

ORDINANCE NO. 208

AN ORDINANCE OF THE VILLAGE OF CRAIG, NEBRASKA, REGULATING THE USE OF MOTOR VEHICLES AND BICYCLES; FIXING LIABILITIES OF OWNERS AND OPERATORS; PRESCRIBING TRAFFIC REGULATIONS FOR THE USE OF THE STREETS AND ALLEYS; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF CRAIG, NEBRASKA:

SECTION 1 TERMS, DEFINED

The words and phrases used in this ordinance pertaining to motor vehicles and traffic regulations, shall be construed as defined in Revised Statutes of Nebraska, 1943, as now existing or as hereafter amended, unless the context otherwise requires; and, if not so defined, the common meaning of such words and phrases shall prevail.

SECTION 2 RULES AND REGULATIONS

The following rules and regulations are hereby established for the use and operation of all motor vehicles on the streets and alleys of the Village of Craig, Nebraska.

RULE 1. BRAKES, HORN, LIGHTS

A. BRAKES

a) Every motor vehicle when operated upon any alley or street of this village shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels and so constructed that no part which is liable to failure shall be common to the two, except that a motorcycle need be equipped with only one brake. All such brakes shall be maintained at all times in good working order. b) It shall be unlawful for any owner or operator of any motor vehicle to operate such motor vehicle upon an alley or street of this village unless the brake equipment thereon qualifies in the following respects with regard to maximum stopping distances from a speed of twenty miles per hour on dry asphalt or concrete pavement free from loose materials as hereinafter set forth: (1) Two wheel brakes, maximum stopping distance, forty feet;

(2) Four or more wheel brakes, vehicles up to seven thousand pounds gross weight, maximum stopping distance, thirty feet; (3) Four or more wheel brakes, vehicles over seven thousand pounds gross weight, maximum stopping distance, thirty-five feet; (4) All hand, parking or emergency brakes, vehicles up to seven thousand pounds gross weight, maximum stopping distance, fifty-five feet; (5) All hand, parking or emergency brakes, vehicles over seven thousand pounds gross weight, maximum stopping distance, sixty-five feet; c) All braking distances specified in Subsection b above shall apply to all vehicles, whether unloaded or loaded to the maximum capacity permitted by law; d) The retarding force of one side of the vehicle shall not exceed the retarding force on the opposite side so as to prevent the vehicle stopping in a straight line.

B. HORN

a) Every motor vehicle when operated upon an alley or street of this village shall be equipped with a horn in good working order capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet; and it shall be unlawful, except as otherwise provided in this section, for any vehicle to be equipped with or for any person to use upon a vehicle any siren, exhaust, compression or spark plug whistle or for any person at any time to use a horn otherwise than as a reasonable warning, or to make any unnecessary or unreasonable loud or harsh sound by means of a horn or other warning device. b) All police and fire department vehicles and every ambulance used for emergency calls shall be equipped with a bell, siren or exhaust whistle of a type approved by the Department of Motor Vehicles of the State of Nebraska.

C. LIGHTS

1) Every motor vehicle upon an alley or street within this village during the period from sunset to sunrise, and at any other time when there is not sufficient light to render clearly discernible persons or vehicles upon the alleys or streets of this village at a distance of five hundred feet ahead, shall be equipped with lighted front and rear lamps as respectively required in this section for different classes of vehicles. 2) Every motor vehicle, other than a motorcycle, road roller, road machinery, or farm tractor, shall be equipped with two or more head lamps, at the front of and on opposite sides of the motor vehicle and with a lamp on the rear exhibiting a red light visible, under normal atmospheric conditions, from a distance of at least five hundred feet to the rear of such vehicle which head lamps shall comply with the

requirements and limitations set forth in Sections 39-780 and 39-781 of the Revised Statutes of Nebraska and, except as to acetylene head lamps, shall be of a type which has been approved by the Department of Motor Vehicles of the State of Nebraska.

3) Every motorcycle shall be equipped with at least one and not more than two head lamps and with a lamp on the rear exhibiting a red light visible, under normal atmospheric conditions, from a distance of at least five hundred feet to the rear of such motor vehicle, which head lamp or lamps shall comply with the requirements and limitations set forth in Sections 39-780 and 39-781 of the Revised Statutes of Nebraska and, except as to acetylene head lamps, shall be of a type which has been approved by the Department of Motor Vehicles of the State of Nebraska.

4) It shall be unlawful for any owner or operator of any motor vehicle to operate such vehicle upon an alley or street of this village unless (a) the condition of the lamps and electric circuit shall be such as to give substantially normal light output; (b) the tail light shall show red directly to the rear, glass therein shall be unbroken, the lamp shall be securely fastened, and its electric circuit free from grounds and shorts; (c) if equipped with spot lamps, the number shall be limited to not more than one spot lamp; (d) if equipped with auxiliary driving lamps, the number shall be limited to not more than two auxiliary driving lamps, and such auxiliary lamps, if used, must be mounted on the front at a point not less than fifteen inches above the level surface upon which the vehicle stands, and every such auxiliary lamp or lamps shall meet the statutory requirements for head lamps; (e) if equipped with any lighting device, other than head lamps, spot lamp, or auxiliary driving lamps, which projects a beam of light of an intensity greater than twenty-five candle power, such lighting device shall be so directed that no part of the beam therefrom will strike the level of the surface on which the vehicle stands at a distance of more than fifty feet from the vehicle; and (f) if equipped with side cowl or fender lamps, the number shall be limited to two such lamps, and each such side cowl or fender lamp shall emit an amber or white light.

RULE 2.

BUMPERS

No person shall operate a motor vehicle upon the streets or alleys of this village which is not equipped with conventional bumpers both on the front and rear.

RULE 3. DIMMING LIGHTS

Whenever any person operating a motor vehicle equipped with head lamps constructed and adjusted to project glaring or dazzling light to persons in front of such head lamps, on any street or alley of this Village shall meet another person operating a motor vehicle in the opposite direction he shall on signal of said other person, forthwith dim the head lamps of his motor vehicle or tilt the beams of glaring or dazzling light projecting therefrom downward so as not to confuse the vision of said other operator.

RULE 4. OPERATION BY CERTAIN PERSONS PROHIBITED

No motor vehicle shall be operated or be permitted to be operated by any person not having a valid operator's license, or by any person under the influence of intoxicating liquor or any drug.

RULE 5. SPEED

No person shall operate a motor vehicle on any street, alley or other place within this Village at a rate of speed greater than is reasonable and proper, having regard for the traffic and roadway and the condition of the streets nor at such a speed as to endanger the life, limb or property of any person, nor in any event, at a rate of speed greater than twenty-five miles per hour anywhere in this Village except where clearly indicated by appropriate signs.

There is hereby established a speed limit of thirty-five miles per hour on the below described streets, to-wit: On Main Street from Plum Avenue thence north to the corporate limits of the Village and Main Street from Pratt Avenue thence south to the corporate limits of the Village; On Morford Avenue from Burt Street thence east to the corporate limits of the Village and on Morford Avenue from Main Street thence west to the corporate limits of the village.

RULE 6. SPEED, NEAR SCHOOLS

It shall be unlawful for the driver of any vehicle, when passing premises in this village on which school buildings are located and which are used for school purposes, during school recess or while children are going to or leaving school during the opening or closing hours to drive such vehicle at a rate of speed in excess of

fifteen miles per hour past such premises, and such driver shall stop at all stop signs and shall obey all other traffic signs located at or near such school premises.

RULE 7. RECKLESS DRIVING

No vehicle shall be driven, used, operated, parked or stopped within this village in such a manner as to indicate either a willful or wanton disregard for the safety of persons or property, and every person so doing shall be deemed guilty of reckless driving and on conviction thereof shall be fined not less than \$25.00 nor more than \$100.00 and assessed the court costs of prosecution.

RULE 8. FRONT SEAT LOAD

No motor vehicle shall have more than three adult passengers in the driver's compartment thereof, and in no event more than four persons occupying the driver's compartment. In construing this ordinance, an adult persons shall be deemed to be any persons twelve years old or more.

RULE 9. RIGHT SIDE OF STREET

Motor vehicles shall at all times be driven on the right side of the center of the street, except when it is necessary to cross the center line in overtaking and passing another vehicle.

RULE 10. VEHICLES KEEP TO RIGHT WHEN MEETING

Vehicles meeting shall pass each other to the right.

RULE 11. VEHICLES KEEP TO LEFT WHEN PASSING ANOTHER; PASSING AT INTERSECTION PROHIBITED

The driver of a vehicle overtaking another vehicle traveling in the same direction shall pass to the left of such vehicle, but no vehicle shall pass another on an intersection of streets.

RULE 12. LEFT TURNS

When a left turn is intended to be made it shall be the duty of the driver to at least fifty (50) feet before beginning said turn to signal his intention by extending his hand and arm horizontally from the left

side of the vehicle or by a signal lamp or device of a type approved by the Department of Roads of the State of Nebraska.

RULE 13. RIGHT OF WAY

Motor vehicles traveling on streets which are protected by stop signs shall have the right of way over all other vehicles entering or crossing other streets, but motor vehicles driving on streets which are not protected by stop signs shall yield the right of way to vehicles approaching on intersecting streets from the right and shall have the right of way over those approaching from the left when such approaching vehicle shall reach the intersection at approximately the same time. In all other cases on streets which are not protected by stop signs, the vehicle reaching the intersection first shall have the right of way. The driver of a vehicle approaching but not having entered an intersection shall yield the right of way to a vehicle within such intersection whose driver has signaled his intent to turn to the left across the line of travel of such first mentioned vehicle. The driver of any vehicle upon any street shall yield the right of way of a pedestrian crossing said street within a clearly marked crosswalk of any regular pedestrian crossing including the prolongation of a lateral boundary line of the adjacent sidewalk at the end of a block, except at intersections where the movement of traffic is being controlled by traffic officers or traffic direction devices. Every pedestrian crossing a street within any point other than a pedestrian crossing, crosswalk or intersection shall yield the right of way to all vehicles upon the street. The driver of any vehicle traveling at an unlawful rate of speed shall forfeit any right of way which he may otherwise have hereunder.

RULE 14. STOP SIGNS

At every intersection where a "STOP" sign is displayed, vehicles traveling the street or alley upon which the same is located shall come to a full stop at the street line of the intersection street and shall not enter or cross the intersection street until the way is clear of pedestrians and approaching vehicles.

RULE 15. DRIVING IN ALLEYS; BACKING OUT OF
ALLEYS PROHIBITED

Every motor vehicle which is being driven through any alley in said village shall be brought to a full stop immediately before crossing a street line, whether a stop sign is exhibited or not, and such vehicle shall

not proceed into or across the intersecting street until the way is clear of pedestrians and approaching vehicles, and no motor vehicle shall be backed out of any alley into a street.

RULE 16. SLOW SIGNS

The appearance of "SLOW" signs at an intersection or elsewhere on the streets or alleys requires the driver of a motor vehicle to reduce his speed to not more than fifteen miles per hour and maintain such reduced speed until the intersection or other obstruction is passed.

RULE 17. FUNERAL PROCESSION, NO DRIVING THROUGH; EXCEPTIONS

No vehicles except police or fire department vehicles or ambulances when responding to emergency calls, shall be driven through a funeral procession or cortege.

RULE 18. PARKING, ALLOWING CLEARANCE FOR TRAFFIC

No motor vehicles shall be parked on any street in such a position that there is not a clearance of at least ten feet between such vehicle and the curb or another vehicle on the opposite side of the street.

RULE 19. PARKING

No motor vehicle shall be parked or left standing for a period longer than three minutes on the street unless parked either where parallel parking has been marked on the curb with the right side of the vehicle not more than twelve inches from the curb line or where diagonal parking has been marked on the curb and street with the vehicle parked between the diagonal lines with the right front tire touching the curb. Where parking lines have been placed in the center of the street, cars shall be parked in the spaces between such lines. In the paved sections of the village, non-parking spaces may be designated by red or yellow paint on the curb or by appropriate signs adopted by the Village Board.

RULE 20. PARKING IN DIRECTION OF TRAFFIC

No person shall park and leave standing any vehicle or approach the curb with a vehicle except when it is headed in the direction of the traffic on that side of the street.

RULE 21. PARKING IN ALLEYS PROHIBITED

No vehicle shall be parked in any alley so as to obstruct free passage of other vehicles in said alley and in no event shall any vehicle be parked on an alley for any purpose other than to load or unload and then only during the time necessary for such loading and unloading, which shall not exceed thirty minutes.

RULE 22. PARKING NEAR FIRE HYDRANTS, AT ALLEY ENTRANCES AND STREET INTERSECTIONS, ON SIDEWALKS AND IN FRONT OF DRIVEWAYS PROHIBITED

No car or any other vehicle shall be parked within twenty feet of any fire hydrant, except in a designated parking place, or in front of the driveway of any buildings in which fire apparatus of said village shall be stored or in front of driveways provided for filling stations, garages or other places of business, or residences, or parked in such a manner that any portion thereof shall be in front of any alley entrance or in any street intersection or across any sidewalk or crosswalk.

RULE 23. PARKING NEAR INTERSECTION PROHIBITED

No vehicle shall be placed or left standing for any purpose whatever within a distance of twenty-five feet from any street intersection, which distance shall be measured from the point of intersection of curb lines, and if there are no curbs from within fifteen feet of the intersection, provided, however, that this section shall not apply where parking spaces are designated, as provided in this ordinance, within the excluded area.

RULE 24. VEHICLES, PARKING; STORING VEHICLES IN STREET PROHIBITED

No vehicles shall be parked upon any street, alley or public place for more than twenty-four hours.

RULE 25. PROJECTING LOADS TO REAR; RED FLAGS, RED LIGHT

When any portion of the load on any vehicle extends more than four feet beyond the rear of such vehicle, a red flag shall be carried by day and a red light during the period from sunset to sunrise, securely fastened in a conspicuous manner at the extreme rear end of such load.

RULE 26. DUMPING IN STREETS PROHIBITED

No person shall throw, deposit, dump, or leave or cause to be thrown, deposited, dumped or left upon any street, alley or sidewalk in this village any rubbish, trash, debris, refuse, sewage, dead animal, glass, crockery, tacks, nails, or any sharp or broken substance whatever.

RULE 27. YIELD SIGNS

At every intersection where a yield sign is displayed vehicles traveling the street or alley upon which the same is located shall on reaching said intersection ascertain that there is no vehicular traffic coming or approaching from either street coming into said intersection and shall not enter or cross the intersection street until the way is clear of pedestrians and approaching traffic.

RULE 28. DRIVING OVER SIDEWALK SPACE

The driver of any vehicle shall not drive over the curb line and shall not drive within any sidewalk space, except at a permanent or temporary driveway.

RULE 29. NO DRIVING OVER NEWLY LAID PAVEMENT PROTECTED BY BARRIER

No person shall ride or drive any vehicle over or across any pavement or asphalt newly laid or repaired which has not been in place for a period of twelve hours and where there has been a barrier placed around or across it. No pedestrian shall walk, run or otherwise go over or across such pavement as set forth above.

RULE 30. DEFACING TRAFFIC SIGNS

No persons shall within the corporate limits of this village, willfully deface, injure, remove or obstruct any official traffic sign, signal or marker, whether erected or installed pursuant to an ordinance of this village, a resolution of the Chairman and Village Board, a state statute or a regulation of the Department of Roads of this state. The term marker as used herein shall include marks painted on the curb or pavement to designate parking stalls or loading zones.

SECTION 3 LOCATION OF STOP SIGNS

The Village Board may, from time to time, by resolution

designate the location of stop signs at any intersection or portion of an intersection of any street.

SECTION 4 REGULATIONS OF TRAFFIC CONTROL DEVICES

The Village Board may by resolution designate, establish, and regulate business, residential, schools, or other street traffic zones; speed limits; restricted, prohibited or limited parking zones; manner of parking vehicles; arterial highways; pedestrian crossings; traffic lanes and direction of travel on streets and alleys including one-way traffic streets and alleys, and shall provide for the erection, construction, and maintenance of appropriate signs, signals, markers, or lights giving proper notice thereof.

SECTION 5 UNLAWFULLY PARKED AND ABANDONED CARS

(A) It shall be unlawful for any person, partnership, firm or corporation to park any vehicle or means of conveyance upon the streets, alleys, or rights-of-way, in the Village of Craig, Burt County, Nebraska, which does not display a current and up-to-date vehicle license issued by the Department of Roads, State of Nebraska.

(B) If any vehicle or means of conveyance shall be found unattended in any street, alley, right-of-way, or portion thereof which vehicle or means of conveyance is improperly or unlawfully parked according to the restrictions herein, the Police Officers and Street Employees are hereby empowered to remove the same, and they are further empowered to remove any vehicle found as aforesaid if the operator fails to remove the same upon being notified to do so. Whenever a vehicle or conveyance has been placed or parked upon the streets, alleys, or rights-of-way, or portion thereof, in violation of the provisions of this ordinance, or whenever the owner or operator fails to promptly remove his vehicle or conveyance which is in violation upon notification to do so, the expense of such removal may be charged to such owner or operator.

SECTION 6 AMBULANCES, POLICE CARS AND FIRE TRUCKS

The drivers of all ambulances, police cars and fire trucks shall at all times in the operation of such cars and trucks exercise care and diligence to prevent accident and injury, but shall not be subject to the provisions of this

ordinance as to speed and right of way, when responding to emergency or official calls. All ambulances, police cars and fire trucks when responding to emergency or official calls shall have the right of way over all other vehicles. It shall be the duty of the drivers of all other vehicles in said village, upon the approach of a fire truck to drive their cars as close as possible to the right hand curb and stop, and remain there until such fire truck has passed. No vehicle, in said village, except by specific direction by the Chief of the Fire Department or his assistant, shall follow or park closer than 500 feet to a fire or to a fire apparatus responding to a fire call.

SECTION 7 OFFICIAL EMERGENCY VEHICLES; EXEMPT

The provisions of this article regulating the movement, parking, and standing of vehicles shall not apply: (1) to vehicles when operated with due regard for the safety of others under the direction of the Nebraska State Patrol, any conservation officer, sheriff, member of any police department, or any other law enforcement officer, in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation; (2) to fire department or fire patrol vehicles when traveling in response to a fire alarm, or (3) to public or private ambulances or vehicles operated by duly licensed Doctors of Medicine when traveling in emergencies. This exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

SECTION 8 OFFICIAL EMERGENCY VEHICLES; RIGHT OF WAY FOR

Upon the approach of any authorized emergency vehicle, every vehicle, shall immediately stop, except at the time they are on or crossing an intersecting street, in which event, such vehicle shall run clear of the street intersection and then stop. Every vehicle along the route of such emergency vehicle shall immediately move to a position as near the right hand curb as possible and remain therein until such authorized emergency vehicle or vehicles have passed; provided, said vehicles are operated on official business and the drivers thereof sound audible signal by bell, siren or exhaust whistle.

SECTION 9 MOTOR VEHICLES NOT REPAIRED IN STREETS

No person shall repair any motor vehicle while the same is standing on any street or alley, in said village, except in case of emergency.

SECTION 10 TRACTORS

No tractor shall be operated on or over any paved street or over any concrete sidewalk in said village unless it is equipped with rubber tires or with smooth drive wheels or smooth tracks, without protecting such street or walk from injury.

SECTION 11 TRAFFIC OFFICERS

The Chairman or the Village Marshal may at any time detail officers at street intersections to be known as traffic officers. All traffic officers shall be vested with authority to regulate and control traffic at intersections to which they are detailed. It shall be their duty to direct the movement of traffic at such intersections in such manner as will facilitate traffic and prevent congestion and accidents. It shall be unlawful for any person to violate any order or signal of any such traffic officer, notwithstanding any stop signs or other devices which may have been placed at such intersections.

SECTION 12 REFUSAL TO OBEY POLICE OFFICER

It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a police officer.

SECTION 13 POLICE REGULATIONS

Traffic on the streets and alleys of the village shall at all times be subject to the directions of the duly constituted police officers of the village, and all orders given verbally by any policeman or traffic officer of the said village shall be observed and obeyed, with any traffic or parking regulations prescribed by the Chairman and Board of said village, and communicated by means of conspicuous signs placed upon the streets shall be observed and obeyed by owners and operators of motor vehicles. In case of a conflict between the provisions of this ordinance and any

orders and regulations communicated by signs placed conspicuously on the streets, the latter shall prevail and supersede the provisions of this ordinance.

SECTION 14 PARADES

No motor vehicle shall be driven through a parade which has been authorized by the Chairman. No parade shall take place within the corporate limits of this village unless authorized by the Chairman, but in determining whether to authorize or not authorize a parade, the Chairman shall not discriminate between political, religious or racial groups, except that he shall not authorize a parade by any organization which advocates the overthrow by violent means of the government of the United States of America or of the government of the State of Nebraska or by any group affiliated with such an organization.

SECTION 15 BICYCLES; HOLDING ON TO MOVING VEHICLES
AND CARRYING PASSENGERS PROHIBITED

No persons riding a bicycle shall take hold of or hold onto any other moving vehicle. No persons operating a motorcycle or bicycle shall carry another person on said vehicle in front of the operator, except in the event of an emergency involving the personal health or safety of the persons thus carried or some other person.

SECTION 16 BICYCLES; PEDESTRIAN RIGHT OF WAY

Pedestrians on the sidewalks or crossing streets or alleys at the crossing shall have the right of way over persons riding bicycles and riders of bicycles shall accord said right of way to them.

SECTION 17 BICYCLES; REFLECTORS REQUIRED

No persons shall ride a bicycle in this village during the period after sunset and before sunrise unless said bicycle is equipped with either lights or reflectors, both front and rear, in good working order and clearly visible for a distance of at least three hundred feet.

SECTION 18 PENALTIES

Any person violating any provision of this ordinance, the penalty for which is not otherwise expressly provided, shall, on conviction thereof, be fined in any sum not exceeding one hundred dollars and assessed the court costs of prosecution.

SECTION 19 CIVIL LIABILITY, NOT A DEFENSE TO

Nothing in this ordinance shall be construed or pleaded as justifying, absolving or rendering blameless, whether directly or indirectly, any person or persons in charge of or owning any vehicle for any injury or damage to persons or property due to recklessness, incompetency or negligence in the operation of said vehicle.

SECTION 20 REPEAL OF PRIOR ORDINANCES

All ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance and in conflict therewith are hereby repealed.

SECTION 21 WHEN OPERATIVE

This ordinance shall take effect and be in full force from and after its passage, approval and publication.

Passed and approved the 14th day of September, 1971.

Chairman
VIVIAN E. CARLSON

Attest:
CLIFFORD A. NELSON
Village Clerk
(SEAL)