

Chapter 19-Motor Vehicles and Traffic

ARTICLE I. - IN GENERAL

Sec. 19-1. - Adoption of state law.

(a) The following provisions are adopted by reference as if set out at length in this chapter:

- (1) O.C.G.A. § 40-1-1.
- (2) O.C.G.A. title 40, chapter 6 (O.C.G.A. § 40-6-1 et seq.).
- (3) O.C.G.A. title 46, chapter 7 (O.C.G.A. § 46-7-1 et seq.).

(b) Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this chapter shall be punished as provided in 1-7.

Sec. Sec. 19-2. - Temporary traffic regulations.

In cases where traffic upon the streets of the city may become congested upon occasions of parades, at theaters, and other public assemblages where large numbers of vehicles are assembled, the police may make temporary rules directing and regulating the traffic in these congested districts, and any person, who, after being warned of the temporary traffic regulations, shall violate them shall be liable for that violation as well as for other violations of this Code.

Sec. 19-3. - Applicability to public officers and employees.

The provisions of this chapter applicable to the drivers of vehicles upon the streets and highways shall apply to the drivers of all vehicles owned or operated by the United States, any state or any county, city, town, district or any other political subdivision of the state, except as otherwise provided.

Sec. 19-4. - Owners or persons directing drivers of vehicles not to permit violation.

It is unlawful for the owner or any other person employing or otherwise directing the driver of any vehicle to require or knowingly permit the operation of that vehicle upon a street or highway in any manner contrary to this chapter.

Sec. 19-5. - Use of vehicle without consent of the owner.

It shall be unlawful for any person to take, use or operate any motor vehicle or motorcycle upon the public streets and highways of the city without the permission of the owner thereof.

Sec. 19-6. - Obstructions to right-of-way.

(a) *Prohibited.* It shall be unlawful for any person to obstruct the right-of-way of any public road, street or other easement in the incorporated area of the city by placing or maintaining

thereon any obstruction, whether it is in the nature of shrubbery, signs, fences or whatever, which interferes with the clear view of motorists or the free passage of pedestrians thereon.

- (b) *Notice to remove.* Wherever any obstruction prohibited by subsection (a) of this section has been placed and is being maintained, the police department or code enforcement department shall notify in writing the owner of the obstruction and the owner of the land abutting the right-of-way where the obstruction is found and also the person in possession of the property. Such notice shall state the nature of the obstruction and the fact that the obstruction is an interference with the clear view of motorists or the free passage of pedestrians and that it shall be removed within ten days from the date of the notice.
- (c) *Issuance of summons upon failure to remove.* Whenever the person so notified as provided by subsection (b) of this section fails or refuses to remove the obstruction within the time allowed in the written notice, the police department or code enforcement department shall issue a summons to this person to appear in municipal court on a day certain to stand trial for the violation.
- (d) *Continued violations; issuance of summons without notice.* If upon conviction for the first offense the person continues to refuse to remove the obstruction, each day that it remains intact shall constitute a new violation of subsection (a) of this section for a summons may be issued without first issuing the written notice.

Secs. 19-7—19-32. - Reserved.

ARTICLE II. - ADMINISTRATION AND ENFORCEMENT

DIVISION 1. – GENERALLY

Sec. 19-33. - Authority of chief of police to delegate powers.

The chief of police may delegate to any other officer in the department the duties and responsibilities conveyed to the chief of police by this chapter.

Sec. 19-34. - Authority of police and fire officers.

(a) It shall be the duty of police officers or such officers as are assigned by the chief of police to enforce this chapter and all other traffic laws of the city and all of the state vehicle laws applicable to street traffic in the city.

(b) Police officers or such officers as are assigned by the chief of police may direct all traffic by voice, hand or signal in conformity with traffic laws; provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, police officers may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

(c) Fire officers, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

Sec. 19-35. – Public Works Department.

All functions performed by the public works department under this Chapter may be performed on behalf of the City by the DeKalb County's public works department pursuant to an intergovernmental agreement.

Sec. 19-36. - Issuance of special permits for operation otherwise prohibited.

The city may issue special permits authorizing the operation upon a street or highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of these movable tracks, the operation of which would otherwise be prohibited.

Secs. 19-37—19-58. - Reserved.

DIVISION 2. - TRAFFIC SIGNS, SIGNALS AND MARKINGS

Sec. 19-59. - Removal of signs from public rights-of-way.

The public works department or the code enforcement department may remove any signs located in public rights-of-way.

Sec. 19-60. - Installation.

The public works department shall cause to be placed and maintained traffic control signs, signals and devices when and as required under this chapter and other traffic ordinances of the city to make effective the provisions of this chapter and those ordinances. The public works department may cause to be placed and maintained such additional traffic control devices as deemed necessary to regulate traffic under this chapter and other traffic ordinances of the city or under state law, or to guide or warn traffic.

Sec. 19-61. - Designation of crosswalks; establishment of safety zones; marking of traffic lanes.

The public works department may:

- (1) Designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where there is particular danger to pedestrians crossing the roadway and at such other places as deemed necessary.
- (2) Establish safety zones of such kind and character and at such places as necessary for the protection of pedestrians.
- (3) Mark lanes for traffic on street pavements at places consistent with this chapter and other traffic ordinances of the city.

Sec. 19-62. - Specifications for traffic control devices.

All traffic control signs, signals and devices shall conform to specifications in the Manual on Uniform Traffic Control Devices adopted by the state transportation board. All signs and signals required hereunder for a particular purpose shall so far as practicable 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 chapter shall be official traffic control devices.

Sec. 19-63. - One-way streets and alleys.

Whenever this chapter or any ordinance of the city designates any one-way street or alley, the public works department shall place and maintain signs giving notice thereof, and no regulation shall be effective unless these 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.

Sec. 19-64

The public works department may determine those intersections at which drivers of vehicles shall not make a right or left or U-turn, and shall place proper signs at these intersections. The making of these turns may be prohibited between certain hours of any day

and permitted at other hours, in which event the hours shall be plainly indicated on the signs or they may be removed when these turns are permitted.

Secs. 19-65—19-94. - Reserved.

DIVISION 3. - IMPOUNDMENT OF VEHICLES

Sec. 19-95. - Establishment of vehicle pounds.

The chief of police may create a vehicle pound or pounds to which automobiles and other vehicles may be removed by police officers. The pound may be located at such place as may be designated by the city.

Sec. 19-96. - Reasons for impoundment.

Whenever any vehicle is found parked in any place within the city where parking is not permitted at that time, or whenever any vehicle is found parked in violation of the terms of this chapter or any other ordinance relating to traffic, such vehicle may be removed and conveyed by the police department to a vehicle pound.

Sec. 19-97. - Report of impoundment.

It shall be the duty of the person impounding a vehicle pursuant to this division immediately to report the fact of this impounding, together with any other information which will definitely identify the vehicle, to the police department, which shall cause a permanent record to be made thereof.

Sec. 19-98. - Pound records; disposition of fees collected.

It shall be the duty of the police department to keep a permanent record of all vehicles committed to the pound, the names and addresses of the owners of the vehicles, the number of the state license tags and the nature and circumstances of each violation, as well as the disposition of each case, and to account for all fees collected under this division and pay them to the finance director or clerk of the municipal court, taking a receipt therefor.

Sec. 19-99. - Fees.

A fee to cover the cost of removal, plus a storage fee for each day or fraction of a day the impounded vehicle is stored in excess of the first 24 hours the vehicle is impounded under this division, shall be assessed against the owner or other person having the right to the possession of the impounded vehicle. The specific amounts of such fees shall be on file in the office of the city clerk.

Sec. 19-100. - Release of impounded vehicle—Generally.

Any person claiming a vehicle impounded under this division shall produce evidence of identity and ownership or right of possession to the person in charge of the pound in order for the pound to discharge the vehicle and to deliver it to the person. Thereupon, the impounded vehicle may be surrendered by the person in charge thereof, except where the impounded vehicle is retained as evidence or incidental to a search for evidence. Impounded vehicles retained as evidence or incidental to a search for evidence cannot be released without prior permission of the law enforcement agency. A receipt shall be obtained for all impounded vehicles upon their surrender. Such receipt shall definitely identify the vehicle and shall become a permanent record of the city. These fees shall be paid to the person in charge of the pound and a receipt shall be written.

Sec. 19-101. - Same—Protest and bond.

In case protest is made against the payment of any impounding or storage fees, the police department may authorize the person in charge of the impounded vehicle to discharge it upon the following terms and conditions:

- (1) Such person shall be charged with violation of this chapter or other traffic ordinance and required to make bond for appearance and trial.
- (2) Thereupon, the police department shall authorize the person in charge of the impounded vehicle to deliver it to such person.
- (3) If such person is convicted of violating this chapter or any other traffic ordinance, in addition to other costs, the court shall assess as cost the fees for removal and storage which have accumulated in connection with the impounding of the vehicle.

Sec. 19-102. - Impoundment does not preclude other prosecution.

The impounding of a vehicle shall not prevent or preclude prosecution for violations of the penal provisions of this chapter or any other ordinance relating to traffic.

Secs. 19-103—19-132. - Reserved.

ARTICLE III. - VEHICLE OPERATION

DIVISION 1. – GENERALLY

Sec. 19-133. - Slowly moving or heavily laden vehicles.

Slowly moving or heavily laden vehicles shall not be driven upon the streets or highways abreast, but one must follow behind the other and keep as near the right-hand curb as possible.

Sec. 19-134. - Vehicles propelled by human or animal power prohibited on limited-access highways.

It shall be unlawful for any person to push or drive any vehicle upon the limited-access highways which is propelled by human or animal power, including any bicycle, tricycle, pushcart, animal-drawn vehicle of any kind and any vehicle incapable of a speed of at least 45 miles per hour in the city.

Sec. 19-135. - Manner of driving in procession.

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

Sec. 19-136. - Leaving street or highway at other than intersection or driveway.

No driver of any vehicle shall operate it in such a manner so as to enter or leave any street or highway except at an intersection or at an alley or private drive.

Sec. 19-137. - Sanitation vehicles.

All employees and city or county vehicles, when engaged or used in performance of sanitation or solid waste collection and disposal service, shall have the right-of-way in the use of the streets, and may use any part thereof in cleaning up and washing streets.

Sec. 19-138. - Identification, right-of-way of vehicles in funeral procession.

(a) Vehicles of a funeral procession shall have the right-of-way over all vehicles, except authorized emergency vehicles; provided that each vehicle shall identify itself by burning regular headlights, shall keep in close formation and shall display a windshield sticker carrying the word "funeral".

(b) When the lead vehicle in a funeral procession has entered an intersection on a green light, all other cars in the procession may proceed through the intersection, even though the signal may change to red.

- (a) The identifying windshield sticker on vehicles shall be at least 12 inches long and three inches high, with dark letters at least 1.5 inches high on a white background.

Sec. 19-139. - Driving through processions.

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when these vehicles are conspicuously designated as required in [section 17-138](#).

Sec. 19-140. - Truck routes.

(a) All motor vehicles having a gross vehicle weight rating in excess of 36,000 pounds, or having an overall length in excess of 30 feet, except vehicles designed to carry passengers, are prohibited from using any street within the city except those authorized by ordinance and designated as truck routes. When the terminal, parking lot, repair garage or headquarters of the restricted motor vehicle is not on a designated truck route, ingress to and egress from such places shall be made by the most direct route available between the terminal, parking lot, repair garage or headquarters and nearest designated truck route.

(b) Any person driving or in charge or control of any of the restricted vehicles defined in subsection (a) of this section, when upon streets other than those designated as truck routes, shall be prepared to present for the inspection of police officers a log book, weight slips, delivery slips and other written evidence of such person's destination and point of origin to justify the presence of the restricted vehicle on a street other than a designated truck route.

(c) If any designated truck route or portion thereof shall be under repair or otherwise temporarily out of use, restricted vehicles as defined in subsection (a) of this section shall use such other temporary truck route as may be designated by the city.

(d) The routes designated as truck routes are on file in the office of the police chief. The initial truck route designations shall be those routes as designated by DeKalb County on May 1, 2018.

Sec. 19-141. - Tractors, semitrailers, trailer combinations.

Tractors, semitrailers and trailer combinations shall not be operated upon any road, thoroughfare, street or alley maintained by the city, except when authorized by the police department. With authorization, vehicles may be operated on commercial or industrial roads, thoroughfares or streets for the distance approved by the city. Such distance shall not exceed one mile from the interstate exit ramp. Any such authorization shall be made for a specific designated route and shall begin at the exit point from the interstate as approved by the state department of transportation.

Secs. 19-142—19-169. - Reserved.

DIVISION 2. - SPEED

Sec. 19-170. - Speed limits on certain streets; violations.

(a) *Speed limits designated.* The maximum speed limits on the public streets or parts of the public streets are set forth in that certain schedule identified as Tucker Traffic Schedules that establishing speed limits for all roadways currently within the territorial boundaries of the city as amended from time to time by the city council.

(b) The traffic schedule is adopted by reference as though fully set forth in this subsection, and copies thereof are available for inspection during city business hours in the office of the city clerk and the police department. The initial schedule hereby adopted is that portion of Traffic Schedules in effect in DeKalb County on April 30, 2018 that encompasses the incorporated area of the City of Tucker.

(c) *Driving in excess of speed limit unlawful.* It shall be unlawful for any person to drive within or upon any of the streets in the city at a rate of speed in excess of the speed limit as listed for such street in the speed limit schedule and as posted on each such street.

Sec. 19-171. - Regulation by traffic signs.

The public works department may regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof.

Sec. 19-172. - Maximum speed in parks.

No person shall drive a motor vehicle in parks in excess of 20 miles per hour.

Sec. 19-173. - Minimum speeds on streets and highways.

It shall be unlawful for any person to operate any vehicle within the left-hand lane on any expressway within the city at a speed of less than 45 miles per hour. This section shall not apply to portions of the expressway system known as connectors or bypasses.

Sec. 19-174. - School crossing zones.

No person shall drive a vehicle in excess of 25 miles per hour on any street where flashing yellow traffic beacons and 25 miles per hour speed signs are installed and operating or where standard school or school crossing signs and 25-mile-per-hour speed signs are installed, thereby designating the area as a school speed zone. The reduced speed limit shall be in effect only on days and hours when the school is in operation.

Secs. 19-175—19-201. - Reserved.

ARTICLE IV. - STOPPING, STANDING AND PARKING

Sec. 19-202. - Signs required for enforcement.

When by this chapter or any other ordinance or order of the public works department any parking time limit is imposed or parking is prohibited on designated streets, it shall be the duty of the public works department to erect appropriate signs giving notice thereof, and no regulations shall be effective unless these signs are erected and in place at the time of any alleged offense. At least one sign shall be erected in each block on each side of the street where parking is either prohibited or restricted.

Sec. 19-203. - Emergency parking restrictions.

When not inconsistent with this chapter or any other ordinance, the chief of police has authority in an emergency to prohibit the parking or stopping of vehicles on any street or portion of a street or to close a street to traffic. All these orders shall be temporary only.

Sec. 19-204. - Authority to prohibit parking on certain streets.

When not inconsistent with this chapter or any other ordinance, the chief of police may prohibit parking or stopping of vehicles on any street or portion of a street when traffic and engineering surveys indicate that stopping or parking may impede the free flow of traffic on the street.

Sec. 19-205. - Loading and unloading at angle to curb; permit.

The chief of police may 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 or conditions of these permits. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle, and shall grant to that person the privilege as therein stated in this section. It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of the permit.

Sec. 19-206. - Leaving vehicle unattended; setting brakes, stopping motor.

No person having control or charge of a motor vehicle shall allow such vehicle to stand on any street unattended without first setting the brakes thereon and stopping the motor of the vehicle and, when standing upon a perceptible grade, without turning the wheels of this vehicle to the curb or the side of the street or highway.

Sec. 19-207. - Parking prohibited in certain places.

(a) 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 direction of a police officer or traffic control device, at any place prohibited by ordinance and indicated by official signs or markings.

(b) No person shall move a vehicle, not lawfully under such person's control, either into any prohibited area or move and leave such vehicle away from a curb such distance as is prohibited by this chapter or other ordinance.

(c) As indicated by official signs or markings, parking is prohibited as indicated.

Sec. 19-208. - Parking not to obstruct traffic.

No person shall park any vehicle upon a street in such manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.

Sec. 19-209. - Parking for certain purposes prohibited.

No person shall park a vehicle upon any roadway for:

- (1) Displaying the vehicle for sale.
- (2) Washing, greasing or repairing the vehicle, except repairs necessitated by sudden emergency; in such emergency the vehicle shall be moved or towed away with all due haste.
- (3) Displaying advertising.

Sec. 19-210. - Parking adjacent to schools.

(a) The public works department may erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would interfere with traffic or create a hazardous situation.

(b) When official signs are erected indicating no parking upon that side of a street adjacent to any school property, no person shall park a vehicle in such designated place.

Sec. 19-211. - Parking on narrow streets.

(a) The public works department may erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by signs when the width of the roadway does not exceed 30 feet.

(b) When official signs prohibiting parking are erected upon narrow streets, no person shall park a vehicle in violation of such a sign.

Sec. 19-212. - Parking on one-way streets.

The public works department may erect signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles. When these signs are in place, no person shall stand or park a vehicle upon such left-hand side.

Sec. 19-213. - Parking on one-way roadways.

If a highway includes two or more separate roadways and traffic is restricted to one direction upon 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 public works department may determine when standing or parking may be permitted upon the left-hand side of the one-way roadway and erect signs giving notice thereof.

Sec. 19-214. - Hazardous or congested places.

(a) The public works department may determine and designate by proper signs, places not exceeding 100 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.

(b) When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand or park a vehicle in such designated place.

Sec. 19-215. - Designation of curb loading zones.

The public works department may determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating them and stating the hours during which the provisions of this section are applicable.

Sec. 19-216. - Freight curb loading zones.

(a) No person shall stop, stand or park a truck for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to these zones are in effect, nor stop, stand or park any other vehicle for the unloading or loading of materials.

(b) The driver of a passenger vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading and unloading passengers when such stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or about to enter the zone.

Sec. 19-217. - Parking of taxicabs, persona; vehicles for hire, and buses regulated.

The driver of a bus, personal vehicle for hire, or taxicab shall not park upon any street in any business district at any place other than at a bus stop, or taxicab stand, respectively, except that this provision shall not prevent the driver of such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading and unloading passengers, and except for making emergency repairs. The provisions of this section shall not apply to common carriers stopping at regular designated passing or layover locations.

Sec. 19-218. - Use of bus and taxicab stands restricted.

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 such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter the zone.

Sec. 19-219. - Bus stops.

(a) A no parking zone of 80 feet shall be created at all bus stops for the purpose of loading and unloading passengers.

(b) These no parking zones shall be marked by signs and, in addition, these zones in all congested areas shall have the curbs painted yellow. This proper marking of zones shall be maintained by the companies operating buses in and out of these zones.

(c) Buses or any vehicles parked in these zones for the purpose of loading and unloading passengers shall pull as close to the curb as possible.

(d) This section does not prohibit buses from loading and unloading at platforms at loading zones where they are provided for that purpose in the street.

Sec. 19-220. - Restrictions on parking heavy or oversize vehicles, campers, boats, etc., on residential streets.

(a) No person shall stop or stand any truck or bus with a body more than eight feet (or 2.5 m.) wide or ten feet (or 3.1 m.) high on any street or public place without the driver or chauffeur being actually present and in charge thereof.

(b) No person shall park or stand any truck camper, camper trailer, motor home, boat, boat trailer or other recreational vehicle on any residential street or public place for more than one hour at any time during the day or night.

(c) No person shall park or stand any semi-trailer or truck with greater than 2 axels on any residential street for more than one hour at any time during the day or night, except for active loading and unloading.

(d) No person shall park or stand any dumpster on any public street or highway unless first issued a dumpster permit by the community development department.

Sec. 19-221. - Fire zones.

The chief of police may designate any area on public property or private property used for public purposes as restricted areas to be known as fire zones. Standing or parking a vehicle in a fire zone shall be a violation of this section and the city may enforce this section by the issuance of a citation and the immediate removal of the vehicle to an impound lot.

Sec. 19-222. - Use of parking facilities on city property.

Parking facilities on city property designated for this use by the city manager shall be used only in accordance with regulations for this use established by the city manager. The city manager may designate certain spaces or areas as reserved for all elected officials, designated administrative officials whose position responsibilities require the provision of a reserved parking space for efficiently discharging those responsibilities and for other general purposes such as court and visitor parking. Occupancy of these reserved spaces or areas by other than those individuals assigned to use the spaces or areas shall be deemed a violation of this section. The facilities department shall be responsible for posting of signs to ensure effective notice to parking facility users as to the regulations governing and limitations on the use thereof. It shall be unlawful to park any private vehicle in any city parking facility for a period of more than 12

hours in any one day or to park a commercial or freight-carrying vehicle or trailer in these lots except by written permission of the facilities department.

Sec. 19-223. - Parking prohibited during certain hours.

(a) When prohibited by this chapter or any other ordinance or by order of the city, no person shall park a vehicle during the hours prohibited at places so indicated by official signs.

(b) When so indicated as provided in subsection (a) of this section, parking is prohibited on the streets or portions thereof so indicated by official signs.

Secs. 19-224—19-317. - Reserved.

ARTICLE V. – BICYCLES

Sec. 19-318. - Operation on roadways and paths.

(a) The operator of a bicycle, upon entering a bicycle lane or path, shall yield the right-of-way to all bicycles approaching upon the lane or path and, upon entering the roadway, shall yield the right-of-way to all vehicles and bicycles in the roadway.

(b) Any bicycle being operated on a public roadway shall yield to the right following an audible signal when overtaken by another vehicle. The driver of a vehicle overtaking a bicycle 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 bicycle.

(c) No person shall ride or operate a bicycle upon a roadway adjacent to which or upon which bicycle lanes have been designated, except within this bicycle lane or except as otherwise permitted by the provisions of this chapter. No person shall ride or operate a bicycle upon a roadway adjacent to which there is a bicycle path which is less than 75 feet from the roadway and which is in a safe condition for bicycle riding.

(d) When a roadway is determined to be unsafe for bicycling by the city, bicycle users may be restricted from the roadway by the erection of a sign prohibiting bicycle use and directing bicycle users to a suitable alternative route.

Sec. 19-319. - Turning movements.

(a) When completing a left turn on two-way roadways, bicyclists shall merge to the portion of the roadway nearest the centerline thereof and shall negotiate the left turn so as to enter the intersecting roadway near the right side of the centerline, giving right-of-way to all vehicles proceeding through the intersection in the opposite direction.

(b) When completing a right turn, motor vehicles shall yield the right-of-way to bicycles crossing the intersecting roadway or completing a right turn.

(c) All vehicles or bicycles making turns at intersections shall not proceed into the intersection nor make this turn without first yielding the right-of-way to all bicycles or other vehicles within or approaching the intersection and shall proceed only when it is safe to do so.

(d) A bicyclist may also negotiate a left turn by dismounting the bicycle and crossing as a pedestrian, leading the bicycle to the other side of the intersecting roadway, and hence to the other side of the traffic roadway. When the person dismounts from a bicycle, such person shall then obey the regulations applicable to pedestrians.

Secs. 19-320—19-343. - Reserved.

ARTICLE VI. – PARADES

DIVISION 1. – GENERALLY

Sec. 19-344. - Definitions.

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

Parade means an assemblage of persons, groups of persons, vehicles, bands, floats or devices gathered together in public with some circumstance of show or for a race and shall not include a funeral procession or an assemblage of public officials gathered for any purpose in the public interest.

Secs. 19-345—19-361. - Reserved.

DIVISION 2. - PERMIT

Sec. 19-362. - Required.

It is unlawful for any person or group of persons to hold or participate in a parade in the city without first securing a parade permit from the city.

Sec. 19-363. - Application; contents.

To obtain a parade permit the person or group of persons desiring to hold a parade shall file with the police department an application form which shall contain at least the following information:

- (1) The name, address and telephone number, both business and residential, of the applicant.
- (2) The date and hours when the parade is to be held.
- (3) The location and time of the point of assembly.
- (4) The location and time of the dispersal.
- (5) The parade route.
- (6) The anticipated number of marching persons.
- (7) The anticipated number and types of motorized and other vehicles and devices.
- (8) The number of bands and floats in the parade.

(9) A statement by the applicant agreeing to assume all responsibility for the mechanical condition of each vehicle in the parade, and all damages caused by mechanical failure of any vehicle, float or other device in the parade.

Sec. 19-364. - Application to be made in advance; notice to city departments.

The application for a parade permit shall be made at least ten business days before the date of the scheduled parade during which time the police department shall notify public utility companies and all affected persons in city government of the time, place, route and other circumstances of the parade. If any city department is in the process of utility improvements or contemplated improvements along the parade route during the time of the parade which cannot be interrupted, the chief of police shall deny the application for a parade permit or shall reroute it.

Sec. 19-365. - Bond.

The chief of police may require the applicant for a parade permit to furnish to the city a bond in an amount not to exceed \$250,000.00 secured by a surety company licensed to do business in the state, payable to the city or to any person in the city who may suffer any injury or damage from any vehicle, float, device or person participating in the parade.

Sec. 19-366. - Issuance.

The chief of police shall determine whether or not the parade permit application is properly made and, after analyzing the information contained therein, the information from the departments consulted and any other information gathered, shall determine whether or not the parade permit should be granted.

Sec. 19-367. - Appeals from denial.

Any applicant who has been denied a parade permit by the chief of police has the right to file an appeal to the city council within five days from the date the application is denied. It shall be incumbent upon the council to hear the appeal at any regular or special meeting of the council, to be held at any time not less than 10 or more than 30 calendar days from the date the appeal is received by the city manager.

Sec. 19-368. - Hours restricted.

No parade permit shall be issued for any parade to be held between 9:00 p.m. and 7:00 a.m.

Secs. 19-369—19-394. - Reserved.

ARTICLE VII. – WRECKERS

Sec. 19-395. - Definitions.

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

Department means the police department or such other department as may hereafter be designated to enforce this article.

Director means the chief of police or the designee thereof. When a department other than the police department is designated to enforce this article, the term "director" means the director of such department or the designee thereof.

Wrecker means an automotive vehicle with hoisting apparatus and equipment for towing or hauling wrecked or disabled automobiles or other vehicles. The term "wrecker" includes any vehicle otherwise equipped and used for the purpose of towing or hauling wrecked or disabled automobiles or vehicles.

Sec. 19-396. - Compliance.

It shall be unlawful for any person either as principal, agent or employee to use or operate upon any of the streets of the city any wrecker or towing car without complying with the provisions of this article.

Sec. 19-397. - Issuance of citation for violation.

Upon conviction in municipal court, a person found violating this article shall be punished in accordance with section 1-7.

Sec. 19-398. - Information printed on side of wrecker.

It shall be unlawful for any person, either as principal, agent or employee, to operate or cause to be operated within the city any wrecker unless such vehicle shall have lettered in permanent paint on each side in plain view the following information: the name of the person owning and causing the wrecker to operate on the streets of city, the city from which the wrecker is operating and the telephone number. This lettering shall be on a contrasting color to the color of the wrecker and shall be at least 2.5 inches in height. Temporary or removable magnetic signs shall not be permitted.

Sec. 19-399. - Responsibility for cleaning accident debris from street and right-of-way.

All wrecker operators shall clean all the debris and parts belonging to the damaged vehicle from the street and right-of-way before they leave. If two or more wreckers are called to the same accident scene, they shall be equally responsible for cleaning. If the parts are small or consist of broken glass, the wrecker operator shall clear the streets of said small parts or glass, unless the wrecker operator is ordered not to do so by the investigating police officer due to the

circumstances at the scene of the accident. Any debris removed shall be properly contained in a sealed container or bag.

Secs. 19-400—19-422. - Reserved.

ARTICLE VIII. - MISCELLANEOUS RULES

Sec. 19-423. - Towing.

No vehicle shall tow more than one other vehicle, nor shall the connection between vehicles exceed 16 feet in length.

Sec. 19-424. - Motor vehicles using bike lanes or paths.

(a) No motor vehicle or motorcycle shall be operated on any bicycle lane or path for any purpose including parking, passing or turning unless otherwise permitted by the provisions of this chapter.

(b) No person shall at any time drive, stop or park any vehicle except an emergency vehicle within a bike lane or bike path.

(c) No person shall drive upon or across a bicycle lane except after giving the right-of-way to all bicycles within the lane.