highway to the left thereof. (41.6.63.10 UCA 1953)

**16.11.13 Limited-access Roadway--Driving Upon--Turning**

No person shall:

1. Drive a vehicle over, upon, or across any curb, central dividing section, or other separation or dividing line on limited access highways;
2. Make a left turn or a semicircular or U-turn except through an opening provided for that purpose in the dividing curb section, separation or line;
3. Drive any vehicle except in the proper lane provided for that purpose and in the proper direction and to the right of the central dividing curb, separation section, or line;
4. Drive any vehicle into or from the limited access highway from a local service road except through an opening provided for that purpose in the dividing curb, or driving section or dividing line, which separates such service road from the limited-access highway proper. (41.6.64 UCA 1953)

**16.11.14 Prohibiting Use of Limited-Access Highways by Pedestrians, Non-Motorized Traffic and Motor-Driven Cycles**

Local authorities may by ordinance with respect to any limited-access roadway under their jurisdiction, prohibit the use of any such roadway by pedestrians, bicycles, or other non-motorized traffic, or by any person operating a motor-driven cycle.

Local authorities adopting any such prohibitory regulation shall erect and maintain official signs on the limited-access roadway on which such regulations are applicable and when so erected no person shall disobey the restriction stated on such signs. (41.6.65 UCA 1953)

## Chapter 16.12 Pedestrians

- 16.12.1 Pedestrians Subject to Traffic-Control Signals
- 16.12.2 Pedestrians' Right of Way in Crosswalks
- 16.12.3 Pedestrians to Use Right Half of Crosswalks
- 16.12.4 Crossing at Right Angles
- 16.12.5 When Pedestrians Shall Yield
- 16.12.6 Prohibited Crossing
- 16.12.7 Obedience of Pedestrians to Bridge and Railroad Signals
- 16.12.8 Pedestrians Walking Along Roadway
- 16.12.9 Pedestrians Soliciting Rides or Business
- 16.12.10 Drivers to Exercise Due Care

### 16.12.1 Pedestrians Subject to Traffic-Control Signals

Pedestrians shall be subject to traffic-control signals as therefore declared in Section 16.04.050 and 16.04.060 of this title, but all other places pedestrians shall be granted those rights and be subject to the restrictions of this chapter. (Uniform Traffic Code 10.1: 41.6.77 UCA 1953)

### 16.12.2 Pedestrians' Right of Way in Crosswalks

1. When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
2. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.
3. 16.12.020(1) shall not apply under the conditions stated in 16.12.050(2).
4. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. (Uniform Traffic Code 10.2: 41.6.78 UCA 1953)

### 16.12.3 Pedestrians to Use Right Half of Crosswalks

Pedestrians shall move, whenever practicable, upon the right half of crosswalks. (Uniform Traffic Code 10.3: 41.6.81 UCA 1953)

### 16.12.4 Crossing at Right Angles

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk. (Uniform Traffic Code 10.4:41.6.79 UCA 1953)

### 16.12.5 When Pedestrian Shall Yield

1. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.
2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.
3. The foregoing rules in this section have no application under the conditions stated in Section 16.12.060 when pedestrians are prohibited from crossing at certain designated places. (Uniform Traffic Code 10.5: 41.6.79 UCA 1953)

### 16.12.6 Prohibited Crossing

1. Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.
2. No pedestrian shall cross in a roadway other than in a crosswalk in the central traffic district or in any business district except as otherwise designated by the chief of police or the city council.
3. No pedestrian shall cross a through street or parkway other than in a crosswalk. (Uniform Traffic Code 10.6: 41.6.77 (b) UCA 1953)

### 16.12.7 Obedience of Pedestrians to Bridge and Railroad Signals.

1. No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given.
2. No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad crossing or bridge is closed or is being opened or closed. (Uniform Traffic Code 10.7)

### 16.12.8 Pedestrians Walking Along Roadways

1. Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
2. Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may

approach from the opposite direction. (Uniform Traffic Code 10.8: 41.6.82 UCA 1953)

**16.12.9 Pedestrians Soliciting Ride or Business**

1. No person shall stand in a roadway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.
2. No person shall stand on or in proximity of a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway. (Uniform Traffic Code 10.9: 41.6.82 (c) 1953)

**16.12.10 Drivers to Exercise Due Care**

1. Notwithstanding the foregoing provisions of this chapter every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.
2. A person wholly or partially blind, and no other person, may carry a cane or walking stick, white in color, or white tipped with red, and seven-eighths of an inch or more in diameter, as a means of protection and identification as an indication to all traffic to exercise extraordinary care to avoid accidents. (Uniform Traffic Code 10.10: 41.6.80 UCA 1953)

## Chapter 16.13 Bicycles

- 16.13.1 Bicycles – License Required
- 16.13.2 Licenses Issued
- 16.13.3 Metallic Plates and Holders
- 16.13.4 Dealers, Report of Purchases
- 16.13.5 Transfer, Report Required
- 16.13.6 Removal of Numbers
- 16.13.7 Destruction of Plates
- 16.13.8 Fees

### 16.13.1 Bicycles - License Required

No person shall operate or use a bicycle propelled wholly or in part by muscular power upon any street or public highway of the city without first obtaining from the chief of police a license therefore.

### 16.13.2 Licenses Issued

The chief of police is hereby authorized and directed to issue, upon written application, bicycle licenses which shall be effective for one calendar year. All such licenses shall be dated January 1st of the year issued. When issued, such licenses shall entitle the licensee to operate such bicycle for which the license has been issued, upon all the streets and public highways, exclusive of the sidewalks thereof, in the city.

### 16.13.3 Metallic Plates and Holders

The city shall provide each year metallic license plates and seals, together with registration cards and isinglass holders therefore. Said metallic license plates and registration cards shall have numbers stamped thereon in numerical order, beginning with No.1, and shall indicate the year for which they are issued, and shall have the letters "LABEL" stamped thereon. Such metallic license plates shall be suitable for attachments upon the frames of bicycles. It shall be the duty of the police chief to attach one such metallic license plate to the frame of each bicycle and to issue a corresponding registration card to the licensee upon the payment of the license fee. Such metallic license plate shall remain attached during the valid period of such license. The police chief shall keep a record of the date of issuance of each license, the person to whom issued and the number thereof.

### 16.13.4 Dealers, Report of Purchases

Persons engaged in the business of buying second-hand bicycles are hereby required to make a daily report to the police chief specifying;

1. the name and address of the person from whom each bicycle is purchased;
2. the description of each bicycle purchases;
3. the frame number thereof;
4. the number of the metallic license plate found thereon, if any.

### 16.13.5 Dealers, Report of Sales

All persons engaged in the business of selling new or second-hand bicycles are hereby required to make a daily report to the police chief giving a list of all sales made by such dealer, which list shall include:

1. The name and address of each person to whom a bicycle was sold;
2. The kind of bicycle sold;
3. A description and frame number thereof;
4. The number of the metallic license plate attached thereto, if any.

### 16.13.6 Transfer, Report Required

It shall be the duty of every person who sells or transfers ownership of any bicycle to report such sale or transfer by returning to the police chief the registration card issued to such person as licensee thereof, together with the name and address of the person to whom said bicycle was sold or transferred. Such report shall be made within five days of the date of said sale or transfer. It shall be the duty of the purchaser or transferee of such bicycle to apply for a transfer of registration therefore, within five days of said sale or transfer.

### 16.13.7 Removal of Numbers

No person shall willfully or maliciously remove, destroy, mutilate or alter the number of any bicycle frame licensed pursuant to this section.

### 16.13.8 Destruction of Plates

No person shall remove, destroy mutilate or alter any license plate, seal or registration card during the time in which such plate, seal or card is operative. Nothing in this section shall prohibit the police chief from stamping numbers on the frame of bicycles on which no serial number can be found or on which the number is illegible or insufficient for identification purposes.

### 16.13.9 Fees

For the first annual license issued pursuant to this section, the sum of \$1.00 shall be paid. For each annual renewal of any such license, the sum of \$1.50 shall be paid.

In cases where a transfer of ownership is made in the manner prescribed by this section, the fee for transfer of the license shall be the sum of \$.25.

## **Chapter 16.14**

### **Method of Parking**

- 16.14.1 Standing or Parking Close to Curb
- 16.14.2 Signs or Markings Indicate Angle Parking
- 16.14.3 Obedience to Angle Parking Signs or Markings
- 16.14.4 Permits for Loading or Unloading at an Angle to the Curb
- 16.14.5 Lamps on Parked Vehicles

#### **16.14.1 Standing or Parking Close to Curb**

Except as otherwise provided in this ordinance, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of the vehicle parallel to and within eighteen inches of the right-hand curb. (Uniform Traffic Code 12.1: 41.6.104 (a) 1953)

#### **16.14.2 Signs or Markings Indicating Angle Parking**

1. The chief of police shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets but such angle parking shall not be indicated upon any federal aid or state highway within this city unless the state road commission has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.
2. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be cause or require to drive upon the left side of the street. (Uniform Traffic Code 12.2: 41.6.104 (c) UCA 1953)

#### **16.14.3 Obedience to angle Parking Signs or Markings**

On those streets which have been signed or marked by the chief of police for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings. (Uniform Traffic Code 12.3: 41.6.104 (c) UCA 1953)

#### **16.14.4 Permits for Loading or Unloading at an Angle to the Curb**

1. The chief of police is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permit may be

issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized therein.

2. It shall be unlawful for any permittee or other person to violate any of the terms or conditions of any such permit. (Uniform Traffic Code 12.4: 41.6.17 (1) UCA 1953)

#### **16.14.5 Lamps on Parked Vehicles**

1. Whenever a vehicle is lawfully parked upon a street or highway during the hours between a half hour after sunset and a half hour before sunrise and in the even there is sufficient light to reveal any person or object within a distance of five hundred feet upon such street or highway no lights need be displayed upon such parked vehicle.
2. Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between a half hour after sunset and a half hour before sunrise and there is not sufficient light to reveal any person or object within a distance of five hundred feet upon such highway, such vehicle so parked or stopped shall be equipped with one or more lamps meeting the following requirements: At least one lamp shall display a white or amber light visible from a distance of five hundred feet to the front of the vehicle, and this same lamp or at least one hundred feet to the rear of the vehicle, and the location of said lamp or lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the provisions shall not apply to a motor-driven cycle.
3. Any lighted head lamps upon a parked vehicle shall be depressed or dimmed. (Uniform Traffic Code 12.5: 41.6.129 UCA 1953)

## **Chapter 16.15**

### **Stopping, Standing or Parking Prohibited In Specified Places**

- 16.15.1 Stopping, Standing or Parking Prohibited-- No Signs Required
- 16.15.2 Parking Not to Obstruct Traffic
- 16.15.3 All-Nigh Parking Prohibited
- 16.15.4 Parking for Certain Purposes Prohibited
- 16.15.5 Parking Adjacent to Schools
- 16.15.6 Parking Prohibited on Narrow Streets
- 16.15.7 Standing or Parking on One-Way Streets
- 16.15.8 Standing or Parking on One-way Roadways
- 16.15.9 No Stopping, Standing or Parking near Hazardous or Congested Places
- 16.15.10 Illegally Parked Vehicles

#### **16.15.1 Stopping, Standing or Parking Prohibited--No Signs Required**

1. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places:
  - a. On a sidewalk;
  - b. In front of a public or private driveway;
  - c. Within an Intersection;
  - d. Within five feet of a fire hydrant;
  - e. On a crosswalk;
  - f. Within twenty feet of a crosswalk at an intersection;
  - g. Within thirty feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of a roadway;
  - h. Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic division indicates a different length by signs or markings;
  - i. Within fifty feet of the nearest rail or a railroad crossing;
  - j. Within twenty feet of the driveway entrance of any fire station and seventy-five feet of said entrance when properly sign posted;
  - k. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
  - l. On the roadway side of any vehicle stopped or parked at the edge or curb of the street;
  - m. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
  - n. At any place where official signs prohibit stopping.

2. No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful. (Uniform Traffic Code 13.1; 41.6.103 UCA 1953)

#### **16.15.2 Parking Not to Obstruct Traffic**

No person shall park any vehicle upon a street or alley in such a manner or under such conditions as to leave available less than ten feet of width of the roadway or alley for free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle in such position as to block the driveway entrance to any abutting property. (Uniform Traffic Code 13.2, 13.3; 41.6.17 (1) UCA 1953)

#### **16.15.3 All-night Parking Prohibited**

No person shall park a vehicle on any street for a period of time longer than thirty minutes between the hours of two a.m. and five a.m. on any day, except physicians on emergency calls. (Uniform Traffic Code 13. 4)

#### **16.15.4 Parking for Certain Purposes Prohibited (Amended August 20, 1997)**

It shall be a class C misdemeanor for the owner of a motor vehicle, camper, trailer, boat, or other type of vehicle to park it or allow it to be parked on a vacant lot or parking lot owned by another person for the purpose of displaying it for sale, unless the owner or lessee of the property on which it is parked has a city business license to engage in the business of selling motor vehicles, campers, trailers, boats, or other vehicles at that location. It shall be a class C misdemeanor for the owner or lessee of such property to allow another person to park a motor vehicle, camper, trailer, boat or other vehicle on the property for the purpose of displaying it for sale unless such owner or lessee has a city business license to engage in the business of selling such merchandise at that location.

#### **16.15.5 Parking Adjacent to Schools**

1. The chief of police is hereby authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.
2. When official signs are erected indicating no parking upon either side of the street adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place. (Uniform Traffic Code 13.6: 41.6.17 (1) UCA 1953)

**16.15.6 Parking Prohibited on Narrow Streets**

1. The chief of police is hereby authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed twenty feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed thirty feet.
2. When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign. (Uniform Traffic Code 13.7: 41.6.14 (1) UCA 1953)

**16.15.7 Standing or Parking on One-Way Streets**

The chief of police is authorized to erect signs upon the left hand side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign. (Uniform Traffic Code 13.8: 41.6.17 (1) UCA 1953)

**16.15.8 Standing or Parking on One-way Roadways**

In the event a street includes two or more separate roadways in traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. The chief of police is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof. (Uniform Traffic Code 13.9: 41.6.17 (1), 41.6.104 (b) UCA 1953)

**16.15.9 No Stopping, Standing or Parking near Hazardous or Congested Places**

1. The chief of police is hereby authorized to determine and designate by proper signs places not exceeding one hundred feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.
2. When official signs are erected at hazardous or congested places as authorized herein no person shall stop, stand or park a vehicle in any such designated place. (Uniform Traffic Code 13.10: 41.6.17 (1) UCA 1953)

**16.15.10 Illegally Parked Vehicles**

1. Towing and impoundment. The following vehicles, together with or in addition to any other vehicles parked in violation of any provision of

this title or the laws of the state, are declared to be nuisances:

- a. Any unattended vehicle stopped, standing or parked in violation of any of the provisions of this title;
  - b. A vehicle found upon the streets or alleys of the city with faulty or defective equipment;
  - c. A vehicle left unattended upon any bridge, viaduct or at any subway where such vehicle constitutes an obstruction to traffic;
  - d. Any vehicle upon a street so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal;
  - e. Any vehicle left unattended upon a street or alley and so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic; or emergency construction projects.
  - f. Any vehicle continuously parked upon any public street or right-of-way for seventy-two (72) hours.
  - g. Any vehicle the driver of which has been taken into custody by the police department under such circumstances as would leave the vehicle unattended in a street, alley or restricted parking area;
  - h. Any vehicle found being driven on the streets not in a proper condition to be driven;
  - i. Any vehicle found so parked as to constitute a fire hazard or an obstruction to fire-fighting apparatus.
2. It shall be illegal for any camp trailer, mobile home, semi-trailer, utility trailer, or any other type trailer which is not capable of self-propulsion, but which in some manner must be towed or pulled to remain upon any public street or right-of-way for a period of time in excess of twenty-four (72) hours.

**Chapter 16.16  
Stopping For Loading or Unloading Only**

- 16.16.1 Chief of Police to Designate Curb Loading Zones
- 16.16.2 Permits for Curb Loading Zones
- 16.16.3 Standing in Passenger Curb Loading Zone
- 16.16.4 Standing in Freight Curb Loading Zone
- 16.16.5 Chief of Police to Designate Public Carrier Stops and Stands
- 16.16.6 Stopping, Standing and Parking of Buses and Taxicabs Regulated
- 16.16.7 Restricted Use of Bus and Taxicab Stands

**16.16.1 Chief of Police to Designate Curb Loading Zones**

The chief of police is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this chapter are applicable. (Uniform Traffic Code 14.1: 41.6.17 UCA 1953)

**16.16.2 Permits for Curb Loading Zones**

The chief of Police shall not hereafter designate or stop any curb loading zone upon special request of any person unless such person makes application for a permit of such zone and for two signs to indicate the ends of each such zone. The chief of police upon granting a permit and issuing such signs shall collect from the applicant and deposit in the city treasury a service fee of ten dollars per year or fraction thereof and may by general regulations impose conditions upon the use of such signs and for reimbursement of the city for the value thereof in the event of their loss or damage and their return in the event of misuse or upon expiration of permit. Every such permit shall expire at the end of one year. (Uniform Traffic Code 14.2)

**16.16.3 Standing in Passenger Curb Loading Zone**

No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed three minutes. (Uniform Traffic Code 14.3: 41.6.17 (1) UCA 1953)

**16.16.4 Standing in Freight Curb Loading Zone**

No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick-up and loading of materials in any place marked as a freight curb loading zone during the hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty minutes. (Uniform Traffic Code 14.4: 41.6.17 (1) UCA 1953)

**16.16.5 Chief of Police to Designate Public Carrier Stops and Stands**

The chief of police is hereby authorized and required to establish bus stops, bus stands, taxicab stands and stands for other passenger common-carrier motor vehicles on such public streets in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs. (Uniform Traffic Code 14.5: 41.6.17 (1) UCA 1953)

**16.16.6 Stopping, Standing or Parking of Buses and Taxicabs Regulated**

1. The operator of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand so designated as provided herein.
2. The operator of a bus shall not stop such vehicle upon any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand or passenger loading zone so designated as provided herein, except in case of an emergency.
3. The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not further than eighteen inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.
4. The operator of a taxicab shall not stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers. (Uniform Traffic Code 14.6: 41.6.17 (1) UCA 1953).

**16.16.7 Restricted Use of Bus and Taxicab Stands**

No person shall stop, stand or park a vehicle other than a bus in a bus stop or other than a taxicab in a

taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and when actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone. (Uniform Traffic Code 14.7: 41.6.17 (1) UCA 1953)

## Chapter 16.17

### Qualifications of Drivers, Licenses, Incompetents

- 16.17.1 Users of Drugs and Intoxicants
- 16.17.2 Habitual Users of Drugs
- 16.17.3 Intoxicated Person in or About Vehicle
- 16.17.4 Drinking in Vehicle
- 16.17.5 Punishment
- 16.17.6 Violating Restrictive License Provision
- 16.17.7 Driving With Invalid License
- 16.17.8 Punishment

#### 16.17.1 Users of Drugs and Intoxicants

1. It is unlawful for any person who is a habitual user of narcotic drugs or any person who is under the influence of intoxicating liquor or narcotic drugs to drive or be in actual physical control of any vehicle within this city.
2. In any criminal prosecution for violation of 16.17.101(1) relating to driving a vehicle while under the influence of intoxicating liquor, the amount of alcohol in the defendant's blood, urine, breath or other bodily substance shall give rise to the following presumptions:
  - a. If there was at that time 0.05 per cent or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was or under the influence of intoxicating liquor;
  - b. If there was at that time in excess of 0.05 percent but less than 0.15 per cent by weight of alcohol in the defendant's blood, such fact shall not give rise to any presumption that the defendant was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant;
  - c. If there was at that time 0.18 (amended) percent or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor;
  - d. The foregoing provisions of this subdivision shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not the defendant was under the influence of intoxicating liquor. (Uniform Traffic Code 15.1: 41.6.44 UCA 1953)

#### 16.17.2 Habitual Users of Drugs

It is unlawful and punishable as provided in Section 16.16.050 hereof for any person who is a habitual user of or under the influence of any narcotic drug or who is under the influence of any other drug to a degree which renders him incapable of safely driving a vehicle within this city. The fact that any person charged with a violation of this section is or has been entitled to use such drugs under the laws of this state shall not constitute a defense against any charge of violating this section. (Uniform Traffic Code 15.2: 41.6.44 (c) UCA 1953)

#### 16.17.3 Intoxicated Person in or About Vehicle

It shall be unlawful for any person under the influence of intoxicating liquor or narcotic drugs to be in or about any vehicle with the intention of driving or operating such vehicle. (Uniform Traffic Code 15.3)

#### 16.17.4 Drinking in Vehicle

It shall be unlawful for any person to drink any intoxicating liquor while in a motor vehicle on the streets or alleys in this city. (Uniform Traffic Code 15.4)

#### 16.17.5 Punishment

No person except those expressly exempted by the Utah State Motor Vehicle Act. (Utah Code) shall drive any motor vehicle upon a highway in this city unless such person upon application has been licensed as an operator or chauffeur by the state of Utah.

#### 16.17.6 Violating Restrictive License Provision

No person whose operators or chauffeurs license has been suspended or revoked shall operate a motor vehicle in any manner upon the streets of this city when such license is suspended or revoked as provided by law.

#### 16.16.7 Punishment

Every person convicted of violation of Sections 16.17.010, 16.17.020, 16.17.060, 16.17.070, shall be punished by imprisonment for not less than thirty days or more than six months or by a fine of not less than one hundred dollars nor more than two hundred ninety-nine dollars by or both such fine and imprisonment. (Uniform Traffic Code 15.5)

## **Chapter 16.18 Penalties and Procedure on Arrest**

- 16.18.1 Penalties
- 16.18.2 Forms and Records of Traffic Citations and Arrests
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### **16.18.1 Penalties**

1. It is a misdemeanor for any person to violate any of the provisions of this title, unless such violation is by this title or other law of this city declared to be a felony.
2. Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this title shall be punished by a fine of not more than fifty dollars or by imprisonment of not more than thirty days in the city jail or by both such fine and imprisonment. (Uniform Traffic Code 16.1: 41.6.164 UCA 1953)

### **16.18.2 Forms and Records of Traffic Citations and Arrests**

1. The city shall provide books to include traffic citation forms for notifying alleged violators to appear and answer to charges of violating traffic laws and ordinances in the justice court of Payson City. Said book shall include serially numbered sets of citations in quadruplicate in the form prescribed and approved jointly by the city judge and the chief of police.
2. The city shall issue such books to the chief of police or his duly authorized agent and shall maintain a record of every book so issued and shall require a written receipt of every such book.
3. The chief of police shall be responsible for the issuance of such books to individual members of the police department. The chief of police shall require a written receipt for every book so issued and shall maintain a record of every such book and each set of citations contained therein. (Uniform Traffic Code 16.2)

### **16.18.3 Procedure of Police Officers**

Except when authorized or directed under state law to immediately take a person before a magistrate for the violation of any traffic laws, a police officer who halts a person for such violation other than for the purpose of giving him a warning or warning notice and does not take such person into custody under arrest, shall take the name, address, and operator's or chauffeur's license number of said person, the registration number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him in writing on a form provided by the city a traffic citation containing a notice to answer to the charge against him in the justice court of this city at a time at least five days after such alleged violation to be specified in said citation. The officer, upon receiving a written promise of the alleged violator to answer as specified in the citation, shall deliver a copy of such notice to the person promising to appear, and shall release such person from custody. (Uniform Traffic Code 16.3: 41.6.167 UCA 1953)

### **16.18.4 Illegal Cancellation of Traffic Citations**

It shall be unlawful for any person to cancel or solicit the cancellation of any traffic citation in any manner other than as provided by this chapter. (Uniform Traffic Code 16.4: 41.6.172 UCA 1953)

### **16.18.5 When a Copy of Citation shall be deemed a Lawful Complaint**

In the event the form of citation provided under Section 16.18.020 includes information and is sworn to as required under the general laws of this state in respect to a complaint charging commission of the offense alleged in said citation to have been committed, then such citation when filed with a court having jurisdiction shall be deemed to be a lawful complaint for the purpose of prosecution under this title, provided that the defendant has, by an agreement in writing, subscribed by him on file with the court, waived the filing of a verified complaint and elected that the prosecution may proceed upon the written notice to appear. (Uniform Traffic Code 16.5: Rule of Utah Supreme Court Adopted 2-1-59)

### **16.18.6 Failure to Obey Citation**

1. It shall be unlawful for any person to violate his written promise to appear given to an officer upon the issuance of a traffic citation regardless of the disposition of the charge for which citation was originally issued.
2. A written promise to appear in court may be complied with by the appearance of counsel. (Uniform Traffic Code 16.6: 51.6.168 (b) UCA 1953)

**16.18.7 Citation on Illegally Parked Vehicle**

Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of this city or by state law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation, on a form provided by the city, for the driver to answer to the charge against him within five days during the hours and at a place specified in the citation. (Uniform Traffic Code 16.7)

**16.18.8 Failure to Comply with Traffic Citation Attached to Parked Vehicle**

If a violator of the restrictions on stopping, standing or parking under the traffic laws or ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period of five days in clerk of the justice court or the traffic violations bureau shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five days a warrant of arrest will be issued. (Uniform Traffic Code 16.8)

**16.18.9 Authority to Impound Vehicles**

1. Members of the police department are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the police department, or otherwise maintained by this city under the circumstances hereinafter enumerated.
  - a. When any vehicle is left unattended upon any bridge, viaduct, or causeway, or in any tunnel where such vehicle constitutes an obstruction to traffic.
  - b. When a vehicle upon a highway 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.
  - c. When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.
2. Whenever an officer removes a vehicle from a street as authorized in this section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall

immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefore and the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage a copy of such notice shall be given to the proprietor of such garage.

3. Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three days, then and in that event the officer shall immediately send or cause to be sent a written report of such removal by mail to the state department whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time, and place from which removed, the reasons for such removal, and the name of the garage or place where the vehicle is stored. (Uniform Traffic Code 16.9)

**16.18.10 Disposition and Records of Traffic Citations, Warrants, and Complaints**

1. Every police officer upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this state or of any traffic ordinance of this city shall deposit the original and a duplicate copy of the citation with his immediate superior officer who shall cause the original to be delivered to the justice court of Payson City and said duplicate copy to the central records section of the police department. The second duplicate copy of the citation shall be retained in the traffic citation book and shall be delivered by such superior officer to the city together with such book when all traffic citations therein have been used.
2. Upon the filing of such original citations in the justice court of Payson City as aforesaid, said citation may be disposed of only by trial in said court or by other official action by a judge of said court, including forfeiture of bail or by payment of a fine to the traffic violations bureau of said court.
3. The chief of police shall require the return to him of all copies of each traffic citation which has been spoiled or upon which an entry has been made and has not been issued to an alleged violator, except that copy which is required to be retained in the citation book.

4. The chief of police shall also maintain or cause to be maintained in connection with every traffic citation issued by a member of the police department a record of the disposition of the charge by the justice court of Payson City.
5. The chief of police shall also maintain or cause to be maintained a record of all warrants issued by the justice court of Payson City or by any other court on said traffic violations charges and which are delivered to the police department for service, and of the final disposition of all such warrants.
6. It shall be unlawful and official misconduct for any member of the police department or other officer or public employee to dispose of, alter, or deface a traffic citation or any copy thereof, or the record of the issuance or disposition of any traffic citation, complaint, or warrant, in a manner other than as required in this section. (Uniform Traffic Code 16.10)