

ORDINANCE NO. 34

AN ORDINANCE REGULATING TRAFFIC UPON, AND USE OF THE STREETS OF THE TOWN OF UNIVERSITY HEIGHTS, IOWA.

BE IT ENACTED BY THE COUNCIL OF THE TOWN OF UNIVERSITY HEIGHTS, IOWA:

Sec. 1. PURPOSE. The purpose of this ordinance is to regulate traffic upon and use of the streets of the Town of University Heights, Iowa, and to provide for the enforcement of these regulations by the Town Marshall and/or such special police as the Mayor and/or council may appoint.

Sec. 2. SHORT TITLE. This ordinance may be known and cited as a Traffic Ordinance.

Sec. 3. WORDS AND PHRASES. Where words and phrases used in this Ordinance are defined by the laws of Iowa, such definitions shall apply to this Ordinance.

TRAFFIC ADMINISTRATION

Sec. 4. POLICE ADMINISTRATION. The Town Marshall and/or Special Police are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws. In the event of a fire or other emergency, the Marshall or Special Police may direct traffic as conditions require notwithstanding the provisions of the traffic laws.

Sec. 5. ACCIDENT INVESTIGATIONS. The Town Marshall or special police shall investigate all traffic accidents and report his findings to the Mayor. If sufficient evidence of violation is found, proper action will be taken against the violator.

Sec. 6. RESTRICTION OF DIRECTION OF MOVEMENT OF TRAFFIC. The Town Council shall have the authority to designate the flow of traffic when necessary. Signs indicating the direction of traffic shall be placed at every intersection, where movement in the opposite direction is prohibited. It shall be unlawful for any person to operate any vehicle in violation of such signs.

Sec. 7. STOP SIGNS. The Town Council shall have the authority to erect stop signs at intersections, whenever such stop signs are deemed necessary by said Town Council. It shall be unlawful for any person to operate any vehicle in violation of such signs.

Sec. 8. NO PARKING. The Town Council shall have the authority to designate "no parking areas" wherever such parking is found to be dangerous to traffic. These areas shall be designated by the placing of "no parking" signs at intervals of not more than 250 feet or by painting curbs or edges of pavements yellow. It shall be unlawful for any person to park on a parking, across a driveway or a sidewalk, or in any area designated as a "no parking area."

Sec. 9. RESTRICTED PARKING. The Town Council shall have the authority to restrict the hours of parking along any street, road or alley and to erect signs displaying said restrictions on parking. It shall be unlawful for any person to park any vehicle in violation of these restricted hours of parking.

Sec. 10. RECKLESS DRIVING. Any person who operates any vehicle in such manner as to indicate either a willful or a wanton disregard for the safety of persons or property is guilty of reckless driving.

Sec. 11. SPEED RESTRICTIONS. It shall be unlawful for any person to operate a vehicle in excess of the following maximum allowable speeds:

- A. 25 Miles per hour in any Business District.
- B. 20 Miles per hour in any Residential or School District
- C. 45 Miles per hour in any Suburban District.
- D. 15 Miles per hour in any Public Park.
- E. 10 Miles per hour in any alley or other public place not specifically mentioned above.

Definitions:

- a. BUSINESS DISTRICT. Means the territory contiguous to and including a highway when fifty per cent or more of the frontage thereon for a distance of three hundred feet or more is occupied by buildings in use for business.
- b. RESIDENTIAL DISTRICT. Means the territory within a City or Town contiguous to and including a highway, not comprising a business, suburban or school district, where forty per cent or more of the frontage on such highway for a distance of three hundred feet or more is occupied by dwellings and buildings in use for business.
- c. SCHOOL DISTRICT. Means the territory contiguous to and including a highway for a distance of two hundred feet in either direction from a schoolhouse in a City or Town.
- d. SUBURBAN DISTRICT. Means all other parts of a City or Town not included in the business, school or residential districts.

Sec. 12. PENALTIES. Any person violating this ordinance shall, upon conviction, be subject-to imprisonment not exceeding thirty days, or a fine not exceeding one hundred dollars, or both.

Sec. 13. ARREST AND NOTICE to APPEAR. Whenever a peace officer "has reasonable cause to believe that a person has violated any provision of this ordinance" such officer may:

- A. Immediately arrest such person and take him before the Mayor's Court, or to the nearest Justice of Peace, or
- B. Without arresting the person, prepare in duplicate a written summons to appear in court containing the name and address of such person, the operator or chauffeur license number, if any, the registration number of his vehicle, the offense charged, the time when and place where such person

shall appear and if the offense charged be speeding such summons shall also specify the speed at which such person is alleged to have driven and the speed limit applicable within the district or location. The original copy of the summons shall be delivered to the violator and the duplicate shall be filed with the Mayor or Justice of Peace.

Sec. 14. SUMMONS PLACED ON ILLEGALLY PARKED VEHICLE.

Whenever any vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by any ordinance of this town the officer finding such vehicle shall attach a written summons as hereinbefore provided to such vehicle in a conspicuous place and the driver of such vehicle shall be held to appear at the time and place designated in the summons.

Sec. 15. PRESUMPTION IN REFERENCE '1'0 ILLEGAL PARKING. In any proceeding charging a standing or parking violation, a prima facie presumption that the registered owner was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred, shall be raised by proof that:

- A. The particular vehicle described in the information was parked in violation of this ordinance, and
- B. The defendant named in the information was the registered owner at the time in question.

Sec. 16. LEGISLATION. The authority granted to the Town Council by this ordinance shall be exercised by resolution of the Town Council.

Sec. 17. REPEALER. Ordinance 11 and Ordinance 17 and all other ordinances in conflict with the provision of this ordinance are hereby repealed.

Sec. 18. SAVING CLAUSE. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Sec. 19. WHEN EFFECTIVE. This ordinance shall be in effect after its final passage, approval and posting as provided by law.

Passed by the Council on the 8<sup>th</sup> day of June 1967 and approved this 8<sup>th</sup> day of June, 1967.

Amended by Ordinance No. 59 March 2, 1978.