

ORDINANCE NO. 529

AN ORDINANCE REGULATING THE USE OF TRAFFIC UPON THE PUBLIC STREETS AND HIGHWAYS OF THE CITY OF GRAND JUNCTION, PROVIDING PENALTIES FOR VIOLATIONS AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

ARTICLE 1. DEFINITIONS

SECTION 1. Wherever in this ordinance the following terms are used, they shall have the meanings respectively ascribed to them in this section.

Street or Highway: Every way or place of whatever nature open to the use of the public as a matter of right for purposes of vehicular travel, excepting roadways or driveways upon grounds owned by private persons, colleges, or institutions.

Alley: Any roadway within a block not meant primarily as a substitute for a street but only as a local accommodation to a limited neighborhood.

Private Road or Driveway: Every road or driveway not open to the use of the public for purposes of vehicular travel.

Stop Street: Any street or thoroughfare that cannot legally be entered by vehicles without first coming to a full stop.

Roadway: That portion of a street or highway between the regularly established curb lines of that part improved and intended to be used for vehicular travel.

Sidewalk: That portion of the street between the curb lines and the adjacent property lines.

Intersection: The area embraced within the prolongation of the lateral curb lines or, if none, then the lateral boundary lines of two or more streets or highways which join one another at an angle, whether or not one such highway crosses the other.

Crosswalk: That portion of a roadway ordinarily included within the prolongation of curb and property lines at intersections, or any other portion of a roadway clearly indicated for pedestrian crossing by lines or other markings on the surface.

Vehicle: Every device in, upon or by which any person or property is or may be transported or drawn upon a public street or highway, excepting devices moved by human power or used exclusively upon stationary rails.

Motor Vehicle: Every vehicle as herein defined, which is self propelled.

Authorized Emergency Vehicle: Vehicles of the Fire Department, police vehicles and such ambulances and emergency vehicles of municipal departments or public service corporations as may be designated by the City Manager.

Pedestrian: Any person afoot.

Operator or Driver: Any person who is in actual physical control of the vehicle.

Traffic: Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purposes of travel.

Parked or Parking: The standing of a vehicle, whether occupied or not, upon a roadway, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience to traffic regulations or traffic signs or signals.

Official Traffic Signs: All signs, markings and devices, and signals, not inconsistent with this ordinance, placed or erected by authority of a public body or official having jurisdiction, for the purpose of guiding, directing, warning or regulating traffic.

Traffic Control Signal: "Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed.

Police Officer: Every officer of the Municipal Police Department or any officer or person authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Curb: The lateral boundaries of that portion of a street or highway designated or intended for the use of vehicles, whether parked by curbing construction of stone, cement, concrete or other material, or not so marked.

Business District: The term "Business District" or "Business Section" shall include that territory defined by ordinance as within the "Fire Limits".

Chauffeur: Every person who is employed for the principal purpose of operating a motor vehicles and every person who drives a motor vehicle as a public or common carrier of persons or property.

One-way Traffic: Any traffic restricted to one direction.

ARTICLE 11. AUTHORIZATION & ENFORCEMENT.

SECTION 2. Authority of Police (a) General Duties: It shall be the duty of the City Manager to enforce the provisions of this Ordinance. Officers of the Police Department under direction of the City Manager, are hereby authorized, empowered and ordered to direct, control, restrict and regulate and, when necessary, temporarily to divert or exclude, in the interest of public safety and convenience, the movements of pedestrians, animals and vehicular traffic of every kind in streets, alleys and highways, and to adopt and enforce

regulations in regard thereto, not inconsistent with specific provisions of this ordinance.

(b) Temporarily Close Streets: Whenever in the judgment of the City Manager and/or the Chief of Police of the City of Grand Junction it is deemed necessary for the preservation of order or to prevent the obstruction of any street during the time any gathering of people may be using the same for any lawful purpose, he may cause the traffic to be temporarily suspended on any street or portion thereof during such time, and it shall be the duty of all persons owning or operating any vehicle, or using any such street so as to obstruct such parade or lawful gathering, to cease to use any such street and to remove any vehicle or animal therefrom.

(c) The City Manager is hereby authorized to close any street which is being torn up, repaired or paved, or upon which any work is being done which necessitates the regulation of traffic thereon, said street being sufficiently barricaded or signs erected notifying the public that said street is closed to traffic.

SECTION 3. Obedience to Police: Drivers of vehicles of all kinds, and pedestrians must promptly comply with any direction by voice or hand or whistle of any member of the Police Department as to the manner of backing up, discharging passengers, or loading or unloading goods in any place, and as to stopping, starting, approaching or departing from any place or passing along or across any streets; and it shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a police officer.

SECTION 4. Public Employees to Obey Traffic Regulations: (a) The provisions of this ordinance shall apply to the operator of any vehicle owned by or used in the service of the United States Government, the State of Colorado, or the City of Grand Junction, and it shall be unlawful for any such operator to violate any of the provisions of this Ordinance, except as otherwise permitted in this Ordinance.

(b) The provisions of this Ordinance shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a street or highway, but shall apply to such persons and vehicles when traveling to and from such work.

SECTION 5. Exemptions to Authorized Emergency Vehicles: The provisions of this Ordinance regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles as defined in this Ordinance while the driver of such vehicle is operating the same in an emergency in the necessary performance of public duty. This exemption shall not, however, protect the driver of any such vehicle from the consequences of an unnecessary and reckless disregard of the safety of others.

SECTION 6. Persons Propelling Push Carts or Riding to Obey Traffic Regulations: Every person propelling any push cart or riding a bicycle or an animal upon a roadway, and every person driving any animal, shall be subject to the provisions of this Ordinance applicable to the operator of any vehicle, except those provisions of this Ordinance with reference to the equipment of vehicles and except those provisions which by their very nature can have no application.

ARTICLE 111. TRAFFIC SIGNS & SIGNALS

SECTION 7. Authorized Type & Use: (a) The City Manager shall determine and designate the character and type of all official traffic signs and signals; and he shall place and maintain the same. All signs and signals for a particular purpose shall so far as practicable be uniform as to type and location.

(b) It shall be the duty of the Chief of Police, under the direction of the City Manager, to see that suitable signs shall be made describing parking, hospital zones, school zones, speed zones and other zones as may be required; and there shall be appropriated the necessary funds to provide for such signs. It shall also be the duty of the Chief of Police or City Manager, under this section, to install such signs wherever and whenever required.

SECTION 8. Obedience to Traffic Signs and Signals: It shall be unlawful for any operator to disobey the instructions of any official traffic sign or signal placed in accordance with the provisions of this Ordinance, unless otherwise directed by police officer.

SECTION 9. Traffic Control Signal Legend: (a) Whenever traffic at an intersection is controlled by traffic control signals exhibiting colored lights or the words "Go", "Caution", "Stop", said traffic control signals, except as otherwise provided in this Ordinance, shall indicate as follows:

Green or "Go" -- When green or "Go" signal is given, traffic facing the signal may proceed; except that vehicular traffic shall yield the right of way to pedestrians and vehicles lawfully within a crosswalk or the intersection at the time such signal is exhibited.

Yellow or "Caution" -- When Yellow or "Caution" signal is given, traffic facing the same shall come to a full stop and shall not proceed into or across the intersection until the Green or "Go" signal is given.

Red or "Stop" -- When Red or "Stop" signal is given, traffic facing the signal shall come to a full stop before entering the nearest crosswalk at the intersection or at such other point as may be designated by the City Manager, and remain standing until Green or "Go" signal is given.

(b) The operator of a vehicle intending to turn to the left at an intersection where traffic is controlled by traffic control signals or by a police officer shall proceed to make such left turn with proper care to avoid accident and only upon the "Go" signal, unless otherwise directed by a police officer.

(c) Excepting as otherwise provided in this ordinance, it shall be unlawful to start any vehicle when standing at the approach to any intersection, or to proceed into or across any such intersection, when facing either a yellow or red traffic signal light or a caution or stop traffic signal or any one or more of them displayed together.

SECTION 10. Display and Use of Unauthorized Signs and Signals Prohibited: It shall be unlawful for any person to place or maintain or to display upon or in view of any street any unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official sign or signal. Every such prohibited sign, signal or device, is hereby declared to be a public nuisance and the City Manager is hereby empowered to remove the same without notice.

SECTION 11. Defacing or Removing Signs: It shall be unlawful for any person to deface or remove any sign erected by the Police Department of the City of Grand Junction, or any agent or agency of the City of Grand Junction, which sets off or marks parking or reserved spaces, or any safety routing markers or any signal tower or indicator, or any sign erected by the Police Department or its agents or agency for the purpose of setting out any parking or traffic regulations governing the particular portion at which the sign is erected.

SECTION 12. Authority to Designate Pedestrian Lanes and No-left Turn Corners: (a) The City Manager is hereby authorized to establish, designate, and maintain pedestrian lanes, by appropriate devices, marks or lines upon the surface of the roadway, at intersections where in his opinion there is particular danger to pedestrians crossing the roadway and at such other places as he may deem necessary.

(b) The City Manager is empowered to determine those intersections at which operators of vehicles shall not make a left turn and shall place appropriate signs at such intersections; provided the same shall not apply on Sundays and legal holidays or between the hours of 7:00 P.M. and 7:00 o'clock A.M. on other days.

SECTION 13. Safety Zones: The Chief of Police under the direction of the City Manager shall have power to create "Quiet Zones" and "Safety Zones". A "Quiet Zone" shall be a zone in the vicinity of hospitals, churches, schools or other public institutions and other places where quietness must be maintained. A "Safety Zone" shall be a zone where or place which is set aside for the use of pedestrians, and where pedestrians shall have the right of way. Safety Zones may also be created for the exclusive use of pedestrians.

ARTICLE IV. PEDESTRIANS & INDIVIDUALS

SECTION 14. Pedestrians' Right-of-way: (a) The operator of any vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at the end of a block, except at intersections where the movement of traffic is being regulated by police officers or traffic control signals, or at any point where a pedestrian tunnel or overhead crossing has been provided.

(b) Whenever any vehicle has stopped at a marked crosswalk or at any intersection to permit a pedestrian to cross the roadway, it shall be unlawful for the operator of any other vehicle approaching from the rear to overtake and pass such stopped vehicle.

(c) Every pedestrian crossing a roadway at any point other than within a marked or

unmarked crosswalk shall yield the right-of-way to vehicles upon the roadway, provided that this provision shall not relieve the driver of a vehicle from the duty to exercise due care for the safety of pedestrians.

SECTION 15. Pedestrians' Right and Duties at Controlled Intersections: At intersections where traffic is controlled by traffic control signals or by police officers, operators of vehicles shall yield the right-of-way to pedestrians crossing the roadway on a green or "Go" signal, and in all other cases pedestrians shall not cross an intersection controlled by traffic control signals or by police officers unless on a green or "Go" signal.

SECTION 16. Pedestrians to Use Right Half of Crosswalk: Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

SECTION 17. Pedestrians Soliciting Rides: It shall be unlawful for any person to stand in a roadway for the purpose of soliciting a ride from the operator of any private vehicle.

SECTION 18. Driving Through or Stopping in Safety Zones Prohibited: (a) It shall be unlawful for the operator of a vehicle at any time to drive the same over or through any part of a safety zone as defined in this ordinance.

(b) No vehicle shall be left standing at the curb in places designated by the Police Department as a Safety Zone.

SECTION 19. Boarding or Alighting from Vehicles: It shall be unlawful for any person to board or alight from any vehicle while such is in motion.

SECTION 20. Unlawful Riding: It shall be unlawful for any person to ride or for the driver or operator to permit the same to be done on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to employees engaged in the necessary discharge of duty or riding within truck bodies in space intended for merchandise.

ARTICLE V. RAILROAD TRAINS

SECTION 21. Locomotive Engineer Sound Warning at Crossing: Any engineer or other person in charge of any locomotive engine within the City of Grand Junction, on approaching any public crossing, street or highway, shall ring, or cause to be rung, a bell to warn all persons of the approach of such locomotive engine and shall continue to ring such bell, or cause the same to be rung, until such locomotive engine shall have cleared such crossing.

SECTION 22. Railroad Trains not to Block Streets: It shall be unlawful for the directing officer or the operator of any railway train or car to direct the operation of or to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than five minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching.

ARTICLE VI. STANDING & PARKING

SECTION 23. Standing and Parking Prohibited in Specified Places: (a) Places Specified: It shall be unlawful for the operator of a vehicle to stand or park such vehicle in any of the following places except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal:

1. Within an intersection.
2. On a crosswalk.
3. Between a safety zone and the adjacent curb or within twenty-five (25) feet of that point on the curb immediately opposite the rear end of a safety zone unless the City Manager shall indicate a different length by signs or markings.
4. Within fifteen (15) feet of the driveway entrance to any fire station.
5. Within five (5) feet in either direction of any fire hydrant.
6. In front of an alley, or a private driveway used as such.
7. On a sidewalk or sidewalk parking.
8. Alongside or opposite any street excavation or obstruction when such standing or parking should obstruct traffic.
9. On the roadway side of any vehicle stopped or parked at and parallel with the right hand edge or curb of a street, or at the rear end of any vehicle stopped or parked diagonally at the right hand edge or curb of a street on which diagonal parking is required (Double Parking), except when necessary for and while actually engaged in the loading or unloading of passengers or merchandise, and then only when attended by and under the control of the operator thereof.
10. At any place where official traffic signs have been erected prohibiting standing or parking.
11. In front of theatre entrances during public use, where designated and marked by appropriate signs.
12. In front of entrances and exits of hotels of fifty (50) guest rooms or more, where designated and marked by appropriate signs.
13. In front of the entrance to any building where there is a public assemblage of one hundred (100) persons or more, where designated and marked by appropriate signs.

14. On any bridge or viaduct, or in a subway, or on or in the approaches thereof.

(b) Designation of Prohibited Parking Space: The City Manager shall designate the place and width of space required to be designated where parking is prohibited in this ordinance; and it shall be unlawful for any person, persons, co-partnership, firm or corporation, other than the City Manager, to mark, paint or designate any such place, or by sign or signs to attempt to prohibit parking.

(c) Repair: No vehicle shall be left standing in such a manner as to obstruct any crosswalk, and no repair shall be done to any vehicle on any sidewalk, street or alley, except for necessary emergency repairs.

(d) Locking of Parked Vehicles: It shall be unlawful to lock any parked vehicle while such parked vehicle is set in any gear other than neutral, or to secure any such vehicle in such a manner as to prevent the towing or moving of the same when necessary by the Police or Fire Departments.

(e) Moving Parked Vehicles: It shall be unlawful for any person, excepting the operator or an officer or employee of the City of Grand Junction in the performance of duty, to unnecessarily move or change the position of any parked vehicle; provided that any person who by any means shall moved a parked vehicle and leave it in any place or position prohibited by this ordinance shall be guilty of a violation of this ordinance and shall be fined in a sum of not less than ten dollars (\$10.00).

SECTION 24. Blocking Streets: No vehicle shall be allowed to remain upon or be driven so as to willfully blockade or obstruct any street or alley; and no vehicle shall be so overloaded that the horse or horses or motor power shall be unable to move it readily.

SECTION 25. Standing for Loading or Unloading in Certain Places: (a) The City Manager shall have authority to determine the location of passenger zones and loading zones and shall erect and maintain appropriate signs indicating the same.

(b) It shall be unlawful for the operator of a vehicle to stand, or park such vehicle for a period of time longer than is necessary for the expeditious loading or unloading of passengers, or for the expeditious unloading and delivery or pick-up and loading of materials, in any place marked as a loading zone. In no case shall the stop for loading or unloading of materials exceed fifteen (15) minutes during the hours between nine (9) o'clock A.M. and five (5) o'clock P.M., excepting on special written permission of the City Manager.

SECTION 26. Special Parking Spaces: Special parking spaces may be allotted on written permission from the City Manager and from the owner of the adjacent property in which to park taxicabs, express and transfer vehicles and cars of physicians and surgeons, within such hours as the City Manager may designate therefor.

(b) The users of special parking spaces shall purchase "No Parking" signs, the model and lettering of which must meet with the approval of the City Manager.

(c) Special parking spaces allotted on written permission from the City Manager and the owner of the adjacent property in which to park taxicabs, express and transfer vehicles and cars of physicians and surgeons shall be allotted only on cross-streets or streets other than Main Street between Second and Seventh Streets.

SECTION 27. Other Vehicles Prohibited From Parking in Bus Stops, Taxicab, Express Vehicle Stands: It shall be unlawful for the operator of any vehicle, other than a bus, to stand or park in an officially designated bus stop; or for any vehicle, other than a taxicab, to stand or park in an officially designated taxicab stand; or for any vehicle, other than an express vehicle, to stand or park in an officially designated express stand; except that the operator of any passenger vehicle may temporarily stop in any such stop or stand for the purpose of, and while actually engaged in the loading or unloading of passengers.

SECTION 28. Busses, Taxicabs & Express Vehicles Prohibited from Parking Except in Designated Stands: It shall be unlawful for the operator of any bus, taxicab or express vehicle to stand or remain parked upon any street at any place other than at a bus stop, taxicab stand, express vehicle stand, respectively, except that this provision shall not prevent the operator of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations herein provided at any place for the purpose of, and while actually engaged in, loading or unloading passengers.

SECTION 29. All-night Parking Prohibited: It shall be unlawful for the operator of any vehicle to park such vehicle on any street within the business district of said City for a period of time longer than two hours between the hours of one o'clock A.M. and five o'clock A.M. of any day, provided, however, that provisions of this section shall not apply to authorized emergency vehicles, or the vehicles of physicians and other persons permitted by law to practice the treatment of diseases, while engaged in line of duty.

SECTION 30. Rules for Standing or Parking: (a) Parallel Parking: Except as hereinafter provided and when necessary in obedience to traffic regulations or traffic signs or signals, the operator of a vehicle shall not stop, stand or park such vehicle in a roadway, other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curbside wheels of the vehicle within twelve inches of the edge of the roadway, except when, and only so long as unavoidably necessary for the loading or unloading of merchandise.

(b) Diagonal Parking: On Main Street between the right-of-way of the Denver & Rio Grande Railway Co. and Eighth Street, on Colo. Avenue between Second and Seventh Sts.; on Second, Third, and Sixth Sts. between Colorado and Rood Avenues; on Fourth St. between Ute and Rood Avenues; on Seventh St. between Colorado and White Aves. and on such other streets as the City Manager may designate and mark for such purpose, all vehicles shall be parked at an angle of 45 degrees to the curb, with the right front wheel touching the curb; and where diagonal parking spaces are mared upon the pavement all vehicles shall be parked in the center thereof.

(c) Length of Load Permitted: No vehicle or vehicles and load in excess of 18 feet in length shall park on the aforesaid streets where diagonal parking is required.

(d) Signal on Entering Traffic: No operator with his vehicle parked parallel with the curb as herein provided shall enter or re-enter traffic therewith without first giving an adequate signal of his intention so to do.

No operator with his vehicle parked diagonally with the curb as herein provided shall enter or re-enter traffic therewith by backing unless such backing is done in a slow and careful manner and with due regard to the rights and safety of other vehicles in line of traffic.

SECTION 31. Parking Vehicle for Sale or Storage Prohibited: (a) It shall be unlawful for any person to park upon a street any vehicle displayed for sale.

(b) No owner or occupant of any place of business shall suffer any wagon, cart, carriage, dray or other vehicle, whether left for safe-keeping, repair or otherwise, to be or remain on the side-walk, street or alley adjoining or in front of any such place.

SECTION 32. Using Vehicle for Primary Purpose of Displaying Advertising Prohibited: It shall be unlawful for any person to operate or to park any vehicle on any street for the primary purpose of displaying commercial advertising except upon special written permit of the City Manager.

ARTICLE VII. OPERATION OF VEHICLES

SECTION 33. Stop Streets: (a) Designation: The City Manager shall have power to designate certain streets or parts thereof as "Stop Streets", and certain streets or parts thereof as "Through Streets".

(b) Duty to Stop: Every operator of a vehicle or other conveyance traveling upon any street intersecting any Stop Street or Through Street so designated shall completely stop such vehicle, or conveyance at the place where such street meets the prolongation of the nearest property line of such Stop or Through Street, subject, however, to the direction of any traffic control sign or signal or any police officer at such intersection.

(c) Signs: The City Manager is hereby authorized and required to place and maintain or cause to be placed and maintained on each and every street intersecting a Stop or Through Street so designated, and at or near the property line of the Stop or Through Street, appropriate signs upon the street (and, in addition thereto, may place and maintain any appropriate devices or marks in the roadway), such signs, devices or marks to bear the word "Stop" and to be located in such position and to be provided with letters of a size to be clearly legible from a distance of at least one hundred feet along the street intersecting the Stop or Through Street. All such signs shall be illuminated at night or so placed as to be illuminated by the headlights of an approaching motor vehicle or by street lights.

SECTION 34. One-way Streets: The roadways on the right-hand side of each street having center parking down the middle thereof are hereby designated as one-way streets, and all

vehicular traffic, of whatever kind or nature, on said roadways shall travel in one direction only.

SECTION 35. Operation of Vehicles on Approach of Authorized Emergency Vehicles: Upon the approach of any authorized emergency vehicle or vehicles giving audible signal by bell, siren or exhaust whistle, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle or vehicles shall have passed, unless otherwise directed by a police officer.

SECTION 36. Following Fire Apparatus Prohibited: It shall be unlawful for the operator of any vehicle, other than one on official business to follow closer than five hundred (500) feet of any fire apparatus traveling in response to a fire alarm, or to drive into or stop any vehicle within five hundred (500) feet where fire apparatus has stopped in answer to a fire alarm.

SECTION 37. Crossing Fire Hose: No vehicle shall be driven over any unprotected hose or apparatus of the Fire or other Municipal Department when laid down on any street or private driveway without the consent of the department official in charge.

SECTION 38. Unlawful to Drive Through Procession: It shall be unlawful for the operator of any vehicle to drive between the vehicles comprising a funeral, or other authorized procession while they are in motion, provided that said vehicles are conspicuously designated. Each vehicle in a funeral procession shall display a white flag or ribbon and shall have its headlights burning. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

SECTION 39. Limitations on U-Turns: (a) It shall be unlawful for the operator of any vehicle to turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety and without backing or otherwise interfering with other traffic, provided that such turns are prohibited in subways, on bridges, viaducts and one-way streets.

(b) That it shall be unlawful for the driver or owner of any motor vehicle or horse-drawn vehicle to make a U-turn or any turn greater than a right-angle turn on Main Street from and including the intersections at Second to Seventh Street and all intermediate intersections.

SECTION 40. Limitations on Backing. (a) The operator of a vehicle shall not back the same unless and only to the extent that such movement is necessary and can be made in safety.

(b) Before backing, drivers of vehicles shall give ample warning, and while backing unceasing vigilance shall be exercised not to injure those behind, and drivers shall give ample warning with hand and horn.

(c) No vehicle shall be driven in a backward direction to make a turn on any street in the City of Grand Junction, and no vehicle shall be driven in a backward direction further than is absolutely necessary to avoid accident or put itself into such position as to properly park or

to enable it to proceed on its way.

(d) No vehicle shall remain backed up to the curb except it be actually loading or unloading and in no case longer than the actual loading or unloading requires. If the vehicle be horse-drawn, the horse or horses shall be turned at angles to the vehicle and in the direction in which traffic on that side of the street is moving.

SECTION 41. Entering and Emerging from Alley or Private Driveway: (a) The operator of a vehicle emerging from an alley or private driveway shall completely stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across such alley or private driveway.

(b) It shall be unlawful to enter or leave any alley or private driveway within the Business District by turning to the left.

SECTION 42, Horses, Vehicles shall not be Driven Across Sidewalk, Curbing, or Parking: No person shall ride or drive any horse, mule, cattle or like animal, or any carriage, wagon, automobile, or auto truck on or across any sidewalk, curbing, berm, lawn or other grass plat within the City of Grand Junction where there is no regular approach to the same; provided, that the word "berm" shall be taken to mean that part of the street between the sidewalk and the curb line.

SECTION 43. Bicycles: No person shall ride a bicycle on any sidewalk; provided, however, that mail carriers, messenger boys, and newsboys shall be permitted to ride on the sidewalks, but all such persons shall be required to secure a permit from the City Manager, who shall furnish to such person a license number, which shall be attached to the front of said bicycle so as to be plainly seen at all times. A charge of fifty cents per year shall be made for such license, the term of same to extend from January 1st to December 31st, of each year.

SECTION 44. Obstruction to Operator's View or Driving Mechanism: (a) It shall be unlawful for the operator of any vehicle to drive the same when such vehicle is so loaded, or when there is in the front seat of such vehicle such number of persons as to obstruct the view of the operator to the front or sides, or to interfere with the operator's free and ready control over the driving mechanism of the vehicle or his ability to signal with his arm.

(b) It shall be unlawful for any passenger in a vehicle to ride in such position as to interfere with the operator's view ahead, or to the sides, or to interfere with the operator's free and ready control over the driving mechanism of the vehicle or his ability to signal with his arm.

(c) It shall be unlawful for any operator to drive any vehicle with any sign, poster, streamer, or other non-transparent material upon or across the front windshield, side-wings, front, side or rear windows of such vehicle, other than such as required by law.

(d) No owner or operator shall display upon any part of any vehicle, any official or other designation, sign or insignia of or purporting to be of any public or quasi public corporation,

municipal, state or national department, or governmental subdivision, without the authority thereof; or any insignia, badge, sign or emblem or distinction mark of any organization or society of which he is not a bona fide member or otherwise authorized to display.

(e) No person shall drive a motor vehicle on a street or highway, which motor vehicle is so constructed or loaded as to prevent the driver from obtaining a view of the street or highway to the rear by looking backward from the driver's position, unless such vehicle be equipped with a mirror so located as to reflect to the driver a view of the street or highway of at least 200 feet to the rear of such vehicle.

(f) Every windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of such vehicle.

SECTION 45. Clinging to Moving Vehicles: It shall be unlawful for any person, traveling upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle, to cling to or attach himself or his vehicle to any other moving vehicle upon any roadway.

SECTION 46. Riding on Handle Bars and Stunt Riding Prohibited: It shall be unlawful for the operator of any bicycle or motorcycle, when riding upon any street, to carry any other person upon the handle bars, frame or tank of any such vehicle, or for any other person so to ride upon any such vehicle. Fancy and stunt riding thereon or without hands on handle bars shall be unlawful.

SECTION 47. Use of Coasters, Roller Skates and Similar Devices Restricted. It shall be unlawful for any person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device, to go upon any roadway except while necessarily crossing a street on a crosswalk.

SECTION 48. Motor Vehicles Left Unattended, Brakes to be Set and Engine Stopped: No person having control or charge of any motor vehicle shall allow such vehicle to stand on any street unattended by him without first setting the brakes thereon and stopping the motor of said vehicle and, when left standing upon a perceptible grade, without turning the front wheels of such vehicle to the curb or to the side of the street or highway.

SECTION 49. Lights and Brakes: (a) Lights on Moving Vehicles: Every vehicle upon a street or highway within the City of Grand Junction during the period from half an hour after sunset to half an hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible any person on the street or highway at a distance of 200 feet ahead, shall be equipped with lighted front and rear lamps as follows:-

1. Every motor vehicle, except motorcycles, shall be equipped with two head lamps, no more and no less at the front of and on opposite sides of such vehicle, which head lamps shall comply with the requirements of the motor vehicle laws of the State of Colorado.
2. Every motorcycle and/or bicycle shall be equipped with at least one and not more than

two head lamps which shall comply with the requirements of the motor vehicle laws of the State of Colorado.

3. Every motor vehicle and every trailer or semi-trailer shall carry at the rear a lamp which exhibits a red light plainly visible under normal atmospheric conditions from a distance of 500 feet to the rear of such vehicle, and so constructed and placed that the number plate carried on the rear of such vehicle shall under like conditions, be so illuminated by a white light as to be read from a distance of 50 feet to the rear of such vehicle, and shall carry a reflector type red tail light which shall be placed on and clearly visible from the rear of said vehicles, said reflector type of red tail light to be of a style approved by the Police Department.

4. All vehicles with bodies or loads eighty inches or more in width shall carry two clearance lamps on the left side of such vehicle, one located at the front and displaying a white light, the other located at the rear and displaying a red light, both lights to be visible under normal atmospheric conditions from a distance of 500 feet to the front or to the rear of such vehicle. A reflector or type light approved by the Police Department shall be deemed a compliance with this section.

5. All other vehicles shall carry one or more lighted lamps or lanterns displaying a white light visible under normal atmospheric conditions from a distance of not less than 500 feet in front of such vehicle and shall display a red light visible under like conditions from a distance of not less than 500 feet to the rear of such vehicle.

It shall be a violation of this section to drive with only one headlight in operation excepting as herein otherwise permitted. All headlights shall be of white or amber light or intermediate shades. Vehicles lighted with headlights as herein provided, shall have the right-of-way at crossings over vehicles not displaying headlights.

Only authorized emergency vehicles may carry on the front two red side lights or red headlights.

(b) Lights on Parked Vehicles: Whenever a vehicle is parked or stopped on a street at times when lights are required as in Sub-division (a) of this Section, there shall be displayed upon such vehicle one or more lamps projecting a white light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and projecting a red light visible under like conditions from a distance of 500 feet to the rear, except that such parking light or lights need not be displayed upon any vehicle stopped or parked in accordance with other provisions of this Ordinance upon any street designated by the City Manager where there is sufficient light to reveal any person or object within a distance of 200 feet upon such street.

(c) Adjustment of Lights & Brakes: Motor vehicle head lights shall produce sufficient light to reveal objects 200 feet ahead and shall be permanently adjusted and equipped in such manner as will eliminate all glare. All persons, firms or corporations holding licenses from the Motor Vehicle Department of the State of Colorado are hereby designated and

authorized to test and examine all head lights and brakes to see that same comply with the provisions of this Ordinance, and to issue certificates to that effect.

All vehicles shall have head lights and brakes examined at least once every sixty (60) days and shall have a certificate from an authorized test or examiner posted upon the windshield of every vehicle.

(d) Adequate Brakes: Every motor vehicle shall be provided with adequate brakes in good working order, sufficient to control the movement of and hold such motor vehicle including two separate means of applying the brakes, except that a motorcycle need be equipped with only one brake. The brakes of such motor vehicles shall be maintained with sufficient power and efficiency when applied to bring such motor vehicle, when running at the following speeds, to a full stop from the point where the brake is applied, within the following distances:

10 miles per hour	7 feet.
20 miles per hour	25 feet.
30 miles per hour	56 feet.

SECTION 50. DEFECTIVE VEHICLES, SMOKE, NOISE: (a) It shall be unlawful for the owner, user, driver or operator of any vehicle to drive or operate the same or permit it to be done, upon any street while the vehicle or any part thereof is defective or out of order or repair affecting or hindering its safe and efficient operation.

(b) It shall be unlawful to use, operate or drive any vehicle emitting excessive smoke or fumes or that is in such a state of repair as to be unnecessarily noisy in its operation, nor shall any vehicle be used or operated with any unnecessary noise or with any noise whatsoever likely to disturb the public.

(c) No vehicle shall be used or operated while so loaded with material that the load shall be unnecessarily noisy.

(d) No person, shall, in public street, alley or other public place, allow the racing of the engine of a motor vehicle, or make any noise with the horn, bell or warning device of any motor vehicle, except to warn a pedestrian or other person or other vehicle in the path of such motor vehicle, upon a public street or other public place, of the approach of such motor vehicle; and during the time between 10:00 o'clock P. M. and 7:00 o'clock A. M. it shall be unlawful for any person to make any loud noise with or by means of a motor vehicle except that which is absolutely necessary in the reasonable operation of such vehicle.

SECTION 51. Incompetent Drivers: (a) It shall be unlawful for any person under the age of fifteen years, or for any person not licensed as an operator of chauffeur under the provisions of the laws of the State of Colorado, or for any person physically or mentally disabled or incapacitated in any particular, temporarily or permanently, to operate or drive a

motor vehicle upon the streets of the City of Grand Junction, provided such disability or incapacity is such as to interfere with the ready and safe operation of the same.

(b) It shall be unlawful for the owner, or any person having charge or control of any motor vehicle to permit any prohibited person as in Sub-section (a) to operate or drive the same.

SECTION 52. Persons under the Influence of Intoxicating Liquor, or Narcotic Drugs: (a) It shall be unlawful for any person who is an habitual user of narcotic drugs, or any person who is under the influence of intoxicating liquor or any narcotic drug, to drive any vehicle upon any street or other public way; provided, however, that only the odor of liquor on the breath shall not be sufficient evidence of intoxication.

(b) Any person convicted of a violation of this section shall be punished by imprisonment in jail for a period of not less than ten days nor more than ninety days, or by a fine of not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00), or by both such fine and imprisonment. On a second or subsequent conviction, any person so convicted shall be punished by imprisonment for a period of not less than twenty (20) days nor more than ninety (90) days, and/or in the discretion of the court, by a fine of not more than three hundred dollars (\$300.00); and it shall be unlawful for any court to suspend such fines and penalties imposed upon second and subsequent convictions; and it shall be unlawful for the City Manager or any one under him, when a second or subsequent offense has been charged, to fail or refuse to file a complaint in or prosecute said second or subsequent offense in the Police Court; and it shall be unlawful for any person, convicted for the third time, to drive or operate any motor vehicle in the City of Grand Junction for a period of six months from the date of such conviction, and any person, driving or operating a vehicle in violation thereof, upon conviction shall be punished by imprisonment for a period of not less than thirty (30) days. All violations under this section shall be tried to the Court.

SECTION 53. Reckless Driving: (a) Any person who drives any vehicle upon a highway carelessly and heedlessly in willful or wanton disregard of the rights or safety of others at a speed or in a matter so as to endanger or be likely to endanger any person or property, shall be guilty of reckless driving.

(b) Any person who is convicted of reckless driving, as herein defined, shall be punished by imprisonment in jail for a period of not less than five (5) days nor more than ninety (90) days, or by a fine of not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00), or by both such fine and imprisonment. On a second or subsequent conviction, any person so convicted shall be punished by imprisonment for a period of not less than ten days nor more than ninety (90) days and/or in the discretion of the court, by a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00); and it shall be unlawful for any person, convicted for the third time, to drive or operate any motor vehicle in the City of Grand Junction for a period of six months from the date of such conviction, and any person convicted of violating this prohibition shall be punished by imprisonment for a period of not less than thirty (30) days. All violations under this section shall be tried to the Court.

SECTION 54. Impounding Vehicles: It shall be within the discretion of the Judge of the Municipal Court to suspend any fine and/or sentence of imprisonment imposed for a violation of Section 52 hereof, entitled "Persons Under the Influence of Intoxicating liquor, or Narcotic Drugs", and Section 53 hereof, entitled "Reckless Driving", if any person, upon conviction of any provisions of either of said sections of this ordinance, shall agree to and shall permit the impounding of the vehicle operated by said violator at the time of the offense complained of in the City Grange, or such other garage as may be designated by the Judge of the Municipal Court, for a period of time not to exceed fifteen (15) days for a first offense, and not less than thirty (30) nor more than forty-five (45) days for a third and subsequent offenses; the necessary storage charges for the period of time such vehicle may be ordered to be impounded to be paid by the violator at the prevailing storage rate.

SECTION 55. Speed: Every person operating a vehicle on the streets or highways in the City of Grand Junction shall drive the same in a careful and prudent manner, at a rate of speed no greater than is reasonable and safe, having regard for the width, grade, curbes, corners, traffic and use of the streets, and all other attendant circumstances, so as not to endanger the life, limb or property of any person. Driving in excess of the following speeds shall not be considered careful and prudent driving:

(a) Fifteen (15) miles per hour in alleys, and when passing school buildings or grounds when school is in session, during school recess, or when children are going to or leaving school during opening and closing hours.

(b) Twenty (20) miles per hour in the business district.

(c) Twenty (20) miles per hour in and through the City parks; provided, however, that the speed shall not exceed fifteen (15) miles per hour along the playground areas in parks, or elsewhere used as such, and clearly posted with appropriate signs.

(d) Twenty-five (25) miles per hour in residence and all other districts except as herein provided.

(e) Twenty-five (25) miles per hour in and along "Stop Streets".

SECTION 56. Minimum Speed: (a) It shall be unlawful for any person to drive at such slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation.

(b) Driving at a less speed than 15 miles per hour (except when actually starting or stopping) in traffic moving at the rate of more than fifteen miles per hour shall not be considered careful and prudent driving.

(c) Traffic and police officers are hereby authorized to enforce this provision by directions to drivers and in the event of willful disobedience to this provision or refusal to comply with the direction of an officer in accordance herewith, the continued slow operation by a driver shall

be unlawful and constitute a blocking of traffic and a violation of this Ordinance.

SECTION 57. WHEN SPEED LIMIT NOT APPLICABLE: The speed limits set forth in this act shall not apply to authorized emergency vehicles when operated in emergencies and the drivers thereof sound audible signals by bell, siren or exhaust whistle. This provision shall 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 street, nor shall it protect the driver of any such vehicle from the consequences of a needless and reckless disregard of the safety of others.

SECTION 58. DRIVE ON RIGHT SIDE OF HIGHWAY: (a) Upon all highways of sufficient width, other than one-way highways, a vehicle shall be driven upon the right half of the highway, and a slowly moving vehicle as closely as possible to the right hand edge or curb, except when the right half is out of repair and for such reason impassable or when overtaking and passing another vehicle, subject to the limitations set forth in this Ordinance.

Vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

(b) In driving upon the right half of a highway, the driver shall drive as closely as practicable to the right hand edge or curb of the highway except when overtaking or passing another vehicle or when placing a vehicle in position to make a left turn.

(c) In crossing a railroad right-of-way on an intersection of highways, the driver of a vehicle shall at all times cause such vehicle to travel on the right half of the highway unless such right half is out of repair and for such reason impassable. This provision shall not apply upon a one-way street.

(d) In driving upon a one-way highway, the driver shall drive as closely as practicable to the right-hand edge or curb of the highway except when overtaking or passing or traveling parallel with another vehicle or when placing a vehicle in position to make a left turn.

SECTION 59. SPECIAL REGULATIONS APPLICABLE ON STREETS AND HIGHWAYS LANED FOR TRAFFIC: Whenever any street or highway has been divided into clearly marked lanes for traffic, vehicles shall normally be driven in the lane nearest the right-hand edge or curb of the highway when said lane is available for travel, except when overtaking another vehicle or in preparation for a left turn.

SECTION 60. OVERTAKING A VEHICLE: Except as otherwise provided in this section, the following rules shall govern the overtaking and passing of vehicles:

(a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof and shall not again drive to the right side of the highway until safely clear of such overtaking vehicle.

(b) The driver of an overtaken vehicle shall give way to the right in favor of the overtaking

vehicle on suitable and audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

(c) In the event vehicles on a street or highway are moving in the same direction in two or more substantially continuous lines, the provisions of Sub-divisions (a) and (b) of this Section shall not be considered as prohibiting the vehicles in one such line overtaking or passing the vehicles in another such line either upon the right or the left, nor shall the provisions of Sub-divisions (a) and (b) of this Section be construed to prohibit a driver overtaking and passing upon the right another vehicle which is making or about to make a left turn.

(d) The driver of an overtaking motor vehicle when traveling outside of a business or residence district and under other conditions when necessary to insure safe operation shall give audible warning with his horn or other warning device before passing or attempting to pass a vehicle proceeding in the same direction.

SECTION 61. LIMITATIONS ON DRIVING ON LEFT SIDE OF HIGHWAY: The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without impeding the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken, nor shall the driver of a vehicle in any event drive to the left side of the center line of a highway when approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed within a distance of five hundred (500) feet.

No vehicle shall overtake and pass another vehicle proceeding in the same direction at any railway grade crossing nor at any intersection of any street or highway unless permitted to do so by a traffic or police officer.

SECTION 62. FOLLOWING TOO CLOSELY: The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent having due regard to the speed of such vehicles and the traffic upon and condition of the highway.

SECTION 63. RIGHT-OF-WAY BETWEEN VEHICLES: (a) VEHICLES APPROACHING AN INTERSECTION: Every driver of a vehicle approaching the intersection of a street shall yield the right-of-way at such intersection to any vehicle approaching from the right, and when two vehicles approach the same intersection at the same time, the driver of the vehicle on the left shall decrease the speed to not more than ten (10) miles per hour and have his vehicle under control before crossing such intersection, and it shall be his duty to yield to the vehicle on the right; provided, however, that at intersections where traffic officers are station and/or traffic control signals are installed and operating, traffic shall move in conformity with the directions given by said traffic officers and/or the signals given by said traffic control signals.

(b) VEHICLE ENTERING A STOP OR THROUGH STREET: The driver of any vehicle, who

has stopped as required by law at the entrance to a stop or through street, may then proceed into or across said stop or through street and shall have the same intersectional right-of-way and duties as provided in this Ordinance.

(c) VEHICLE TURNING LEFT AT AN INTERSECTION: The driver of a vehicle within an intersection intending to turn to the left shall yield to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver having so yielded and having given a visible signal when and as provided by law may make such left turn, and other vehicles approaching the intersection for said opposite direction shall yield to the driver making the left turn.

(d) LOSING RIGHT-OF-WAY: Any driver or operator, while exceeding the speed limit or violating any other provision of this Ordinance, shall have no right-of-way whatsoever.

SECTION 64. EXCEPTIONS TO RIGHT-OF-WAY: (a) The driver of a vehicle entering a public highway from an alley or a private road or drive shall yield the right-of-way to all vehicles approaching on such public highway.

(b) The driver of a vehicle upon a highway shall yield the right-of-way to authorized emergency vehicles when the latter are operated in emergencies or in the line of public duty and the drivers thereof sound audible signals by bell, siren compression or exhaust whistle. This provision shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequences of an arbitrary and unnecessary exercise of such right-of-way.

SECTION 65. TURNING AT INTERSECTIONS: The driver of a vehicle intending to turn at an intersection shall do so as follows, unless a different method of turning is directed by an officer, or by buttons, markers or signs at intersections, in which event turns shall be made in accordance with the directions of such markers, buttons or signs:

(a) Approach for a right turn shall be made in the lane or position for traffic nearest to the right-hand side of the highway and the right turn shall be made as closely as practicable to the right-hand curb or edge of the highway.

(b) Approach for a left turn shall be made in the lane or position for traffic to the right of and nearest to the center line of the highway, and the left turn shall be made by passing to the right of such center line where it enters the intersection and upon leaving the intersection by passing to the right of the center line of the highway then entered.

(c) Approach for a left turn upon a two-way street into a one-way street shall be made in the lane or position for traffic to the right of and nearest to the center line of the highway and by passing to the right of such center line where it enters the intersection, while 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.

SECTION 66. U-TURN PROHIBITED UPON CURVE OR APPROACH TO CREST OF GRADE: The driver of a vehicle shall not turn such vehicle around so as to proceed in the opposite direction upon any curve, between intersections or upon the approach to or near the crest of a grade or at any place upon a highway where the view of such vehicle is obstructed within a distance of five hundred (500) feet along the highway in either direction.

SECTION 67. STOP REQUIRED UPON APPROACH OF TRAIN: Whenever any person driving a vehicle approaches a steam railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car, it shall be unlawful for the driver of the vehicle to fail to stop the vehicle and yield the right-of-way before traversing such grade crossing.

SECTION 68. DUTY TO STOP AND AID IN EVENT OF ACCIDENT: (a) The driver of any vehicle involved in an accident resulting in injury or death to any person or damage to property shall immediately stop such vehicle at the scene of such accident, and shall give his name and address and registration number of his vehicle to the person struck or to the driver or occupants of any vehicle collided with, and shall render to any person injured in such accident, reasonable assistance, including the carrying of such person to a physician or surgeon for first aid, medical or surgical treatment, if it is apparent that such treatment is necessary or if it is requested by the injured person.

(b) Every person convicted under this section upon a charge of failure to stop in case of an accident resulting in injury or death of any person as herein provided shall be punished by imprisonment in jail for a period of not less than thirty days nor more than ninety days, and/or, in the discretion of the court by a fine of not less than one hundred dollars (\$100.00) nor more than three hundred dollars (\$300.00), or by both such fine and imprisonment.

SECTION 69. DUTY TO REPORT ACCIDENTS: The operator of any vehicle involved to any degree in an accident resulting in injuries or death to any person or property damage to an apparent extent of fifty dollars (\$50.00) or more shall, within a reasonable time and not to exceed twenty-four hours thereafter, make a report in writing of such accident to the police headquarters in this City.

SECTION 70. HORNS AND WARNING DEVICES: (a) Every motor vehicle when operated upon a highway shall be equipped with a horn or sound warning device in good working order, capable of emitting sound audible under normal conditions from a distance of 200 feet or more; and it shall be unlawful, except as otherwise provided in this section, for any vehicle to be equipped with, or for any person to use upon a vehicle, any siren or any compression or spark plug whistle or any exhaust horn or whistle which does not produce a harmonious sound, or for any person at any time to use a horn or sound warning device otherwise than as a necessary warning, or to make any unnecessary or unreasonably loud or harsh sound.

(b) Every authorized emergency vehicle shall be equipped with a bell, siren or exhaust whistle of a type authorized and approved by the City Manager.

(c) It shall be unlawful for any vehicle, except an authorized emergency vehicle, to be equipped with any sound warning device or for the operator to use the same, which is authorized for use on any authorized emergency vehicle or which is similar thereto.

SECTION 71. PREVENTION OF NOISE, SMOKE, ETC.: MUFFLER CUT-OUTS REGULATED: (a) No person shall drive a motor vehicle on a highway unless such motor vehicle is equipped with an adequate muffler in good working order and repair and in constant operation to prevent excessive or unusual noise.

(b) It shall be unlawful to use a "muffler cut-out" on any vehicle on a highway or other place, except in a garage, repair shop or other enclosure when necessary for adjusting or repairs.

(c) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.

SECTION 72; SIGNAL ON STARTING, STOPPING, TURNING OR LEAVING THE CURB: The operator of any vehicle about to turn to the left, if moving, or about to enter traffic, if parked; shall extend his arm out horizontally from the left side thereof; when about to turn to the right, the operator shall extend his arm upward; and when about to slow down or stop, the operator shall extend his arm downward. Equivalent signals may be given by artificial devices plainly indicating what the vehicle is about to do.

SECTION 73. GARAGE KEEPER TO REPORT DAMAGED VEHICLES: The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in an accident or struck by any bullet, shall report the matter, within a reasonable time and not to exceed twenty-four hours thereafter, to the Police Headquarters of this City, giving the license number, engine number and the name and address of the owner or operator of such vehicle.

SECTION 74. FLAG OR LIGHT AT END OF LOAD: Whenever the load on any vehicle shall extend more than four (4) feet beyond the rear of the bed or body thereof, exclusive of the end gate, there shall be displayed at the end of such load, in such position as to be clearly visible at all times from the rear of such vehicle, an opened red flag not less than twelve (12) inches both in length and width, except that between one-half hour after sunset and one-half hour before sunrise there shall be displayed at the end of such load a red light plainly visible under normal atmospheric conditions at least 200 feet from the rear of such vehicle.

SECTION 75. TOWING: No vehicle shall tow a disabled vehicle by means of chain, rope or cable exceeding sixteen feet (16) in length and/or unless there be displayed upon such connection a red flag or other signal or cloth not less than twelve inches (12) both in length and width.

SECTION 76. BARRICADES. No operator of any vehicle shall drive around or past any barricade or sign stating or indicating that the street or highway has been closed.

SECTION 77. LITTER OR OBSTACLES: No person shall place or leave upon any street or highway in the City of Grand Junction any stone, wood, timber, iron, rock, log or any substance of any nature of a size sufficient to interfere with the safe, uninterrupted and smooth progress of any vehicle, nor place, scatter, drop or leave on any such street or highway any tack, nail, glass, wire or other substance that may be, or capable of becoming pointed, sharpened or cutting in any degree to pneumatic tires.

SECTION 78. PROHIBITED USE OF LUGS, TIRE, ETC. (a) SOLID RUBBER TIRES: Every solid rubber tire on a vehicle moved on any hard surfaced street or highway, shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.

(b) LUGS, CLEATS OR SPIKES: No tire on a vehicle moved on a hard surfaced street or highway shall have on its periphery any block, stud, flange, cleat or spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire which will injure the surface of such street or highway, except that it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to slide or skid.

(c) PERMISSION TO MOVE: Tractors, tractor engines or any other vehicles equipped with lugs, etc. forbidden by the foregoing section may cross or drive upon a street or highway by securing a written permit so to do from the City Manager, providing that planks or other means be employed to prevent injury to such surface of the street or highway.

SECTION 79. LICENSE PLATES: Every motor vehicle shall, at all times while being used or operated upon the streets of Grand Junction, display the number plates assigned to it by the State of Colorado, one on the front and the other on the rear of said vehicle, both to be securely fastened to the vehicle so as to be plainly legible and so as to prevent said plates from swinging, and to be placed at least sixteen inches above the ground; provided, that the foregoing provision shall not apply to authorized motor vehicle dealers who shall be required to display only the rear number plate assigned to said dealer. All letters, numerals, printing, writing and other identification marks upon said plates shall be kept clear and distinct and free from defacement, mutilation, grease and other obscuring matter, so that they shall be plainly visible at all times one hundred feet from the front or rear. No number plates other than those furnished by the Motor Vehicle Department shall be used.

It shall be unlawful for any person to drive or use any licensed motor vehicle upon any street of Grand Junction after the transfer of ownership thereof, with the license plates issued to the vendor attached thereto; or to drive or use any motor vehicle upon any street of the City with only one license number plate thereon.

It shall be unlawful for any person to drive, use or operate any motor vehicle upon the streets of Grand Junction without the number plates specifically assigned to such vehicle by the Motor Vehicle Department for the then current year.

SECTION 80. PROCEDURE UPON ARREST: (a) In all cases of arrest under Section 52, entitled, "Persons Under Influence of Intoxicating Liquor, Narcotic Drugs", and Section 53, entitled, "Reckless Driving", the violators shall be kept in custody by the arresting officer or by the Police Department, unless lawfully released on bond, until trial, and trial shall be to the Court. In all other cases of arrest, where the violation is willful and deliberate or where it appears doubtful whether the violator will appear pursuant to a written promise, the arresting officer or the Police Department may hold the violator in custody unless lawfully released on bond, until he shall pay his fine or until trial, as the case may be.

(b) Whenever any motor vehicle without a driver is found parking in violation of any of the parking restrictions of this Ordinance, the officer finding it shall take its registration number, and any other information displayed on the vehicle which may identify it and its user, and affix conspicuously on the windshield or other readily visible place upon such vehicle a notice in writing on a form provided by the City Manager for the driver to answer to the charge against him within three (3) days during hours and at a place specified in the notice. The officer shall send one copy of such notice to the Traffic Violation Department.

(c) Any driver of a motor vehicle who willfully neglects to appear and answer to the charges set forth in a notice affixed to such vehicle by a police officer in accordance with this section, shall be guilty of a violation of this act regardless of the disposition of the charge for which the notice was originally issued.

SECTION 81. OWNER PRIMA FACIE RESPONSIBLE FOR ILLEGAL PARKING: If any vehicle is found upon a street or highway in violation of any provision of this Ordinance regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be readily determined, the owner or person in whose name such vehicle is registered shall be held prima facie responsible for such violation.

SECTION 82. CLEARING DRIVING RECORD: The driving record of any person under this ordinance shall, unless otherwise herein provided, automatically clear itself on the First day of January of each year of any and all violations or convictions occurring more than one year prior thereto, and no previous violation or conviction so cleared shall be considered in fixing, estimating or determining penalties or inhibitions hereunder.

SECTION 83. TRAFFIC VIOLATIONS BUREAU: (a) AUTHORIZATION: The Judge of the Municipal Court shall authorize the Police Department to establish a Traffic Violations Bureau to assist the Municipal Court with the clerical work of traffic cases. The Bureau shall be in charge of such persons as the City Manager may designate, and shall be open from 7 o'clock A.M. to 6 o'clock P.M. Sundays and legal holidays excepted.

(b) RULES: Persons who have received notice as provided in Section 75, may within the time specified in the notice, except as otherwise provided in this ordinance, appear and answer at the Traffic Violations Bureau to the charges set forth in such notice by paying a fine, and, in writing, pleading guilty to the charge, waiving a hearing in Court and giving power of attorney to the person in charge of the Bureau to make such a plea and pay such a fine in Court. Acceptance of the prescribed fine and power of attorney by the Bureau shall

be deemed complete satisfaction for the violation, and the violator shall be given a receipt which so states: Provided however, it shall be within the discretion of the Judge of the Municipal Court to suspend, for reasonable cause, any fine and/or costs that may be assessed for a first offense violation of any of the provisions of this ordinance, where said violation is answerable by appearance, and by the payment of fine upon a plea of guilt, in the Traffic Violations Bureau.

(c) RECEIPT: A written receipt shall be given to any person making payment to the Bureau under this Section stating the date, the amount paid, by whom paid, by whom received and on what account. Duplicate receipts shall be kept and preserved by the Bureau and shall be and remain public records for two (2) years from the date thereof. All such receipts and their duplicates shall be serially numbered, each receipt and its duplicate to bear the same number.

SECTION 84. DUTIES OF TRAFFIC VIOLATIONS BUREAU: The duties of the Traffic Violations Bureau shall be as follows:

(a) It shall accept fines, issue receipts, and represent in Court such violators as are permitted and desire to plead guilty, waive court appearance and give power of attorney.

(b) If a violator of the parking restrictions of the Ordinance does not appear as provided in Section 80 (b), the Traffic Violations Bureau shall send to the owner of the motor vehicle to which the notice was affixed a letter informing him of the violation and warning him that he will be held responsible for the appearance of the offender.

(c) If the owner or violator does not respond to a letter of warning within three (3) days the Traffic Violations Bureau shall have a notice served in person on the owner requiring him to appear and answer to the charges against the operator of his vehicle.

(d) If any person who has received a notice or summons as provided in Section 80 (b) or in Section (c) fails to appear within the specified time the Traffic Violations Bureau shall forthwith have a complaint entered against him and secure and issue a warrant for his arrest. The Traffic Violations Bureau shall not accept fines or bail from such persons, but shall consider them entirely under the jurisdiction of the court.

(e) The Bureau shall keep records and submit summarized monthly reports to the Municipal Court and the City Manager of all fines collected by the Traffic Violations Bureau. These reports shall be public records and preserved for the period of three years.

(f) The City Manager shall provided in duplicate suitable forms for notifying violators to appear and answer charges of violating the provisions of this Ordinance which shall be in bound books or pads. The duplicate notices shall be turned over to and preserved by the Traffic Violations Bureau until cases are finally disposed of. No officer or person shall retract or change any form or notice after having been issued and delivered to or for any violator, unless with the consent of the City Manager or the Chief of Police and a record made in writing and signed by such officer or person as to the reasons therefor, which record shall

be preserved with the forms and notice to which it relates, as a public record.

SECTION 85. PENALTIES: Any person who shall violate any provision of this Ordinance or any rule or regulation made and promulgated by the City Manager pursuant thereto, shall be guilty of a violation of this Ordinance and upon conviction thereof, excepting as otherwise herein provided, shall be punished by a fine of not to exceed three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment in the discretion of the court.

Upon conviction in the Municipal Court for a violation of any provision of this act where such violation is a cause for suspension or revocation of an operator's or chauffeur's license under the laws of this State, it shall be the duty of the Judge of said Court to communicate the name of the violator, nature and date of violation, disposition of the case and such other information as may be pertinent, to the office of The Motor Vehicle Department of the State of Colorado, together with the recommendation of said Judge as to the suspension and/or revocation of the operator's or chauffeur's license of said violator.

SECTION 86. EFFECT OF ORDINANCE: If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held or decided to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, sub-section, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases might be declared unconstitutional.

SECTION 87. REPEAL: Ordinance No. 405 and all Ordinances or parts of Ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance repealed prior to the taking effect of this Ordinance.

SECTION 88. EMERGENCY CLAUSE: The City Council is of the opinion and finds, determines and declares that this Ordinance is necessary for the preservation of the public health and safety, and that a special emergency exists therefor, and this Ordinance shall therefore be effective and in force from and after its adoption and passage.

Passed and adopted this 29th day of January, A. D. 1935.

/s/ Allen L. Holcombe
President of the Council

ATTEST:

/s/ Helen C. Tomlinson
City Clerk

I HEREBY CERTIFY that the foregoing emergency ordinance entitled, "AN ORDINANCE

REGULATING THE USE OF TRAFFIC UPON THE PUBLIC STREETS AND HIGHWAYS OF THE CITY OF GRAND JUNCTION, PROVIDING PENALTIES FOR VIOLATIONS AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH", was introduced, read, passed, numbered 529, and ordered published by the unanimous vote of the members of the City Council of the City of Grand Junction, at a special meeting of said Council held on the 29th day of January, 1935.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City, this 29th day of January, A. D. 1935.

/s/ Helen C. Tomlinson
City Clerk

Published Jan. 30, 1935