

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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GENERAL PROVISIONS

§ 70.01 SHORT TITLE.

This title may be cited as the Monroe, Oregon Traffic Code.
(Ord. 206, passed 3-19-90)

§ 70.02 APPLICABILITY OF STATE TRAFFIC LAWS.

Except for violations which require a jury trial, violations of any provision in O.R.S. Chapters 153, 742, and 801 through 823, inclusive, as now constituted, is an offense against the city.
(Ord. 206, passed 3-19-90; Am. Ord. 99-234, passed 8-9-99) Penalty, see § 70.99

§ 70.03 DEFINITIONS.

In addition to definitions in the Oregon Vehicle Code, for the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

LOADING ZONE. A roadway space designated by sign for loading or unloading passengers or materials during specified hours of specified days.

MOTOR TRUCK. A motor vehicle with a maximum combined vehicle and load weight over 27,000 pounds and over 30 feet in length that is designed or used to carry freight; property, articles or things.

STREET. A highway, road or street as defined in O.R.S. 801.110, 801.305, 801.450 and 801.535, including the entire width of the right-of-way.

TRAFFIC LANE. That area of the roadway used for a single line of traffic movement.
(Ord. 206, passed 3-19-90)

ADMINISTRATION AND ENFORCEMENT

§ 70.15 POWERS OF THE GOVERNING BODY.

(A) Subject to state laws, the City Council as the governing body shall exercise all local traffic authority for the city except those powers expressly delegated by this chapter or another ordinance.

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(B) The powers of the governing body include, but are not limited to:

- (1) Designation of through streets;
- (2) Designation of one-way streets;
- (3) Designation of truck routes;
- (4) Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage or excess traffic;
- (5) Authorization, by resolution, of greater maximum weights or lengths than specified by state law for vehicles using city streets or county roads;
- (6) Initiation of proceedings to change speed zones;
- (7) Revision of speed limits in parks;
- (8) Temporary closure or blocking of streets. (Ord. 206, passed 3-19-90)

§ 70.16 DUTIES OF GOVERNING BODY'S DESIGNEE.

The governing body's designee shall exercise the following duties:

(A) Implement ordinances, resolutions, motions and orders of the governing body by installing, maintaining, removing and altering traffic control devices. Installation shall be based on standards contained in the Manual on Uniform Traffic Control Devices for Streets and Highways and the Oregon Supplements.

(B) Establish, remove or alter at the direction of the governing body, the following classes of traffic controls:

(1) Crosswalks, safety zones and traffic lanes;

(2) Intersection channelization and areas where vehicle drivers shall not make right, left or U-turns and the time when the prohibition applies;

(3) Parking areas and time limitations, including the form of permissible parking.

(C) Issue oversize or overweight vehicle permits.

(D) Temporarily close or block streets.

(E) Under conditions constituting a danger to the public, the governing body's designee may install temporary traffic-control devices.

(Ord. 206, passed 3-19-90)

§ 70.17 AUTHORITY OF POLICE AND FIRE OFFICERS.

If a fire or other public emergency occurs, officers of the law enforcement and fire departments may direct traffic as the conditions require, notwithstanding the provisions of this title.

(Ord. 206, passed 3-19-90)

§ 70.18 IMPOUNDMENT OF VEHICLES.

(A) Disposition of a vehicle towed and stored under provisions of state law for the removal of hazardous vehicles shall be in accordance with provisions of state law or city ordinance on impoundment and disposition of abandoned vehicles.

(B) Impoundment of a vehicle does not preclude issuance of a citation for violation of a provision of this title.

(C) Stolen vehicles may be towed from public or private property and stored at the expense of the vehicle owner.
(Ord. 206, passed 3-19-90)

§ 70.99 PENALTY.

(A) Violation of §§ 71.01 through 71.04 is punishable by fine not to exceed \$500.

(B) Violation of §§ 72.01 through 72.05 is punishable by fine not to exceed \$500.

(C) Violation of a provision substantially the same as a state statute is punishable by a fine not to exceed the fine prescribed by the state statute.
(Ord. 206, passed 3-19-90; Am. Ord. 99-234, passed 8-9-99)

CHAPTER 71: TRAFFIC RULES

Section

- 71.01 Crossing private or public property
- 71.02 Damaging sidewalks or curbs
- 71.03 Storing motor vehicles on streets
- 71.04 Use of bicycles, roller skates and skateboards

§ 71.01 CROSSING PRIVATE OR PUBLIC PROPERTY.

The operator of a vehicle shall not proceed from one street to an intersecting street by leaving the roadway and crossing private or public property. This provision does not apply to the operator of a vehicle who stops on the property to procure or provide goods or services.

(Ord. 206, passed 3-19-90) Penalty, see § 70.99

§ 71.02 DAMAGING SIDEWALKS OR CURBS.

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

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

(Ord. 206, passed 3-19-90) Penalty, see § 70.99

§ 71.03 STORING MOTOR VEHICLE ON STREETS.

No person shall store, or permit to be stored, a motor vehicle or personal property on a street or other public property where temporary vehicle parking is authorized in excess of 72 hours without permission of the governing body. Failure to move a motor vehicle or other personal property for 72 hours constitutes prima facie evidence of storage.

(Ord. 206, passed 3-19-90) Penalty, see § 70.99

§ 71.04 USE OF BICYCLES, ROLLER SKATES AND SKATEBOARDS.

No person shall:

(A) Use roller skates or skateboards on sidewalks in a designated business district or on the streets in a careless manner.

(B) Use bicycles on the sidewalks in a designated business district.

(Ord. 206, passed 3-19-90) Penalty, see § 70.99

CHAPTER 72: PARKING REGULATIONS

Section

- 72.01 Method of parking
- 72.02 Prohibited parking or standing
- 72.03 Parking prohibited for sale or repair
- 72.04 Use of loading zone
- 72.05 Exemptions
- 72.06 Parking citations and owner responsibility

(B) A vehicle in an alley, except for a stop of not more than 15 consecutive minutes for loading or unloading persons or materials.

(C) A motor truck on a street in a residential zone between the hours of 10:00 p.m. and 5:00 a.m. (Ord. 206, passed 3-19-90) Penalty, see § 70.99

§ 72.01 METHOD OF PARKING.

(A) When parking spaces are designated on a street or public lot, no person shall park or stand a vehicle other than in the direction of traffic flow and in such a manner that the front vehicle tire closest to the curb is located within 18 inches of the curb and within a single marked space, unless the size or shape of the vehicle makes compliance impossible.

(B) When the operator of a vehicle discovers the vehicle is parked close to a building to which the Fire Department has been summoned, the operator shall immediately remove the vehicle from the area unless directed otherwise by police or fire officers. (Ord. 206, passed 3-19-90) Penalty, see § 70.99

§ 72.02 PROHIBITED PARKING OR STANDING.

No person shall park or stand:

(A) A vehicle in violation of the Oregon Vehicle Code or in violation of a parking limit sign.

§ 72.03 PARKING PROHIBITED FOR SALE OR REPAIR.

No operator shall park a vehicle, and no owner shall allow a vehicle to be parked, on a street or other public property for the principal purpose of:

(A) Displaying the vehicle for sale;

(B) Repairing or servicing the vehicle, except while making repairs necessitated by an emergency. (Ord. 206, passed 3-19-90) Penalty, see § 70.99

§ 72.04 USE OF LOADING ZONE.

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

(Ord. 206, passed 3-19-90) Penalty, see § 70.99

§ 72.05 EXEMPTIONS.

(A) The driver of an authorized emergency vehicle, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law or when responding to, but not returning from, a fire alarm, may park or stand irrespective of the provisions of this chapter.

(B) This section shall not relieve drivers of authorized emergency vehicles from the duty to park or stand with regard for the safety of all persons.

(C) The provisions of this title that regulate the parking or standing of vehicles do not apply to any vehicle being used for public works or utility maintenance, construction or repair work.

(Ord. 206, passed 3-19-90) Penalty, see § 70.99

§ 72.06 PARKING CITATIONS AND OWNER RESPONSIBILITY.

(A) *Citation on illegally parked vehicle.* When a vehicle without an operator is found parked in violation of a restriction imposed by this title or state law, the officer finding the vehicle shall note the license number and any other information displayed on the vehicle that may identify the owner and shall attach a parking citation to the vehicle. The citation shall instruct the operator to answer to the charge at the next regularly scheduled municipal court session or pay the penalty imposed prior to that time at the city hall during posted business hours.

(B) *Failure to comply with parking citation.* If the operator does not respond to a parking citation attached to the vehicle by the end of the court session listed on the citation, the Chief of Police shall send a letter to the owner of the vehicle informing the owner of the violation and giving notice that if the citation is disregarded for a period of 30 days:

(1) The fine will be doubled; and

(2) If the vehicle has three or more outstanding citations or \$100 or more in unpaid fines, it may be impounded, and an impounded vehicle shall not be released until all outstanding fines and charges are paid.

(C) *Owner responsibility.* The owner of a vehicle that is in violation of a parking restriction shall be responsible for the offense unless the operator used the vehicle without the owner's consent.

(D) *Registered owner presumption.* In a proceeding charging violation of a parking restriction against a vehicle owner, proof that the vehicle was registered to the defendant at the time of the violation constitutes a presumption that the defendant was the owner.

(Ord. 206, passed 3-19-90) Penalty, see § 70.99

Changed 10/18/2005 from 24000 to 27000 by council motion.