

ORDINANCE NO. 567 ✓
Code 4-3

AN ORDINANCE TO REGULATE VEHICULAR TRAFFIC IN THE PUBLIC WAYS.

The people of the city of Lebanon, Oregon do ordain as follows:

ARTICLE I. DEFINITIONS, ADOPTION OF STATE TRAFFIC ACT.

Section 1. DEFINITIONS.

- (a) Except the definition of the term "motor bus" in Section 115-301 (ee), O.C.L.A., the definitions of terms provided in the State Uniform Traffic Act, Title 115, Chapter 3, Article 1, Section 115-301, O.C.L.A., as amended by Oregon Laws-1941, Chapter 428, together with all amendments to the section now or hereafter enacted, are hereby made part of this ordinance.
- (b) In addition, the following words and phrases shall have the following meanings in this ordinance, except where the context clearly indicates a different meaning:
- (1) Loading Zone. That space adjacent to the curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.
 - (2) Light Delivery Vehicle. Every motor vehicle designed for carrying, conveying, or removing any article or thing and used for general delivery purposes and recognizable by the name of the owner and the nature of the business being plainly visible upon the body of such vehicle, and which has a total over-all width of less than 6 feet 6 inches and a total over-all length of less than 18 feet, including all bumpers, fenders, load, etc.; but not a vehicle designed or used for carrying passengers.
 - (3) Motor Bus. Every motor vehicle designed or used for carrying passengers for compensation; but not a taxicab designed or constructed to accommodate and transport not more than five passengers exclusive of the driver.
 - (4) Interurban Stage. A motor vehicle used for transportation of passengers for hire on the streets of the city and operated between a point within the city, and a point three miles or more outside the limits of the city.
 - (5) Terminal. Every place in the city where an interurban stage regularly stops for the purpose of taking on or discharging passengers, baggage, or express.
 - (6) Parking. To stop and stand a vehicle with or without a driver, or to leave a vehicle upon a street or alley or in a public place.
 - (7) Highway. A street or alley in the city.

Section 2. ADOPTION OF STATE TRAFFIC ACT. The following enumerated sections of the state "Uniform Traffic Act," Title 115, Chapter 3, O.C.L.A., as amended by Oregon Laws-1941, Chapters 428 and 458, together with all amendments which are now or hereafter may be enacted, are hereby adopted by reference and made a part of this ordinance:

115-301, 115-302, 115-303, 115-304, 115-305, 115-306, 115-307, 115-308,
115-309, 115-310, 115-311, 115-312, 115-313, 115-314, 115-315, 115-316,
115-317, 115-318, 115-319, 115-320, 115-321, 115-322, 115-323, 115-324,
115-325, 115-326, 115-327, 115-328, 115-329, 115-330, 115-331, 115-332,
115-333, 115-334, 115-335, 115-336, 115-337, 115-338, 115-339, 115-340,
115-341, 115-342, 115-343, 115-344, 115-345, 115-346, 115-347, 115-348,
115-349, 115-350, 115-351, 115-352, 115-353, 115-354, 115-355, 115-356,
115-357, 115-358, 115-359, 115-360, 115-361, 115-362, 115-363, 115-364,
115-365, 115-366, 115-367, 115-368, 115-369, 115-370, 115-371, 115-372,
115-373, 115-374, 115-375, 115-376, 115-377, 115-378, 115-379, 115-380,
115-381, 115-382, 115-383, 115-384, 115-385, 115-386, 115-387, 115-388,
115-389, 115-390, 115-391, 115-392, 115-393, 115-394, 115-395, 115-396,
115-397, 115-398, 115-399, 115-3,100, and 115-3,101.

All acts which are made unlawful by the above-mentioned sections of the state motor vehicle laws shall be considered as offenses against the city of Lebanon when committed within its boundaries and shall be punished by the penalties hereinafter provided, which shall, for the purposes of this ordinance, supersede all other penalties.

ARTICLE II. LOCAL TRAFFIC REGULATIONS.

Section 3. U-TURNS. No person shall reverse the direction of a motor vehicle upon a street in this city except at street intersections, and no reverse turn shall be made by the driver of a vehicle at a street intersection where a sign or marker is erected prohibiting reverse turn.

Section 4. VEHICLES IN MOTION TO HAVE RIGHT-OF-WAY. The driver of a vehicle approaching from the rear of a stopped or parked vehicle shall have the right-of-way over a stopped or parked vehicle, and the driver or owner of a stopped or parked vehicle shall be liable and responsible for all damage caused by a collision by reason of a stopped or parked vehicle moving out of position before the way is clear and before a vehicle having the right-of-way has passed; provided, however, that if the approaching vehicle is being operated or driven in any manner constituting a violation of any part of this ordinance, the driver or owner of the approaching vehicle shall forfeit all claim to the right-of-way and shall be held responsible for any accident arising from the violation.

Section 5. SKATING AND COASTING. No person shall skate upon the following parts of streets with roller skates: Main Street from Vine Street to Oak Street; Sherman Street from Park Street to Fourth Street; Grant Street from Second Street to Park Street, and Third Street from Grant Street to Ash Street. No person shall skate upon a sidewalk on roller skates or coast on a sidewalk in a coaster wagon or other vehicle.

Section 6. SLEDS BEHIND CARS. No person shall attach or tie to a motor vehicle which is operated on the streets of the city a sled, toboggan, or similar contrivance or thing, nor shall the operator of a motor vehicle permit a sled, toboggan, or similar contrivance or thing to be attached or tied to a motor vehicle being driven by such operator; provided, that the provisions of this section shall not apply to trailers, bus trailers, pole or pipe dollies, or cars being towed, when they are attached or towed in accordance with this ordinance.

Section 7. HANDCART, WHEELBARROWS, ETC. ON SIDEWALK. No person shall drive, wheel, draw, or otherwise propel or move a handcart, handtruck, handwagon, paper-cart, or wheelbarrow exceeding 24 inches in width upon or along a sidewalk. No person shall drive, propel, or otherwise move a wagon, woodsaw, truck, automobile, or vehicle of any description upon or across a sidewalk; provided, however, that it shall not be unlawful to drive, propel or otherwise move an automobile or auto truck upon or across a sidewalk leading into a private or public garage, or upon or across a sidewalk into an open alley within the city.

Section 8. INTERFERENCE WITH FIREMEN. No person shall intrude himself upon a street or premises where a fire is in progress in such a manner as to interfere with a member of the fire department in his efforts to extinguish the fire, and no person shall enter the vicinity of a fire in such a manner as to hinder or interfere with the fire department in its efforts to extinguish a fire.

Section 9. REMOVING GLASS AND DEBRIS AFTER ACCIDENTS. A party to a motor vehicle accident upon a street, alley, or public place in this city shall immediately remove or cause to be removed from the street, alley, or public place all glass and foreign substance resulting from the accident, as well as the motor vehicle which he was driving at the time of the accident.

Section 10. LOGS AND POLES.

- (a) No person, firm, or corporation shall haul or transport any sawlogs, spars, piling, or poles of any kind by means of truck or other vehicle upon, over, or across Main Street between the south boundary line of Vine Street and the north boundary line of Oak Street.
- (b) No logs, poles, piling, or other things shall be dragged upon a street.

Section 11. WEIGHT LIMIT. No vehicle weighing more than ten tons shall be driven on a paved street without the permission of the street superintendent, and in granting or withholding the permission the superintendent shall consider only the damage to the street resulting from passage of such a vehicle over the street.

Section 12. CLEATS AND SPIKES ON WHEELS. No tire on a vehicle unless the vehicle be actually engaged at the time in construction or repair work on public streets of this city, shall have on the periphery of its wheels any block, stud, cleat, bead, or any other protuberance of metal which projects beyond the tread or traction surface of the tire.

Section 13. LEAKING LOADS. No person shall allow material which he is hauling over a street to fall into the street.

Section 14. DAMAGING CURBS.

- (a) No person shall place any dirt, wood, or other material in the gutter or space next to the curb of any street with the intention of using the same as a driveway.
- (b) No person shall remove or damage in any way any portion of any street curb without first obtaining written permission from the street superintendent.
- (c) Any person wishing to move a heavy thing such as a building, excavating machine, or well-drilling equipment over or upon a street curb shall first obtain a written permit from the street superintendent and shall be held responsible for all damage to the curb.

Section 15. REPAIRS ON STREETS. No person shall repair or attempt to repair any part of a motor vehicle, or to race the engine of any motor

vehicle, or to blow the horn of any motor vehicle, except as provided in this ordinance, upon a street or in an alley or public place in this city if such repair or attempt to repair makes any noise which may be objectionable to occupants of stores, offices, hotels, apartments, or residences.

Section 16. HORNS. No person at any time shall use a horn otherwise than as a reasonable warning, or to make an unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device. The use of horns for the purpose of attracting the attention of persons on the streets, sidewalks, or in buildings is prohibited.

Section 17. PARADES AND PROCESSIONS.

- (a) No persons shall drive two or more motor vehicles in line, one following directly behind another, funeral processions excepted, for the purpose of forming a parade of any nature, without first duly notifying the city marshal, requesting a police escort, and securing a permit for such parade from the city marshal.
- (b) No person shall drive a vehicle parallel with a line of a lawful parade or funeral procession, either on the right or left side of the parade or procession, or drive a vehicle through the line of the parade or procession.
- (c) No person shall drive a vehicle in a parade for the purpose of serenade or charivari.
- (d) No person shall organize in a parade and march on foot upon the streets of this city without first duly notifying the city marshal, requesting police protection, and securing a permit for such parade from the city marshal.

Section 18. OBSTRUCTING STREETS. No person, firm, or corporation shall park, place, or leave a motor vehicle or any part thereof, or a trailer, box, ware, or merchandise of any description, or any other thing that in any way impedes the traffic, or obstructs the view, upon a street, alley, parking strip, sidewalk, or curb of this city, except in such lawful use and parking of vehicles upon streets and alleys as is allowed in other sections of this ordinance, without first obtaining the written permission of the city marshal.

ARTICLE III. PARKING REGULATIONS.

Section 19. METHOD OF PARKING.

- (a) Whenever a motor vehicle is parked upon a street in this city it shall be headed as though proceeding upon the right side of the street.
- (b) Motor vehicles shall be parked head-in to the curb at the angle of and between painted white strips or other markings upon the pavement where such head-in parking is indicated, except as provided in sections 25 and 26.
- (c) Motor vehicles shall be parked parallel with the curb where such parallel parking is indicated by a painted white stripe or other marking upon the pavement approximately seven feet out from and parallel with the street curb, and the entire vehicle shall be within such painted white stripes or other marking.
- (d) Where no mode of parking is indicated by such painted white stripe or other marking, all vehicles parked in any such unmarked area shall be parked parallel with the street curb and with the tires or wheels on the right-hand side of such vehicle within eighteen inches of the curb.

- (e) Whenever 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.
- (f) No person having control or charge of a motor vehicle shall allow the vehicle to stand on a street unattended without first effectively setting the brakes thereon, except when said vehicle is parked head-in to the curb, and stopping the motor of said vehicle, and when standing upon any perceptible grade, without turning the front wheels of the vehicle to the curb or side of the street.

Section 20. PARKING TIME LIMITS.

- (a) The lawful time allowed for parking vehicles other than motor trucks engaged in the actual loading or unloading of freight or merchandise, shall, in any section of any street, be as indicated by lettering upon the face of yellow or orange painted signs placed at the top of standards placed along the curb line of any section of any street. Such time limits and the indication thereof may be changed from time to time by resolution. Such time limits shall mean the aggregate of time of all parking of any one vehicle within a space of 330 feet measured along the curb line.
- (b) Except in ten-minute parking zones such time limits shall not apply on Sundays or legal holidays or between the hours of 6 p.m. and 9 a.m.
- (c) Such time limits shall not apply to light delivery vehicles or to passenger vehicles being used exclusively for delivery purposes, when they can be recognized as such by the name of the owner and the nature of the business being plainly visible upon them while the vehicle is parked head-in to or alongside the street curb, but not double parked, directly in front of the place of business to which it belongs.
- (d) No person shall park a vehicle upon a street for a period in excess of two hours between the hours of 1:30 a.m. and 5:30 a.m.
- (e) The restrictions herein contained regarding parking time limits shall not apply to taxicabs and for-hire passenger cars; provided, that the owner or operator thereof has complied with the laws of the state of Oregon and the ordinances of this city regulating the operation of such vehicles.

Section 21.

- (a) No person, except as provided in Subsection (b) of this section and in Section 27(a), shall "double park" or park a vehicle behind vehicles parked head-in to the street curb, or alongside vehicles parked parallel with the street curb for a period in excess of five minutes at any one time in any one block on one side of any street and only then by leaving a licensed operator at the control of the vehicle, with motor running, and the operator shall immediately move the vehicle when so double parked if requested to do so by anyone desiring to move out from the curb or to occupy a clear space at the curb, either of which move is blocked by the double-parked vehicle. All such double-parked vehicles shall be stopped as far away from moving traffic as possible.

- (b) No person shall "double park" a vehicle on Main Street between Maple and Ash streets at any time.
- (c) The city marshal may at any time declare an emergency and prohibit all double parking as in subdivision (a) of this section permitted, while such emergency exists.
- (d) The leaving of any double-parked vehicle without a licensed operator at the controls is prohibited under all conditions and shall be just cause for the removal from the street, by the police, of any such vehicle.
- (e) Double parking near an available regular parking space is prohibited under all conditions.
- (f) Light delivery vehicles, when they can be recognized as such by the name of the owner and the nature of the business being plainly visible upon the body of such vehicle, shall be governed by the regulations of this section regarding "double parking," except that the provisions of subdivision (d) of this section shall not apply and except that such light delivery vehicles shall be allowed the same privilege as granted motor trucks loading or unloading freight or merchandise before the hour of noon.

Section 22. PROHIBITED PARKING AREAS. In addition to the areas where parking is prohibited by the state motor vehicle laws, parking is prohibited in the following areas and places:

- (a) Within any area marked off by traffic markers or by yellow or orange stripes painted upon the street curb and pavement or upon the street curb only, indicating a loading zone, safety zone, crosswalk or pedestrian lane, fire hydrant, theater entrance or exit, police station, fire station, or when "no parking" signs are posted for any other purpose designated by such official markings.
- (b) Within that area between the curb or curb line and sidewalk line or outer edge of a sidewalk commonly known as the parking strip.
- (c) Within less than fifteen feet from the intersection of the property lines at an intersection, or, for the purpose of loading or unloading passengers or any thing, within any part of a street intersection, crosswalk, or pedestrian lane.
- (d) Within the area of an alley, except for the purpose of actual loading or unloading of freight or merchandise, and in that case only for a period of time not in excess of one hour.
- (e) Within 15 feet of a fire hydrant.

Section 23. MOVING UNLAWFULLY PARKED VEHICLES.

- (a) The city marshal shall cause any vehicle to be removed from any street, alley, or public place in this city whenever a police officer shall have reason to believe that the vehicle was left by any person in violation of this ordinance.
- (b) When a vehicle is so removed from any street, alley, or public place it shall be taken to a public garage and the owner or person in custody of the vehicle shall be required to pay the towing and storage fee upon the vehicle before it is returned to him.

Section 24. PRIVATE PARKING AREAS.

- (a) No person, firm, corporation, or association shall letter,

mark, or paint in any manner a letter, mark, or sign on a sidewalk, curb, street, or alley, or post on a parking strip anything designed or intended to prohibit or restrict parking in front of any sidewalk, dwelling house, business house, or in any alley, except in compliance with the provisions of this ordinance.

- (b) Any person, firm, corporation, or association desiring to letter, mark, or paint a street sidewalk, curb, street, or alley, or post by signs on a parking strip, to prohibit or restrict parking in front of or adjacent to said sidewalk, curb, street, or alley, or in front of any dwelling or business house, shall file an application with the city recorder, stating the name of the street and the number, the lot, and block desired to be protected by such signs of parking prohibition or restriction, names of persons affected, whether property is business or private dwelling, the reasons for the application in detail, and whether the privilege shall be temporary or permanent; and no permit shall become operative or be a protection from the penalties hereof until after the common council of this city shall have passed favorably upon such application.
- (c) All permits authorized by the common council are hereby placed under the supervision and control of the city marshal, and it shall be the duty of the holders of the permits granted hereunder to comply with the directions of the said city marshal in the installation of any signs or markings authorized hereunder.

ARTICLE IV. TRUCKS AND BUSES.

Section 25. PARKING OF TRUCKS WITH TRAILERS. No person shall park a vehicle with trailer or semitrailer attached which has a total over-all length of more than 18 feet, including all bumpers, fenders, load, etc., in the fire limits. All such vehicles with trailers attached shall park parallel to the curb and in accordance with Section 19 (d), excepting as in this section otherwise provided.

Section 26. PARKING OF TRUCKS AND BUSES. No person shall park a motor truck, van, or motor bus which carries a load of more than 10 per cent of its capacity of either weight or volume, or both, or which has a total over-all length of more than 18 feet, including all bumpers, fenders, load, etc., within the following area: on Main Street between Maple and Vine streets and on Sherman and Ash streets between Second and Park streets, except for the purpose of loading and unloading, or with the written consent of the city marshal. All such motor trucks, vans, and motor busses, except as provided in Section 27 (a), shall go where parallel parking is permitted and park in accordance with Section 19 (d), excepting as in this section otherwise provided.

Section 27. DOUBLE PARKING OF TRUCKS.

- (a) No person shall double park a motor truck upon a street in this city at the rear of and behind vehicles parked head-in to, or alongside vehicles parked parallel with the street curb, after the hour of noon of any day; provided, however, that it shall not be unlawful to double park a motor truck for the actual loading or unloading of freight or merchandise before the hour of noon of any day for a period of time not in excess of thirty minutes; provided, however, that the driver or operator of any such motor truck so double parked shall immediately move such motor truck if requested to do so by anyone desiring to move out from the curb or to occupy a clear space at the curb, either of which move is blocked by the double-parked motor truck. All such double-parked motor trucks shall be kept as far away from moving traffic as possible; pro-

vided, further, that if a head-in parking space is available at or near the place where the driver of a motor truck wishes to actually load or unload freight or merchandise he shall use such head-in parking space before the hour of noon of any day for a period of time not in excess of thirty minutes instead of double parking said motor truck. Notwithstanding any other provision in this section, at no time shall a person double park a motor truck on Main Street between Maple and Ash streets.

- (b) Whenever it is necessary to place the rear end of a motor truck against the curb on a street in this city, for the purpose of actually loading or unloading heavy freight, household goods, office equipment, etc., general delivery of freight and merchandise excepted, such motor truck shall be parked at an angle of 45 degrees from the curb and headed in the same direction as vehicular traffic upon any such street, and the front of any such motor truck shall project a minimum distance into the line of vehicular traffic. The parking time limit for any motor truck so parked shall be the same as posted or indicated for regular parking in that area.

Section 28. PARKING TRUCKS AND BUSES NEAR HOTELS, APARTMENTS, AND RESIDENCES.

No person shall park a motor truck or motor bus on a street in front of or near an hotel, apartment, or residence between the hours of 9 p.m. and 7 a.m.

Section 29. ROUTING OF TRUCKS. No driver of a motor truck which has a maximum load carrying capacity, by factory rating, of two tons or more, except for the purpose of loading or unloading freight or merchandise within all areas, except designated routes, shall drive or operate the motor truck within the above-defined area, and all such motor trucks not stopping to actually load or unload freight or merchandise shall be kept entirely out of the area between the hours of 8 a.m. and midnight.

Section 30. INTERURBAN STAGES.

- (a) No person, firm, or corporation shall use a street as a terminal for interurban stages.
- (b) For the purpose of occasionally receiving or discharging passengers, an interurban stage may be stopped at street intersections only, and shall be stopped on such portion of the street or in the manner as hereinafter provided in Section 31 for the stopping of motor busses, and all the provisions of Section 31 shall be applicable to interurban stages occasionally stopping for the purpose of receiving or discharging passengers; provided, however, that interurban stages shall not regularly stop in the city for the purpose of receiving or discharging passengers, excepting at terminals.

Section 31. BUS STOPS.

- (a) Any person, firm, or corporation operating or in charge of a motor bus shall stop such motor bus at street intersections only and only at the near side of street intersections, and the vehicle shall be pulled in as close to the curb as possible and shall not have any part of the vehicle projecting into or over a pedestrian lane, whether the pedestrian lane is marked or unmarked, and no part of the vehicle shall project toward or into the main vehicular traffic lane farther than is absolutely necessary.
- (b) The stopping of one motor bus behind another motor bus which

is within a loading zone and the standing of the same at an angle toward the street curb line shall constitute a violation of this ordinance. There shall be but one motor bus stopping at any corner of any intersection at any one time, unless all such vehicles are wholly within the area of the loading zone as indicated.

- (c) No person, firm, or corporation shall stop or double park a motor bus behind parked vehicles within the following area: on Main Street between Maple and Vine Streets and on all streets having angular parking.

ARTICLE V. DRUNKEN AND RECKLESS DRIVING, ACCIDENT REPORTS.

Section 32. DRUNKEN DRIVING.

- (a) No habitual user of a narcotic drug or person under the influence of intoxicating liquor or a narcotic drug shall drive a vehicle upon a street within this city.
- (b) Every person convicted of a violation of this section shall be punished by imprisonment in the municipal jail for not more than 30 days and by a fine of not more than \$200.
- (c) In addition to the above fines and sentences, the city recorder shall, upon the first or subsequent convictions, suspend and take up the operator's license of a person so convicted, and shall immediately certify a copy of his judgment, as rendered, to the secretary of state, so that the operator's license of such convicted person may be revoked by the secretary of state in accordance with the state law.
- (d) If a person so arrested is intoxicated or under the influence of intoxicating liquor or narcotic drugs, the arresting officer at night may release such person on bail or at any other time shall hold such person in the municipal jail pending trial of such person before the city recorder, unless such person, on appearing before the recorder shall furnish bail in a reasonable amount, to be fixed by the recorder, and upon furnishing such bail such person may be released pending arraignment or trial; provided, however, that the arresting officer shall not release any such person, even upon the posting of bail, while such person remains under the influence of intoxicating liquor or narcotic drugs to the extent that, in the opinion of the officer, such person might become a menace if released.
- (e) In addition to the cash bail herein required, the arresting officer shall seize and hold the vehicle which such arrested person was driving, pending the final hearing before the city recorder.
- (f) Whenever a motor vehicle is held in the custody of the police under and pursuant to the provisions of this section, the vehicle may be placed by the police in storage in a privately owned garage, and when the vehicle in storage is delivered to the owner thereof or to the person entitled to the possession thereof, all accrued storage charges shall be paid by the owner of the vehicle or the person entitled to the possession thereof.

Section 33. RECKLESS DRIVING. A person who drives a vehicle upon a street carelessly and heedlessly in wilful or wanton disregard of the rights 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, shall be guilty of reckless driving and upon conviction shall be punished by imprisonment for a period of not more than thirty days, or by a fine of not more than \$200, or by both such fine and imprisonment.

Section 34. REPORTS OF ACCIDENTS BY DRIVERS. The driver of any vehicle involved in an accident resulting in injury or death to a person or damage to property shall within 24 hours file a written report of the accident in the office of the police, upon forms furnished by the police. All accident reports made to the police shall be without prejudice to the individual so reporting and shall be for the confidential use of the police department.

ARTICLE VI. STREET COMMITTEE, EXISTING SIGNS, EXEMPTIONS.

Section 35. STREET COMMITTEE. Subject to the approval of the common council by resolution, the street committee may:

- (a) Designate stop streets.
- (b) Designate crosswalks, safety zones, and traffic lanes.
- (c) Designate truck routes and bus routes.
- (d) Designate loading zones, bus stops, and areas in which no parking shall be permitted.
- (e) Direct the placing and maintenance of such other traffic and signs as may be reasonable or necessary for the regulation and safety of traffic.
- (f) Exercise a general supervision over the administration and enforcement of all traffic ordinances.

Section 36. CITY MARSHAL. The city marshal may temporarily close a street, alley, or sidewalk to traffic and may direct traffic in such a manner as he thinks necessary for traffic regulation and traffic safety.

Section 37. EXISTING SIGNS. All official traffic signs and signals existing at the time of the adoption of this ordinance, such as stop signs, caution signs, slow signs, no-reverse-turn signs, signs designating time limits for parking, lines painted or marked on street or curb designating parking areas, markers designating loading zones, no-parking areas, and all other official traffic signs or signals erected, installed or painted for the purpose of directing, controlling, and regulating traffic, shall be considered official under the provisions of this ordinance and their effect shall continue until they are changed in accordance with the provisions of this ordinance. The common council may by resolution at any time have any such official traffic signs or signals removed or changed, and any additional official traffic signs or signals erected, installed, painted or marked shall first be authorized by resolution by the common council. All drivers of vehicles shall obey the rules and regulations which these signs and signals indicate.

Section 38. PERSONS EXEMPT FROM REGULATIONS. All police or traffic officers and sheriffs in pursuit of their official duties, all firemen traveling in response to a fire alarm, all ambulances, and all drivers of vehicles traveling in a regular funeral procession are hereby exempted from the provisions of this ordinance, but the exemption herein contained shall not protect any such person or the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

ARTICLE VII. PENALTIES.

Section 39. PENALTIES. Except as otherwise provided herein, every person convicted of violating this ordinance shall be punished by a fine

of not more than \$100, or by imprisonment in the city jail for not more than ten days. For a second or subsequent conviction within one year thereafter, such person shall be punished by a fine of not more than \$200, or by imprisonment in the city jail for not more than 20 days, or by both such fine and imprisonment.

Passed by the council November 19, 1942.

Signed and approved by the mayor Nov. 19, 1942

P. J. Lued.
Mayor

ATTEST:

Geo. H. Kauder

Recorder

LEAGUE OF OREGON CITIES

EXECUTIVE OFFICES: FENTON HALL
UNIVERSITY OF OREGON
EUGENE

November 2, 1942

Mr. F. D. Mayer
City Attorney
Lebanon, Oregon

Dear Mr. Mayer:

In working with the Lebanon ordinances it has occurred to me that No. 560, which incorporates certain speed limits in the state law by reference, is the ordinance which you had in mind when you wrote to me last week. With the thought that perhaps this is true, I am enclosing the ordinance with this letter.

Sincerely yours,

Orval Etter

Legal Consultant