

ORDINANCE NO. 57

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ORDINANCE NO. 57

AN ORDINANCE REGULATING TRAFFIC

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GIFFORD, ILLINOIS, THAT:

ARTICLE I - Definitions and General Provisions

1.01. Definitions.) Whenever in this chapter the following terms are used, they shall have the meanings respectively ascribed to them in this section.

Pedestrian: Any person afoot.

Sidewalk: That portion of a street between the curb line or roadway and the adjacent property line designated for pedestrian use.

Crosswalk: That portion of the roadway included within the prolongation of the sidewalk lines at street intersections.

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

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

Motor Vehicle: Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead wires, but not operated upon rails.

School Bus: Every motor vehicle of the second division operated by or for a public or governmental agency or by or for a private or religious organization solely for the transportation of pupils in connection with school activities.

Right-of-Way: The privilege of the immediate use of the roadway.

Yield Right-of-Way: When required by an official sign means the act of granting the privilege of the immediate use of the intersecting roadway to traffic within the intersection and to vehicles approaching from the right or left, provided that when the roadway is clear the vehicle may proceed into the intersection.

Intersection: The area embraced within the prolongation of the property lines of two or more streets which join at an angle, whether or not such streets cross.

Park: To stand a vehicle, whether occupied or not, for a period of time greater than is reasonably necessary for the actual loading or unloading of persons.

Emergency Vehicle: Police vehicles, vehicles of the fire department, ambulances, vehicles carrying a State, County or municipal officer or employee in response to an emergency call, and emergency vehicles of public service corporations on an emergency call.

1.02. Interference With Signs or Signals.) It shall be unlawful for any person to deface, injure, move or interfere with any official traffic sign or signal.

1.03. Exemptions.) The provisions of this chapter regulating the movement or parking of vehicles shall not apply to the driver of any authorized emergency vehicle when responding to an emergency call, but such driver when approaching shall slow down as necessary for safety but may proceed cautiously past a red or stop sign or signal. At other times, drivers of authorized emergency vehicles shall stop in obedience to a stop sign or signal.

No driver of any authorized emergency vehicle shall assume any special privileges under the Act except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law.

The provisions of this chapter regulating the movement and parking of vehicles shall not apply to equipment or vehicles while actively engaged in installing, repairing, or otherwise improving streets or street pavements.

ARTICLE II -- Through Streets and One-Way Streets; Stop Streets and Alleys

2.01. Stop Streets.) The driver of a vehicle shall stop in obedience to a stop sign at an intersection where a stop sign is erected pursuant to ordinance, at one or more entrances thereto, and shall proceed cautiously, yielding to the vehicles not so obliged to stop which are within the intersection or approaching so close as to constitute an immediate hazard, unless traffic at such intersection is controlled by a police officer on duty, in which event the directions of the police officer shall be complied with.

2.02. Posting Signs.) The chief of the police department shall post or cause to be posted suitable signs for all through streets, one-way streets or alleys and stop intersections.

ARTICLE III -- Rules for Driving

3.01. Required Position and Method of Turning at Intersection.) The driver of a vehicle intending to turn at an intersection shall do so as follows:

(a) Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the roadway, or as indicated by traffic markers or signs.

(b) At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and

by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection, or as indicated by traffic markers or signs.

(c) At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left lane lawfully available to traffic moving in such direction upon the roadway being entered, or as indicated by traffic markers or signs.

3.02. Driving From Alleys, Driveways or Garages.) The driver of a vehicle emerging from an alley, driveway or garage, shall stop such vehicle immediately prior to driving onto a sidewalk, or across a sidewalk line projected across such alley, and shall exercise extreme care in driving upon said sidewalk or across such lines.

3.03. Vehicle Not To Be Driven On Sidewalks or in Safety Zones.) No driver of a vehicle shall drive within any sidewalk area, except at a permanent or temporary driveway, nor at any time into or upon any portion of a roadway marked as a safety zone.

3.04. Right-Of-Way.) Excepting as otherwise herein provided, the driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway; and when two vehicles entering 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.

3.05. Vehicle Turning Left.) The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way 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 signal when and as required, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn.

3.06. Limitations On Turning Around.) 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 into traffic or otherwise interfering with traffic.

3.07. "U" Turn.) It shall be unlawful for the operator of any vehicle to make a "U" turn at any place where such turns are prohibited by ordinance. Such prohibition shall be indicated by appropriate signs.

3.08. Fire Department Vehicles--Fires.) Upon the approach of a fire department vehicle, drivers of vehicles shall comply with the provision of this article relating to the approach of authorized emergency vehicles.

It shall be unlawful for the driver of any vehicle, other than one on official business, to follow any fire apparatus in response to a fire alarm, closer than one block, or to park any vehicle within the block where fire apparatus has stopped to answer a fire alarm.

It shall be further unlawful for the driver of any vehicle to drive over any unprotected hose of the fire department without the consent of the fire marshal or the assistant in command.

3.09. Operation of Vehicles on Approach of Authorized Emergency Vehicles.) Upon the immediate approach of any authorized emergency vehicle, when the driver is giving audible sign by siren, or bell, or visible red or blue light, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to the right-hand edge or curb of the highway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

This section 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.

3.10. Reckless or Careless Driving.) It shall be unlawful to operate any vehicle with a wilful or a wanton disregard for the safety of persons or property.

3.11. Speed Restrictions.) It shall be unlawful to drive any motor vehicle on any street not under the jurisdiction of the Illinois State Department of Public Works and Buildings, or the County, in an urban district within the village at a speed in excess of thirty miles per hour, or in an alley at a speed in excess of ~~fifteen~~ ¹⁰ miles per hour.

Provided, that if the mayor and village council by ordinance, sets other limits as provided by statute after an engineering or traffic investigation, then such limits shall govern the rate of speed on the streets indicated in such ordinances; and appropriate signs showing such speed limits shall be posted.

Provided further that the speed of all vehicles, of the second division, as defined by statute, having two or more solid tires shall not exceed ten miles per hour.

The fact that the speed of a vehicle does not exceed the applicable maximum speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway or when special hazards exist with respect to pedestrians or other traffic by reason of weather or highway conditions; and speed shall be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

It shall be unlawful to drive any vehicle on any street or highway within the village under the jurisdiction of the State Department of Public Works and Buildings, or of the County, at a speed exceeding that lawfully set for such street.

3.12. Special Speed Limits While Passing Schools.) No person shall drive a motor vehicle at a speed in excess of twenty miles per hour while passing a school zone or while traveling upon any public thoroughfare on or across which children pass going to and from school during school days when school children are present. Appropriate signs shall be posted to indicate this restriction.

X 3.13. Traffic Not to Be Obstructed.) No vehicle shall be operated or allowed to remain upon the street in such a manner as to form an unreasonable obstruction to the traffic thereon.

3.14. Driving From Private Roads or Driveways.) The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on said highway.

3.15. Clinging to Vehicles.) It shall be unlawful for any person on any street riding a bicycle, motorcycle, or any toy vehicle to cling to or to attach himself or his vehicle to any moving motor vehicle or wagon.

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

3.17. Trucks Prohibited On Certain Streets.) It shall be unlawful to drive any truck, except for the purpose of making a delivery and then for one block only on any street so designated by ordinance and properly sign-posted.

3.18. Limited Load Streets.) It shall be unlawful to operate any vehicle on any street in the Village when the gross weight on the surface of the road through any axle of such vehicle exceeds sixteen thousand pounds. Where lower limits are imposed by ordinance and signs indicating such limitations are posted, it shall be unlawful to operate a vehicle in excess of such weight on such street, except for the purpose of making delivery or picking up a load, in which case such vehicle may be driven on such street for not more than the minimum distance necessary for the purpose.

3.19. School Buses.) The driver of a vehicle on any street or highway upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children shall stop the vehicle before reaching such school bus when there is in operation on the bus a visual signal as required by statute for operation while the bus is transporting pupils, provided, that the driver of a vehicle upon a street or highway of which the roadway for traffic moving in opposite directions are separated by a strip of ground at least four feet wide which is not surfaced or suitable for vehicle traffic, need not stop his vehicle upon meeting or passing a school bus which is on the opposite roadway.

3.20. Drag Racing.) It shall be unlawful for any person who operates a motor vehicle to participate in drag racing. For the purpose of this section, drag racing means the act of two or more individuals competing or racing on any street or highway or public thoroughfare in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle operated by a competing driver and the one driver attempts to prevent the competing driver from passing over overtaking him.

4.06. Parking Motor Vehicles On Private Property.) It shall be unlawful to park any motor vehicle on any private property without the consent of the owner of the property.

4.07. Signs.) The person authorized by the mayor and village council shall cause signs to be posted in all areas where parking is limited or prohibited, indicating such limitations or prohibitions.

ARTICLE V -- Condition of Vehicles

5.01. Clear Vision.) It shall be unlawful to operate any vehicle which is so loaded or in such a condition that the operator does not have a clear vision of all parts of the roadway essential to the safe operation of the vehicle. Any vehicle with the view of the roadway to the rear so obstructed shall be equipped with a mirror so attached as to give him a view of the roadway behind him.

5.02. Signal Lamps.) Any motor vehicle in use on a highway shall be equipped with, and required signals shall be given by, a signal lamp or lamps or mechanical signal device when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load or such motor vehicle exceeds twenty-four inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen feet. The latter measurement shall apply to any single vehicle, also to any combination of vehicles.

5.03. Unnecessary Noise.) It shall be unlawful to operate a vehicle which makes unusually loud or unnecessary noise.

5.04. Horn.) Every motor vehicle shall be equipped with a good and sufficient audible signalling device in efficient working condition. Such signalling device shall be sounded when necessary to give timely warning of the approach of a vehicle, but such horn or other signalling device shall not be sounded for any purpose other than as a warning of impending danger.

No motor vehicle other than an emergency vehicle shall be equipped with a siren or gong signalling device.

5.05. Brakes.) It shall be unlawful to drive any motor vehicle upon a street unless such vehicle is equipped with good and sufficient brakes in good working condition, as required by the state traffic law, or to operate any vehicle which is so loaded that the operator does not have ready access to the mechanics operating the brakes of such vehicles.

5.06. Muffler.) No motor vehicle shall be operated on any street unless such vehicle is provided with muffler in efficient actual working condition; and the use of a cutout is prohibited.

5.07. Lights.) It shall be unlawful to operate or park on any street any vehicle not equipped with adequate lights conforming to the requirements of the state law, provided that vehicles may be parked at nighttime without lights on any street or portion thereof, designated by ordinance as a place where vehicles may so park at nighttime.

5.08. Fireman.) Any motor vehicle owned or fully operated by a fireman may be equipped with not to exceed two lamps which shall emit a blue light without glare. One such lamp may be mounted on the rear of any such vehicle. A flashing blue light may be used only when such fireman is responding to a fire call.

5.09. Non-Skid Devices.) It shall be unlawful to operate upon any street any motor vehicle equipped with any non-skid device so constructed that any rigid or non-flexible portion thereof comes into contact with the pavement, or roadway.

5.10. Driving Unsafe Vehicles Prohibited.) It is unlawful for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person or property, or which does not contain those parts or is not at all times equipped with some lamps and other equipment in proper condition and adjustment as required in this article, or which is equipped in any manner in violation to this article.

ARTICLE VI--Penalty

6.01. General.) Any person, firm or corporation violating any provisions of this chapter shall be fined not less than five dollars nor more than two hundred dollars for each offense.

6.02. Arrests.) Any person arrested for a violation of any provision of this chapter shall be released upon proper bail being furnished as required by statute. The police officer in command at the station may, in the absence of a police magistrate or justice, prescribe the amount of bail or bond in each instance. Provided, that any arrested person may at his own request, have the amount of such bond set by a magistrate or justice of the peace as provided by statute.

6.03. Tickets.) For offenses other than driving while intoxicated or reckless driving, police officers, after making note of the license number of the vehicle (and name of the offender where possible), may issue a traffic violation ticket notifying the offender to appear in court at the time designated for hearing such cases. Such officer may sign a complaint for the issuance of a warrant if the offender does not appear at the time and place so specified.

6.04. Prima-Facie Proof.) The fact that an automobile which is illegally operated or parked is registered in the name of a person shall be considered prima-facie proof that such person was in control of the automobile at the time of such violation.

PASSED AND ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE VILLAGE OF GIFFORD, ILLINOIS, this 6 day of June,
A.D. 1963.

ATTEST:

Freda Behr
Village Clerk

APPROVED BY THE PRESIDENT OF SAID
VILLAGE WHO SIGNED THE SAME THIS
6th day of June, A.D. 1963.

Roy S. Barnes
President of the Board of Trustees of the
Village of Gifford, Illinois