

ORDINANCE NO. 780

AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS AND ALLEYS OF THE CITY OF GRAND JUNCTION, COLORADO, AND REPEALING ORDINANCE NO. 529, AS AMENDED.

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

ARTICLE I. DEFINITIONS.

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

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.

AUTHORIZED EMERGENCY VEHICLE: Vehicles of the fire department, police department, and such ambulances and emergency vehicles of municipal departments or public service corporations as may be designated and authorized by the City Manager.

BICYCLE: Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over twenty inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.

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 vehicle and every person who drives a motor vehicle as a public or common carrier of persons or property.

CROSSWALK: That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the traversable roadway; any portion of a roadway or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

CURB LOADING ZONE: A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

DRIVER: Every person who drives or is in actual physical control of a vehicle.

FREIGHT LOADING ZONE: A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.

INTERSECTION: The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

MOTORCYCLE: Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

MOTOR VEHICLE: Every vehicle which is self propelled.

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

PARK: When prohibited, means the standing of a vehicle, whether occupied or not.

PASSENGER CURB LOADING ZONE: A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

PEDESTRIAN: Any person afoot.

POLICE OFFICER: Every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

PRIVATE ROAD OR DRIVEWAY: Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

RESIDENTIAL DISTRICT: That area within the city limits not included within the "Business District."

RIGHT-OF-WAY: The privilege of the immediate use of the roadway.

ROADWAY: That portion of a street or highway improved, designed, or ordinarily used for vehicular travel. In the event a highway includes two or more separate roadways the term "Roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

SIDEWALK: That portion of a street between the curb lines, or

the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

STOP: When required, means complete cessation of movement.

STOP, STOPPING, OR STANDING: When prohibited, means any stopping or standing of a vehicle, whether occupied or not, 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.

STREET OR HIGHWAY: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

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

TRAFFIC CONTROL SIGNAL: Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

THROUGH HIGHWAY: Every street or highway or portion thereof at the entrances to which vehicular traffic from intersecting streets or highways is required by law to stop before entering or crossing the same when stop signs are erected as provided in this act.

VEHICLE: Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway.

## ARTICLE II. AUTHORIZATION AND ENFORCEMENT.

Section 2. It shall be the duty of the City Manager and the officers of the Police Department to enforce all traffic laws of this City and the State vehicle laws applicable to traffic in this City.

Section 3. Officers of the Police Department are hereby 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.

Section 4. Officers of the Police Department are hereby authorized to direct traffic by voice, hand or signal and no person shall willfully fail or refuse to promptly comply with any lawful order or direction of a police officer.

Section 5. Whenever in the judgement of the City Manager 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.

Section 6. 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 7. 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 otherwise permitted in this Ordinance.

#### ARTICLE III. TRAFFIC SIGNS, SIGNALS AND MARKINGS:

Section 8. OFFICIAL SIGNS AND SIGNALS: The City Manager shall determine and designate the character and type of all official traffic signs and signals, which shall, so far as practicable, be uniform as to type and location.

Section 9. ESTABLISHMENT AND DESIGNATION: The City Manager shall have the authority to establish, designate, mark and maintain pedestrian lanes and crosswalks, stop streets or through streets, intersections at which no right turns, left turns or "U" turns shall be allowed, laned highways, one-way streets or alleys, play streets, no parking zones, special loading zones, and all traffic signs and signals which he deems necessary to regulate or to guide or warn traffic within the City of Grand Junction.

Section 10. TRAFFIC CONTROL LEGEND: Whenever traffic is controlled by traffic control signals exhibiting the words "Go," "Caution", or "Stop," or exhibiting different colored lights successively one at a time, the following colors shall be used and said terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green alone or "Go."

(1) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or adjacent crosswalk at the time such signal is exhibited.

(2) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(b) Yellow alone or "Caution," when shown following the green or "Go" signal.

(1) Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.

(2) No pedestrian facing such signal shall enter the roadway until the green or "Go" signal is shown alone.

(c) Red alone or "Stop."

(1) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until green or "Go" is shown alone.

(2) No pedestrian facing such signal shall enter the roadway until the green or "Go" is shown alone.

(3) Vehicular traffic facing a red or "Stop" signal may cautiously enter the intersection only to make a right turn at said intersection, but shall not interfere with other traffic, or endanger pedestrians lawfully within a crosswalk, and other vehicular or traffic and pedestrians shall have the right-of-way over the vehicular traffic which is turning.

(d) Flashing signals. Whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows;

(1) Flashing red (Stop Signal). When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(2) Flashing yellow (caution signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution, and in no case at a speed greater than fifteen miles per hour.

Section 11. OBEDIENCE TO SIGNS, SIGNALS AND MARKINGS: All traffic shall obey the instructions on all traffic signs, signals and markings unless otherwise directed by a police officer.

Section 12. DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS, OR MARKINGS:

(a) No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is in imitation of or resembles an official 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 any official traffic control device or any railroad sign, or signal, and no person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.

(b) Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

Section 13. INTERFERENCE WITH OFFICIAL TRAFFIC CONTROL SIGNS, SIGNALS, OR MARKINGS: NO person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, or remove any official traffic control sign, signal or marking or any part thereof.

ARTICLE IV. OPERATION OF VEHICLES.

Section 14. SPEED RESTRICTIONS: Every person operating a vehicle on the streets 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 under the conditions and having regard to the actual and potential hazards then existing. Driving in excess of the following speeds shall not be considered careful and prudent driving:

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

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

(c) Twenty miles per hour in and through the City parks; provided, however, that the speed shall not exceed fifteen miles per hour along the playground areas.

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

Section 15. MINIMUM SPEED:

(a) It shall be unlawful for any person to drive at such a low 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 speed of less than fifteen miles per hour (except when actually starting or stopping) 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 apparent willful disobedience to this provision and 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 16. 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 or 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 17. 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 overtaken 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 marked lanes of traffic, 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 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 district or when necessary to insure safe operation shall give audible warning with his horn before passing or attempting to pass a vehicle proceeding in the same direction.

Section 18. 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 such distance as to create a hazard in the event another vehicle might approach from the opposite direction.

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 19. 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 the condition of the highway.

Section 20. 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 roadway and the right turn shall be made as closely as practicable to the right-hand curb or edge of the roadway.

(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 where it enters the intersection and upon leaving the intersection by passing to the right of the center line of the roadway then entered.

Section 21. SIGNALS ON TURNING, STOPPING AND ENTERING TRAFFIC:

(a) No person shall turn a vehicle from a direct course upon a highway or leave a position near the edge of the roadway to enter the line of traffic unless and until such movement can be made with reasonable safety, and then only after giving a clearly audible signal by sounding the horn if any pedestrian may be affected by such movement or after giving an appropriate signal in the manner hereinafter provided in the event any other vehicle may be affected by such movement.

(b) A signal of intention to turn right or left shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning.

(c) 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.

Section 22. SIGNALS BY HAND AND ARM OR SIGNAL DEVICE: The signals herein required shall be given either by means of the hand and arm or by a signal lamp or signal device of a type approved by the police department, but when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of such vehicle, then said signals must be given by such a lamp or device.

Section 23. METHOD OF GIVING HAND AND ARM SIGNALS: All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

(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.

Section 24. U-TURNS PROHIBITED: The driver of a vehicle shall not turn such vehicle around so as to proceed in the opposite direction between intersections, upon a curve, bridge, via-duct or

one-way street, upon the approach to or near the crest of a grade, or at any intersection so designated and marked by appropriate signs.

Section 25. STOP STREETS: Every operator of a vehicle or other conveyance traveling upon any street intersecting any Stop Street or Through Street so designated, or approaching any intersection where a stop sign has been erected, shall completely stop such vehicle or conveyance at a place opposite the prolongation of the nearest property line along the street which is to be entered, subject, however, to the direction of any traffic control sign or the signal of any police officer at such intersection.

Section 26. STOP SIGNS: Every stop sign shall bear the word "Stop" in letters not less than six inches in height and such sign shall at night be rendered luminous by steady or flashing internal illumination, or by fixed floodlight projected on the face of the sign, or by efficient reflecting elements on the face of the sign. Every stop sign shall be located as near as practicable to the nearest line of the roadway.

Section 27. STOP REQUIRED UPON APPROACH OF TRAIN: Whenever any person driving a vehicle approaches a railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car, or when a railroad train is plainly visible and is in hazardous proximity to such crossing, the driver of the vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of such railroad, and shall not proceed until he can do so safely.

Section 28. ONE-WAY STREETS AND ALLEYS.

(a) The roadways on the right hand side of each street having center parkways down the middle thereof, and all other streets so designated and marked by the City Manager, are hereby declared to be one-way streets.

(b) The alley between Main Street and Rood Avenue from First Street to Eighth Street shall be a one-way alley, and traffic shall travel only in a westerly direction; the alley between Main Street and Colorado Avenue from First Street to Eighth Street shall be a one-way alley, and traffic shall travel only in an easterly direction; and all other alleys so designated and marked by the City Manager, are hereby declared to be one-way alleys.

(c) All vehicles on one-way streets and alleys shall travel only in the one direction which is indicated by appropriate signs.

Section 29. STANDING AND PARKING PROHIBITED IN SPECIFIED PLACES.

(a) 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 signal.

1. Within an intersection.
2. On a crosswalk.
3. Within fifteen feet of the driveway entrance to any fire station.
4. Within five feet in either direction of any fire hydrant.
5. In front of an alley or private driveway.
6. On a sidewalk or sidewalk parking.
7. Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic.
8. 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.)
9. At any place where official traffic signs have been erected prohibiting standing or parking.
10. In front of theatre entrances during public use, where designated and marked.
11. In front of entrances and exits of hotels having fifty guest rooms or more, where designated and marked.
12. In front of the entrance to any building where there is a public assemblage of one hundred persons or more, when designated and marked.
13. On any bridge, viaduct or tunnel, or on or in the approaches thereto.

(b) No person shall park a vehicle on any street for the principal purpose of displaying such vehicle for sale, displaying commercial advertising, or for washing, greasing or repairing such vehicle unless such repairs are necessitated by an emergency.

(c) No person shall park a vehicle in any alley except when actually engaged in the loading or unloading of merchandise, and in no case shall such parking be for a period of time longer than fifteen minutes. No person shall park a vehicle in any alley in such a manner as to leave less than ten feet of the alleyway free for the movement of vehicular traffic.

(d) No person shall park any vehicle or vehicle and load in excess of 18 feet in length on streets which have parking meters or where diagonal parking is required.

Section 30. 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 towing or moving of the same when necessary by the Police or Fire Departments.

Section 31. MOVING PARKED VEHICLES: It shall be unlawful for any person except 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.

Section 32. 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 lawful traffic movement, and with the curb side wheels of the vehicle within eighteen inches of the edge of the roadway.

(b) Diagonal Parking. On Main Street between Second Street and Seventh Street, 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 forty-five degrees to the curb with the right front wheel touching the curb; and where diagonal parking spaces are marked upon the pavement, all vehicles shall be parked in the center thereof.

(c) Standing in bus loading zone: No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a bus loading zone.

(d) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight curb loading zone; except that the driver of a passenger vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or about to enter such zone.

Section 33. PLAY STREETS: Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business, or those whose residences are located within such closed area, and then any said

driver shall exercise the greatest care in driving upon any such street or portion thereof.

Section 34. INCOMPETENT DRIVERS:

(a) It shall be unlawful for any person under the age of sixteen years or for any person not licensed as an operator or chauffeur under the provisions of the laws of the State of Colorado, or for any person whose license has been suspended or revoked by the State Motor Vehicle Department, 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 vehicle.

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

Section 35. 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) It shall be the duty of the Court, upon conviction under this section, to take up the operator's license of any such person so convicted and send it to the State Motor Vehicle Department as provided by State statute.

Section 36. CARELESS DRIVING: Every person operating a vehicle on the streets in the City of Grand Junction shall drive the same in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic and condition and use of the streets, and all other attendant circumstances, so as not to endanger the life, limb or property of any person.

Section 37. RECKLESS DRIVING: Any person who drives any vehicle in such a manner as to indicate either a willful or a wanton disregard for the safety of persons or property is guilty of reckless driving.

Section 38. ENTERING AND EMERGING FROM ALLEY OR PRIVATE DRIVEWAY:

(a) The operator of a vehicle emerging from an alley, driveway, or building shall completely stop such vehicle immediately prior to driving onto the sidewalk or on to the sidewalk area extending across any alleyway or private driveway,

yielding the right of way to any pedestrian, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

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

Section 39. 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 40. 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 feet to any fire apparatus traveling in response to a fire alarm or to drive into or stop any vehicle within five hundred feet where fire apparatus has stopped in answer to a fire alarm.

Section 41. 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 42. 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 have its headlights burning. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

Section 43. 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 wagon, automobile, or 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 44. OBSTRUCTION TO OPERATOR'S VIEW OF 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 are in the front seat such number of persons, exceeding three, as to

obstruct the view of the operator to the front or sides of the vehicle, or as 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 free and ready control over the driving mechanism of the vehicle, or to obstruct the view of others of signals given by the operator.

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 or attach himself or his vehicle to any other moving vehicle upon any roadway.

Section 46. 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, 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 47. 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.

Section 48. 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 person so to ride upon any such vehicle. Fancy and stunt riding thereon or without hands on handle bars shall be unlawful.

ARTICLE V. RIGHT OF WAY BETWEEN VEHICLES.

Section 49. VEHICLES APPROACHING OR ENTERING INTERSECTION:

(a) When two vehicles enter an intersection from different highways 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.

(b) The foregoing rule is modified at through highways and otherwise as stated in this ordinance.

(c) The driver of a vehicle shall stop at the entrance to a through highway, or at an intersection where a stop sign is erected, and shall yield the right-of-way to other vehicles which have entered the intersection or which are approaching so closely on said through highway as to constitute an immediate hazard; but said driver, having so yielded, may proceed, and the drivers of all other vehicles approaching the said intersection shall yield the right of way to the vehicle so proceeding into the intersection.

(d) 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 from said opposite direction shall yield to the driver making the left turn.

Section 50. BACKING FROM CURB. No operator who has his vehicle parked diagonally to the curb shall back into the lane of traffic unless such backing is done in a slow and careful manner and with due regard to the rights and safety of other vehicles, and all automobiles within the lane of traffic shall have the right of way over the backing vehicle.

Section 51. 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.

#### ARTICLE VI. EQUIPMENT.

##### Section 52. HORNS AND WARNING DEVICES:

(a) Every motor vehicle when operated upon a highway in this City shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions for a distance of two hundred feet or more; and it shall be unlawful, except as otherwise provided in this ordinance, 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; but such bell, siren or exhaust whistle shall not be used except when such vehicle is operated in connection with an emergency.

Section 53. BRAKES: Every motor vehicle shall have adequate brakes in good working order, sufficient to control the movement of and to stop and hold such motor vehicle, and which are sufficient to meet the requirements of the motor vehicle laws of the State of Colorado.

Section 54. LIGHTS: Every vehicle upon a street or highway within the City of Grand Junction during the period from one-half an hour after sunset to one-half an hour before sunrise, shall be equipped with lighted front and rear lamps and with reflectors which meet the requirements of the motor vehicle laws of the State of Colorado.

Section 55. BRAKE AND LIGHT INSPECTIONS: Every motor vehicle must have headlights and brakes examined at least once every six months, in accordance with the requirements of the motor vehicle laws of the State of Colorado, and a valid certificate of inspection must be displayed at all times upon such vehicle in a position so as to be visible from the outside.

Section 56. DEFECTIVE VEHICLES, SMOKE, NOISE, ETC:

(a) It shall be unlawful for the owner 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, or in such an unsafe condition as to endanger any person or affect or hinder 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 using a "muffler cut-out," 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 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.

(d) No vehicle shall be used or operated while so loaded with material that the load shall be unnecessarily noisy, nor while loaded so that its contents, sift, leak or drop into the street.

(e) No person shall, in a 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 vehicle of the approach of such motor vehicle.

Section 57. OBSTRUCTION TO OPERATOR'S VIEW:

(a) Every windshield on a motor vehicle shall be equipped with 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.

(b) 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.

(c) No person shall drive a motor vehicle on a street of 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.

Section 58. LUGS PROHIBITED:

(a) 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.

(b) 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 59. 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 endgate, 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 60. 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.

#### ARTICLE VII. PEDESTRIANS' RIGHTS AND DUTIES.

Section 61. PEDESTRIANS SUBJECT TO TRAFFIC CONTROL SIGNALS: Pedestrians shall be subject to traffic control signals as heretofore declared in this ordinance, but at all other places pedestrians shall be granted those rights and be subject to restrictions stated in this article.

#### Section 62. PEDESTRIANS RIGHT OF WAY IN CROSSWALK:

(a) 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 to so 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.

(b) 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.

Section 63. PEDESTRIANS TO USE RIGHT HALF OF CROSSWALK: Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

Section 64. PROHIBITED CROSSING: No pedestrian shall cross a roadway other than a crosswalk upon any through street, at any place in the business district, or between adjacent intersections at which traffic control signals are in operation.

Section 65. WHEN PEDESTRIANS SHALL YIELD:

(a) Every pedestrian crossing a roadway at any point other than within a crosswalk shall yield the right of way to all vehicles upon the roadway.

Section 66. PEDESTRIANS WALKING ALONG ROADWAYS:

(a) Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

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

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

ARTICLE VIII. BICYCLES.

Section 67. LICENSE REQUIRED: No person shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles in the City of Grand Junction unless such bicycle has been licensed and a license plate is attached thereto as provided herein.

Section 68. LICENSE APPLICATION: Application for a bicycle license and license plate shall be made upon a form provided by the City and shall be made to the Chief of Police. An annual license fee of 25<sup>00</sup> shall be paid before each license or renewal thereof is granted.

Section 69. ISSUANCE OF LICENSE:

(a) The Chief of Police, upon receiving proper application therefor, is authorized to issue a bicycle license which shall be effective until the next succeeding first day of January.

(b) The Chief of Police shall not issue a license for any bicycle when he knows or has reasonable ground to believe that the applicant is not the owner of or entitled to the possession of such bicycle.

(c) The Police Department shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued, and the number on the frame of the bicycle for which issued, and a record of all bicycle license fees collected by him.

Section 70. ATTACHMENT OF LICENSE PLATE:

(a) The Chief of Police upon issuing a bicycle license shall also issue a license plate bearing the license number assigned to

the bicycle, the name of the City, and the calendar year for which issued.

(b) Such license plate shall be firmly attached to the rear mudguard or frame of the bicycle for which issued in such a position as to be plainly visible from the rear.

(c) No person shall remove a license plate from a bicycle during the period for which issued except upon a transfer of ownership or in the event the bicycle is dismantled and no longer operated upon any street in this City.

Section 71. INSPECTION OF BICYCLES: The Police Department shall inspect each bicycle before licensing the same, and shall refuse a license for any bicycle which is in unsafe mechanical condition.

Section 72. RENEWAL OF LICENSE: Upon the expiration of any bicycle license the same may be renewed upon application and payment of the same fee as upon an original application.

Section 73. TRANSFER OF OWNERSHIP: Upon the sale or other transfer of a licensed bicycle the licensee shall remove the license plate and shall either surrender the same to the Chief of Police or may, upon proper application but without payment of additional fee, have said plate assigned to another bicycle owned by the applicant.

Section 74. RENTAL AGENCIES: Rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license plate is attached thereto as provided herein and such bicycle is equipped with the lamps and other equipment required in this article.

Section 75. TRAFFIC LAWS APPLY TO PERSONS RIDING BICYCLES: Every person riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all of the duties applicable to the driver of a vehicle under the traffic ordinances of this City except as to special regulations in this article, and except those provisions of ordinances which by their nature can have no application.

Section 76. RIDING ON BICYCLES:

(a) Person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

Section 77. RIDING ON ROADWAYS AND BICYCLE PATHS:

(a) Every person operating a bicycle upon a roadway shall ride as near to the right hand side of the roadway as is

practicable, exercising due care when passing standing vehicles or one proceeding in the same direction.

(b) Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.

(c) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

Section 78. CARRYING ARTICLES: No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handle bars.

Section 79. PARKING: No person shall park a bicycle upon a street other than upon the roadway against the curb or in a rack to support the bicycle, or at the curb in such a manner as to afford no obstruction to pedestrian traffic. Bicycles shall not be parked on the sidewalk.

Section 80. RIDING ON SIDEWALKS:

(a) No person shall ride a bicycle upon a sidewalk within the business district.

(b) No person sixteen or more years of age shall ride a bicycle upon a sidewalk in any district.

(c) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

Section 81. LAMPS AND OTHER EQUIPMENT ON BICYCLES:

(a) Every bicycle, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(b) Every bicycle shall be equipped with a brake which will enable the operator to make a braked wheel skid on dry, level, clean pavement.

ARTICLE IX. RAILROAD TRAINS.

Section 82. 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 83. 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 X. MISCELLANEOUS PROVISIONS.

Section 84. 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 85. SOUND ADVERTISING: It shall be unlawful for any person to operate a vehicle upon the streets or public ways of the City, having placed thereon or therein any mechanical device, machine, apparatus or instrument for intensification or amplification of the human voice, music, or any sound or noise, for political or commercial advertising purposes either by message produced by such mechanical device, machine, apparatus or instrument, or by attracting attention to the vehicle itself upon which such device is being operated.

Section 86. PERMITS REQUIRED FOR PARADES AND PROCESSIONS: No procession, parade of animals, or parade containing 100 or more persons or 25 or more vehicles, excepting the military forces of the United States and the State of Colorado, shall march or proceed along any street except in accordance with a permit issued by the Chief of Police, The Chief of Police shall have the authority to designate and limit the route to be followed by any such parade or procession, and it shall be unlawful for those comprising the parade or procession to follow any other route than the one authorized.

#### Section 87. PUTTING GLASS OR INJURIOUS ARTICLES ON HIGHWAY:

(a) No person shall throw or deposit upon any highway, street or alley any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon such highway, street or alley.

(b) Any person who drops, or permits to be dropped or thrown upon any highway, street or alley, any destructive or injurious material shall immediately remove the same or cause it to be removed.

(c) Any person removing a wrecked or damaged vehicle from the highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

Section 88. GARAGE KEEPER TO REPORT DAMAGED VEHICLES: The person in charge of any garage or repair shop to which is brought any vehicle which shows evidence of having been involved in an accident or struck by a bullet, shall report the matter to the Police Department of this City within a reasonable time and not exceeding twenty-four hours thereafter, giving the license number, engine number, and the name and address of the owner or operator of such vehicle.

#### ARTICLE XI. LIABILITY OF CAR OWNER.

Section 89. OWNER PRIMA FACIE RESPONSIBLE FOR ILLEGAL PARKING: If any vehicle is found upon a street or highway in violation of any provision 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 90. AUTHORITY TO IMPOUND VEHICLES: The Police Department is hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the Police Department, under the circumstances hereinafter enumerated:

(a) When any vehicle is left unattended upon any bridge, viaduct, or at any place where such vehicle constitutes an obstruction to traffic.

(b) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.

Whenever an officer removes such vehicle from the streets and is able to ascertain the name and address of the legal owner thereof, such officer shall immediately give or cause to be given a notice of such removal and the reasons therefor and the place to which the vehicle has been removed.

#### ARTICLE XII. EXEMPTIONS TO ORDINANCE.

Section 91. AUTHORIZED EMERGENCY VEHICLES: The provisions of this ordinance regulating the speed, movement, operation where traffic signs or signals are installed, and right of way, 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 reckless disregard of the safety of others.

Section 92. EQUIPMENT ENGAGED IN HIGHWAY WORK: 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 travelling to and from such work.

#### ARTICLE XIII. ACCIDENTS.

Section 93. DUTY TO STOP AND REPORT ACCIDENT: The driver of any vehicle involved in an accident resulting in injury to or death of any person, or damage to property, shall immediately stop such vehicle at the scene of such accident, shall give his name and address and the registration number of his vehicle to the person struck or to the driver or occupants of any vehicle collided with, shall immediately give notice of the said accident to the Police Department, and shall remain at the scene of the accident until the police arrive unless he is injured to such an extent that he needs medical assistance.

Section 94. DUTY TO FILE WRITTEN REPORT: The operator of any vehicle involved in any accident resulting in injuries or death to any person, or property damage to an apparent extent of fifty dollars or more, shall also, within a reasonable time and not to exceed twenty-four hours thereafter, make a report in writing of such accident to the Police Department of this City.

Section 95. DUTY UPON STRIKING UNATTENDED VEHICLE: 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 securely attached in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof.

Section 96. DUTY UPON STRIKING FIXTURES UPON A HIGHWAY: The driver of any vehicle involved in an accident resulting in damage to signs, signals, lamp posts, or other fixtures legally upon or adjacent to a highway, shall locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving.

#### ARTICLE XIV. PROCEDURE UPON ARREST.

Section 97. VIOLATIONS IN OPERATION:

(a) In all cases of arrest under Section 35 entitled, "Persons Under the Influence of Intoxicating Liquor or Narcotic

Drugs", and Section 37 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.

(b) In all other cases of arrest under this ordinance, the police officer shall take the name, address, and operator's license number of the alleged violator and the registration number of the motor vehicle involved, and shall issue to him in writing on a form provided by the City, a notice to answer to the charge against him at a place and at a time within three days after such arrest, such place and time to be specified in the notice. However, where the alleged violator refuses to accept the notice in writing, or 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 trial.

#### Section 98. PARKING VIOLATIONS:

(a) Whenever any motor vehicle without a driver is found parked in violation of the parking restrictions of this City, the officer finding it shall take its registration number and any other information displayed on the vehicle which may identify it and its operator, 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 for the driver to answer to the charge against him within three days during hours and at a place specified in the notice. The officer shall give one copy of such notice to the Traffic Violations Bureau.

(b) 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.

(c) If the violator of the restrictions on parking does not appear in response to a notice affixed to such motor vehicle within a period of three days, the clerk of 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 in the event such letter is disregarded for a period of five days a complaint will be filed and a warrant issued.

(d) If the violator does not appear in response to the said letter, within the said five day period, then a complaint shall be signed against such person and a warrant issued for his arrest.

#### ARTICLE XV. TRAFFIC VIOLATIONS BUREAU.

#### Section 99. AUTHORIZATION AND PROCEDURE:

(a) The Judge of the Municipal Court shall authorize the Police Department to establish a Traffic Violations Bureau to handle parking violations only, and to assist the Municipal Court with its clerical work.

(b) Persons who have received a notice of a parking violation, in accordance with Section 97 (a) or 97 (c) of this ordinance, may within the time specified, 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.

(c) A written receipt shall be given to any person making payment to the bureau, 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 for a period of two years. All such receipts shall be numbered serially, each receipt and its duplicate to bear the same number.

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

#### ARTICLE XVI. PENALTIES.

Section 100. DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS: Every person convicted of driving a vehicle while under the influence of intoxicating liquor or any narcotic drug, in accordance with Section 35 of this ordinance, shall be punished by a fine of not less than Fifty Dollars nor more than Three Hundred Dollars.

Section 101. CARELESS DRIVING. Every person convicted of careless driving under Section 36 of this ordinance, shall be punished by a fine of not less than Fifteen Dollars nor more than Two Hundred Dollars.

Section 102. RECKLESS DRIVING: Every person convicted of reckless driving under Section 37 of this ordinance, shall be punished by a fine of not less than Thirty Dollars nor more than Three Hundred Dollars.

Section 103. LEAVING THE SCENE OF AN ACCIDENT: Every person convicted of violating Section 93 of this ordinance, by not stopping at the scene of an accident, shall be punished by a fine of not less than One Hundred Dollars nor more than Three Hundred Dollars.

Section 104. VIOLATIONS OF PROVISIONS CONCERNING BICYCLES: Every person convicted of violating any of the provisions of this

ordinance concerning bicycles, may, in lieu of the penalty provided elsewhere in this ordinance, be ordered to surrender the license plate for his bicycle to the Police Department for a period of not to exceed six months, or may be ordered to surrender his bicycle for impounding for a period not to exceed six months.

Section 105. OTHER VIOLATIONS: Every person convicted of violating any other provision of this ordinance shall be punished by a fine of not less than One Dollar nor more than Two Hundred Dollars.

Section 106. DRIVING RECORD CLEARED: The driving record of any person convicted under this ordinance shall automatically clear itself every two years, and any and all violations or convictions occurring more than two years prior to any alleged violation shall not be considered in fixing or determining penalties hereunder.

#### ARTICLE XVII. VALIDITY.

Section 107. Should any section, clause or provision of this ordinance be declared to be invalid or unconstitutional, the same shall not affect the validity of the ordinance as a whole or any other part thereof.

#### ARTICLE XVIII. REPEAL.

Section 108. Ordinance No. 529, as amended, and all other ordinances and parts of ordinances in conflict with this ordinance are hereby repealed; but Ordinance No. 742 concerning Parking Meters is not repealed by this ordinance but is cumulative hereto, and the method of procedure for arrest and collection of fines set forth in this ordinance shall apply to Ordinance No. 742. 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.

Passed and adopted this 29th day of December, A. D. 1948.

/s/John C. Harper

                      
President of the Council

ATTEST:

/s/Helen C. Tomlinson

                      
City Clerk

I HEREBY CERTIFY That the foregoing ordinance, being Ordinance No. 780 was introduced, read and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 17th day of November, A. D., 1948, and that the same was published in The Daily Sentinel, a

newspaper published and in general circulation in said city at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said city, this 29th day of December A. D. 1948.

/s/Helen C. Tomlinson

City Clerk

Pub. 12-31-48