

ORDINANCE NO. 486

AN ORDINANCE AMENDING SECTION 9 OF ORDINANCE 379 REGULATING THE BACKING OF VEHICLES; AMENDING SECTION 11 OF ORDINANCE 379 DESIGNATING THROUGH STREETS IN THE CITY OF PAYETTE; AMENDING SECTION 13 OF ORDINANCE 379 TO PROVIDE THAT MECHANICAL SIGNALLING DEVICES USED ON VEHICLES IN THE CITY OF PAYETTE MUST BE OF A TYPE APPROVED BY THE COMMISSIONER OF LAW ENFORCEMENT; AMENDING SECTION 15 OF ORDINANCE 379 FIXING SPEED RESTRICTIONS ON VEHICLES IN THE CITY OF PAYETTE; ADDING A NEW SECTION TO ORDINANCE 379 TO BE KNOWN AND DESIGNATED AS SECTION 16B PROVIDING THAT DRIVERS OF MOTOR VEHICLES IN THE CITY OF PAYETTE MUST BE QUALIFIED TO DRIVE SAID MOTOR VEHICLES UNDER THE STATE LAW; AMENDING SECTION 19 OF ORDINANCE 379 PROHIBITING MORE THAN TWO PERSONS BESIDES THE DRIVER FROM RIDING IN THE FRONT SEAT OF VEHICLES, REQUIRING ALL PERSONS TO RIDE WITHIN BODY LIMITS OF VEHICLES AND PROHIBITING THE HITCHING ON TO VEHICLES WITHIN THE CITY OF PAYETTE; AMENDING SECTION 27 OF ORDINANCE 379 REQUIRING THAT ACCIDENTS CAUSING INJURY TO ANY PERSON AND DAMAGE TO VEHICLES OR PROPERTY IN THE AMOUNT OF FIFTY DOLLARS OR MORE MUST BE REPORTED TO THE POLICE OF THE CITY OF PAYETTE; AMENDING SECTION 30 OF ORDINANCE 379 PROVIDING THAT ANY VEHICLE MORE THAN EIGHT FEET IN WIDTH CANNOT BE CONVEYED THROUGH THE STREETS OR ALLEYS OF THE CITY OF PAYETTE WITHOUT FIRST OBTAINING A PERMIT FROM THE CHIEF OF POLICE; AMENDING SECTION 32 OF ORDINANCE 379 REGULATING PARKING OF VEHICLES WITHIN THE CITY OF PAYETTE; AMENDING SECTION 35 OF ORDINANCE 379 FIXING THE PENALTY FOR VIOLATING THE TRAFFIC ORDINANCES OF THE CITY OF PAYETTE; REPEALING SECTION 33 OF ORDINANCE 379, SECTIONS 282, 283, 284, 310, 311, 312, 313, 314, 315, 316, 317, 318 AND 319 OF THE GENERAL ORDINANCES OF THE CITY OF PAYETTE, 1920 ALL RELATING TO THE REGULATION OF TRAFFIC WITHIN THE CITY OF PAYETTE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PAYETTE, IDAHO:

Section 1. That Section 9 of Ordinance 379 be and the same is hereby amended to read as follows:

Section 9. Backing and Leaving Curb. Before backing any vehicle or leaving curb or side of the street with any vehicle, ample warning shall be given by the driver of the vehicle, and while backing or leaving curb due diligence must be exercised by the driver so as not to injure any person or property.

Section 2. That Section 11 of Ordinance 379 be and the same is hereby amended to read as follows:

Section 11. Through Streets. The following streets and parts of streets are hereby designated as and declared to be through streets and arterial highways, to-wit: beginning at the South city limits at Sixth Avenue South and Twelfth Street; thence North along Twelfth Street to Second Avenue South; thence West on Second Avenue South to Eighth Street; thence North on Eighth Street to Third Avenue North; thence West along Third Avenue North to Sixth Street; thence North on Sixth Street to the North city limits; also beginning

at the intersection of Eighth Street and Third Avenue North; thence East along Third Avenue North to Ninth Street; thence North along Ninth Street to Seventh Avenue North; thence East along Seventh Avenue North to the East city limits; also beginning where State Highway 52 intersects the South city limits on Sixth Avenue South; thence along said State Highway 52 to Second Avenue South; thence West along Second Avenue South to Twelfth Street; also beginning where U.S. Highway 30 intersects the South city limits at Sixth Avenue South; thence along said U.S. Highway 30 and Eighth Street to Second Avenue South, and any driver of a motor vehicle shall bring the said motor vehicle to a full stop before entering any of said through streets. Said vehicle to be stopped within not less than five feet and not more than fifteen feet from the intersection.

Section 3. That Section 13 of Ordinance 379 be and the same is hereby amended to read as follows:

Section 13. Signals on Starting, Stopping and Turning. The driver of any vehicle about to turn, either from a standstill or while in motion, or about to stop, shall give timely signals visible to the operator of other vehicles to the rear, of his intention to turn, or stop, or change his course. Such signal shall be given by the use of the hand and arm, or by use of an approved mechanical or electrical device.

When the signals required by this section are given by the use of the hand and arm, they shall be given as follows:

(a) An operator intending to turn his vehicle to the left shall extend hand and arm in a horizontal position for a reasonable length of time and slow down.

(b) An operator intending to turn his vehicle to the right shall extend his hand and arm, with the forearm raised at right angles, for a reasonable length of time and slow down.

(c) An operator intending to stop his vehicle shall extend his hand and arm downward for a reasonable length of time.

When such signal is given by means of a device, it shall be given only by

an adequate device which has been approved by the Commissioner of Law Enforcement of the State of Idaho.

Section 4. That Section 15 of Ordinance 379 be and the same is hereby amended to read as follows:

Section 15. Restrictions as to Speed. (a) Any person driving a vehicle in the City of Payette shall drive the same at a careful and prudent speed not greater than is reasonable and proper, having due regard to the traffic, surface and width of the street or alley and of any other conditions then existing, and no person shall drive any vehicle upon a street or alley at such a speed as to endanger the life, limb or property of any person.

(b) Subject to the provisions of subdivision (a) of this section and except in those instances where a lower speed is specified in this ordinance, it shall be prima facie lawful for the driver of a vehicle to drive the same at a speed not exceeding the following, but in any case when such a speed would be unsafe it shall not be lawful.

1. Fifteen miles an hour when approaching within fifty feet of a grade crossing of any steam, electric or street railway when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when at any time during the last two hundred feet of his approach to such crossing he does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet in each direction from such crossing;

2. Fifteen miles an hour when passing a school during school recess or while children are going to or leaving school during opening or closing hours;

3. Fifteen miles an hour when approaching within fifty feet and in traversing an intersection of streets when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when at any time during the last fifty feet of his approach to such intersection, he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the streets entering such intersection for a distance of two hundred feet from such intersection;

4. Fifteen miles an hour in traversing or going around curves or traversing a grade upon a street when the driver's view is obstructed within a distance of one hundred feet along such street in the direction in which he is proceeding;

5. Twenty miles an hour on any street in a business district, when traffic on such street is controlled at intersections by traffic officers or stop-and-go signals;

6. Fifteen miles an hour on all other streets in a business district;

7. Twenty miles an hour in a residence district and in public parks unless a different speed is fixed by local authorities and duly posted;

8. Thirty miles an hour on through highways and all other conditions not covered herein.

It shall be prima facie unlawful for any person to exceed any of the foregoing speed limitations. In every charge of violation of this section the complaint, also the warrant or notice to appear, shall specify the speed at which the defendant is alleged to have driven, also the speed which this section declares shall be prima facie lawful at the time and place of such alleged violation.

Section 5. That a new section be added to Ordinance 379 to be known and designated as Section 16B and to read as follows:

Section 16B. Drivers to be Qualified Under State Law. It shall be unlawful for any person to drive a motor vehicle in the City of Payette who is not duly qualified and the holder of a driver's or chauffeur's license under the laws of the State of Idaho.

Section 6. That Section 19 of Ordinance 379 be and the same is hereby amended to read as follows:

Section 19. Not more than two persons, besides the driver, shall ride in the front seat of any vehicle in the City of Payette. No person shall ride on a vehicle except within the body limits of such vehicle and when riding on a vehicle shall allow any part of his or her body to protrude

beyond the limits of the vehicle. No person shall hitch on or climb upon any vehicle which is in motion, through or upon any streets or alleys of the City of Payette, with or without the consent of the driver or the person in charge of such vehicle.

Section 7. That Section 27 of Ordinance 379 be and the same is hereby amended to read as follows:

Section 27. Report in the Event of Accident. The drivers of all vehicles shall immediately after an accident causing an injury to any person or damage to any vehicle or property, in the amount of fifty dollars, report the same to the police, giving information obtained as hereinbefore provided.

Section 8. That Section 30 of Ordinance 379 be and the same is hereby amended to read as follows:

Section 30. Width of Vehicle. No vehicle the width of which, with or without its load exceeds eight feet shall be driven or conveyed through any street or alley of the City of Payette unless a permit therefor is previously obtained from the Chief of Police.

Section 9. That Section 32 of Ordinance 379 be and the same is hereby amended to read as follows:

Section 32. Parking. (1) No vehicle shall be parked within ten feet of any fire hydrant in the City of Payette, and no vehicle shall be parked in front of the fire station on the South side of Third Avenue North between Eighth Street and Ninth Street, between a point twenty-five feet West of the entrance of said fire station and a point twenty-five feet East of said entrance to said Fire Station.

(2) No person shall leave an automobile or other motor vehicle parked or unattended in any alley within the City of Payette.

(3) No person shall leave a motor vehicle parked or unattended in any street or alley in the City of Payette with the motor running.

(4) No truck of more than one-half ton capacity except, pick-ups equipped with body as the same originally came from the manufacturer, shall

be parked upon Eighth Street between Third Avenue^{north} and Second Avenue South, of said City, and/or on Center Avenue between Seventh Street and Ninth Street and/or on First Avenue North between Seventh Street and Ninth Street of said City.

(5) No truck or vehicle with a trailer attached shall be parked upon Eighth Street between Third Avenue North and Second Avenue South, of said City, and/or on Center Avenue between Seventh Street and Ninth Street and/or on First Avenue North between Seventh Street and Ninth Street.

(6) No double parking will be permitted on Eighth Street between Third Avenue North and Second Avenue South; and/or on Ninth Street between Center Avenue and First Avenue North; and/or on Center Avenue between Seventh Street and Tenth Street; and/or on First Avenue North between Seventh Street and Ninth Street; and/or Second Avenue North between Seventh Street and Ninth Street; and/or Third Avenue North between Eighth Street and Ninth Street; and/or on First Avenue South between Seventh Street and Ninth Street; provided, that commercial trucks loading, unloading, making pick ups or deliveries, in cases where it is impracticable to do such loading, unloading, pick ups or deliveries from the alley will be permitted to make the same from the front of such business places when a permit so to do has been obtained from the Chief of Police and the holder of any such permit will be permitted to double park to do such loading, unloading, pick ups or deliveries, if and when, there is no parking space available within a reasonable distance from where the same is to be made; provided, further, that nothing in this section contained shall be construed to give any holder of any such permit the right to double park, except, during the time when actually engaged in doing such loading, unloading, pick ups or deliveries and any such permit^{ee} shall immediately move his vehicle when ordered so to do by a police officer.

(7) No double parking will be permitted in any portion of the City of Payette not designated in Sub-section (6) hereof, except, that passenger

vehicles may be allowed to double park on streets which are not designated in said sub-section (6) for a period of not longer than five minutes, provided, that at all times during such period, there is a duly licensed driver in such vehicle and that any such vehicle shall be moved immediately upon being ordered so to do by a police officer.

(8) All cars and motor vehicles parked on Eighth Street between Third Avenue North and Second Avenue South; and/or on Center ~~Street~~^{Avenue} between Seventh Street and Ninth Street; and/or on First Avenue North between Seventh Street and Ninth Street of the City of Payette, shall be parked only between designated marked lanes, marked off by the City of Payette; no such vehicle shall be parked so that any portion thereof shall protrude beyond either one, and/or both of the lines designating the lane within which said motor vehicle is to be parked.

(9) In all cases where parking regulations are not provided by ordinance the Street Committee of the Council of the City of Payette shall have power and it is hereby made their duty to promulgate rules and regulations governing parking of vehicles in the City of Payette.

Section 10. That Section 35 of Ordinance 379 be and the same is hereby amended to read as follows:

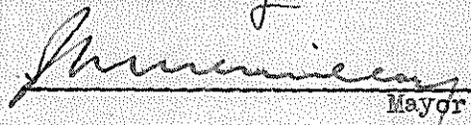
Section 35. Penalty for Violation. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall upon conviction thereof be punished by fine not to exceed One Hundred Dollars (\$100.00) and the costs of prosecution and upon failure to pay such fine and costs or any part thereof shall be confined in the city jail one day for each one dollar and fifty cents of such fine or costs remaining unpaid.

Section 11. Section 33 of Ordinance 379 and Sections 282, 283, 284, 310, 311, 312, 313, 314, 315, 316, 317, 318 and 319 of the General Ordinances of the City of Payette, 1920 be and the same are hereby repealed.

Passed by the Council this 18th day of February 1946.

Approved by the Mayor this 18th day of February 1946.

Attest:


Mayor


City Clerk