

CHAPTER 26

TRAFFIC

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CHAPTER 26

TRAFFIC

DIVISION I
GENERAL AND ADMINISTRATION

Sec. 26.1. DEFINITIONS.

(1) The definitions contained in Iowa Code of 1995 Section 321.1 shall be the definitions for those same words and phrases whenever used in this chapter, except as follows:

- (a) In subsection 321.1(20) the phrase "director of transportation" shall be "City Manager";
- (b) In subsection 321.1(81) and (33) the phrase "highway" shall be "street"; and
- (c) Subsections 321.1(34) and (3) shall not apply.

(2) The following words and phrases when used in this chapter shall have the meanings respectively ascribed to them:

(a) **Alley** means a thoroughfare twenty-four (24) feet or less in width, laid out, established and platted as such, by constituted authority.

(Ord. No. 843, Sec. 103.1; Code 1956, Sec. 25-3.1) [State Law Ref. Iowa Code Sec. 321.1(3)]

(b) **Curb loading zone** means a space adjacent to a curb, indicated by a sign or curb marking, reserved for the exclusive use of vehicles during the loading or unloading of passengers or material.

(Ord. No. 843, Sec. 103.10; Code 1956, Sec. 25-3.10)

(c) **Holidays** under this chapter are: January 1st, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day as proclaimed by the president or governor, Christmas, and the following Monday, whenever any of the foregoing holidays fall on a Sunday, and such other holidays as are set aside by mayor's proclamation.

(Ord. No. 343, Sec. 101.17; Code 1956, Sec. 25-1.17; Ord. No. 2398, Sections 1, 2, 4-8-72)

(d) **Laned roadway** means a roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic. *[State Law Ref. Iowa Code Sec. 321.1(34)]*

(Ord. No. 843, Sec. 103.5; Code 1956, Sec. 25-3.5)

(e) A **stop, when required**, means complete cessation of movement.

(Ord. No. 843, Sec. 101.15; Code 1956, Sec. 25-1.15)

(Ord. No. 3392, Sec. 1, 7-23-96)

Sec. 26.2. WHERE SIGNS REQUIRED.

No ordinance, regulation or code section of the following type is effective until signs, traffic control devices or curb markings giving notice thereof are posted upon or at the entrances to the street or part thereof affected as may be most appropriate, and said signs, devices or markings shall be erected by the city:

(1) Regulating parking or standing of vehicles in a manner particular to certain streets or portions of streets.

(2) Regulating the speed of vehicles on the public streets to limits other than forty-five (45) miles per hour in a suburban district, twenty-five (25) miles per hour in a school or residential district and twenty (20) miles per hour in a business district.

(3) Prohibiting a turn on a steady red traffic control signal, a right turn, a left turn, or a U-turn.

(4) Designating particular streets or alleys as one-way streets or alleys and requiring that all vehicles thereon be moved in one specific direction.

(5) Regulating the speed of vehicles in public parks.

(6) Designating any street as a through street and requiring that all vehicles stop or yield the right-of-way before entering or crossing the same or designating any intersection as a stop intersection and requiring all vehicles to stop at one or more entrances to such intersections.

(7) Restricting the use of highways as authorized in Code of Iowa 1979, sections 321.471 to 321.473, inclusive.

(Ord. No. 843, Sections 122, 236; Code 1956, Sections 25-22, 25-136) [State Law Ref. Iowa Code Sec. 321.237 and 321.256]

Sec. 26.3 SPECIFICATIONS FOR TRAFFIC CONTROL DEVICES.

All traffic-control signs, signals, markings and devices and the procedures for the city manager establishing them shall conform to the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways adopted by the Iowa Department of Transportation, Iowa Administration Code Section 761-130.1. The procedures for establishing such traffic control devices shall be as documented by the Iowa Department of Transportation.

(Ord. No. 843, Sections 120, 143; Code 1956, Sections 25-20, 25-43; Ord. No. 1025, Sec. 1, 4-24-62, Ord. No. 3740, 10-14-03) [State Law Ref. Iowa Code Sec. 321.255]

Sec. 26.4. CITY MANAGER RESPONSIBILITY.

(1) The city manager is authorized for the purpose of promoting safe and energy efficient traffic regulation and movement, and consistent with good traffic engineering practice, to:

(a) establish, place and maintain appropriate traffic control signs, signals, markings and devices when and as required under this chapter and the traffic ordinances of the city;

(b) place and maintain such temporary additional traffic-control signs, signals, markings and devices as may be necessary in times of emergency or hazardous conditions to regulate, guide or warn traffic under this chapter, the traffic ordinances of this city or state law;

(c) temporarily close and to erect temporary "No Parking" signs, street closing signs and barricades on streets, alleys, or public places, or portions of streets, alleys or public places, for cleaning and repairing; to protect sewer, water, curb and gutter and paving constructions; to close a street for public demonstrations; to close a street to through vehicle traffic during periods of exceptionally heavy pedestrian traffic; to re-route traffic when there is a heavy influx of traffic due to special events;

(d) designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in the manager's opinion there is particular danger to pedestrians crossing the roadway, and at such places as the manager, may deem necessary;

(e) designate and erect signs indicating safety zones of such kind and character and at such places as the manager may deem necessary for the protection of pedestrians;

(f) mark lanes for traffic on street pavements at such places as the manager may deem advisable, consistent with this chapter;

(g) designate and erect signs indicating quiet zones;

(h) designate and erect signs indicating any street or part thereof as a play area;

(i) place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by this chapter;

(j) designate special "school stops" at those points on the streets and street intersections of this city when the manager finds a special hazard to exist with respect to children crossing or traversing such street or street intersection on their way to and from and during school and to place and maintain such traffic-control signs, devices, portable signs or hand-held signs at such school stops as are necessary, during such times as the manager deems most appropriate, to protect such children;

(k) determine the installation and proper timing and maintenance of traffic-control devices, to conduct engineering analyses of traffic accidents and to devise remedial measures, to conduct engineering investigation of traffic conditions and to cooperate with other city officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by this chapter and the traffic ordinances of the city;

(l) designate and erect signs or marks on the roadway indicating "No Passing Zones";

(m) designate and erect signs indicating intersections or places on the street where left turns, right turns, turns on a steady red traffic control signal, or U-turns are prohibited;

(n) designate and erect signs or traffic control devices indicating "special stop" or "special yield" intersections;

(o) designate and erect signs indicating certain streets or alleys or portions thereof are "One Way" and all vehicles thereon shall move in one specified direction.

(Ord. No. 843, Sections 104, 127, 28, 128, 119, 133, 135; Code 1956, Sections 25-4, 25-27, 25-128, 25-28, 25-19, 25-33, 25-34, 25-35; Ord. No. 1056, Sec. 1, 2-5-63; Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 1025, Sec. 1, 4-24-62, 25-41(a); Ord. No. 2270, Sec. 2, 10-15-68; Ord. No. 2274, Sec. 2, 11-5-68, Ord. No. 2573, Sec. 2, 11-23-76) [State Law Ref. Iowa Code Sec. 321.311]

(p) designate the locations for placement of NO PARKING HERE TO CORNER signs at points not to exceed 100' from the corner and any street where warranted by good traffic engineering practice.

(Ord. No. 2814, Sec. 3, 3-9-82)

(2) All designations made by the city manager shall be in writing and maintained at one location available to the public, during the period of their effect.

Sec. 26.5. WHO MAY DIRECT TRAFFIC.

(1) Officers of the police department or such individuals as are assigned by the chief of police are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

(Ord. No. 843, Sec. 106; Code 1956, Sec. 25-6)

(2) Officers of the fire department, when at the scene of a fire, may direct traffic thereat or in the immediate vicinity.

(Ord. No. 843, Sec. 107; Code 1956, Sec. 25-7)

Sec. 26.6. OBEDIENCE BY PUSHCARTS, BICYCLES, ANIMALS, ANIMAL-DRAWN VEHICLES.

Every person propelling any pushcart, riding a bicycle, tricycle, or unicycle, riding an animal upon a roadway, and every person driving any animal-drawn vehicle, is subject to the provisions of this chapter applicable to the driver of any vehicle, except those provisions of this chapter which by their very nature can have no application.

(Ord. No. 843, Sec. 109; Code 1956, Sec. 25-9) [State Law Ref. Iowa Code Sec. 321.234]

Sec. 26.7. TOY VEHICLES RESTRICTED.

No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subjected to all of the duties applicable to pedestrians. This section does not apply upon any street while temporarily closed to vehicular traffic.

(Ord. No. 843, Sec. 110; Code 1956, Sec. 25-10)

Sec. 26.8. EXEMPTIONS FOR EMERGENCY VEHICLES.

(1) The provisions of this chapter regulating the operation, parking and standing of vehicles apply to authorized emergency vehicles, as defined in this chapter, except as follows. Authorized emergency vehicles may:

(a) Park or stand notwithstanding the provisions of this chapter;

- (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- (c) Exceed the prima facie speed limits so long as it does not endanger life or property;
- (d) Disregard regulations governing direction of movement or turning in specified directions so long as it does not endanger life or property.

(2) Those exemptions hereinbefore granted in reference to the movement of an authorized emergency vehicle shall apply only when the driver of said vehicle sounds a siren, bell or exhaust whistle as may be reasonably necessary, and the vehicle displays a lighted red lamp visible from the front as a warning to others. This provision does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the streets, nor does it protect the driver of any such vehicle from the consequences of negligence.

(Ord. No. 843, Sec. 112; Code 1956, Sec. 25-12) [State Law Ref. Iowa Code Sec. 321.231]

Sec. 26.9. DISPLAY AND REMOVAL OF UNAUTHORIZED, MISLEADING DEVICES.

(1) No person shall place, maintain, or display upon or in view of any street any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official parking sign, curb or other marking, traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of an official traffic-control device or any railroad sign or signal, and no person shall place or maintain upon any street any traffic sign or signal bearing thereon any commercial advertising. This does not prohibit the erection upon private property adjacent to highways of signs giving useful directional information of a type that cannot be mistaken for official signs.

(Ord. No. 843, Sec. 125; Code 1956, Sec. 25-25) [State Law Ref. Iowa Code, Sec. 321.259]

(2) Every sign, signal, or marking prohibited by section 26.9(1) is a public nuisance and the city manager is empowered to remove the same or cause it to be removed without notice.

(Ord. No. 843, Sec. 126.1; Code 1956, Sec. 25-26.1) [State Law Ref. Iowa Code, Sec. 321.259]

Sec. 26.10. INTERFERENCE WITH DEVICES, RAILROAD SIGNS.

No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof.

(Ord. No. 843, Sec. 126; Code 1956, Sec. 25-26) [State Law Ref. Iowa Code, Sec. 321.260]

DIVISION II ACCIDENTS

Sec. 26.11. DUTY TO STOP, GIVE INFORMATION AND AID.

The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall stop such vehicle at the scene of such accident or as close thereto as possible and shall give his name, address, and the registration number of the vehicle being driven and shall upon request, and if available, exhibit operator's or chauffeur's license to the person struck or the driver or occupant of or person attending any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying or the making of arrangements for carrying of such person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person.

(Ord. No. 843, Sec. 114; Code 1956, Sec. 25-14) [State Law Ref. Iowa Code Sec. 321.263]

Sec. 26.12. DUTIES ON STRIKING UNATTENDED VEHICLES.

The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and the owner of the vehicle doing the striking and a statement of the circumstances thereof.

(Ord. No. 843, Sec. 115; Code 1956, Sec. 25-15) [State Law Ref. Iowa Code Sec. 321.264]

Sec. 26.13. DUTIES ON STRIKING FIXTURES ON HIGHWAY.

The driver of any vehicle involved in an accident resulting only in damage to property legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of the driver's name and address and of the registration number of the vehicle being driven and shall upon request and if available exhibit the driver's operator's or chauffeur's license and shall make report of such accident when and as required in section 26.14.

(Ord. No. 843, Sec. 116; Code 1956, Sec. 25-16) [State Law Ref. Iowa Code Sec. 321.265]

Sec. 26.14. IMMEDIATE REPORT REQUIRED.

The driver of a vehicle involved in an accident resulting in injury to or death of any person shall immediately, by the quickest means of communication, give notice of such accident to the police department if such accident occurs within this City.

(Ord. No. 843, Sec. 117; Code 1956, Sec. 25-17; Ord. No. 3021, Sec. 1, 8-23-88) [State Law Ref. Iowa Code Sec. 321.266]

Sec. 26.15. CLEANING UP AFTER ACCIDENTS.

Any person removing a wrecked or damaged vehicle or property from a street shall remove any glass or other substance dropped upon the street from such vehicle or property.

(Ord. No. 843, Sec. 118; Code 1956, Sec. 25-18) [State Law Ref. Iowa Code Sec. 321.371]

DIVISION III
OPERATIONS

A. RIGHT-OF-WAY AND REQUIRED STOPS.

Sec. 26.16. RIGHT-OF-WAY AT UNCONTROLLED INTERSECTIONS.

When two (2) vehicles enter an uncontrolled intersection from different highways or public streets at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

(Ord. No. 843, Sec. 160; Code 1956, Sec. 25-60; Ord. No. 941, Sec. 5, 7-21-59; Ord. No. 2340, Sections 1, 2, 6-16-70) [State Law Ref. Iowa Code Sec. 321.319]

Sec. 26.17. OBEDIENCE TO SIGNS REQUIRED.

(1) **Stop Signs.** When stop signs are erected as herein provided, every driver of a vehicle shall stop at such sign or at a clearly marked stop line before entering an intersection, except when directed to proceed by a police officer or traffic- control signal. After having stopped at such sign, the driver may proceed cautiously and with due care, yielding the right-of-way to any pedestrian legally within the intersection and to any vehicles within the intersection or approaching so closely as to constitute an immediate hazard.

(Ord. No. 843, Sec. 144; Code 1956, Sec. 25-44; Ord. No. 1025, Sec. 1, 4-24-62; Ord. No. 2534, Sections 1, 2, 2-3-76) [State Law Ref. Iowa Code Sec. 321.322]

(2) **Yield Signs.** The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions or shall stop if necessary and shall yield the right-of-way to any pedestrian legally crossing the roadway on which vehicle is being driven and to any vehicle in the intersection or approaching on another street so closely as to constitute a hazard. Said driver having so yielded may proceed with caution.

(Ord. No. 843, Sec. 144; Code 1956, Sec. 25-44; Ord. No. 1025, Sec. 1, 4-24-62) [State Law Ref. Iowa Code Sec. 321.322]

Sec. 26.18. OBEDIENCE TO OFFICIAL TRAFFIC CONTROL DEVICES.

No driver of a vehicle or pedestrian shall disobey the following instructions of any official traffic-control device:

(1) For the purposes of this section "stop at the official traffic control signal" means stopping at the first opportunity at either the clearly marked stop line or before entering the crosswalk or before entering the intersection.

(2) Official traffic control signals consisting of colored lights or colored lighted arrows shall regulate vehicle and pedestrian traffic in the following manner:

(a) A "steady circular red" light means vehicular traffic shall stop. Vehicular traffic shall remain standing until a signal to proceed is shown or vehicular traffic, unless prohibited by a sign, may cautiously enter the intersection to make a right turn from the right lane of traffic or a left turn from a one-way street to a one-way street from the left lane of traffic on a one-way street onto the left most lane of traffic on a one-way street. Turns made under this paragraph shall be made in a manner that does not interfere with other vehicular or pedestrian traffic lawfully using the intersection and drivers shall comply with any posted restrictions. Pedestrian traffic facing a steady circular red light shall not enter the roadway unless the pedestrian can safely cross the roadway without interfering with any vehicular traffic.

(Ord. No. 3190, Sec. 1, 8-20-92)

(b) A "steady circular yellow" or "steady yellow arrow" light means vehicular traffic is warned that the related green movement is being terminated and vehicular traffic shall no longer proceed into the intersection and shall stop. If the stop cannot be made in safety, a vehicle may be driven cautiously through the intersection. Pedestrian traffic is warned that there is insufficient time to cross the intersection and any pedestrian starting to cross the roadway shall yield the right of way to all vehicles.

(c) A "steady circular green" light means vehicular traffic may proceed straight, turn right or turn left through the intersection unless otherwise specifically prohibited. Vehicular traffic shall yield the right of way to other vehicular and pedestrian traffic lawfully within the intersection.

(d) A "steady green arrow" light shown alone or with another official traffic control signal means vehicular traffic may cautiously enter the intersection and proceed in the direction indicated by the arrow. Vehicular traffic shall yield the right of way to other vehicles and pedestrians lawfully within the intersection.

(e) A "flashing circular red" light means vehicular traffic shall stop and after stopping may proceed cautiously through the intersection yielding to all vehicles not required to stop or yield which are within the intersection or approaching so closely as to constitute a hazard, but then may proceed.

(f) A "flashing red arrow" means vehicular traffic shall stop and after stopping may proceed cautiously only in the direction indicated by the flashing red arrow through the intersection yielding to all vehicles not required to stop or yield which are within the intersection or approaching so closely as to constitute a hazard.

(g) A "flashing yellow" light means vehicular traffic shall proceed through the intersection or past such signal with caution.

(h) A "don't walk" light is a pedestrian signal which means that pedestrian traffic facing the illuminated pedestrian signal shall not start to cross the roadway in the direction of the pedestrian signal, and pedestrian traffic in the crossing shall proceed to a safety zone.

(i) A "flashing don't walk" light is a pedestrian signal which means that the previous walk interval is being terminated. Pedestrians not in the crosswalk shall not start to cross the roadway in the direction of the pedestrian signal and pedestrians already within the crosswalk shall proceed across the roadway in the direction of the pedestrian signal without delay.

(j) A "walk" light is a pedestrian signal which means that pedestrian traffic facing the illuminated pedestrian signal may proceed to cross the roadway in the direction of the pedestrian signal and shall be given the right of way by drivers of all vehicles.

(k) A "flashing yellow arrow" light means vehicular traffic may proceed with caution through the intersection unless otherwise specifically prohibited. Vehicular traffic shall yield the right of way to other vehicular and pedestrian traffic lawfully within the intersection.

(Ord. No. 843, Sec. 123; Code 1956, Sections 123, 124; Code 1956, Sections 25-23, 25-24; Ord. No. 941, Sections 2, 3, 4, Sec. 25-23, 7-21-59; Ord. No. 2340, Sections 1, 2, 6-16-70; Ord. No. 2376, Sections 1, 2, 9-23-71; Ord. No. 2534, Sections 1, 2, 2-3-76) [State Law Ref. Iowa Code Sec. 321.257];(Ord. No. 468, 01-28-14)

Sec. 26.19. INTERSECTIONS WHERE TURNS ON RED PROHIBITED.

It is unlawful for the driver of any vehicle to make a turn at an intersection while facing a steady red traffic control signal if a sign stating "No Turn on Red" is posted. This prohibition may be limited to times when children are present by so stating on the signs posted as required.

(Ord. No. 2689, Sections 1, 3, 11-8-78; Ord. No. 2733, Sec. 1, 10-2-79; Ord. No. 3190, Sec. 2, 8-20-92)

Sec. 26.20. DUTIES WHEN EMERGING FROM ALLEY, DRIVEWAY OR BUILDING.

It is unlawful for the driver or operator of a vehicle, including a bicycle, when emerging from an alley, driveway or building to fail to stop such vehicle immediately prior to going onto a sidewalk or onto the sidewalk area extending across any alleyway, or onto a bikeway or bike path and the right-of-way shall be yielded to any pedestrian or bicyclist as may be necessary to avoid collision, and upon entering the roadway the right-of-way shall be yielded to all vehicles approaching so closely as to constitute a hazard, but when said right-of-way shall have been yielded, the driver or operator may then proceed cautiously and with due care enter said roadway.

(Ord. No. 843, Sec. 146; Code 1956, Sec. 25-46; Ord. No. 2630, Sections 1, 2, 11-15-77) [State Law Ref. Iowa Code Sec. 321.353]

Sec. 26.21. STOP WHEN TRAFFIC OBSTRUCTED.

It is unlawful for the driver of a vehicle to enter an intersection or marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

(Ord. No. 843, Sec. 147; Code 1956, Sec. 25-47)

Sec. 26.22. STOP REQUIRED AT RAILROAD CROSSINGS.

Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty (50) feet but not less than ten (10) feet from the nearest rail of such railroad, and shall not proceed until it can be done so safely. The foregoing requirements apply when:

- (1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
- (2) A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
- (3) A railroad train approaching within approximately fifteen hundred (1500) feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard.

(Ord. No. 843, Sec. 148; Code 1956, Sec. 25-48) [State Law Ref. Iowa Code Sec. 321.341]

B. TURNING MOVEMENTS.

Sec. 26.23. METHOD OF TURNING AT INTERSECTIONS.

It is unlawful for the driver of a vehicle intending to turn at an intersection to do so in any manner other than as follows:

- (1) Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of roadway;
- (2) Approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered;
- (3) Approach for a left turn from a two-way street into a one-way street shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection. A left turn from a one-way street into a two-way street shall be made by passing to the right of the center line of the street being entered upon leaving the intersection;
- (4) Where both streets or roadways are one-way both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway.

Ord. No. 843, Sec. 132; Code 1956, Sec. 25-32) [State Law Ref. Iowa Code Sec. 321.311]

Sec. 26.24. LEFT TURNS.

The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road or driveway shall yield the right-of-way to vehicles approaching from the opposite direction which are within the path of the turn or so close thereto as to constitute an immediate hazard, then said driver, having so yielded, and having given a signal when and as required by this chapter, may make such left turn.

(Ord. No. 843, Sec. 161; Code 1956, Sec. 25-61; Ord. No. 2283, Sections 1, 2, 2-4-69; Ord. No. 2626, Sec. 1, 10-25-77) [State Law Ref. Iowa Code Sec. 321.320]

Sec. 26.25. REQUIRED TURN SIGNALS.

(1) It is unlawful for any person to turn a vehicle from a direct course upon a street in the city unless and until such movement can be made with reasonable safety and then only after giving audible signal by sounding the horn if any pedestrian may be affected by such movement or after giving an appropriate signal in the manner herein provided in the event any other vehicle may be affected by such movement.

(2) The signals herein required shall be given either by means of the hand and arm or other proper signal or signal device of a type approved by the state motor vehicle department.

All signals herein required which shall be given by hand and arm shall when so given, be given from the left side of the vehicle and in the following manner:

- (a) Left turn -- Hand and arm extended horizontally.
 - (b) Right turn -- Hand and arm extended upward.
 - (c) Stop or decrease of speed -- Hand and arm extended downward.
- (3) A signal of intention to turn right or left shall be given continuously during not less than the last one hundred feet traveled by the vehicle before turning when the speed limit is forty-five miles per hour or less and a continuous signal during not less than the last three hundred feet when the speed limit is in excess of forty-five miles per hour.

(Ord. No. 843, Sections 137, 137.2, 137.3; Code 1956, Sections 25-37, 25-37.2, 25-37.3) [State Law Ref. Iowa Code Sections 321.314, 321.315, 321.317, 321.318]

Sec. 26.26. EVADING TRAVEL THROUGH AN INTERSECTION.

No person shall leave the street and drive a motor vehicle across land abutting an intersection to avoid transversing said intersection.

(Ord. No. 2591, Sec. 1, 4-5-77)

Sec. 26.27. TURNING AROUND.

It is unlawful for any driver of a vehicle to turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety and without interfering with other traffic.

(Ord. No. 843, Sec. 136; Code 1956, Sec. 25-36)

Sec. 26.28. RESTRICTED TURNS.

- (1) No driver of a vehicle shall turn such vehicle so as to proceed in the opposite direction at any location where a sign indicating "no U-turn" is posted.
- (2) No driver of a vehicle shall make a left turn at any location where a sign indicating "no left turn" is posted.
- (3) No driver of a vehicle shall make a right turn at any location where a sign indicating "no right turn" is posted.

(Ord. No. 843, Sections 134.1--134.14; Code 1956, Sections 25-34.1--25-34.20; Ord. No. 1099, Sec. 1, 10-15-63; Ord. No. 2660, Sec. 1, 6-20-78; Ord. No. 843, Sec. 135.1; Code 1956, Sec. 25-35.1)

C. OVERTAKING, PASSING AND KEEPING TO THE RIGHT.

Sec. 26.29. DUTY TO KEEP TO THE RIGHT.

- (1) Except as otherwise provided herein, the operator of a vehicle within the corporate limits shall at all times travel on the right-hand side of the center of the street.
- (2) Persons on horseback or vehicles meeting each other on the public streets shall give one-half (½) of the traveled way thereof by turning to the right.

(Ord. No. 843, Sections 162, 163; Code 1956, Sections 25-62, 25-63) [State Law Ref. Iowa Code Sec. 321.298]

Sec. 26.30. PASSING ON THE LEFT.

- (1) The driver of a vehicle overtaking another vehicle proceeding in the same direction on other than four (4) lane roadways, shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
- (2) No vehicle shall cross the center line of a roadway of four (4) or more lanes when overtaking another vehicle, when such center line is a solid painted line.
- (3) No vehicle shall be driven on the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free from oncoming traffic for sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.

(Ord. No. 843, Sections 164, 167; Code 1956, Sections 25-64, 25-67; Ord. No. 2398, Sections 1, 2, 4-18-72) [State Law Ref. Iowa Code Sections 321.299, 321.303]

Sec. 26.31. PASSING ON THE RIGHT.

- (1) The driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.
- (2) The driver of a vehicle may overtake, and, allowing sufficient clearance, pass another vehicle proceeding in the same direction either upon the left or upon the right on a roadway with unobstructed pavement of a sufficient width for four (4) or more lanes of moving traffic when such movement can be made in safety and within the right side of the center of the roadway. No person shall drive off the pavement or upon the shoulder of the roadway in overtaking or passing on the right.

(Ord. No. 843, Sec. 166; Code 1956, Sec. 25-66) [State Law Ref. Iowa Code Section 321.302]

Sec. 26.32. OVERTAKEN VEHICLE.

Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall upon audible signal give way to the right in favor of the overtaking vehicle proceeding in the same direction and shall not increase the vehicle's speed until completely passed by the overtaking vehicle.

(Ord. No. 843, Sec. 165; Code 1956, Sec. 25-65; Ord. No. 2398, Sec. 1, 2, 4-18-72) [State Law Ref. Iowa Code Sec. 321.299]

Sec. 26.33. DUTY TO KEEP IN SINGLE LANE.

Whenever any roadway has been divided into two (2) or more clearly marked lanes a vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(Ord. No. 843, Sec. 169; Code 1956, Sec. 25-69) [State Law Ref. Iowa Code Sec. 321.306]

Sec. 26.34. NO PASSING ZONES.

No vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left side of the roadway where traffic signs or markings on the roadway indicate a "No Passing Zone" or direct traffic to keep to the right.

(Ord. No. 843, Sec. 170; Code 1956, Sec. 25-70; Ord. No. 2398, Sections 1, 2, 4-18-72) [State Law Ref. Iowa Code Sec. 321.304(3)]

Sec. 26.35. OVERTAKING, PASSING VEHICLE STOPPED FOR PEDESTRIAN.

Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

(Ord. No. 843, Sec. 185; Code 1956, Sec. 25-85)

D. SPEED.

Sec. 26.36. SPEED GENERALLY.

It is unlawful for any person driving a vehicle on the streets to drive the same in any manner other than at a careful and prudent speed not greater than, nor less than, is reasonable and proper, having due regard to the traffic surface, and width of the street and of any other conditions then existing and no person shall drive any vehicle upon a street at a speed greater than will permit the driver to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said street will observe the law.

(Ord. No. 843, Sec. 129; Code 1956, Sec. 25-25) [State Law Ref. Iowa Code Sec. 321.285]

Sec. 26.37. MINIMUM SPEED.

No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation, or in compliance with law.

(Ord. No. 843, Sec. 130; Code 1956, Sec. 25-30) [State Law Ref. Iowa Code Sec. 321.294]

Sec. 26.38. SPEED LIMITS BY DISTRICT, ALLEYS, PUBLIC PARKS.

(1) Unless specifically designated otherwise in this chapter, no driver shall operate a vehicle at a speed in excess of:

(a) fifteen (15) miles per hour in any public park, public alley, private or public parking lot, cemetery or other public place;

(b) twenty (20) miles per hour in any business district;

(c) twenty-five (25) miles per hour in any residential or school district; and

(d) forty-five (45) miles per hour in any suburban district.

(2) Penalties. Violation of this section shall be punished as stated in the following scale of penalties:

(a) For speeds of 1-5 miles per hour over the established speed limit the penalty is a fine set by the Code of Iowa Sec. 805.8A(5).

(b) For speeds of 6-10 miles per hour over the established speed limit the penalty is a fine set by the Code of Iowa Sec. 805.8A(5).

(c) For speeds of 11-15 miles per hour over the established speed limit the penalty is a fine set by the Code of Iowa Sec. 805.8A(5).

(d) For speeds of 16-20 miles per hour over the established speed limit the penalty is a fine set by the Code of Iowa Sec. 805.8A(5).

(e) For speeds of 21 miles per hour and above over the established speed limit the penalty is a fine set by the Code of Iowa Sec. 805.8A(5).

(Ord. No. 843, Sec. 129.1 - 129.4, Code 1956, Sec. 25-29.1 -25-29.4; Ord. No. 2189, Sec. 2, 7-25-67; Ord. No. 2462, Sec. 1, 12-18-73; Ord. No. 3706, 4-8-03) [State Law Ref. Iowa Code Sec. 321.285, 321.286]

Sec. 26.39. SPECIFICALLY DESIGNATED SPEED LIMITS ON CERTAIN STREETS.

(1) No person shall operate a vehicle in excess of the following designated speed limits on the following streets or portions of streets:

(a) **Ash Avenue:** twenty-five (25) miles per hour from Lincoln Way to Ashmore Drive.

(Ord. No. 2381, Sec. 2, 12-7-71)

(b) **Beach Avenue:** thirty (30) miles per hour from Lincoln Way to Mortensen Parkway.

(Ord. No. 2320, Sec. 3, 12-2-69; Ord. No. 2713, Sec. 1, 4-3-79)

(c) **Carnegie Avenue:** thirty (30) miles per hour from Lincoln Way to Pullman.

(Ord. No. 2597, Sec. 1, 4-26-77)

(d) **Duff Avenue:**

(i) fifty (50) miles per hour from the south corporation limits to station 506+00

(approximately three hundred thirty (330) feet south of Jewell Drive);

(ii) forty-five (45) miles per hour from station 506+00 to a point one hundred (100) feet

south of the south end of Squaw Creek Bridge;

(iii) thirty-five (35) miles per hour from a point one hundred (100) feet south of the south

end of Squaw Creek to South Third Street;

(iv) thirty (30) miles per hour from South Third Street to Lincoln Way;

(v) twenty-five (25) miles per hour from Lincoln Way to Sixth Street; and

(vi) thirty (30) miles per hour from Sixth Street to the north intersection with Northwood

Drive.

(vii) For the space of 370 feet beginning at a point 185 feet south of the intersection with the center of O'Neil Drive and extending to a point 185 feet north of said intersection the speed limit shall be 20 miles per hour when the flashing yellow lights installed with respect to that place are in operation.

(Ord. No. 843, Sec. 129.7; Code 1956, Sec. 25-29.7; Ord. No. 1036, Sec. 1, 7-17-62; Ord. No. 1073, Sec. 1, 5-7-63; Ord. No. 2320, Sec. 1, 12-2-69; Ord. No. 2551, Sec. 2, 7-6-76; Ord. No. 2559, Sec. 2, 8-3-76; Ord. No. 3029, Sec. 1, 12-13-88; Ord. No. 3538, Sec. 1, 9-28-99)

(e) **Edison Street:** thirty (30) miles per hour from Dayton Avenue to Carnegie Avenue.

(Ord. No. 2597, Sec. 1, 4-26-77)

(f) **University Boulevard:** forty-five (45) miles per hour from the south corporation limits to a point five hundred (500) feet south of South Fourth Street and thirty-five (35) miles per hour from a point five hundred (500) feet south of South Fourth Street to Lincoln Way.

(Ord. No. 2353, Sec. 1, 9-22-70; Ord. No. 3992, 06-09-09)

(g) **Grand Avenue:** thirty (30) miles per hour from Lincoln Way to a point fifty feet south of Seventh

Street; thirty-five (35) miles per hour from a point 50 feet south of Seventh Street to a point 100 feet north of Wheeler Street; forty-five (45) miles per hour from a point 100 feet north of Wheeler Street to 350 feet north of Top-O-Hollow Road; fifty (50) miles per hour from a point 350 north of Top-O-Hollow Road to the north corporation limits.

(Code 1956, Sec. 25-29.8; Ord. No. 978, Sec. 1, 10-18-60; Ord. No. 1073, Sec. 1, 5-7-63; Ord. No. 2126, Sec. 1, 2-15-66; Ord. No. 2311, Sections 1, 2, 10-7-69; Ord. No. 2456, Sections 1, 2, 11-20-73; Ord. No. 2554, Sec. 2, 7-6-76; Ord. 4134, 12-18-12)

(h) **Hoover Avenue:** thirty (30) miles per hour from Twenty-fourth Street to Top-O-Hollow Road.

(Ord. No. 2470, Sec. 1, 2-19-74)

(hh) **Hyde Avenue:** thirty-five (35) miles per hour between 190th Street and Harrison Road.

(Ord. No. 4283, 12-13-16)

(i) **Lincoln Way:** fifty (50) miles per hour from the east corporation limits to 1200 feet east of Dayton Avenue; forty-five (45) miles per hour from 1200 feet east of Dayton Avenue to a point twenty-nine hundred fifty (2950) feet east of Duff Avenue; thirty-five (35) miles per hour from a point twenty-nine hundred fifty (2950) feet east of Duff Avenue to the center of Duff Avenue; thirty (30) miles per hour from the centerline of Duff Avenue to the east line of North Riverside Drive; thirty-five (35) miles per hour from the east line of North Riverside Drive to the centerline of Beach Avenue; thirty (30) miles per hour from the centerline of Beach Avenue to the west line of Sheldon Avenue; thirty-five (35) miles per hour from Sheldon Avenue to a point three hundred (300) feet west of

Beedle Drive; forty-five (45) miles per hour from a point three hundred (300) feet west of Beedle Drive to 3,960 feet west of Dakota Avenue; and fifty (50) miles per hour from 3,960 feet west of Dakota Avenue to the west corporation limits.

(Ord. No. 843, Sec. 129.6; Code 1956, Sec. 25-29.6; Ord. No. 928, Sec. 1, 2-10-59; Ord. No. 1073, Sec. 1, 5-7-63; Ord. No. 2189, Sec. 2, 7-25-67; Ord. No. 2313, Sections 1, 2, 1028-69; Ord. No. 2410, Sec. 2, 8-15-72; Ord. No. 2447, Sec. 2, 6-26-73; Ord. No. 2474, Sections 1, 2, 3-26-74; Ord. No. 3135, Sec. 1, 7-9-91; Ord. No. 3399, Sec. 1, 8-27-96)

(j) **Mortensen Road:** thirty (30) miles per hour from University Boulevard to Hayward Avenue; 30 miles per hour from 2,000 feet west of the west line of State Avenue to the east line of South Dakota Avenue; and 40 miles per hour from South Dakota Avenue to the west end of Mortensen Road.

(Ord. No. 2381, Sec. 2, 12-7-71; Ord. No. 2713, Sec. 1, 4-3-79; Ord. No. 3148, Sec. 1, 11-12-91, Ord. No. 3751, 1-13-04; Ord. 3857, 10-25-05; Ord. No. 3992, 06-09-09)

(k) **North Dakota:** thirty-five (35) miles per hour from Lincoln Way to Ontario Street.
(Ord. No. 2275, Sec. 1, 11-5-68)

(l) **Ontario Street:** thirty (30) miles per hour from Hyland Avenue to a point eight hundred (800) feet west of the center of Scholl Road; thirty (30) miles per hour from North Dakota Avenue to Idaho Avenue; thirty-five (35) miles per hour from Idaho Avenue to three hundred (300) feet west of California Avenue; and forty-five (45) miles per hour from three hundred (300) feet west of California Avenue to County Line Road.

(Ord. No. 2320, Sec. 4, 12-2-69, Ord. No. 3452, Sec. 1, 8-12-97; Ord. No. 3882, 05-09-06)

(m) **Oakwood Road:** forty (40) miles per hour from University Boulevard to State Avenue.

(Ord. 3127, 5-14-91, Ord. No. 3630, 9-25-01; Ord. No. 3841, 07-26-05; Ord. No. 3992, 06-09-09)

(n) **Pullman Street:** thirty (30) miles per hour from Dayton Avenue to Carnegie Avenue.
(Ord. No. 2597, Sec. 1, 4-26-77)

(o) **South Dakota Avenue:** Thirty-five (35) miles per hour from the centerline of Lincoln Way to the overpass with U.S. Highway 30.

(Ord. No. 2643, Sec. 1, 2-28-78; Ord. No. 3275, Sec. 1, 5-24-94; Ord. No. 3901, 2-13-07)

(p) **South Fourth Street:** thirty-five (35) miles per hour from South Third Street to University Boulevard.

(Ord. No. 2381, Sec. 2, 12-7-71; Ord. No. 3992, 06-09-09)

(q) **South Sixteenth Street:** thirty-five (35) miles per hour from the abandoned railroad tracks to South Dayton Avenue; and forty (40) miles per hour from South Dayton Avenue to South Dayton Place.

(Ord. No. 2618, Sec. 2, 8-23-77; Ord. No. 3296, Sec. 1, 9-13-94; Ord. No. 4012, 11-10-09)

(r) **South Third Street:** thirty (30) miles per hour from South Duff Avenue to South Fourth Street.

(Ord. No. 2408, Sec. 1, 8-1-71)

(s) **Thirteenth Street:** forty-five (45) miles per hour from the east corporation limits to a point three hundred (300) feet east of the east line of the north River Valley Park entrance; thirty-five (35) miles per hour from a point three hundred (300) feet east of the east line of the north River Valley Park entrance to the west line of Maxwell Avenue; and thirty (30) miles per hour from Maxwell Avenue to the Iowa State University property line (the north ŷ corner of Section 3, T-83N, R-24W); and thirty-five (35) miles per hour between Stange Road and Hyland Avenue.

(Ord. No. 2320, Sec. 2, 12-2-69; Ord. No. 2527, Sec. 2, 9-16-75; Ord. 2829, 8-17-82; Ord. 3287, Sec. 1, 8-9-94)

(t) **Thirtieth Street:** thirty (30) miles per hour from Hoover Avenue to Grand Avenue.

(Ord. No. 2470, Sec. 1, 2-19-74)

(u) **Twenty-fourth Street:** thirty (30) miles per hour from Ferndale Avenue to the Chicago Northwestern Railroad tracks; thirty-five (35) miles per hour from the Chicago Northwestern Railroad tracks to the west line of Stange Road; and forty (40) miles per hour from the west line of Stange Road to a point on County Road R-50 seven hundred (700) feet north of the north line of Northridge Parkway.

(Ord. No. 2551, Sec. 2, 7-6-76; Ord. No. 3081, Sec. 1, 5-8-90)

(v) **Whitney Avenue:** thirty (30) miles per hour from Edison Street to Pullman Street.

(Ord. No. 2597, Sec. 1, 4-26-77)

(w) **Sixth Street:** thirty (30) miles per hour from Grand Avenue to Hazel Avenue, and twenty-five (25) miles per hour from Hazel Avenue west to a point one hundred feet (100') east of the Chicago and Northwestern Railroad underpass.

(Ord. No. 2793, Sec. 1, 12-8-81; Ord. No. 4267, 7-26-16)

- (x) **Hyland Avenue:** thirty miles per hour from Oakland Street to Ontario Street.
(*Ord. No. 2968, Sec. 1, 1-27-87*)
- (y) **Dayton Avenue:** Forty-five miles per hour from the south end north to the north city limits except for a section from 1,000 feet north to 1,000 feet south of the East Lincoln Way intersection, which shall be thirty-five miles per hour.
(*Ord. No. 3135, Sec. 2, 7-9-91; Ord. No. 3538, Sec. 1, 9-28-99*)
- (z) **Bloomington Road:** Thirty-five (35) miles per hour from Grand Avenue to Hoover Avenue, thirty (30) miles per hour from Hoover Avenue to Taft Street; thirty-five (35) miles per hour from Taft Street to Hyde Avenue; forty (40) miles per hour from Hyde Avenue to the UP railroad tracks; and forty-five (45) miles per hour from the UP railroad tracks to the west end of Bloomington Road.
(*Ord. No. 3157, Sec. 1, 12-17-91; Ord. No. 3350, Sec. 1, 10-10-95, Ord. No. 3451, Sec. 1, 8-12-97; Ord. No. 3535, 8-24-99; Ord. No. 3713, 5-27-03*)
- (aa) **Twentieth Street.** the speed limit shall be 20 miles per hour, during school crossing periods, within 200 feet of the crosswalk at Kellogg Avenue when the flashing yellow lights installed with respect to that place are in operation.
(*Ord. No. 3238, Sec. 1, 9-14-93*)
- (bb) **U.S. Highway 30/Dayton Avenue Overpass.** thirty-five(35) miles per hour.
(*Ord. No. 3296, Sec. 1, 9-12-94*)
- (cc) **Southeast Fifth Street.** thirty-five (35) miles per hour.
(*Ord. No. 3312, 12-20-94*)
- (dd) **George Washington Carver Blvd:** Forty (40) miles per hour from 700 feet north of Northridge Parkway to Bloomington Road.
(*Ord. No. 3451, Sec. 1, 8-12-97*)
- (ee) **Stange Road:** Thirty-five (35) miles per hour between the City of Ames north corporate limit and Kingston Drive; and twenty-five (25) miles per hour between Kingston Drive and 24th Street.
(*Ord. No. 3516, Sec. 1, 2-9-99; Ord. No. 3802, 09-28-04; Ord. No. 3900, 02-13-07; Ord. No. 4244, 1-12-16*)
- (ff) **SouthDayton Place:** Forty-five (45) miles per hour from the intersection of South Dayton Avenue to its southern end.
(*Ord. No. 4019, 12-22-09*)
- (gg) **State Avenue:** Thirty-five (35) miles per hour along State Avenue from a point 250 feet north Meadow Glen Road to a point 250 feet south of Oakwood Road.
(*Ord. No. 4152, 7-9-13*)
- (hh) **Hyde Avenue:** Thirty-five (35) miles per hour from 190th Street to a point one mile south of 190th Street.
- (ii) **Collaboration Place:** thirty (30) miles per hour from University Boulevard to South Riverside Drive.
(*Ord. No. 4298, 4-25-17*)
- (jj) **Plaza Loop:** Twenty (20) miles per hour on all sections of the street.
(*Ord. No. 4299, 4-25-17*)
- (2) **Penalties.** Violation of this section shall be punished as stated in the following scale of penalties:
- (a) For speeds of 1-5 miles per hour over the established speed limit the penalty is a fine set by the Code of Iowa Sec. 805.8A(5).
- (b) For speeds of 6-10 miles per hour over the established speed limit the penalty is a fine set by the Code of Iowa Sec. 805.8A(5).
- (c) For speeds of 11-15 miles per hour over the established speed limit the penalty is a fine set by the Code of Iowa Sec. 805.8A(5).
- (d) For speeds of 16-20 miles per hour over the established speed limit the penalty is a fine set by the Code of Iowa Sec. 805.8A(5).
- (e) For speeds of 21 miles per hour and above over the established speed limit the penalty is a fine set by the Code of Iowa Sec. 805.8A(5).
(*Ord. No. 3706, 4-8-03*)

E. OPERATIONS GENERALLY

Sec. 26.40. RECKLESS DRIVING.

Any person who drives any vehicle in such manner as to indicate either a wilful or a wanton disregard for the safety of persons or property is guilty of reckless driving.

(Ord. No. 843, Sec. 156; Code 1956, Sec. 25-56) [State Law Ref. Iowa Code Sec. 321.277]

Sec. 26.41. CONTROL OF VEHICLE.

A person operating a motor vehicle shall have the same under control at all times and shall reduce the speed to a reasonable and proper rate:

- (1) When approaching and passing a person walking in the traveled portion of the public highway.
- (2) When approaching and passing an animal which is being led, ridden, or driven upon a public highway.
- (3) When approaching and traversing a crossing or intersection of public highways, or a bridge, or a sharp turn, or a curve, or a steep descent, in a public highway.
- (4) When approaching and passing a fusee, flares, red reflector electric lanterns, red reflectors or red flags displayed in accordance with section 321.448, or an emergency vehicle displaying a revolving or flashing light.
- (5) When approaching and passing a slow moving vehicle displaying a reflective device as provided by section 321.383.

(Ord. No. 843, Sec. 159; Code 1956, Sec. 25-59) [State Law Ref. Iowa Code Sec. 321.288]

Sec. 26.42. DRIVING ON SIDEWALKS.

(1) It is unlawful for a driver of a vehicle to drive within any sidewalk area except at a permanent or temporary driveway, except that golf carts may operate on the following described portions of bike paths and sidewalks:

- (a) The bike path along South Sixteenth Street commencing at the South Riverside Drive intersection and going north to University Boulevard, across University Boulevard and continuing north along the east side of Jack Trice Stadium to South Fourth Street, across South Fourth Street, and then north to Center Drive;
- (b) The bike path along Beach Avenue from South Fourth Street north to Lincoln Way, across Lincoln Way then north along Wallace Road to its intersection with Union Drive, then south on Union Drive to Welch Avenue, then along Welch Avenue to Lincoln Way;
- (c) The bike path along Center Drive from University Boulevard to Beach Avenue; and
- (d) The bike path along University Boulevard from Center Drive to South Fourth Street.

(2) This exception to Sec. 26.42 shall be in effect from July 23, 1999 through July 29, 1999.

(Ord. No. 843, Sec. 153; Code 1956, Sec. 25-53; Ord. No. 3527, 6-22-99; Ord. No. 3992, 06-09-09)

Sec. 26.43. DRIVING ON CLOSED STREETS.

No person shall drive a vehicle upon any closed street or portion thereof.

(Ord. No. 843, Sec. 127.1; Code 1956, Sec. 25-27.1)

Sec. 26.44. DRIVING IN PLAY AREAS.

No person shall drive a vehicle upon any street or portion thereof designated a "play area", unless such driver has business or resides within such play area and then said driver shall exercise the greatest care in driving upon said street or portion thereof.

(Ord. No. 843, Sec. 128; Code 1956, Sec. 25-28)

Sec. 26.45. DRIVING ON ONE WAY.

No person shall drive a vehicle other than in the indicated direction on a one way street or alley.

Sec. 26.46. OBEYING TURN DIRECTIONS.

No person shall drive a vehicle contrary to any markers, buttons, medians, or signs indicating the course of travel or turning within intersections.

(Ord. No. 843, Sec. 159; Code 1956, Sec. 25-59) [State Law Ref. Iowa Code Sec. 321.311]

Sec. 26.47. LIMITATIONS ON BACKING.

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

(Ord. No. 843, Sec. 154; Code 1956, Sec. 25-54)

Sec. 26.48. STARTING PARKED VEHICLE.

No person shall start a vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety.

(Ord. No. 843, Sec. 157; Code 1956, Sec. 25-57) [State Law Ref. Iowa Code Sec. 321.313]

Sec. 26.49. SIGNAL BEFORE STOPPING, SLOWING DOWN.

No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

(Ord. No. 843, Sec. 158; Code 1956, Sec. 25-58) [State Law Ref. Iowa Code Sec. 321.316]

Sec. 26.50. OBEDIENCE TO POLICEMAN, FIREMAN.

It is unlawful for a person to wilfully fail or refuse to comply with any lawful order or direction of a police officer, fire fighter, or other authorized traffic officer.

(Ord. No. 843, Sec. 107; Code 1956, Sec. 25-7)

Sec. 26.51. FOLLOWING, PARKING NEAR FIRE APPARATUS.

It shall be unlawful for a driver of any vehicle other than one on official business to follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

(Ord. No. 843, Sec. 149; Code 1956, Sec. 25-49) [State Law Ref. Iowa Code Sec. 321.367]

Sec. 26.52. DRIVING OVER FIRE HOSE, OTHER PUBLIC EQUIPMENT.

No person shall drive any engine or vehicle over or across any fire hose, wire, chain, rope, cable or device used by any public employee in the performance of the employee's official duty, without consent of the person in lawful charge of the same.

(Ord. No. 812, Sec. 82; Code 1956, Sec. 73-82; Ord. No. 843, Sec. 150; Code 1956, Sec. 25-50) [State Law Ref. Iowa Code Sec. 321.368]

Sec. 26.53. DRIVING THROUGH PROCESSIONS.

It is unlawful for the driver of a vehicle to drive between the vehicles comprising a funeral or other authorized procession while they are in motion. This provision does not apply at intersections where traffic is controlled by traffic-control signals or police officers.

(Ord. No. 843, Sec. 151; Code 1956, Sec. 25-51)

Sec. 26.54. DUTIES OF DRIVERS IN PROCESSIONS.

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

(Ord. No. 843, Sec. 152; Code 1956, Sec. 25-52) [State Law Ref. Iowa Code Sec. 321.236(3)]

Sec. 26.55. EVADING RAILROAD CROSSING GATES AND BARRIERS.

It is unlawful for any person to drive any vehicle through, around or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier at a railroad grade crossing is closed or is being opened or closed.

(Ord. No. 843, Sec. 148.1; Code 1956, Sec. 25-48.1) [State Law Ref. Iowa Code Sec. 321.342]

Sec. 26.56. DUTY TO REDUCE SPEED OR STOP WHEN APPROACHING A SCHOOL BUS.

The driver of any vehicle when meeting a school bus on which the amber warning lamps are flashing shall reduce the speed of said vehicle to not more than twenty miles per hour, and shall bring said vehicle to a complete stop when the school bus stops and the stop signal arm is extended and said vehicle shall remain stopped until the arm is retracted, after which the driver may proceed with due caution. The driver of any vehicle overtaking a school bus shall not pass a school bus when the red or amber warning signal lights are flashing and shall bring said vehicle to a complete stop not closer than fifteen feet from the school bus when it is stopped and shall remain stopped until the stop arm is retracted and the school bus resumes motion, or until signaled by the bus driver to proceed.

(Ord. No. 2628, Sec. 1, 11-1-77) [State Law Ref. Iowa Code Sec. 321.372(3)]

Sec. 26.57. DRIVING UNSAFE VEHICLES; EQUIPMENT REQUIRED.

It is unlawful for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any street any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition as required by Chapter 321 Code of Iowa 1979.

Sec. 26.58. LIGHTS REQUIRED

(1) No person shall operate a vehicle on any street in the city at any time from sunset to sunrise, and at such other times when conditions such as fog, snow, sleet or rain provide insufficient lighting to render clearly discernible persons and vehicles on the street at a distance of five hundred (500) feet unless such vehicle shall have and display lighted lamps and illuminating devices as provided by sections 321.385 through 321.420, Code of Iowa 2007.

(2) Whenever requirement is hereinafter declared as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in subsection 1 of this section upon a straight level unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

(Ord. No. 843, Sec. 183.2; Code 1956, Sec. 25-83.2) [State Law Ref. Iowa Code Sec. 321.284, 321.415](Ord. No. 3914, 05-08-07)

Sec. 26.59. UNNECESSARILY SOUNDING HORN.

It is unlawful for the driver of a motor vehicle or any other person to sound the horn or other warning device of a vehicle within the corporate limits of the city, except when reasonably necessary to insure safe operation of the vehicle.

(Code 1956, Sec. 25-83.3; Ord. No. 2020, Sec. 1, 2-4-64) [State Law Ref. Iowa Code Sec. 321.432]

Sec. 26.60. DUTIES ON APPROACH OF EMERGENCY VEHICLES.

Upon the immediate approach of an authorized emergency vehicle with any lamp or device displaying a red light, or an authorized emergency vehicle of a fire department displaying a blue light, or when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the highway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. For the purposes of this section, "red light" or "blue light" means a light or lighting device that, when illuminated, will exhibit a solid flashing or strobing red or blue light.

(Ord. No. 843, Sec. 113; Code 1956, Sec. 25-13; Ord. No. 2947, Sec. 2, 4-22-86) [State Law Ref. Iowa Code Sec. 321.324]

Sec. 26.61. OBEDIENCE TO TEMPORARY TRAFFIC CONTROL DEVICES.

No driver of a vehicle shall disobey the instructions or requirements of any duly authorized temporary traffic control device or sign, unless at the time otherwise directed by a traffic control officer or peace officer.

[State Law Ref. Iowa Code Sec. 321.256]

F. DESIGNATION OF THROUGH STREETS.

Sec. 26.62. THROUGH STREETS.

(1) Whenever a street has been designated a "through street" a "STOP" or "YIELD" sign or signal shall be erected and maintained on each and every street intersecting such street or portion thereof described and designated as a "through street".

(2) The following described streets or portions of streets are designated "through streets", except at the indicated intersections:

(a) **Airport Road** from the west line of South Duff Avenue to the west corporate limits.
(Ord. No. 2323, Sec. 2, 12-16-69)

(b) **Ash Avenue** from the south line of Lincoln Way through the intersection with Mortensen Road except at Knapp Street.

(Ord. No. 2323, Sec. 2, 12-16-69)

(c) **Beach Avenue** from the south line of Lincoln Way to Mortensen Road, except at South Fourth Street and Cessna Street.

(Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 2558, Sec. 2, 8-3-76)

(d) **Bloomington Road** from Grand Avenue to the west corporate limits.

(Ord. No. 3352, Sec. 2, 10-10-95)

- (e) **Carr Drive** from the west line of Meadowlane Avenue through the intersection of Sixteenth Street.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 3352, Sec. 1, 10-10-95*)
- (f) **Country Club Boulevard** from the east line of Ash Avenue to the west line of Beach Avenue.
(*Ord. No. 2358, Sec. 2, 11-3-70*)
- (g) **Dayton Avenue** from the north line of Lincoln Way to the north corporate limits, except at Thirteenth Street.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (h) **Duff Avenue** from Lincoln Way to the east line of Grand Avenue, except at Main Street, Sixth Street, Thirteenth Street and Sixteenth Street.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (i) **East Second Street** from the east line of Duff Avenue to the east line of Center Avenue.
(*Ord. No. 2605, Sec. 1, 6-7-77*)
- University Boulevard.** See 26.62 (ww).
- (j) **Fifth Street** from the east line of Grand Avenue to the west line of Duff Avenue, except at Clark, Kellogg and Douglas Avenues.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 2386, Sections 1, 1, 1-25-72; Ord. 3306, 11-22-94*)
- (k) **Franklin Avenue** from the north line of Lincoln Way to the south line of Woodland Avenue.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (l) **Grand Avenue** from the north line of Lincoln Way to the north corporate limits, except at Sixth Street, Ninth Street, Thirteenth Street, Twentieth Street, Twentyfourth Street, Twenty-eighth Street and Thirtieth Street.
- (m) **Hayward Avenue** from the south line of Lincoln Way to the south corporate limits except at Knapp Street and Storm Street.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (n) **North Hazel Avenue** from the north line of Lincoln Way to the south line of Sixth Street.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 3360, Sec. 2, 11-21-95*)
- (o) **Hickory Drive** from the intersection with Woodland Avenue to the north line of Lincoln Way.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (p) **Hoover Avenue** from Thirtieth Street to the south line of Top-O-Hollow Road.
(*Ord. No. 2381, Sec. 2, 12-7-71*)
- (q) **Hyland Avenue** from the north line of Lincoln Way through the intersection of Ontario Street, except at West Street.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (r) **Jewel Drive** from the west line of South Duff Avenue to the south line of Garnett Drive.
(*Ord. No. 2649, Sec. 1, 4-4-78*)
- (s) **Kellogg Avenue** from the north line of Lincoln Way to the south line of Ninth Street, except at Main Street, Fifth Street, Sixth Street and Seventh Street.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 3097, Sec. 1, 9-11-90*)
- (t) **Knapp Street** from the west line of Ash Avenue through the intersection of Sheldon Avenue, except at Welch Avenue and Hayward Avenue.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 3420, Sec. 1, 1-28-97*)
- (u) **Lincoln Way** from the east corporate limits to the west corporate limits, except at Dayton Avenue, Duff Avenue, Kellogg Avenue, Clark Avenue and Walnut Avenue, Grand Avenue, Elm Avenue, Maple Avenue, University Boulevard, Beach Avenue, Knoll Road, Ash Avenue, Lynn Avenue, Welch Avenue, Hayward Avenue, Sheldon Avenue, State Avenue, Franklin Avenue, Hyland Avenue, Marshall Avenue, Beedle Drive and North and South Dakota Avenue.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 2398, Sec. 2, 4-18-72; Ord. No. 3103, Sec. 1, 10-23-90; Ord. No. 3242, Sec. 1, 10-12-93; Ord. No. 3992, 06-09-09*)
- (v) **Main Street** from the west line of Duff Avenue until it becomes Northwestern Avenue at Allan Drive, except at Clark Avenue and Kellogg Avenue.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 2386, Sections 1, 2, 1-25-72*)
- (w) **Mortensen Road** from the intersection with University Boulevard to the west corporate limits, except at State Avenue.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 3992, 06-09-09*)

- (x) **Ninth Street** from the west line of Duff Avenue to the west line of Ridgewood Avenue, except at Grand Avenue.
(*Ord. No. 2323, Sec. 2, 2-16-69*)
- (y) **North Dakota Avenue** from the north line of Lincoln Way to the north corporate limits, except at Ontario Street.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (z) **Northwestern Avenue** from the extension of Main Street to the south line of Thirtieth Street except for stops required at Sixth Street, Ninth Street, Thirteenth Street, Sixteenth Street, Twentieth Street, and Twenty-fourth Street.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 2387, Sections 1, 2, 2-1-72; Ord. No. 2492, Sec. 2, 11-26-74; Ord. No. 2618, Sections 1, 2, 8-23-77; Ord. No. 2625, Sec. 2, 10-18-77*)
- (aa) **Ontario Street** from the intersection with Hyland Avenue to the west corporate limits, except at North Dakota Avenue.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (bb) **Ridgewood Avenue** from the north line of Sixteenth Street to the south line of Twentieth Street.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (cc) **Sheldon Avenue** from the south line of Lincoln Way through the intersection of Knapp Street.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (dd) **Sixteenth Street** from the east line of its intersection with Carr Drive to the west line of Ridgewood Avenue except at Maxwell Avenue, Duff Avenue, Burnett Avenue, Grand Avenue, and Northwestern Avenue.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 2618, Sections 1, 2, 8-23-77*)
- (ee) **Sixth Street** from the west line of Duff Avenue to the Squaw Creek Bridge, except at Douglas Avenue, Kellogg Avenue, Clark Avenue, Grand Avenue and Brookridge Avenue.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 3103, Sec. 1, 10-23-90*)
- (ff) **South Dakota Avenue** from the south line of Lincoln Way to the south corporate limits.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (gg) **South Dayton Avenue** from Lincoln Way to U.S. Highway 30.
(*Ord. No. 2633, Sec. 1, 12-13-77*)
- (hh) **South Duff Avenue** from the south line of Lincoln Way to the corporate limits except at South Third Street, South Fifth Street, South Sixteenth Street and Airport Road.
- (ii) **South Fourth Street** from its intersection with South Third to the east line of University Boulevard.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 3992, 06-09-09*)
- (jj) **South Kellogg Avenue** from the south line of Lincoln Way to the north line of South Third Street.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (kk) **South Sixteenth Street** from the west line of South Duff Avenue to the east line of University Boulevard.
(*Ord. No. 2568, Sec. 1, 10-19-76; Ord. No. 3992, 06-09-09*)
- (ll) **South Third Street** from the west line of Duff Avenue through the intersection with South Fourth Street.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (mm) **State Avenue** from the south line of Lincoln Way to the south corporate limits.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (nn) **Storm Street** from the west line of Ash Avenue to the east line of Hayward Avenue.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (oo) **Sunset Drive** from the east line of Ash Avenue to the west line of Beach Avenue.
(*Ord. No. 2409, Sec. 2, 8-1-72*)
- (pp) **Thirteenth Street** from the east corporate limits to the east line of Stange Road, except at Dayton Avenue, Duff Avenue and Grand Avenue.
(*Ord. No. 2323, Sec. 2, 12-16-69*)
- (qq) **Thirtieth Street** from the west line of Grand Avenue to Hoover Avenue.
(*Ord. No. 2381, Sec. 2, 12-7-71*)
- (rr) **Twentieth Street** from the west line of Duff Avenue to the west corporate limits, except at Grand Avenue and Northwestern Avenue.
(*Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 3082, Sec. 1, 5-8-90; Ord. No. 3090, Sec. 1, 7-24-90*)

- (ss) **Twenty-fourth Street** from the west line of Duff Avenue to the west corporate limits, except at Grand Avenue and Hayes Avenue.
(Ord. No. 2323, Sec. 2, 12-16-69)
- (tt) **Welch Avenue** from the south line of Lincoln Way to the north line of Knapp Street.
(Ord. No. 2323, Sec. 2, 12-16-69)
- (uu) **West Street** from the west line of Hyland Avenue through the intersection with Woodland Avenue.
(Ord. No. 2323, Sec. 2, 12-16-69; Ord. No. 3139, Sec. 1, 8-27-91)
- (vv) **Woodland Street** from the intersection with West Street to the intersection at Hickory Drive, except at Franklin Avenue and Westwood Avenue.
(Ord. No. 2323, Sec. 2, 12-16-69, Ord. No. 3446, Sec. 1, 7-22-97)
- (ww) **Elwood Drive** from the south corporate limits to the south line of Lincoln Way, except at South Fourth Street.
(Ord. No. 2840, Sec. 1, 1-25-83)
- (xx) **Southeast Fifth Street** from Dayton Avenue to Freel Drive.
(Ord. No. 3312, 12-20-94)
- (yy) **Stange Road** from the Iowa State University property to the north end of Stange Road, except at Twenty-Fourth Street.
(Ord. No. 3806, 10-26-04)

<p>DIVISION IV PEDESTRIANS</p>

Sec. 26.63. APPLICABILITY OF REGULATIONS.

Pedestrians are subject to traffic-control signals at intersections but at all other places pedestrians shall be accorded the privilege and are subject to the restrictions as provided in this chapter.
(Ord. No. 843, Sec. 184; Code 1956, Sec. 25-84) [State Law Ref. Iowa Code Sec. 321.325]

Sec. 26.64. RIGHT-OF-WAY CROSSING ROAD.

- (1) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way slowing down or stopping if need be so to yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle, which is so close that it is impossible for the driver to yield.
- (2) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.
(Ord. No. 843, Sec. 185; Code 1956, Sec. 25-85) [State Law Ref. Iowa Code Sec. 321.328]

Sec. 26.65. MANNER OF CROSSING ROAD.

- (1) Pedestrians shall not cross a street between adjacent intersections at which traffic-control signals are in operation, except in a crosswalk.
- (2) No pedestrian shall cross a roadway 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 crosswalk.
(Ord. No. 843, Sec. 187; Code 1956, Sec. 25-87)

Sec. 26.66. PEDESTRIAN USE OF THE ROADWAY.

- (1) Where sidewalks are provided it is unlawful for any pedestrian to travel on the adjacent roadway.

(2) Where sidewalks are not provided any pedestrian traveling along or upon any roadway shall, when practicable, travel only on the left of the roadway or its shoulder facing traffic which may approach from the opposite direction.

(3) Roadways shall not be used for a foot race without a city permit. Permits may be issued by the City Clerk after an application is received on forms provided by the Clerk when, after review of the plans for the race by the Department of Public Works and the Police Department, the City Manager, finding no basis to conclude that the event cannot occur safely and consistent with the public interest, approves the plan. An insurance certificate naming the City of Ames, its officers, and employees as an additional insured with comprehensive general liability limits in the amount of \$1,000,000 combined single limit shall be in full force and effect during the life of the foot race permit. The coverage shall be at least as broad as the ISO Form Number CG0001 covering commercial general liability written on an occurrence basis only. A copy of the current insurance certificate shall be maintained on file with the City Clerk. Under such permit, a roadway may be temporarily closed to vehicular traffic for the duration of the race. A permit fee shall be charged in such amount as shall be established from time to time by the City Council, with additional charges to cover the costs of any special services provided by the City to facilitate the event.

(Ord. No. 3746, 11-18-03)

(4) No person shall stand in a roadway, including the roadway medians, curbs, traffic islands and shoulders, for the purpose of soliciting a ride, employment, charitable contribution, or business from the occupant of any vehicle.

(Ord. No. 843, Sec. 190; Code 1956, Sec. 25-90; Ord. No. 3080, Sec. 1, 5-8-90; Ord. No. 3548, 2-8-00) [State Law Ref. Iowa Code Sec. 321.326]

Sec. 26.67. HITCHHIKING.

(1) No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

(2) Nothing in this chapter shall be construed so as to prevent any pedestrian from standing on that portion of the street or roadway, not ordinarily used for vehicular traffic, for the purpose of soliciting a ride from the driver of any vehicle.

(Ord. No. 843, Sec. 192; Code 1956, Sec. 25-92) [State Law Ref. Iowa Code Sec. 321.331]

Sec. 26.68. DRIVERS TO EXERCISE CARE.

Notwithstanding the foregoing provisions of this chapter every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

(Ord. No. 843, Sec. 194; Code 1956, Sec. 25-94) [State Law Ref. Iowa Code Sec. 321.329]

DIVISION V
MISCELLANEOUS REGULATIONS

Sec. 26.69. RIDING ON MOTORCYCLES OR MOTORIZED BICYCLES.

(1) A person shall not operate a motorized bicycle on any roadway with another person on the vehicle, nor shall any person who is not the operator of a motorized vehicle ride on the vehicle.

(2) A person shall not operate or ride a motorcycle on any roadway with another person on the motorcycle unless the motorcycle is designed to carry more than one person. The additional passenger may ride upon the permanent or regular seat if designed for two persons, or upon another seat if firmly attached to the motorcycle at the rear of the operator.

(3) A person operating a motorcycle or motorized bicycle shall ride only upon the vehicle's permanent and attached seat.

(Ord. No. 843, Sec. 171; Code 1956, Sec. 25-71; Ord. No. 2762, 11-18-80) [State Law Ref. Iowa Code Sec. 321.275]

Sec. 26.70. CLINGING TO VEHICLES.

Any person riding upon any bicycle, motorcycle, moped, coaster, sled, roller skates, or any toy vehicle shall not attach the same or himself to any moving vehicle upon any roadway.

(Ord. No. 843, Sec. 172; Code 1956, Sec. 25-72)

Sec. 26.71. BOARDING, ALIGHTING FROM MOVING VEHICLES.

No person shall board or alight from any vehicle while such vehicle is in motion.

(Ord. No. 843, Sec. 173; Code 1956, Sec. 25-73)

Sec. 26.72. RIDING ON PART OF VEHICLE NOT INTENDED FOR PASSENGERS.

(1) No person shall ride on any vehicle, upon any portion thereof not designated or intended for the use of passengers.

(2) No person shall drive or move a motor vehicle when any other person is riding upon any portion of a motor vehicle not designated or intended for the use of passengers.

(3) This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.

(Ord. No. 843, Sec. 174; Code 1956, Sec. 25-74; Ord. No. 2947, Sec. 1, 4-22-86)

Sec. 26.73. TRAINS BLOCKING CROSSINGS.

A railroad corporation or its employees shall not operate any train in such a manner as to prevent vehicular use of any highway, street or alley for a period of time in excess of ten minutes except:

(1) When necessary to comply with signals effecting the safety of the movement of trains.

(2) When necessary to avoid striking any object or person on the track.

(3) When the train is disabled.

(4) When necessary to comply with governmental safety regulations including, but not limited to, speed ordinances and speed regulations.

Any officer or employee of a railroad corporation violating any provision of this section shall be guilty of a misdemeanor. An employee shall not be guilty of such violation if the action was necessary to comply with the direct order or instructions of a railroad corporation or its supervisors. Such guilt shall then be with the railroad corporation.

(Ord. No. 812, Sec. 64; Ord. No. 843, Sec. 175; Code 1956, Sections 25-75, 76-64; Ord. No. 2582, Sec. 2, 1-18-77) [State Law Ref. Iowa Code Sec. 327G.32]

Sec. 26.74. OBSTRUCTION, INTERFERENCE WITH DRIVER.

(1) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(2) No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with the driver's control over the driving mechanism of the vehicle.

(3) No person shall drive any motor vehicle equipped with a windshield which does not permit clear vision, or with any sign, poster or other nontransparent material upon the front windshield of such vehicle other than a certificate or other paper required to be so displayed by law, which shall be displayed in the lower right-hand corner.

(Ord. No. 843, Sections 176, 177; Code 1956, Sections 25-76, 25-77) [State Law Ref. Iowa Code Sec. 321.363 and 321.438.]

Sec. 26.75. INJURIOUS SUBSTANCES ON STREETS, PARKING LOTS.

(1) No person shall throw or deposit upon any street, roadway, municipally-owned, -leased or -controlled parking lots, any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon such street.

(2) Any person who drops or permits to be dropped or thrown upon any street, roadway, municipally-owned, -leased, or -controlled parking lot, any destructive or injurious material shall immediately remove the same or cause it to be removed.

(Ord. No. 843, Sections 181, 182; Code 1956, Sections 25-81, 25-82) [State Law Ref. Iowa Code Sec. 321.369 and 321.370]

Sec. 26.76. GOLF CART OPERATION ON CITY STREETS.

- (1) No one shall operate a golf cart upon a city street except:
 - (a) when done pursuant to a plan approved by the City Manager setting forth the specific streets, dates and conditions during which such operation is permitted,
 - or
 - (b) members of a law enforcement agency, fire department, and emergency medical personnel when working in an on-duty status
- (2) A golf cart shall not be operated upon a city street which is a primary road extension through the city except to cross such street.
- (3) Golf carts operated on city streets shall be equipped with adequate brakes, a slow moving vehicle sign and a bicycle safety flag. Operators shall meet any other safety requirements imposed by the City Manager.
- (4) Golf cart operation on city streets shall be permitted only from sunrise to sunset and only by persons possession a valid motor vehicle license.
(State Law Ref. Iowa Code Sec. 321.247; Ord. No. 3160, Sec. 1, 2-25-92; Ord. No. 3909, 4-10-07)

Sec. 26.77. STOPPING ON TRAVELED PORTION PROHIBITED.

- (1) Except as is necessary to avoid collisions in moving traffic, no person shall stop, stand or park a vehicle on the traveled portion of the roadway, attended or unattended, on any street in a business district.
- (2) It shall be a simple misdemeanor for a person to do any act which is forbidden or to fail to perform any act required by this section, and shall be punishable by a scheduled violation of \$50.00.
(Ord. No. 3248, Sec. 1, 10-26-93)

Sec. 26.78. PENALTY.

It is a simple misdemeanor for a person to do any act which is forbidden or to fail to perform any act required by this chapter.
(Ord. No. 3003, Sec. 37, 2-23-88; Ord. No. 3160, Sec. 2, 2-25-92)

Sec. 26.79. STREET WORK ZONE REGULATIONS.

The term "Street Work Zone" means that segment of a street that the City's traffic engineer has reasonably designated, under standards of good engineering practice, by means of posted or moving signs at the site of construction, maintenance, survey or utility work, where a special hazard to pedestrian workers from passing vehicles exists. The Street Work Zone starts where an approaching vehicle arrives at the point of location of the first moving or posted sign identifying the Street Work Zone and continues until a posted or moving sign states that the Street Work Zone has ended. The speed limit in a Street Work Zone shall be a rate of speed that the City traffic engineer reasonably determined, under standards of good engineering practice, to be the maximum rate of speed consistent with the safety of pedestrian workers engaged in construction or maintenance work under the circumstances prevailing in a particular Street Work Zone. That speed limit shall be stated on the sign that marks the start of the Street Work Zone and such other signs as the traffic engineer shall reasonably deem prudent for that purpose. Every driver of a vehicle shall yield the right-of-way to pedestrian workers engaged in maintenance or construction work within a Street Work Zone.
(Ord. No. 3556, Sec. 1, 3-28-00)

Sec. 26.80. CARELESS DRIVING.

A person commits careless driving if the person intentionally operates a motor vehicle on a public road or highway in any one of the following ways:

- (1) Creates or causes unnecessary tire squealing, skidding, or sliding upon acceleration or stopping;
- (2) Simulates a temporary race;
- (3) Causes any wheel or wheels to unnecessarily lose contact with the ground;
- (4) Causes the vehicle to unnecessarily turn abruptly or sway.

(Ord. No. 3759, 4-13-04)[Iowa Code Sec. 321.277A]

Sec. 26.81. OPEN CONTAINERS.

- (1) A driver of a motor vehicle upon a public street or highway shall not possess in the passenger area of the motor vehicle an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage. "Passenger area" means the area designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seating positions, including the glove compartment. An open or unsealed receptacle containing an alcoholic beverage may be transported in the trunk of the motor vehicle. An unsealed receptacle containing an alcoholic beverage may be transported behind the last upright seat of the motor vehicle if the motor vehicle does not have a trunk.

(2) A passenger in a motor vehicle upon a public street or highway shall not possess in the passenger area of the motor vehicle an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage. "Passenger area" means the area of a motor vehicle designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seating positions, including the glove compartment. An open or unsealed receptacle containing an alcoholic beverage may be transported in the trunk of the motor vehicle. An unsealed receptacle containing an alcoholic beverage may be transported behind the last upright seat of the motor vehicle if the motor vehicle does not have a trunk.

(3) This section does not apply to a passenger being transported in a motor vehicle designed, maintained, or used primarily for the transportation of persons for compensation, or a passenger being transported in the living quarters of a motor home, manufactured or mobile home, travel trailer, or fifth-wheel travel trailer.
(Ord. No. 3759, 4-13-04)[Iowa Code Sec. 321.284 and 321.284A]

Sec. 26.82. EQUIPMENT VIOLATIONS.

It shall be unlawful for any person to drive or move, or for the owner to cause or knowingly permit to be driven or moved on any street any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not have those parts or is not equipped with such lights and other equipment in proper condition and adjustment as required in Chapter 321 Code of Iowa or which is equipped with one or more unsafe tires or which is equipped in any manner in violation of Chapter 321 Code of Iowa. With respect to head lamp and rear lamps, the time for replacement or repair as provided by Section 321.385A shall be allowed.
(Ord. No. 3759, 4-13-04)[Iowa Code Sec. 321.381]

Sec. 26.83. FAILURE TO SECURE CHILD.

(1) A child under one year of age and weighing less than twenty pounds who is being transported in a motor vehicle subject to registration, except a school bus or motorcycle, shall be secured during transit in a rear-facing child restraint system that is used in accordance with the manufacturer's instructions.

(a) A child under six years of age who does not meet the description in paragraph '1' and who is being transported in a motor vehicle subject to registration, except a school bus or motorcycle, shall be secured during transit by a child restraint system that is used in accordance with the manufacturer's instructions.

(2) A child at least six years of age but under eighteen years of age who is being transported in a motor vehicle subject to registration, except a school bus or motorcycle, shall be secured during transit by a child restraint system that is used in accordance with the manufacturer's instructions or by a safety belt or safety harness of a type approved under section 321.445, Code of Iowa.

(3) This section does not apply to the following:

(a) Peace officers acting on official duty.

(b) The transportation of children in 1965 model year or older vehicles, authorized emergency vehicles, buses, or motor homes or motorsports recreational vehicles, except when a child is transported in a motor home's or motorsports recreational vehicle's passenger seat situated directly to the driver's right.

(c) The transportation of a child who has been certified by a physician licensed under chapter 148, Code of Iowa, as having a medical, physical, or mental condition that prevents or makes inadvisable securing the child in a child restraint system, safety belt, or safety harness.

(d) A back seat occupant of a motor vehicle for whom no safety belt is available because all safety belts are being used by other occupants or cannot be used due to the use of a child restraint system in the seating position for which a belt is provided.

(4) A person who violates this section is guilty of a simple misdemeanor punishable as a scheduled violation. Violations shall be charged as follows:

(a) An operator who transports a passenger under fourteen years of age in violation of subsection 1 or 2 may be charged with a violation of this section.

(b) If a passenger fourteen years of age or older is unable to properly fasten a seatbelt due to a temporary or permanent disability, an operator who transports such a person in violation of subsection 2 may be charged with a violation of this section. Otherwise, a passenger fourteen years of age or older who violates subsection 2 shall be charged in lieu of the operator.

(c) If a child under fourteen years of age, or a child fourteen years of age or older who is unable to fasten a seatbelt due to a temporary or permanent disability, is being transported in a taxicab in a manner that is not in compliance with subsection 1 or 2, the parent, legal guardian, or other responsible adult traveling with the child shall be served with a citation for a violation of this section in lieu of the taxicab operator. Otherwise, if a passenger being

transported in the taxicab is fourteen years of age or older, the citation shall be served on the passenger in lieu of the taxicab operator.

(5) A person who is first charged for a violation of subsection 1 and who has not purchased or otherwise acquired a child restraint system shall not be convicted if the person produces in court, within a reasonable time, proof that the person has purchased or otherwise acquired a child restraint system which meets federal motor vehicle safety standards.

(6) Failure to use a child restraint system, safety belts, or safety harnesses as required by this section does not constitute negligence nor is the failure admissible as evidence in a civil action.

(7) For purposes of this section, 'child restraint system' means a specially designed seating system, including a belt-positioning seat or a booster seat, that meets federal motor vehicle safety standards set forth in 49 C.F.R. §571.213.

(Ord. No. 3759, 4-13-04; Ord. No. 4219, 6-9-15)[Iowa Code Sec. 321.445 and 321.446]

Sec. 26.84. FAILURE TO USE SEAT BELT.

(1) Except for motorcycles or motorized bicycles, 1966 model year or newer motor vehicles subject to registration in Iowa shall be equipped with safety belts and safety harnesses which conform with federal motor vehicle safety standard numbers 209 and 210 as published in 49 C.F.R. § 571.209-571.210 and with prior federal motor vehicle safety standards for seat belt assemblies and seat belt assembly anchorages applicable for the motor vehicle's model year.

(2) The driver and front seat occupants of a type of motor vehicle which is subject to registration in Iowa, except a motorcycle or a motorized bicycle, shall each wear a properly adjusted and fastened safety belt or safety harness any time the vehicle is in forward motion on a street or highway in this state except that a child under six years of age shall be secured as required under section 321.446, Code of Iowa.

This subsection does not apply to:

(a) The driver or front seat occupants of a motor vehicle which is not required to be equipped with safety belts or safety harnesses.

(b) The driver and front seat occupants of a motor vehicle who are actively engaged in work which requires them to alight from and reenter the vehicle at frequent intervals, providing the vehicle does not exceed twenty-five miles per hour between stops.

(c) The driver of a motor vehicle while performing duties as a rural letter carrier for the United States postal service. This exemption applies only between the first delivery point after leaving the post office and the last delivery point before returning to the post office.

(d) Passengers on a bus.

(e) A person possessing a written certification from a health care provider licensed under chapter 148, 150, 150A, or 151 on a form provided by the department that the person is unable to wear a safety belt or safety harness due to physical or medical reasons. The certification shall specify the time period for which the exemption applies. The time period shall not exceed twelve months, at which time a new certification may be issued unless the certifying health care provider is from a United States military facility, in which case the certificate may specify a longer period of time or a permanent exemption.

(f) Front seat occupants of an authorized emergency vehicle while they are being transported in an emergency. However, this exemption does not apply to the driver of the authorized emergency vehicle.

(3) The driver and front seat passengers may be each charged separately for improperly used or nonused equipment under subsection 2. The owner of the motor vehicle may be charged for equipment violations under subsection 1.

(Ord. No. 3759, 4-13-04)[Iowa Code Section 321.445]

Sec. 26.85. INSURANCE REQUIREMENTS.

(1) Notwithstanding chapter 321A, Code of Iowa, which requires certain persons to maintain proof of financial responsibility, a person shall not drive a motor vehicle on the highways of this state unless financial liability coverage, as defined in section 321.1, subsection 24B, Code of Iowa, is in effect for the motor vehicle and unless the driver has in the motor vehicle the proof of financial liability coverage card issued for the motor vehicle, or if the vehicle is registered in another state, other evidence that financial liability coverage is in effect for the motor vehicle.

(2) It shall be conclusively presumed that a motor vehicle driven upon a parking lot which is available to the public without charge or which is available to customers or invitees of a business or facility without charge was driven on the highways of this state in order to enter the parking lot, and this section shall be applicable to such

a motor vehicle. As used in this section, "parking lot" includes access roads, drives, lanes, aisles, entrances, and exits to and from a parking lot described in this paragraph.

(3) This subsection does not apply to the operator of a motor vehicle owned by or leased to the United States, this state or another state, or any political subdivision of this state or of another state, or to a motor vehicle which is subject to section 325A.6 or 327B.6, Code of Iowa.

(4) This section shall be applied and enforced in accordance with Section 321.20B(4)-(9) Code of Iowa.

(5) Penalty. Violation of this section shall be punished as stated in this subsection:

(a) For violations of this section occurring in situations not in conjunction with a motor vehicle accident the penalty shall be \$250.

(b) For violations of this section occurring in situations related to motor vehicle accidents, the penalty shall be \$500.

(Ord. No. 3759, 4-13-04; Ord. No. 3770, 5-25-04)[Iowa Code Sec. 321.20B; Sec. 805.8A(14)(f)]