

ORDINANCE NO. 684-A

Introduced by Commissioner Mason.

AN ORDINANCE CONTROLLING VEHICULAR AND PEDESTRIAN TRAFFIC; PROVIDING PENALTIES; AND REPEALING ORDINANCES.

THE CITY OF WARRENTON ORDAINS AS FOLLOWS:

Section 1. Short Title. This ordinance may be cited as Warrenton Uniform Traffic Ordinance.

Definitions

Section 2. Definitions.

(1) In addition to those definitions contained in the Oregon Vehicle Code, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:

(a) Bus stop. A space on the edge of a roadway designated by sign for use by buses loading or unloading passengers.

(b) Holiday. New Year's Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and any other day proclaimed by the ~~commission~~ to be a holiday.

(c) Loading zone. A space on the edge of a roadway designated by sign for the purpose of loading or unloading passengers or materials during specified hours or specified days.

(d) Motor Vehicles. Every vehicle that is self-propelled, including tractors, fork-lift trucks, motorcycle, road building equipment, street cleaning equipment, and any other vehicle capable of moving under its own power, notwithstanding that the vehicle may be exempt from licensing under the motor vehicle laws of Oregon.

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

(f) Street. Highway, road or street as defined in ORS 487.005(7).

(g) Taxicab stand. A space on the edge of a roadway designated by sign for use by taxicabs.

(h) Traffic lane. That area of the roadway used for the movement of a single line of traffic.

(i) Vehicle. As used in subsequent sections of this ordinance, includes bicycles.

(2) As used in this ordinance, the singular includes the plural; and the masculine includes the feminine.

Administration

Section 3. Powers of the Commission.

(1) Subject to state laws, the city commission shall exercise all municipal traffic authority for the city except those powers specifically and expressly delegated herein or by another ordinance.

(2) The powers of the commission shall include, but not be limited to:

(a) Designation of through streets. (ORS 487.875)

(b) Designation of one-way streets.
(ORS 487.885(1)(a))

(c) Designation of truck routes. (ORS 483.542)

(d) Designation of parking meter zones.

(e) Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage. (ORS 483.532)

(f) Authorization of greater maximum weights or lengths for vehicles using city streets than specified by state law. (ORS 483.525)

(g) Initiation of proceedings to change speed zones. (ORS 487.490(2))

(h) Revision of speed limits in parks.
(ORS 487.865)

Section 4. Duties of the City Manager.

The City Manager or his designate shall exercise the following duties:

(1) Implement the ordinances, resolutions and motions of the commission and his own orders by installing, maintaining, removing and altering traffic control devices. Such installation shall be based on the standards contained in the Oregon Manual on Uniform Traffic Control Devices for Streets and Highways.

(2) Establish, remove or alter the following classes of traffic controls:

(a) Crosswalks (ORS 487.860), safety zones (ORS 487.885(1)(b)), and traffic lanes (487.885(1)(a)).

(b) Intersection channelization and areas where drivers of vehicles shall not make right, left, or U-turns, and the time when the prohibition applies (ORS 487.885(1)(c)).

(c) Parking areas and time limitations, including the form of permissible parking (e.g., parallel or diagonal). (ORS 487.890)

(3) Issue oversize or overweight vehicle permits. (ORS 483.502-483.536)

Section 5. Public Danger. Under conditions constituting a danger to the public, the City Manager or his designate may install temporary traffic control devices deemed by him to be necessary.

Section 5. Standards.

The regulations of the City Manager or his designate shall be based upon:

(1) Traffic engineering principles and traffic investigations.

(2) Standards, limitations and rules promulgated by the Oregon Transportation Commission.

(3) Other recognized traffic control standards.

Section 7. Authority of Police and Fire Officers.

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

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

General Regulations

Section 8. Crossing Private Property

No operator of a vehicle shall proceed from one street to an intersecting street by crossing private property. This provision shall not apply to the operator of a vehicle who stops on the property for the purpose of procuring or providing goods or services.

Section 9. Unlawful Riding.

(1) No operator shall permit a passenger and no passenger shall ride on a vehicle upon a street except on a portion of the vehicle 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 riding within a truck body in space intended for merchandise.

(2) No person shall board or alight from a vehicle while the vehicle is in motion upon a street.

Section 10. Sleds on Streets.

No person shall use the streets for traveling on skis, toboggans, sleds or similar devices, except where authorized.

Section 11. Damaging Sidewalks and Curbs.

(1) The operator of a motor vehicle shall not drive upon a sidewalk or roadside planting strip except to cross at a permanent or temporary driveway.

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

(3) No person shall remove a portion of a curb or move a motor vehicle or device moved by a motor vehicle upon a curb or sidewalk without first obtaining authorization and posting bond if required. A person who causes damage shall be held responsible for the cost of repair.

Section 12. Removing Glass and Debris.

A party to a vehicle accident or a person causing broken glass or other debris to be upon a street shall remove the glass and other debris from the street, except when commercial tow/wrecker is involved.

Section 13. Storage of Motor Vehicles on Streets.

No person shall store or permit to be stored on a street or other public property, without permission of the commission, a motor vehicle or personal property for a period in excess of 24 hours. Failure to move a motor vehicle or other personal property for a period of 24 hours shall constitute prima facie evidence of storage of a motor vehicle.

Parking Regulations

Section 14. Method of Parking.

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

(2) The operator who first begins maneuvering a motor vehicle into a vacant parking space on a street shall have priority to park in that space, and no other vehicle operator shall attempt to interfere.

(3) Whenever the operator of a vehicle discovers the vehicle is parked close to a building to which the fire department has been summoned, the operator shall immediately remove the vehicle from the area, unless otherwise directed by police or fire officers.

Section 15. Prohibited Parking or Standing.

In addition to the state motor vehicle laws prohibiting parking, no person shall park or stand;

(1) A vehicle in an alley other than for the expeditious loading or unloading of persons or materials, and in no case for a period in excess of 30 consecutive minutes.

Section 16. Prohibited Parking.

No operator shall park and no owner shall allow a vehicle to be parked upon a street for the principal purpose of:

(1) Displaying the vehicle for sale.

(2) Repairing or servicing the vehicle, except repairs necessitated by an emergency.

(3) Displaying advertising from the vehicle.

(4) Selling merchandise from the vehicle, except when authorized.

Section 17. Use of Loading Zone.

No person shall stand or park a vehicle for any purpose or length of time, other than for the expeditious loading or unloading of persons or materials, in a place designated as a loading zone when the hours applicable to that loading zone are in effect. In no case, when the hours applicable to the loading zone are in effect, shall the stop for loading and unloading of materials exceed the time limits posted. If no time limits are posted, then the use of the zone shall not exceed 30 minutes.

Section 18. Unattended Vehicles.

Whenever a police officer shall find a motor vehicle parked or standing unattended with the ignition key in the vehicle, the officer is authorized to remove the key from the vehicle and deliver the key to the person in charge of the police station.

Section 19. Lights on Parked Vehicle.

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

Section 20. Extension of Parking Time.

Where maximum parking time limits are designated by sign, movement of a vehicle within a block shall not extend the time limits for parking.

Section 21. Exemption.

The provisions of this ordinance regulating the parking or standing of vehicles shall not apply to a vehicle of the city,

county or state or public utility while necessarily in use for construction or repair work on a street, or a vehicle owned by the United States while in use for the collection, transportation or delivery of mail.

Bicycles

Section 24. Bicycle Operating Rules.

In addition to observing all other applicable provisions of this ordinance and state law pertaining to bicycles, a person shall:

(1) Not leave a bicycle, except in a bicycle rack. If no rack is provided, the person shall leave the bicycle so as not to obstruct any roadway, sidewalk, driveway or building entrance. A person shall not leave a bicycle in violation of the provisions relating to the parking of motor vehicles.

(2) Not ride a bicycle upon a sidewalk between SW First and SW Second Streets.

Section 25. Impounding of Bicycles.

(1) No person shall leave a bicycle on public or private property without the consent of the person in charge or the owner thereof.

(2) A bicycle left on public property for a period in excess of 24 hours may be impounded by the police department.

(3) In addition to any citation issued, a bicycle parked in violation of this ordinance may be immediately impounded by the police department.

(4) If a bicycle impounded under this ordinance is licensed, or other means of determining its ownership exist, the police shall make reasonable efforts to notify the owner. No impounding fee shall be charged to the owner of a stolen bicycle which has been impounded.

(5) A bicycle impounded under this ordinance which remains unclaimed shall be disposed of in accordance with the city's procedures for disposal of abandoned or lost personal property, if unclaimed for 60 days.

(6) Except as provided in subsection (4), a fee of \$2.00 shall be charged to the owner of a bicycle impounded under this section.

Pedestrians

Section 26. Pedestrians must use Crosswalks.

No pedestrian shall cross a street other than within a crosswalk in blocks with marked crosswalks or if within 150 feet of a marked crosswalk.

Section 27. Right Angles.

A pedestrian shall cross a street at a right angle, unless crossing within a crosswalk.

Funeral Processions.

Section 28. Funeral Procession

(1) A funeral procession shall proceed to the place of interment by the most direct route which is both legal and practicable.

(2) The procession shall be accompanied by adequate escort vehicles for traffic control purposes.

(3) All motor vehicles in the procession shall be operated with their lights on.

(4) No person shall unreasonably interfere with a funeral procession.

(5) No person shall operate a vehicle that is not a part of the procession between the vehicles of a funeral procession.

Parking Citations and Owner Responsibility

Section 29. Citation on Illegally Parked Vehicle.

Whenever a vehicle without an operator is found parked in violation of a restriction imposed by this ordinance or state law, the officer finding the vehicle shall take its license number and any other information displayed on the vehicle which may identify its owner, and shall conspicuously affix to the vehicle a traffic citation instructing the operator to answer to the charge against him or pay the penalty imposed within five days during the hours and at a place specified in the citation.

Section 30. Failure to Comply with Traffic Citation Attached to Parked Vehicle.

If the operator does not respond to a traffic citation affixed to a vehicle within a period of five days, the City Manager may send to the owner of the vehicle to which the traffic citation was affixed a letter informing the owner of the violation and warning him that in the event that the letter is disregarded for a period of five days, a warrant for the arrest of the owner will be issued.

Section 31. Owner Responsibility.

The owner of a vehicle placed in violation of a parking restriction shall be responsible for the offense, except when the use of the vehicle was secured by the operator without

the owner's consent.

Section 32. Registered Owner Presumption.

In a prosecution of a vehicle owner charging a violation of a restriction on parking, proof that the vehicle at the time of the violation was registered to the defendant shall constitute a presumption that the defendant was then the owner in fact.

Impoundment and Penalties

Section 33. Impoundment of Vehicles.

(1) Whenever a vehicle is placed in a manner or location that constitutes an obstruction to traffic or a hazard to public safety, a police officer shall order the owner or operator of the vehicle to remove it. If the vehicle is unattended, the officer may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another or that the vehicle was initially parked in a safe manner but subsequently became an obstruction or hazard.

(2) The disposition of a vehicle towed and stored under authority of this section shall be in accordance with the provisions of the ordinance of the city relating to impoundment and disposition of vehicles abandoned on the city streets.

(3) The impoundment of a vehicle will not preclude the issuance of a citation for violation of a provision of this ordinance.

(4) Stolen vehicles may be towed from public or private property and stored at the expense of the vehicle owner.

(5) Whenever a police officer observes a vehicle parked in violation of a provision of this ordinance or state law, if the vehicle has four or more unpaid parking violations outstanding against it, the officer may, in addition to issuing a citation, cause the vehicle to be impounded. A vehicle so impounded shall not be released until all outstanding fines and charges have been paid. Vehicles impounded under authority of this subsection shall be disposed of in the same manner as is provided in subsection (2) of this section.

Section 34. Obedience to and Alteration of Control Devices.

(1) No person shall disobey the instruction of a traffic officer or a traffic control device.

(2) No unauthorized person shall install, move, remove, obstruct, alter the position of, deface or tamper with a traffic control device.

Section 35. Evidence.

The existence of a traffic control device shall be prima facie evidence that the device was lawfully authorized and installed.

Section 36. Existing Control Devices

Traffic control devices installed prior to the adoption of this ordinance be and the same are hereby lawfully authorized as are more specifically set forth in Schedules A through D-2 attached hereto and by this reference incorporated herein as if set forth in full.

Section 37. Applicability of State Traffic Laws.

(1) Violation of Oregon Revised Statutes, Chapters 481, 482, 483, 484, 485, 486 and 487 as now or hereafter constituted shall be an offense against this city.

Section 38. Penalties.

1) Violation of Sections 8 through 13 is punishable by fine not to exceed \$100.00.

(2) Violation of Sections 14 through 28 is punishable by fine not to exceed \$50.00.

(3) The penalty for violation of the state statute prosecuted under this ordinance shall be the same as the state statute.

General

Section 39. Severability clause. If a portion of this ordinance is for any reason held to be invalid, such decision shall not affect validity of the remaining portions of this ordinance.

Section 40. Repeal.

Ordinance No. 579-A, enacted February 5, 1973
~~and Ordinance No. 579-B, enacted February 5, 1973~~
relating to Uniform Traffic Ordinance is repealed.

Section 41. Saving Clause.

The repeal of any ordinance by Section 40 shall not preclude any action against any person who violated the ordinance prior to the effective date of this ordinance.

First Reading December 5, 1979
Second Reading December 19, 1979

Passed by the City Commission of the City of Warrenton
this 2nd day of January, 1980

Approved by the Mayor of the City of Warrenton this
2nd day of January, 1980.


Mayor

ATTEST:


Auditor and Police Judge

Warrenton Ordinances

Crosswalks

<u>Ordinance Number</u>	<u>Date of Enactment</u>	<u>LOCATION</u>
494-A	6/19/67	S. Main Avenue between SW First Street and SW Second Street (State Secondary Highway 104)
		S. Main Avenue at intersection of SW Second Street
		S. Main Avenue at intersection of SE First Street
		E. Harbor at intersection with E. Galena Avenue
		S. Main Avenue at SE Second Street
		SW Second Street at S. Main Avenue
		S. Main Avenue at SE First Street
		S. Main Avenue at SW First Street
		N. Main Avenue at NE Skipanon Drive

Warrenton Ordinances

Parking Signs

<u>Ordinance Number</u>	<u>Date of Enactment</u>	<u>Purpose</u>	<u>LOCATION</u>
		time limit 2 hours	S. Main Ave. between SW First and SW Second Streets
463-A	12/ 7/64	no parking	Between SW Second Street and a point twenty (20) feet north of SW Second Street
471-A	6/21/65	no parking	West side of NE Skipanon Drive, west of a white line painted in a northerly direction on NE Skipanon Dr.
		time limit 15 minutes	Along both sides of SW First Street, 60 feet westerly of N. Main Avenue
		time limit 15 minutes	Along both sides of N. Main Avenue, northerly 60 feet from corner of SW First Street
		no parking	River side of mooring basin roadway, except where otherwise designated
		time limit 15 minutes	Three (3) parking stalls on west side of harbor master's office and three (3) spaces west of east restroom
		no parking	East side of dike between NE First Court to Skipanon River
		time limit 20 minutes	NE First Court to Skipanon River along north mooring basin dike
		no parking	NE Skipanon Drive on west side between RR tracks and N. Main Avenue
		no parking	150 ft. north from intersection with NE Skipanon Dr. ib east side of N. Main Avenue

Warrenton Ordinances

Right-of-Way Signs

<u>Ordinance Number</u>	<u>Date of Enactment</u>	<u>LOCATION</u>
482-A	8/15/66	East slope of hill at Juniper and SW Ninth Street SE corner of NE First and NE Skipanon Drive SE corner of SE Skipanon Court and SE Ninth Street

Warrenton Ordinances

Traffic Signs

<u>PURPOSE</u>	<u>LOCATION</u>
stop sign	SW corner SE Eleventh Street and SE Anchor Avenue
" "	SW corner SE Tenth Street and SE Anchor Avenue
" "	NW corner SE Skipanon Court and SE Tenth Street
" "	SE corner SE Skipanon Court and SE Tenth Street
" "	NE corner SE Skipanon Court and SE Eleventh Street
" "	NE corner SW Ninth Street and SW Cedar Avenue
" "	SE corner SW Ninth Street and SW Cedar Avenue
" "	SW corner SW Ninth Street and SW Cedar Avenue
" "	NW corner SW Ninth Street and SW Cedar Avenue
" "	NW corner SW Second Street and SW Cedar Avenue
" "	SW corner SW Second Street and SW Cedar Avenue
" "	SE corner SW Second Street and SW Birch Court
" "	NW corner SW Second Street and SW Birch Court
" "	NW corner SW Second Street and SW Birch Avenue
" "	NW corner SW Second Street and SW Alder Court
" "	NW corner SW Second Street and SW Alder Avenue
" "	SE corner SW Second Street and SW Alder Avenue
" "	SE corner SW Second Street and SW Main Court
" "	NW corner SW Second Street and SW Main Court
" "	SE corner SW First Street and SW Alder Avenue
" "	NW corner SW First Street and SW Alder Avenue
" "	SE corner SW First Street and SW Alder Court
" "	SE corner SW First Street and SW Birch Avenue
" "	NW corner SW First Street and SW Birch Avenue
" "	NW corner SW First Street and SW Birch Court
" "	SE corner SW First Street and SW Cedar Avenue
" "	NE corner West Harbor Drive and SW Birch Court
" "	SW corner West Harbor Drive and SW Birch Avenue
" "	NE corner West Harbor Drive and SW Birch Avenue
" "	SE corner NW First Street and NW Birch Avenue
" "	SE corner NW First Street and NW Birch Court
" "	SE corner NW First Street and NW Alder Avenue

Warrenton Ordinances

Traffic Signs

<u>PURPOSE</u>	<u>LOCATION</u>
stop sign	NW corner NW First Street and NW Cedar Avenue
" "	SE corner NW First Street and NW Cedar Court
" "	NW corner NW First Street and NW Cedar Court
" "	SE corner NW First Street and NW Date Avenue
" "	SE corner NW First Street and NW Elm Avenue
" "	SE corner NW First Street and NW Gardenia Avenue
" "	SW corner West Harbor Drive and NW Elm Avenue
" "	NE corner West Harbor Drive and NW Gardenia Avenue
" "	SW corner West Harbor Place and SW Elm Avenue
" "	NE corner West Harbor Place and SW Gardenia Avenue
" "	SW corner SW Elm Avenue and SW First Street
" "	NE corner SW First Street and SW Gardenia Avenue
" "	SW corner SW Elm Avenue and SW First Place
" "	NE corner SW First Street and SW Gardenia Avenue
" "	SE corner NW Cedar Avenue and NW Fourth Street
" "	NW corner NW Cedar Avenue and NW Fourth Street
" "	SE corner NW Cedar Court and NW Fourth Street
" "	NW corner NW Cedar Court and NW Fourth Street
" "	NE corner NE Fifth Street and N. Main Avenue
" "	SW corner NE Fifth Street and SE Skipanon Drive
" "	NE corner SE Skipanon Drive and New England Fish Co. road
" "	NE corner Port Warren road and N.E.F.Co. road
" "	NE corner West Harbor Place and NE Skipanon Drive
" "	NE corner West Harbor Court and NE Skipanon Drive
" "	SW corner SE First Street and SE Anchor Avenue
" "	SW corner SE Second Street and SE Anchor Avenue
" "	NW corner SE Third Street and SE Anchor Avenue
" "	NE corner East Harbor Place and NE King
" "	NE corner SW Third Street and SW Main Court
" "	SW corner NE Heron and Mooring Basin road
" "	NE corner NE First Court and NE Heron
no U-turn	Intersection S. Main Avenue and S. Second Street
" "	Intersection S. Main Avenue and SW First Street
right turn w/o stopping	NW corner SE Third Street and SE Anchor Avenue