

ORDINANCE NO. 200

AN ORDINANCE RELATING TO TRAFFIC CONTROL, REPEALING ORDINANCE NO. 155,  
AND DECLARING AN EMERGENCY:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE:

ADOPTION OF MOTOR VEHICLE LAWS

SECTION 1. ADOPTION OF STATE MOTOR VEHICLE LAWS.

(1) The following chapters and sections of Oregon Revised Statutes are incorporated by reference into this ordinance as though fully set forth herein, and any violation or failure to comply with such chapters or sections shall be a violation of this Ordinance Chapter 481 relating to motor vehicle registration and regulation and licensing of dealers and wreckers; Chapter 482 relating to operators' and chauffeurs' licenses; Chapter 483 relating to motor vehicle traffic, equipment, and construction; Chapter 484 relating to procedures; Chapter 485 relating to school buses; and sections 165.650, 164.660, 164.670, 166.630, and 649.080.

(2) In addition to the chapters and sections of Oregon Revised Statutes adopted in subsection (1), there are adopted all the amendments that are now or may hereafter be enacted to any of these chapters and sections.

(3) In the event that any of the provisions of the Oregon Revised Statutes as adopted in subsection (1) and (2) are inconsistent with any of the specific provisions hereinafter enacted in this ordinance, the specific provisions of this ordinance shall prevail.

DEFINITIONS

SECTION 2. DEFINITIONS. In addition to those definitions contained in the adopted sections of the motor vehicle laws of Oregon, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:

(1) Alley. A narrow street through the middle of a block.

(2) Bicycle. A device propelled by human power upon which a person may ride, having two or more tandem wheels either of which is over 20 inches in diameter.

(3) Bus Stand. A fixed area in the roadway, adjacent to the curb to be occupied exclusively by buses for layover in operating schedules or waiting for passengers.

(4) Curb. The extreme edge of the roadway.

(5) Holidays. Where used in this ordinance or on signs erected in accordance with this ordinance: Legal holidays designated as such by the statutes of the state of Oregon.

(6) Loading Zone. A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or material or freight.

(7) Park or parking. The standing of a vehicle, whether occupied or not, except when a vehicle is temporarily standing for the purpose of and while actually engaged in loading or unloading.

(8) Parkway. That portion of a street not used as a roadway or as a sidewalk.

(9) Passenger loading zone. A loading zone reserved only for the loading or unloading of passengers and their luggage.

(10) Pedestrian. A person afoot.

(11) Person. A natural person, firm, partnership, association, or corporation.

(12) Stop. Complete cessation of movement.

(13) Taxicab stand. A fixed area in the roadway adjacent to the curb set aside for taxicabs to stand or wait for passengers.

(14) Traffic lane. That portion of the roadway used for the movement of a single line of vehicles.

#### TRAFFIC CONTROL ADMINISTRATION

SECTION 3. Traffic Control Board. A traffic control board is established. The board shall consist of the City Marshall, and the City Engineer, and the chairman of the Planning Commission.

SECTION 4. Powers of Traffic Control Board. Subject to Section 5, the traffic control board shall designate traffic and parking controls including but not limited to the designation and regulation of:

(1) Through streets.

(2) One-Way streets.

(3) Truck routes.

(4) City-owned or leased property upon which public parking will be permitted.

(5) Street areas upon which parking or standing, or both, shall be prohibited, or prohibited during certain hours.

(6) Bus stops, bus stands, taxicab stands, and stands for other passenger common carrier vehicles.

(7) The time limit for legal parking in limited parking area.

(8) Loading vehicles.

(9) Angle of parking if other than parallel to the curb.

(10) Turns at intersections.

(11) Crosswalks, safety zones, parking spaces, and traffic lanes.

#### LIMITATIONS ON TRAFFIC CONTROL BOARD

SECTION 5. Limitations on Traffic Control Board.

(1) Regulations of the traffic control board shall be based upon:

(a) Traffic engineering principles and traffic investigations;

(b) Standards, limitations, and rules promulgated by the State Highway Commission; and

(c) Other recognized traffic control standards.

(2) No regulation of the board shall become effective until:

(a) It has been approved by the State Highway Commission, if such approval is required by state law;

(b) It has been in full at a regularly scheduled council meeting and has not been rejected by the council at such meeting; and

(c) Appropriate traffic signals, signs, markings and other devices have been installed.

(3) Except when contrary to state law, if it appears that the public safety or welfare will be better served by the removal or alteration of a traffic control signal, sign, marker, or other device, the council by resolution may order its removal or alteration. Such traffic controls shall become inoperative or modified only upon removal or alteration.

SECTION 6. CITY MARSHALL.

(1) Subject to the same limitations imposed upon the traffic control board by subsections (1) and (3) of Section 5:

(a) The City marshall shall install and maintain signs, signals, markings, and other devices required to implement traffic and parking controls authorized under this or other ordinances or required by State law or regulation.

(b) The City marshall may provide for experimental or emergency traffic and parking control regulations that shall not remain in effect more than 30 days. No experimental or emergency regulation shall become effective until appropriate traffic signals, signs, markings, or other devices are enacted clearly indicating the regulation.

(2) The City marshall shall maintain a record of all regulations promulgated by the traffic control board and of the location of all traffic signals, signs, markings, or other devices now or hereafter installed by the city.

SECTION 7. EXISTING SIGNS AND SIGNALS. All official traffic signs and signals existing at the time of the enactment of this ordinance, such as stop signs, caution signs, slow signs, no-reverse-turn-signs, signs designating time limits for parking or prohibiting parking, lines painted or marked on streets or curbs designating parking areas or spaces, markers designating loading zones, parking meters, and all other official traffic signs or signals erected, installed, or painted for the purpose of directing, controlling, and regulating traffic are hereby approved.

SECTION 8. Authority of Police and Fire Officer.

(1) It shall be the duty of the police department through its officers to enforce this ordinance.

(2) In the event of a fire or other emergency, officers of the police department may direct traffic as conditions may require to expedite traffic or to safeguard pedestrians, notwithstanding other provisions of this ordinance.

(3) When at the scene of a fire, members of the fire department may direct or assist the police in directing traffic.

#### SIGNS AND SIGNALS

##### SECTION 9. DUTY TO OBEY TRAFFIC SIGNS AND SIGNALS.

(1) No driver of a vehicle shall disobey the instructions of a traffic sign, signal, marker, barrier, or parking meter placed in accordance with the motor vehicle laws of Oregon, or this ordinance, including those erected by an authorized public utility, department of the city, or other authorized person, unless it is necessary to avoid conflict with other traffic or when otherwise directed by a police officer.

(2) No unauthorized person shall move, remove, deface, tamper with, or alter the position of a traffic sign, signal, marker, barrier, or parking meter.

##### SECTION 10. VEHICLES STOPPING AT STOP SIGNS.

When stop signs are erected at or near the entrance to an intersection, the driver of a vehicle approaching the sign shall come to a full stop before entering a crosswalk or intersection, except when directed to proceed by a police officer or traffic control signal.

##### SECTION 11. STOP WHEN TRAFFIC OBSTRUCTED.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the opposite side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding a traffic control signal indication to proceed.

##### SECTION 12. PRIVATE MARKING UNLAWFUL.

No person shall letter, mark, or paint in any manner letters, marks, or signs on a sidewalk, curb, street, or alley, or to post on a parking strip anything designed or intended to prohibit or restrict parking in front of a sidewalk, dwelling house, business house, or in an alley, except in compliance with this ordinance.

#### PARKING

##### SECTION 13. METHOD OF PARKING.

(1) No person shall stand or park a vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with curbside wheels of the vehicle within 12 inches of the edge of the curb, except where the street is marked or signed for angle parking.

(2) Where parking space markings are placed on a street, no person shall stand or park a vehicle other than at the indicated direction and within a single marked space, unless the size or shape of the vehicle makes compliance impossible.

(3) If the owner or driver of a vehicle discovers that the vehicle is parked immediately in front of or close to a building to which the fire department has been summoned, he shall immediately remove the vehicle from the area unless otherwise directed by police or fire officers.

SECTION 14. Prohibited Parking.

In addition to provisions of the motor vehicle laws of Oregon prohibiting parking, no person shall park:

- (1) A vehicle upon a bridge, viaduct, or other elevated structure used as a street or within a street tunnel in this city, unless marked or indicated otherwise.
- (2) A vehicle in an alley except to load or unload persons or materials not to exceed 20 consecutive minutes in a two-hour period.
- (3) A vehicle upon the street for the principal purposes of:
  - (a) Displaying the vehicle for sale.
  - (b) Washing, greasing, or repairing the vehicle except repairs necessitated by an emergency.
  - (c) Selling merchandise from the vehicle except in an established market place or when so authorized or licensed under the ordinances of this city.
  - (d) Storage or as junkage or dead storage for more than 24 consecutive hours.
- (4) A vehicle upon a parkway except where specifically authorized.
- (5) A vehicle upon private property without the consent of the owner or person in charge of the property.
- (6) A vehicle upon a street or alley for more than 72 hours.

SECTION 15. Use of Loading Zone.

No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditions unloading and delivery or pickup and loading of materials, freight, or passengers in a place designated as a loading zone during the hours when the provisions applicable to loading zones are in effect. In no case shall the stop for loading and unloading of passengers and person baggage exceed five minutes, nor the loading and unloading of materials exceed 15 minutes.

SECTION 16. Use of Passenger Loading Zone.

No person shall stop, stand, or park vehicle for any purpose or length of time other than for the expeditions loading or unloading of passengers in a place designated as a passenger loading zone during the hours when the provisions applicable to passenger loading zones are in effect.

SECTION 17. Stopping, Standing, or Parking of Buses and Taxicabs.

The driver of a bus or taxicab shall not stand or park a vehicles upon a street in a business district at the place other than at a bus stand or taxicab stand, respectively, except that this provision shall not prevent the driver of a taxicab from temporarily stopping for the purpose of and while actually engaged in the loading or unloading of passengers.

SECTION 18. Restricted Use of Bus and Taxicab Stands.

No person shall stop, stand, or park a vehicle other than a bus ina bus stand, or other than a taxicab in a taxicab stand, except that the driver of a passenger vehicle may temporarily stop for the purpose of and while actually engaged in loading or unloading passengers when the stopping does not interfere with a bus or taxicab waiting to enter or about to enter the zone.

SECTION 19. Moving Vehicle.

The moving of any vehicle within a block shall not be deemed to extend the permissible time for parking it there.

SECTION 20. Lights on Parked Vehicles.

No lights need be displated upon a vehicle parked in accordance with this ordinance or parked upon a street where there is sufficient light to reveal a person or object upon the street within a distance of 500 feet.

SECTION 21. Exemption.

The provisions of this ordinance regulating the parking or standing of vehicles shall not apply to a vehicle of a city department or public utility necessarily in use for construction or repair work, or to a vehicle owned by the United States while in use for the collection, transportation or deli ery of United States Mail.

PEDESTRIANS

SECTION 22. Use of Sidewalks.

Pedestrians shall not use a roadway for travel when abutting sidewalks are available for doing so.

SECTION 23. Crossing at Right Angles.

No pedestrian shall cross a street at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a marked crosswalk.

SECTION 24. Pedestrians Must use Crosswalks.

In blocks with marked cross walks no pedestrian shall cross a street other than within a crosswalk.

PARADES AND PROCESSIONS

SECTION 25. Permits Required for Parades.

No procession or parade, except a funeral procession or military parade, shall occupy, march, or proceed along a street in accordance with a permit issued by the City Marshall. The permit may be granted where it is found that the parade is not to be held for any unlawful purpose and will not in any manner tend to a breach of peace, unreasonably interfere with the peace and quiet of the inhabitants of the city, or cause damage to or unreasonably interfere with the public use of the streets.

SECTION 26. Funeral Procession.

A funeral composed of a procession of vehicles shall be escorted by at least one person authorized to direct traffic for such purposes and shall follow routes established by the City Marshall. Each vehicle in the procession shall be marked by flags or other designation approved by the City Marshall.

SECTION 27. Drivers in Procession.

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

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SECTION 28. Driving Through Procession.

No driver of a vehicle other than an authorized emergency vehicle shall drive between the vehicles comprising a funeral or other authorized procession while in motion except where traffic is controlled by traffic control signals or when otherwise directed by a police officer.

GENERAL REGULATIONS

SECTION 29. Speed Limits in Public Vehicles.

No person shall drive a vehicle upon any street in any public park at a speed exceeding 15 miles per hour unless signs erected indicate otherwise.

SECTION 30. Drinking in Motor Vehicles.

It shall be unlawful for any person to consume alcoholic liquor while an occupant of a motor vehicle on any street or public property in this city.

SECTION 31. Reckless Driving.

No person shall drive any vehicle upon a street or public property carelessly and heedlessly in wilful or wanton disregard of the right or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property. A person violating this section shall, upon conviction thereof, be punished by imprisonment for not more than 30 days, or by a fine of not more than \$1,000.00, or by both.

SECTION 32. U-Turns.

(1) No person operating a motor vehicle shall make a U-turn between street intersections, or at intersections where "No U-Turn" signs have been posted.

(2) No person shall back a vehicle into an intersection from an alley for the purpose of making a U-turn at those places where U-turns are prohibited.

SECTION 33. Vehicles in Motion: Right-of-way.

A vehicle which has stopped or parked at the curb shall yield to moving traffic.

SECTION 34. Limitations of backing.

The driver of a vehicle shall not back the vehicle unless the movement can be made with reasonable safety and without interfering with other traffic and shall in every case yield the right-of-way to moving traffic and pedestrians.

SECTION 35. Driving on Divided Streets.

If a street has been divided into two roadways by leaving an intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, a vehicle shall be driven only upon the right-hand roadway and no vehicle shall be driven over, across, or within the dividing space, barrier, or section, except through an opening in the physical barrier or dividing section or space provided for vehicle movement or at an intersection.

SECTION 36. Emerging from Vehicle.

No person shall open the door of or enter or emerge from a vehicle in the path of an approaching vehicle.

SECTION 37. Boarding or Alighting from Vehicle.

No person shall board or alight from a vehicle while the vehicle is in motion.

SECTION 38. Riding on Motorcycles.

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and the operator shall not carry another person nor shall another person ride on a motorcycle unless the motorcycle is equipped to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if equipped for two persons, or upon another seat firmly attached at the rear of the seat for the operator.

SECTION 39. Unlawful Riding.

No person shall ride on a vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employe engaged in the necessary discharge of a duty, or to a person or persons riding within truck bodies in space intended for merchandise.

SECTION 40. Clinging to Vehicles.

No person riding upon a bicycle, motorcycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself to a moving vehicle upon the streets.

SECTION 41. Use of Roller Skates, Restricted.

No person upon roller skates or riding in or by means of a coaster, toy vehicle, or similar device shall go upon a street except while crossing at a crosswalk or upon play streets.

SECTION 42. Skis on Streets.

No person shall use the streets for traveling on skis, toboggans, sleds, or similar devices except upon a play streets.

SECTION 43. Damaging Sidewalks and Curbs.

(1) The driver of a vehicle shall not drive upon or within a sidewalk or parkway area except to cross at a permanent or temporary driveway.

(2) No person shall place dirt, wood, or other material in the gutter or space next to the curb or a street with the intention of using it as a driveway.

(3) No person shall remove or damage a portion of a curb or move a heavy vehicle or thing over or upon a curb or sidewalk without first notifying the Department of Public Works. A person who violates this section shall be held responsible for all damage in addition to any penalties imposed upon conviction.

SECTION 44. Obstructing Streets.

No person shall park or leave upon a street, including an alley, parking strip, sidewalk, or curb, a vehicle or a vehicle part, trailer, box, ware, or merchandise of any description, or any other thing that in any way impedes traffic or obstructs the view, except as is allowed by this or other ordinances of this city.

SECTION 45. Removing Glass and Debris.

A party to a collision or other vehicular accident or a person causing broken glass or other debris to be upon a street shall immediately remove or cause to be removed from the street all glass and other foreign substance.

SECTION 46. Trains Not to Block Street.

No person shall operate a train or train or cars, or permit the same to remain standing, so as to block the movement of the traffic upon a street for a period of time longer than five minutes.

IMPOUNDING VEHICLES.

SECTION 47. Impounding of vehicles.

If a vehicle is found standing or parked in violation of a city regulation, the vehicle may be given a traffic citation and may be removed by a police officer and taken to a garage, parking lot, or other suitable storage place and there kept until an application for its redemption is made by the owner or his authorized agent.

SECTION 48. Redemption.

Redemption may be made upon payment of towing and storage charges, plus the sum of \$20 for each month or fraction thereof from the date the vehicle is impounded until it is redeemed, which amounts shall be in addition to any fine imposed in accordance with the provisions of this ordinance .

SECTION 49. Sale.

If the vehicle is not redeemed within 30 days, it shall be sold in accordance with the provisions of the ordinance relating to the sale of unclaimed vehicles.

EXCEPTIONS.

SECTION 50. Emergency Vehicle.

The provisions of this ordinance regulating operation, parking, and standing of vehicles shall apply to authorized emergency vehicles except as provided by the motor vehicle laws of Oregon and as follows:

- (1) A driver when operating the vehicle in an emergency, except when otherwise directed by a police officer or other authorized person, may park or stand notwithstanding this ordinance.
- (2) A driver of a police vehicle, fire department vehicle, or patrol vehicle when operating the vehicle in an emergency may disregard regulations governing turning in specified directions as long as he does not endanger life or property.
- (3) The foregoing exemptions shall not, however, protect the driver of the vehicle from the consequences of his negligent acts.

PENALTIES.

SECTION 51. Penalties.

Except for Section 31 of this ordinance, a person violating this ordinance shall, upon conviction thereof, be punished by imprisonment for a period not to exceed 5 days, or by a fine not to exceed \$25.00, or by both.

TRAFFIC CITATIONS

SECTION 52. Illegal Cancellation of Traffic Citations.

No person shall cancel or solicit the cancellation of a traffic citation without the approval of the municipal Judge.

SECTION 53. Citation.

For the violation of this ordinance, a police officer may issue a citation which shall be in the form required by law. If a person fails to comply with the terms of a citation within the time stated on the citation, the clerk of the Court, upon the direction of the Judge shall send to the person or owner of the motor vehicle a letter informing the person or owner of the violation with a warning that if the letter is disregarded for a period of 10 days, a warrant of arrest will be issued.

SECTION 54. When Warrant to be Issued.

If a person fails to comply with the term of a traffic citation, the marshall shall forthwith secure and have served a warrant for the arrest of the person.

SECTION 55. Repealed

Ordinance No. 155 is repealed.

GENERAL

SECTION 56. Severability.

The sections and subsections of this ordinance are severable. The invalidity of one section or subsection shall not affect the validity of the remaining sections or subsections.

SECTION 57. That whereas it is necessary for the immediate preservation of the peace, health, and safety of the City of Troutdale, and of inhabitants thereof and to preserve the credit of said City that this ordinance take effect immediately; therefore, an emergency is declared to exist, and this ordinance shall be in full force and effect from and after its passage by the Council.

YEAS: 5

NAYS: 0

Singed by the Mayor 8th day of January, 1974.

ATTEST:

Inghy V. Wright  
Recorder

[Signature]  
Mayor