

ORDINANCE NO. 304, FOURTH SERIES.

AN ORDINANCE REGULATING TRAVEL, TRAFFIC AND PARKING UPON THE STREETS AND OTHER PUBLIC PLACES LAID OUT FOR THE USE OF VEHICLES AND PEDESTRIANS IN THE CITY OF SACRAMENTO; DEFINING THE TERMS USED IN THIS ORDINANCE, CREATING CERTAIN TRAFFIC DISTRICTS IN THE CITY OF SACRAMENTO; FIXING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE, AND REPEALING ORDINANCE NO. 80, FOURTH SERIES, PASSED JUNE 22nd, 1922, AND ALL ORDINANCES AMENDATORY THEREOF.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

ARTICLE I:

DEFINITIONS

SECTION 1: Whenever in this ordinance the following terms are used, they shall have the meanings respectively ascribed to them in this section:

STREET. Every way set apart for public travel, except bridle paths and foot paths.

ROADWAY. That portion of a street between the regularly established curb lines.

SIDEWALK. That portion of a street between the curb lines and the adjacent property lines.

INTERSECTION. The area embraced within the prolongation of the property lines of two or more streets which join at an angle, whether or not one such street crosses the other.

CROSSWALK. That portion of the roadway included within the prolongation of curb and property lines at street intersections.

SAFETY ZONE. That marked portion of a roadway

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reserved for the exclusive use of pedestrians.

LOADING ZONE. That space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

VEHICLE. Every device or animal by which any person or property is or may be transported or drawn upon a street, excepting devices moved by human power or used exclusively upon rails. For the purpose of this ordinance a bicycle shall be deemed a vehicle.

STREET CAR. Every device traveling exclusively upon rails when upon or crossing a street other than devices propelled by steam.

OPERATOR. Any person who is in actual physical control of a vehicle or street car.

SECTION 2: The following traffic districts with the boundaries thereof in the City of Sacramento are hereby established.

TRAFFIC DISTRICT NUMBER ONE shall be bounded on the west by the Sacramento River; on the south by the south line of "Q" Street; on the east by the east line of 4th Street from "L" to "Q", and by the east line of 3rd Street from "L" to the north line of alley between "H" and "I" Streets, if extended; on the north by the north line of the alley between "H" and "I" Streets.

TRAFFIC DISTRICT NUMBER TWO shall be bounded on the west by the east line of Traffic District No. 1; on the North by the north line of "I" Street from 3rd to 7th, and from 7th to 12th by the north line of "H" Street; on the east by the east line of 12th Street; on the south by the south line of "L" Street from 12th to 10th, and from the East boundary of 10th Street to the easterly boundary of Traffic District No. 1 by the south line of

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"M" Street.

TRAFFIC DISTRICTS NUMBER THREE shall be bounded on the west by the east line of 12th Street; on the north by the north line of "I" Street; on the east by the east line of 16th Street; and on the south by the south line of "L" Street.

TRAFFIC DISTRICT NUMBER FOUR shall be bounded on the north by the north line of 2nd Avenue; on the east by the east line of 35th Street from 2nd Avenue to 3rd Avenue, thence southeasterly by the north line of Sacramento Boulevard, thence southerly bounded on the East by the east line of 36th Street, on the South by the South line of 5th Avenue; on the west by the west line of 35th Street between 5th Avenue and 3rd Avenue, thence westerly by the south line of 3rd Avenue to 34th Street, thence northerly by the west line of 34th Street between 3rd Avenue and 2nd Avenue.

TRAFFIC DISTRICT NUMBER FIVE shall include all such parts of the territory of the City of Sacramento as is not included in Traffic Districts Nos. 1; 2, 3 and 4, and also exclusive of the territory covered by Ordinance No. 271, Fourth Series, passed February 5th, 1926.

ARTICLE II:

AUTHORITY OF POLICE.

TRAFFIC SIGNS AND SIGNALS.

SECTION 3. OBEDIENCE TO POLICE. Officers of the Police Department are hereby authorized to direct all traffic by means of visible or audible signal, and it shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a traffic or police officer. It shall be unlawful for any minor to direct or attempt to direct traffic unless authorized to do so by order of the City Manager.

SECTION 4. SIGNS. The City Council shall by resolution determine and designate the character of all official

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warning and direction signs and signals. Subject to this selection, the City Manager is hereby authorized, and as to those signs required hereunder it shall be his duty, to place and maintain, or caused to be placed and maintained, all official warning and direction signs and signals. All signs authorized and required hereunder for a particular purpose shall be uniform.

No provision of this ordinance for which signs are required shall be enforceable against the alleged violator if at the time and place of the alleged violation the sign herein required is not in a conspicuous position and plainly legible.

SECTION 5. OBEDIENCE TO TRAFFIC SIGNS. It shall be unlawful for any operator or pedestrian to disobey the instructions of any mechanical or electrical traffic signal, traffic sign or marks upon the street placed in accordance with the provisions of this ordinance.

No public utility or department in this city shall erect or place any barrier or sign unless of a type first approved by the City Manager. It shall be unlawful for any operator or pedestrian to disobey the instructions of any barrier or sign approved, as above provided, erected or placed by a public utility or by any department of this city.

SECTION 6. TRAFFIC STOP AND GO SIGNAL LEGEND. Whenever traffic at any intersection is regulated by a stop and go mechanical or electrical signal, the following colors may be used, and none other, and those colors herein authorized shall indicate as follows:

RED, except in flashing signals, requires that traffic shall stop and remain standing.

GREEN requires that traffic shall move and continue in motion, except when stopped for the purpose of avoiding an accident.

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or in the event of other emergency or when stopped at the command of a police officer.

AMBER shall indicate preparation for a change in the direction of traffic movement. When amber is shown no traffic shall enter the intersection until a green or "GO" signal is shown.

BELLS. The ringing of a bell in connection with any mechanical or electric traffic signal shall indicate preparation for a change in the direction of traffic movement. When such bell is sounded no traffic shall enter the intersection until a green or "GO" signal is shown.

SECTION 7. THE CITY MANAGER REQUIRED TO ESTABLISH CROSSWALKS. The City Manager is hereby authorized and required to establish and maintain and to designate upon the surface of the roadway, by appropriate devices, marks or white lines, crosswalks approximately equal in width to the adjacent sidewalk at all intersections where in his opinion there is particular danger to pedestrians crossing the roadway.

When crosswalks are established and maintained outside of Traffic Districts Nos. 1, 2, 3 and 4, the City Manager shall by appropriate devices, marks or white lines, mark and maintain along the surface of the roadway an arrow not less than twelve (12) inches wide in the shaft and not less than thirty (30) feet long, pointing in the direction of such crosswalk, together with the word SLOW in block letters not less than twenty-four (24) inches high and not less than four (4) inches wide one hundred (100) feet distant from each crosswalk so established.

SECTION 8. DISPLAY OF UNAUTHORIZED SIGNS PROHIBITED. It shall be unlawful for any person to place or maintain or to display any device, other than an official warning or direction sign or signal erected under competent authority, upon or in view

of a street, which purports to be, or is an imitation of, or resembles, an official warning or direction sign or signal, or which attempts to direct the movement of traffic or the actions of operators, and any such prohibited device shall be a public nuisance, and the City Manager may remove it, or cause it to be removed, without notice.

It shall be unlawful for any person to wilfully deface, injure, move or interfere with any official warning or direction sign or signal.

SECTION 9. POLICE AND FIRE VEHICLES EXEMPT FROM CERTAIN RULES. The provisions of this ordinance regulating the movement, parking and standing of vehicles shall not apply to emergency vehicles of the police or sheriff's office or of the fire department or of a public utility while the driver of any such vehicle is engaged in the necessary performance of public emergency duties.

ARTICLE III:

PEDESTRIANS

SECTION 10. PEDESTRIAN'S RIGHT OF WAY AT INTERSECTIONS.

(a) It shall be unlawful for the operator of any vehicle or street car to drive into any crosswalk which is marked as provided in Section 7 of this ordinance, while there is in such crosswalk upon the half of the roadway upon which such vehicle is traveling any pedestrian engaged in crossing the roadway until such pedestrian shall have passed beyond the path of said vehicle.

(b) It shall be unlawful for the operator of any vehicle to drive into any unmarked crosswalk while there is in such crosswalk upon the half of the roadway upon which such vehicle is traveling any pedestrian engaged in crossing the roadway until such pedestrian shall have passed beyond the path of said vehicle, when

the pedestrian shall indicate his intention to cross by a timely and continuous warning by holding up his hand palm out toward approaching traffic.

(c) The operator of a vehicle shall stop before entering any crosswalk when any other vehicle proceeding in the same direction is stopped at such crosswalk.

(d) The foregoing provisions of this section shall not apply at intersections where traffic is being directed by an officer or a traffic stop and go signal, at which intersections the mutual rights of pedestrians and operators of vehicles shall be exercised under the direction of the officer or traffic signals.

SECTION 11. PEDESTRIAN'S LIMITED RIGHT TO USE OF ROADWAY. When within Traffic Districts Nos. 1, 2, 3 and 4, no pedestrian shall cross a roadway other than by a crosswalk.

Outside of Traffic Districts Nos. 1, 2, 3 and 4, no pedestrian shall cross a roadway other than by a route at right angles to the curb and when crossing at any place other than a crosswalk shall yield the right of way to all vehicles upon the roadway.

It shall be unlawful for any person to be in any roadway other than in a safety zone or crosswalk, provided that this provision shall not be construed to prevent the necessary use of a roadway by a pedestrian.

It shall be unlawful for any person to stand in a roadway for the purpose of or while soliciting a ride from the operator of any private vehicle.

SECTION 12. PEDESTRIANS TO OBEY SIGNALS. At intersections where traffic is directed by a traffic or police officer or by a traffic stop and go signal, it shall be unlawful for any pedestrian to cross the roadway other than with released traffic.

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ARTICLE IV;

RULES FOR DRIVING.

SECTION 13. METHOD OF APPROACH FOR LEFT TURN. The operator of a vehicle intending to turn to the left at an intersection or into an alley or driveway shall approach the point of turning in the line of traffic next to the center of the roadway.

SECTION 14. METHOD OF TURNING TO LEFT AT INTERSECTIONS. The operator of a vehicle in turning left at an intersection shall pass to the right of the center of the intersection before turning, except that where markers have been placed upon the intersection boundary lines to be crossed by the vehicle, the operator shall pass to the right of such markers.

SECTION 15. LOCATION OF TURNING MARKERS. The City Manager is hereby authorized, and as to those intersections mentioned in paragraph 1 of this section it shall be his duty to place or cause to be placed turning markers in intersections as follows:

(1) Within intersections where either intersecting roadway is less than sixty (60) feet in width and in intersections where streets meet at other than right angles and in intersections where one street terminates in another, a marker shall be placed at every intersection of the medial line of each street with the prolongation of the property lines of the intersecting street, or as near the intersecting point of said lines as may be practical.

(2) Intersections other than those mentioned in paragraph (1) may be marked as provided in paragraph (1), or a single marker may be placed within such intersection at the intersection of the medial lines of the intersecting streets.

SECTION 16. LEFT TURNS PROHIBITED. The operator of a vehicle shall not between the hours of (9) A.M. and (6) P.M. of any day except Sunday make a left turn at any of the following intersections: On "J" and "K" Street intersections from 6th to 10th Street, both inclusive.

SECTION 17. METHOD OF APPROACH FOR RIGHT TURN. The operator of a vehicle intending to turn to the right at an intersection or into an alley or driveway shall approach the point of turning in the line of traffic nearest the right-hand edge of curb of the street.

SECTION 18. WHEN RIGHT TURNS MAY BE MADE. Within Traffic Districts Nos. 1, 2, 3 and 4, a right turn shall not be made at any intersection by the operator of any vehicle against a traffic signal.

(Elsewhere) The operator of a vehicle may make a right turn at any intersection irrespective of a traffic signal subject to the right of pedestrians at such intersection.

SECTION 19: WHEN TURNING AROUND AT INTERSECTIONS PROHIBITED. The operator of a vehicle shall not within Traffic Districts Nos. 1, 2, 3, and 4, between the hours of nine (9) A.M. and six (6) P.M. of any day except Sunday turn such vehicle at an intersection in a complete circle, or so as to proceed in the opposite direction.

SECTION 20: DRIVING FROM ALLEYS. The operator of a vehicle emerging from an alley, driveway or garage shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extended across any alleyway.

SECTION 21: VEHICLES SHALL NOT BE DRIVEN ON SIDEWALK. The operator of a vehicle shall not drive within any sidewalk area, except at a permanent or temporary driveway authorized by the City Manager.

SECTION 22. CERTAIN VEHICLES PROHIBITED IN

TRAFFIC DISTRICTS NOS. 2, 3 and 4. IT SHALL BE unlawful for the operator of any of the following vehicles to drive the same in Traffic Districts Nos. 2, 3 and 4 between the hours of nine (9) A.M. and six (6) P.M. of any day except Sunday:

1. Any vehicle so loaded that any part of its load extends more than three (3) feet to the front or more than ten (10) feet to the rear of said vehicle *except by special permit of the City Manager.*

The City Manager is hereby authorized to establish over an appropriate street or streets and to designate by appropriate signs, through traffic routes for the movement of vehicles of two (2) or more tons capacity designed for carrying merchandise, freight or material. When any such through traffic route or routes are established and designated by appropriate signs, the operator of any vehicle mentioned in this paragraph shall drive on such route or routes and none other except when it is impractical to do so or when necessary to traverse another street or streets to a destination for the purpose of loading or unloading, but then only by such deviation from the nearest freight route as is reasonably necessary.

SECTION 23. BOULEVARD STOPS. The following streets and parts of streets are hereby declared to constitute boulevards for the purpose of this section:

"I" Street from 16th to 31st; and "H" Street from 31st to easterly city limits.

"L" Street from 15th to 31st.

"Y" Street from 9th to 31st and continuing on Sacramento Boulevard to 8th Avenue; thence continuing on 8th Avenue from Sacramento Boulevard to Stockton Boulevard.

16th Street from "I" Street to city limits on north.

21st Street from "L" Street to city limits on the

south, via Freeport Boulevard.

Franklin Boulevard from "Y" Street to city limits on south.

Folsom Boulevard from 31st Street to city limits on east.

31st Street from "I" Street to intersection with Stockton Boulevard, and continuing on Stockton Boulevard easterly to city limits.

Every operator of a vehicle or street car traversing any street intersecting any boulevard shall stop such vehicle or street car at the place where such street meets the nearest property line of the boulevard before entering such boulevard, provided the property line is clearly marked or sign-posted as required in this ordinance.

The City Manager is hereby authorized and required to place and maintain or cause to be placed and maintained upon each and every street intersecting a boulevard and at or near the property line of the boulevard appropriate signs upon the street or devices or marks in the roadway, such signs, devices or marks to bear the word "STOP" or the words "BOULEVARD STOP" in such position and with letters of a size to be clearly legible from a distance of fifty (50) feet along the street intersecting the boulevard.

SECTION 24. CROSSING FIRE HOSE. No street car or vehicle shall be driven over any unprotected hose of the Fire Department when laid down on any street, private driveway or street car track, to be used at any fire or alarm of fire, without the consent of the Fire Marshall or the assistant in command.

SECTION 25. BICYCLE RIDING RESTRICTED. It shall be unlawful to ride a bicycle upon any sidewalk. The rider of a bicycle upon a roadway shall ride as nearly as practicable within five (5) feet of the right-hand curb or edge of the roadway except

when passing a standing or other vehicle or making a left-hand turn at an intersection.

SECTION 26. RIDING ON HANDLE BARS PROHIBITED.

It shall be unlawful for the operator of any vehicle or motorcycle when upon a street to carry any other person upon the bar, handle or tank of any such vehicles or for any person to so ride upon any such vehicle.

SECTION 27. UNLAWFUL TO DRIVE THROUGH FUNERAL PROCESSION. It shall be unlawful for the operator of any vehicle to drive between the vehicles comprising a funeral procession, provided that such vehicles are conspicuously so designated.

SECTION 28. CLINGING TO MOVING VEHICLES. It shall be unlawful for any person traveling upon any bicycle, motorcycle or any top vehicle to cling to or attach himself or his vehicle to any other moving vehicle or street car upon any roadway.

SECTION 29. USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES RESTRICTED. It shall be unlawful for any person upon roller skates or riding in or by means of any coaster, toy vehicle or similar device to go upon any roadway.

ARTICLE V:

STOPPING, STANDING AND PARKING.

SECTION 30. STOPPING PROHIBITED IN SPECIFIED PLACES. It shall be unlawful for the operator of a vehicle to stop such vehicle in any of the following places except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic sign or signal.

- (1) In an intersection;
- (2) In a crosswalk;
- (3) Between a safety zone and the adjacent curb or within twenty (20) feet of a point on the curb immediately opposite the end of a safety zone;

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when passing a standing or other vehicle or making a left-hand turn at an intersection.

SECTION 26. RIDING ON HANDLE BARS PROHIBITED.

It shall be unlawful for the operator of any vehicle or motorcycle when upon a street to carry any other person upon the bar, handle or tank of any such vehicles or for any person to so ride upon any such vehicle.

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SECTION 30. STOPPING PROHIBITED IN SPECIFIED PLACES. It shall be unlawful for the operator of a vehicle to stop such vehicle in any of the following places except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic sign or signal.

- (1) In an intersection;
- (2) In a crosswalk;
- (3) Between a safety zone and the adjacent curb or within twenty (20) feet of a point on the curb immediately opposite the end of a safety zone;

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(4) Within thirty (30) feet of an intersecting roadway immediately in front of the vehicle, except busses at a designated bus stop.

Upon all streets within Traffic Districts Nos. 1, 2, 3, and 4, the City Manager shall designate the provisions of paragraphs (3) and (4) of this section by placing and maintaining red paint or other red material upon the entire curb surface within such areas omitting any crosswalk area or by placing and maintaining appropriate signs directing that the stopping of vehicles is prohibited.

SECTION 31. STANDING FOR LOADING ONLY IN CERTAIN PLACES. (a) It shall be unlawful for the operator of a vehicle to stop said vehicle for a period of time longer than is necessary for the loading or unloading of passengers or materials, provided that the loading or unloading of passengers shall not consume more than three (3) minutes, nor the loading or unloading of materials more than ~~thirty~~ (30) minutes, in any of the following places:

- ~~1. In any alley;~~
1. In any "loading zone";
 2. At any curb within fifty (50) feet of the entrance to any police station;
 - ~~3. At any curb within fifteen (15) feet of a fire plug;~~
 3. In any marked bus stop.

(b) The City Manager shall determine the location of "loading zones" and shall mark by appropriate signs or as specifically required herein those places where standing for loading only is permitted under this section, subject to the following requirements and limitations:

Bus stops shall be designated by appropriate signs at those places determined by the City Manager except that a bus

stop shall not exceed fifty (50) feet in length and shall not be placed adjacent to a safety zone at a street car stop;

Every loading zone, also that portion of every curb reserved for loading only by paragraphs 3 and 4 of Subdivision (a) of this section shall be designated by yellow paint or other yellow material upon the entire curb surface therein with the words "LOADING ONLY" in black letters thereon;

Within Traffic Districts Nos. ~~1~~, 2, 3 and 4 not more than ~~fifteen~~ ^{twenty} feet of the curb length in any one block may be set apart as a loading zone.

SECTION 32. PARKING TIME LIMITED IN SPECIFIED PLACES.

The operator of a vehicle shall not park such vehicle for a longer period than twelve hours in Traffic District No. 1; provided, parking is prohibited on the west side of the freight sheds on Front Street maintained by the Southern Pacific Company, between "I" and "M" Streets; nor for a longer period than forty minutes between the hours of 9:30 A.M. and 12 o'clock M. and 1:30 P.M. and 6 o'clock P.M. in Traffic District No. 2 in the area bounded on the west by the east line of 3rd Street; on the north by the north line of "I" Street; on the east by the east line of 12th Street, and on the South by the south line of "L" Street; nor in any other place during the above hours for a period of more than two hours in said Traffic District No. 2; nor more than forty minutes between the hours of 9:30 A.M. and 12 o'clock M. and 1:30 P.M. and 6 o'clock P.M. in Traffic District No. 3; nor for a period of more than forty minutes between the hours of 9:30 A.M. and 12 o'clock M. and 1:30 P.M. and 6 o'clock P.M. in Traffic District No. 4 in the following area: On 5th Avenue between 33rd and 35th Streets; nor more than two hours at one time during the above mentioned hours elsewhere in said Traffic District No. 4; nor for any period of time on 5th Avenue between 34th and 35th

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Streets.

~~Signs shall be erected and maintained in Traffic Districts Nos. 1, 2, 3, and 4 not more than one hundred and fifty (150) feet in length designating the provisions of this section.~~

SECTION 33. EARLY MORNING PARKING LIMITED. It shall be unlawful for the operator of a vehicle to park said vehicle on any street in the City of Sacramento for a period of longer than thirty minutes between the hours of 2 o'clock A.M. and 5 o'clock A.M. of any day.

SECTION 34. STANDING OR PARKING CLOSE TO CURB. The operator of a vehicle shall not stop, stand or park such vehicle in a roadway other than parallel with the curb and with the two right-hand wheels of the vehicle within one (1) foot of the regularly established curb line, except that upon those streets which have been marked for angle parking, as provided in this section, vehicles shall be parked at the angle to the curb indicated by such marks.

The City Manager is hereby authorized to determine upon what streets angle parking shall be permitted and to indicate such places by the painting of white lines upon the surface of the roadway to indicate the proper angle for parking, provided that such lines shall not be placed upon, nor shall angle parking be permitted upon, any street where such parking would diminish the width of the roadway available for travel to less than twenty (20) feet, nor upon any street where there is less than thirty (30) feet between the curb and the nearest rail of any street car track, nor upon any street which is a continuation of or part of a county trunk line highway or a state highway unless a clear width of forty (40) feet is left for the movement of vehicles when angle parking is permitted.

SECTION 35. PARKING VEHICLES FOR SALE. It shall be unlawful for the operator of any vehicle to park the same upon any street in Traffic Districts Nos. 1, 2, 3 and 4, for the purpose of displaying it for sale, or for the sale of goods or merchandise therefrom, or to park any vehicle for more than fifteen minutes at any one time elsewhere upon any street in the City of Sacramento from which said vehicle merchandise or produce is being sold.

SECTION 36. AUTO STAGES AND BUSSES. No auto stage or auto bus operated on a regular schedule or over a prescribed route either entirely within or within and without the City of Sacramento, except auto busses operated as extensions of and transferring to or from street cars on the payment of a single fare including the trip both upon such street car and auto bus, shall stand or stop in or upon any street, alley or other public place in the City of Sacramento for the purpose of receiving and discharging either passengers, baggage or freight, except at stations regularly established by order of the City Manager and revocable in his discretion.

SECTION 37. TAXICABS AND SIGHT-SEEING BUSSES.
Proprietors of regularly licensed taxicabs or sight-seeing busses or automobiles for hire may stand not to exceed one vehicle at one time at places approved in writing by the Superintendent of Traffic Bureau and which have a telephone communication at such place of business in the name of such proprietor. Provided that between the hours of 6:30 P.M. and 9:30 A.M. not to exceed two taxicabs or sight-seeing busses or automobiles for hire may be stationed at such place of business. Provided further that on request in writing of bona fide hotels of not less than four stories in height or containing not less than seventy-five rooms, the Superintendent of Traffic Bureau may, in writing, authorize the proprietor of any regularly licensed taxicab or automobile for hire to maintain not to exceed one such

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vehicle in front of said hotel; not more than one proprietor to have this privilege for any one hotel at any one time. In no case shall such taxicabs or sight-seeing busses be parked so as to interfere with the free ingress and egress of other vehicles to parking places adjacent thereto. In no case shall any such permit be granted without the consent of the abutting property owners, or else of the lessees or tenants controlling the street floor of any building situated thereon, filed in the Office of the Superintendent of Traffic Bureau and approved in writing by him.

ARTICLE VI:

RAILROAD CARS, INTERURBAN CARS
AND STREET RAILWAY CARS.

SECTION 38. RULES APPLICABLE TO VEHICLES PASSING
RAILROAD CARS, INTERURBAN CARS AND STREET RAILWAY CARS.

(a) The operator of a vehicle shall not overtake and pass any moving car approaching within one hundred (100) feet of a street intersecting from the right.

(b) When a street car is stopped for the purpose of receiving or discharging any passenger, no operator of a vehicle shall overtake and pass such street car without first bringing his vehicle to a full stop to the rear of the nearest exist of such street car. He may then proceed past said street car subject to the limitations as to speed and distance mentioned below.

(c) Where a safety zone is established, or at an intersection where traffic is controlled by an officer or a traffic signal, a vehicle need not be brought to a full stop before passing such street car, but may proceed past such street car at a speed not greater than is reasonable or proper and in no event greater than ten (10) miles an hour nor closer than eight (8) feet to the nearest rail of the street car track.

SECTION 39. WHEN VEHICLES NOT TO BE DRIVEN ON STREET CAR TRACKS. It shall be unlawful for the operator of any vehicle proceeding upon any street car tracks in front of a street car to fail to remove said vehicle from said tracks as soon as practicable after signal from the operator of said street car.

SECTION 40. STREET CAR SPEED. The operator of a street car upon a street shall operate the same at a careful and prudent speed, and subject to this limitation may lawfully proceed at a speed not exceeding the following:

- (1) Fifteen (15) miles per hour
 - (a) In a business district;
 - (b) When passing a school while persons are entering or leaving the grounds;
 - (c) When traversing any steam, electric or street railway grade crossing;
 - (d) When traversing curves where the operator does not have an unobstructed view along the tracks for a distance of two hundred (200) feet;
 - (e) When traversing an intersection of highways where the operator during the last one hundred (100) feet of his approach to the intersection does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred (200) feet from such intersection;
- (2) Twenty (20) miles per hour in a residence district;
- (3) Thirty-five (35) miles per hour under other conditions.

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Speeds in excess of those set forth above shall be taken as prima facie but not as conclusive evidence of a speed greater than is reasonable and proper.

SECTION 41. BOARDING OR ALIGHTING FROM STREET CARS OR VEHICLES. It shall be unlawful for any person to board or alight from a street car or vehicle while said street car or vehicle is in motion.

SECTION 42. RAILWAY TRAINS AND STREET CARS NOT TO BLOCK STREET. It shall be unlawful for the operator of any steam, interurban or street railway train or car to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than five (5) minutes.

ARTICLE VII:



SECTION 43. PENALTY. Any person violating any of the provisions of this ordinance, or any rule or regulation made by the City Manager pursuant thereto, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished for the first offense by a fine not to exceed Fifty (50.00) Dollars, or by imprisonment in the city jail for not more than five (5) days; for a second violation within a period of one (1) year by a fine not to exceed One Hundred (\$100.00) Dollars, or by imprisonment in the city jail for not more than ten (10) days, or by both such fine and imprisonment; for a third and each additional offense committed within one (1) year by a fine not exceeding Five Hundred (\$500.00) Dollars, or by imprisonment in the city jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

SECTION 44. EFFECT OF ORDINANCE. If any section, sub-

section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, sub-section, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

SECTION 45. REPEAL. Ordinance No. 80, Fourth Series, passed June 22nd, 1922, and all ordinances amendatory thereof is hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of said ordinance hereby repealed prior to the taking effect of this ordinance.

PASSED: November 12, 1926
EFFECTIVE: December 12, 1926

A. E. Gossard
MAYOR.

ATTEST:

H. G. Denton
CITY CLERK.

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