

**Chapter 5**

**TRAFFIC REGULATIONS**

**Article 1. Definitions**

**§5-101**        **DEFINITIONS.** The words and phrase used in this Chapter, pertaining to motor vehicles and traffic regulations, shall be construed as defined in Chapter 39 of the Reissued Revised Statutes of Nebraska, 1943, as now existing or hereafter amended. If not defined in the designated statute, the word or phrase shall have its common meaning. (*Ref. 39-602 RS Neb.*)

**CONGESTED DISTRICT.** The term "congested district" shall mean and include the following portions of streets and alleys in the Municipality:

Main Street or M Street from Ninth Street to the right-of-way of the Chicago, Burlington and Quincy Railroad Company.

**Article 2. Municipal Traffic Regulations**

**§5-201 TRUCK ROUTES.** The Governing Body may, by resolution, designate certain streets in the Municipality that trucks shall travel upon, and it shall be unlawful for persons operating such trucks to travel on other streets than those designated for trucks, unless to pick up or deliver goods, wares, or merchandise, and in that event, the operator of such truck shall return to such truck routes as soon as possible in traveling through, or about the Municipality. The Governing Body shall cause notices to be posted, or shall erect signs indicating the streets so designated as truck routes. *(Ref. 39-6, 189 RS Neb.)*

**§5-202 ONE-WAY TRAFFIC.** *(Repealed by Ord. No. 443, 8/4/77)*

**§5-203 TRAFFIC LANES; DESIGNATION.** The Governing Body may, by resolution, mark lanes for traffic on street pavements at such places as they may deem advisable. *(Ref. 39-697 RS Neb.)*

**§5-204 TURNING; "U" TURNS.** No vehicle shall be turned so as to proceed in the opposite direction, except at a street intersection. No vehicle shall be turned so as to proceed in the opposite direction at the intersections of the following streets:

Main Street or M Street and Ninth (9th) Street;  
Main Street or M Street and Tenth (10th) Street;  
Main Street or M Street and Eleventh (11th) Street;  
and all intersections hereafter designated by resolution by the Governing Body. *(Ref. 39-651, 39-697 RS Neb.)*

**§5-205 TURNING; HAND SIGNALS.** A signal of intention to turn right or left shall be given continuously during not less than the last fifty (50) feet traveled by the vehicle before turning. The signals herein required shall be given either by means of the hand and arm, or by a signal device of a type approved by the Department of Roads, The hand and arm signals herein required shall be given from the left side of the vehicle in the following manner; **STOP** or decreased speed, hand and arm extended downward; **LEFT TURN**, hand and arm extended horizontally; **RIGHT TURN**, hand and arm extended upward, *(Ref 39-7, 115 thru 39-7, 117 RS Neb.)*

**§5-206 TURNING; GENERALLY.** Vehicles turning to the right into an intersecting street shall approach such intersection in the lane of traffic nearest to the right hand side of the highway and must turn the corner as near the right hand curb as possible to keep between the curb to the right and the center of the intersection of the two (2) streets. The driver of a vehicle intending to turn to the left shall approach such center line of the highway, and in turning shall pass as near as possible to the center of the intersection, passing as closely as practicable to the right thereof before turning such vehicle to the left. For the purposes of this Section, the center of the intersection shall mean the meeting point of the medial lines of the highways intersecting one another. *(Ref. 39-750 RS Neb.)*

**§5-207 TURNING; CAUTIOUS.** The operator of a vehicle shall, before stopping, turning, or changing the course of such vehicle, see that there is sufficient space to make such movement in safety. If any pedestrian might be affected by such movement, the operator shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle may be affected by such movement, he shall give some unmistakable signal to the driver of all other vehicles of his intention to make such movement. *(Ref. 39-7, 115 RS Neb.)*

§5-208

§5-214

**§5-208**      **RIGHT-OF-WAY; GENERALLY.** When two (2) vehicles approach, or enter an intersection 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 when the paths of such vehicles intersect and there is danger of a collision, unless otherwise directed by a Municipal Policeman stationed at the intersection. The driver of a vehicle intending to turn to the left within an intersection, or into an alley, private road, or driveway 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. The driver of a vehicle on any street shall yield the right-of-way to a pedestrian crossing such street within any clearly marked crosswalk, or at any regular pedestrian crossing at the end of a block where the movement of traffic is being regulated by traffic officers or traffic direction devices. Every pedestrian crossing a street at any point other than a pedestrian crossing, crosswalk, or intersection shall yield the right-of-way to vehicles upon the street. The driver of a vehicle entering a Municipal street from a private road, or drive shall yield the right-of-way to all vehicles approaching on such streets. The driver of a vehicle upon a street shall yield the right-of-way to authorized emergency vehicles when the latter are operated upon official business and the drivers thereof sound audible signal by bell, siren, or whistle. *(Ref. 39-751 RS Neb.)*

**§5-209**      **RIGHT-OF-WAY; OVERTAKING VEHICLES.** The driver of a vehicle about to be overtaken and passed by another vehicle approaching from the rear shall give way to the right in favor of the overtaking vehicle. *(Ref. 39-746.03 RS Neb.)*

**§5-210**      **RIGHT-OF-WAY; EMERGENCY VEHICLES.** Upon the approach of any authorized emergency vehicle, every vehicle within one (1) block of the route of such emergency vehicle shall immediately stop, except at the time they are on or crossing a street intersection, in which event, such vehicle shall drive clear of the street intersection and then stop. Every vehicle along the route of such emergency vehicle shall immediately move to a position as near the right hand curb as possible and remain there until such authorized emergency vehicle or vehicles have passed; Provided, said vehicles are operated on official business and the drivers thereof sound audible signal by bell, siren, or whistle. *(Ref. 39-753 RS Neb.)*

**§5-211**      **POSITION OF VEHICLE ON HIGHWAY; GENERALLY.** Upon all highways of sufficient width, one-way streets excepted, the driver of a vehicle shall drive the same on the right half of the roadway. In passing or meeting other vehicles, drivers shall give each other at least one half (½) of the main traveled portion of the roadway. *(Ref. 39-746.01 RS Neb.)*

**§5-212**      **POSITION OF VEHICLE ON HIGHWAY; STREET CENTER LINE.** A vehicle shall not be driven to the center line of the highway in overtaking, or passing another vehicle proceeding in the same direction, unless such left side is clearly visible and free from oncoming traffic for a sufficient distance to permit such overtaking and passing to be made in safety. *(Ref. 39-746.05 RS Neb.)*

**§5-213**      **BACKING.** Before backing, ample warning shall be given and while backing, unceasing vigilance must be exercised not to injure those behind. The driver of a parked vehicle about to back shall give moving vehicles the right-of-way.

**§5-214**      **DRIVING IN SIDEWALK SPACE.** No vehicle shall be driven within any sidewalk space, except a permanent or temporary driveway.

§5-215

§5-219

**§5-215        STOPS; MANDATORY.** All vehicles before crossing a sidewalk, emerging from a garage, alley, filling station, or other place within the Fire Limits, shall come to a complete stop, and after giving sufficient warning shall proceed slowly and with extreme caution while crossing such sidewalk, or leaving such garage, alley, filling station, or other place. The term "slowly" shall be construed to mean such rate of speed as is reasonable and proper under the circumstances and the condition of the street and traffic thereon. *(Ref. 39-728, 39-729, 39-754 RS Neb.)*

**§5-216        CROSSWALKS.** The Governing Body may, by resolution, establish and maintain, by appropriate devices, markers, or lines upon the street, crosswalks, at intersections where there is particular danger to pedestrians crossing the street, and at such other places as they may deem necessary. *(Ref. 39-767, 39-754 RS Neb.)*

**§5-217        SIGNS, SIGNALS.** Stop signs shall be placed at the intersections of the following streets:

Fifth (5th) Street and N Street to stop traffic from the north and south; Seventh (7th) Street and L Street to stop traffic from the east; Eighth (8th) Street and L Street to stop traffic from the east and west; Eighth (8th) Street and Q Street to stop traffic from the east and west; Ninth (9th) Street and L Street to stop traffic from the west; Ninth (9th) Street and Q Street to stop traffic from the north, south, and west; Tenth (10<sup>th</sup>) Street, L Street, and Railroad Avenue to stop traffic entering either Tenth (10th) Street or L Street from the southeast.

The Governing Body may, hereafter, by resolution, provide for the placing of other stop signs, or other signs, signals, standards, or mechanical devices in any street or alley for the purpose of regulating, or prohibiting traffic thereon. Such resolution shall describe the portion of the street or alley wherein traffic is to be regulated or prohibited; the regulation or prohibition; the location where such sign, signal, standard or mechanical device shall be placed; and the hours when such regulation or prohibition shall be effective. It shall be unlawful for any person to fail, neglect, or refuse to comply with such regulation, or prohibition. *(Ref. 39-767, 39-754 RS Neb.)*

**§5-218        STOP SIGNS.** Every person operating any vehicle shall, upon approaching any stop sign erected in accordance with the provisions prescribed heretofore, cause such vehicle to come to a complete stop as near the right-of-way line as possible before entering or crossing any street, highway, or railroad crossing. Every person operating any vehicle shall obey all other signs, signals, standards or devices erected for the purpose of regulating or prohibiting traffic. *(Ref. 39-729, 39-754 RS Neb.)*

**§5-219        ARTERIAL STREETS.** The following streets are designated as arterial streets:

Those portions of the streets of the Municipality traversed by State Highways Nineteen (19) and Twenty-Six (26) and by any other State Highway hereafter traversing the streets of the Municipality, It shall be unlawful for the driver of any vehicle to fail to come to a complete stop before entering any intersection of an arterial street, unless otherwise directed by an automatic traffic signal or a Municipal Policeman.

### Article 3. Operator and Vehicle Qualifications

**§5-301 REGISTRATION; OPERATOR AND VEHICLE LICENSE.** No person shall operate any motor vehicle upon any street, or public highway without having first registered the same, or without first having obtained a motor vehicle operator's license as provided by the laws of the State of Nebraska, and such vehicle shall have the registration number plates, furnished by the State or County, displayed upon said vehicle in the manner and place provided by the laws of the State of Nebraska. It shall be unlawful for any person to operate a motor vehicle upon any street or alley during the period that his operator's license has been revoked or cancelled. (*Ref. 39-726 RS Neb.*)

**§5-302 REGISTRATION; TRAILER.** When any trailer shall be attached to any motor vehicle in use upon the Municipal streets, such trailer shall carry a registration number and rear lights as required of any other motor vehicle. (*Ref. 60-302 RS Neb.*)

**§5-303 LICENSE PLATES.** The license plates, required on every motor vehicle by laws of the State of Nebraska, or by laws of any other state while such vehicle is operated within the corporate limits, shall be kept clear and free from grease, dust, or other blurring matter so they will be plainly visible at all times, and shall be attached in such manner as to be clearly readable at a distance of one hundred (100) feet and under no circumstances shall they be obstructed by any portion of the vehicle. (*Ref. 60-324, 60-325 RS Neb.*)

**§5-304 VEHICLES; EQUIPMENT AND MAINTENANCE.** Every motor vehicle, while in use on the streets, alleys, or public highways of the Municipality shall be equipped with efficient brakes adequate to control the movement of, to stop, and to hold such vehicle, including two (2) separate means of applying the brakes, and shall be further equipped with a good and sufficient horn in good working order, or other efficient signal devices, and shall have from one half (½) hour after sunset until one half (½) hour before sunrise, two (2) or more whitish lights on the front thereof, and one (1) on each side, which lights and all other lighting devices, including taillights, shall be in compliance with the laws of the State of Nebraska. No person shall operate any vehicle which is equipped with an electric light or lights that confuse travelers or pedestrians on streets or crosswalks within the corporate limits. Every motor vehicle having a width of eighty (80) inches or more shall display clearance lights as required by the laws of the State of Nebraska. All vehicle brakes shall be maintained in good working order; Provided, motorcycles need only be equipped with one (1) brake. All horns on motor vehicles shall be capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet; Provided, no vehicle except herein provided, shall be equipped with; nor shall any person use upon a vehicle, any siren, or horn otherwise than as a reasonable warning; nor shall any person use any horn or warning device upon a vehicle to make any unnecessary, loud, or harsh sound; and provided further that, every Police, Fire Department, and fire patrol vehicle, ambulance, or other authorized emergency vehicle used for emergency calls shall be equipped with a bell, siren, or whistle of the type approved by the Governing Body. (*Ref. 39-733, 39-735, 39-773, 39-774, 39-778, 39-7,112 RS Neb.*)

**§5-305 VEHICLES; UNOBSTRUCTED VIEW.** No person shall drive on a street any motor vehicle constructed or loaded in such a way as to prevent the driver from obtaining a view of the street to the rear unless such vehicle is equipped with a mirror so located as to reflect to the driver a view of the street for a distance of at least two hundred (200) feet to the rear of such vehicle. It shall be unlawful for any person to drive upon a street, any vehicle with a sign, poster, or other non-transparent material upon the front windshield, side windows, or rear windows of such motor vehicle other than a certificate, or paper required to be so displayed by law. Every windshield on a motor vehicle shall be equipped with a device for removing rain,

## Traffic Regulations

§5-305

§5-308

snow, or other moisture from the windshield, which device shall be so constructed as to be operated by the driver within the vehicle. *(Ref. 39-775, 39-776, 39-7,128.04 RS Neb.)*

**§5-306 VEHICLE; MUFFLER.** Every motor vehicle operated within this Municipality shall be provided with a muffler in good working order to prevent excessive or unusual noise or smoke. It shall be unlawful to use a "muffler cut-out" on any motor vehicle upon any streets; Provided, the provisions of this Section shall not apply to authorized emergency vehicles. *(Ref. 39-777 RS Neb.)*

**§5-307 LOADS; PROJECTING.** When any vehicle shall be loaded in such a manner that any portion of the load extends more than four (4) feet beyond the rear of the bed or the body of such vehicle, a red flag shall be carried by day, and red light after sunset at the extreme rear end of such load. *(Ref. 39-769 RS Neb.)*

**§5-308 LOADS; SPILLING.** All vehicles used for carrying coal, earth, cinders, sand, gravel, rock, asphalt, tar, or any similar substance shall be so constructed as to prevent the sifting or spilling of any of the contents. *(Ref. 39-713 RS Neb.)*

**Article 4. Parking**

**§5-401**        **VEHICLES; UNATTENDED.** No person having control or charge of a motor vehicle shall allow such vehicle to stand unattended without first effectively setting the brakes thereon and, when standing upon any grade, without turning the front wheels of such vehicle to the curb or side of the street. The driver of a motor vehicle, when traveling upon a down grade upon any street, shall not coast with the gears of the vehicle in neutral. *(Ref. 39-674 RS Neb.)*

**§5-402**        **PARKING; GENERALLY.** No person shall park any vehicle, or approach the curb with a vehicle, except when headed in the direction of the traffic. Vehicles, when parked, shall stand parallel with and adjacent to the curb. The Governing Body may, by resolution, designate areas for angle parking. All vehicles parked at an angle shall stand with the right front wheel at the curb. No person shall park a vehicle so as to obstruct a private driveway, or drive, for any period of time. No person shall park a vehicle, or permit it to stand within fifteen feet (15') in either direction from the entrance of any fire station. *(Ref. 39-758, 39-767 RS Neb.)**(Amended by Ord. No. 667, 5/8/97)*

**§5-403**        **PARKING; AREAS.** Parking of motor vehicles and other vehicles is prohibited as follows:

1. On the south side of Tenth (10th) Street between N and R Streets.
2. On the north side of Eleventh (11th) Street between N and R Streets.
3. On the south side of Ninth (9th) Street between Q Street and the alley between M and N Streets.
4. On the north side of Eighth (8th) Street between N and Q Streets.
5. On the south side of Sixth (6th) Street between N and O Streets.
6. On the north side of Seventh (7th) Street between N and Q Streets.
7. The north side of Fifth (5th) Street lying west of the intersection of Fifth (5th) Street and I Street West to the corporate limits and the south side of Fifth (5th) Street from Railroad Avenue to the corporate limits.

The Governing Body may, by resolution, provide truck parking areas adjoining or adjacent to, the No Truck Parking Areas for all parking purposes. Set aside any street, alley, public way, or portion thereof where the parking of a particular kind or class of vehicle shall be prohibited, or where the parking of any vehicle shall be prohibited. No vehicle prohibited from parking thereon shall stand or be parked adjacent to the curb of said street, alley, public way, or portion thereof, longer than a period of time necessary to load and unload freight or passengers. *(Ref. 39-697 RS Neb.)* *(Amended by Ord. Nos. 667, 5/8/97; 709, 9/9/99)*

**§5-404**        **PARKING; OBSTRUCTING ALLEY.** No vehicle, while parked shall have any portion thereof projecting into any alley entrance. *(Ref. 39-697 RS Neb.)*

**§5-405**        **PARKING; ALLEYS.** No vehicle shall be parked in any alley, except for the purpose of loading or unloading during the time necessary to load or unload, which shall not exceed the maximum limit of one half (1/2) hour. Every vehicle while loading or unloading in any alley shall be parked in such manner as will cause the least obstruction possible to traffic in such alley. *(Ref. 39-697 RS Neb.)*

**§5-406**        **UNLOADING; FREIGHT VEHICLES.** Vehicles of an over-all length of less than eighteen (18') feet, including load, while discharging freight may back to the curb, but shall occupy as little of the street as possible. *(Ref. 39-697 RS Neb.)*

§5-407

§5-412

**§5-407 PARKING; TRUCK PARKING AND UNLOADING.** (1) The following is designated as the No Truck Parking Area: Main Street or M Street from Ninth (9th) Street to the right-of-way of the BN Railroad Company.

(2) Truck shall be defined as any motor vehicle commonly known as a semi-tractor being a motor vehicle capable of pulling a trailer with a total allowable gross vehicle weight in excess of twenty-six thousand (26,000) pounds.

(3) It shall be unlawful for the operator of any truck to stop, park, or unload any such vehicle on a street which the Governing Body has designated to be a No Truck Parking Area, unless loading or unloading in an alley is impossible and the said vehicles may stop, stand, or unload for a maximum time of thirty (30) minutes.

(4) It shall be unlawful for the operator of any truck to park said vehicle within a street intersection, on a crosswalk, in front of a private driveway, or on a sidewalk.

(5) The Governing Body may, by resolution, provide truck parking areas adjoining or adjacent to, the No Truck Parking Area for all parking purposes. No truck connected to a trailer shall park or stop for any period of time, within the limits of any street or alley outside the No Truck Parking Area except for the purpose of loading, or unloading, the cargo thereof in the ordinary course of business except in the area, or areas, provided for by the Governing Body by resolution. No truck shall park, or stop for any period of time greater than twelve (12) hours within the limits of any street or alley outside the No Truck Parking Area. No motor carrier, common carrier, or contract carrier of property shall stop or park in any street or alley within the Residential District between the hours of five (5:00) o'clock p.m. of any one day and nine (9:00) o'clock a.m. of the succeeding day. *(Amended by Ord. No. 670, 7/10/97)*

**§5-408 PARKING; FIRE HYDRANTS.** No vehicle shall be parked within fifteen (15') feet in either direction of any fire hydrant. The curb space within such area of fifteen (15') feet in either direction of such fire hydrant shall be painted red to indicate such prohibition. *(Ref. 39-672 RS Neb.)*

**§5-409 PARKING; SCHOOLS, THEATERS.** The Governing Body may, by resolution, prohibit the parking or stopping of vehicles at the curb on streets directly in front of any entrance to a school house, school building, or theater, and such curbs adjacent to the entrance of said school house, school building, or theater shall be painted red to indicate such prohibition. *(Ref. 39-697 RS Neb.)*

**§5-410 PARKING; STREET INTERSECTIONS.** No vehicle shall be parked or left standing for any purpose, within twenty-five (25') feet of the intersection or curb lines, nor where said curb lines are painted red to indicate such prohibition. Where there are no curbs, parking shall be prohibited within fifteen (15') feet of the intersection of property lines at a street intersection. *(Ref. 39-672 RS Neb.)*

**§5-411 PARKING; OBSTRUCTING TRAFFIC.** No vehicle shall, except in case of an accident or emergency, stop within any street intersection, alley entrance, or any such location as to obstruct any street, crosswalk, or alley entrance. *(Ref. 39-697 RS Neb.)*

**§5-412 PARKING; CURB.** No vehicle shall park on any street with its left side to the curb, unless said street has been designated to be a "one-way" street by the Governing Body. Vehicles must not be parked at any curb in such a position as to prevent another vehicle already parked at the curb from moving away. *(Ref. 39-673 RS Neb.)*

§5-413

§5-418

**§5-413 PARKING; CURBS, PAINTED.** It shall be the duty of the Street Superintendent to cause the curb space to be painted and keep the same painted as provided in this Article. No person, firm, or corporation shall paint the curb of any street, or in any manner set aside, or attempt to prevent the parking of vehicles in any street, or part thereof, except at such places where the parking of vehicles is prohibited by the provisions of this Article. The marking or designating of portions of streets or alleys where the parking of vehicles is prohibited or limited shall be done only by the Municipality through its proper officers, at the direction of the Governing Body. *(Ref. 39-697 RS Neb.)*

**§5-414 PARKING; DISPLAY OR REPAIR.** It shall be unlawful for any person to park upon any street, alley, or public place within this Municipality any vehicle displayed for sale. No person shall adjust or repair any automobile or motorcycle, or race the motor of same, while standing on the public streets or alleys of this Municipality, excepting in case of breakdown or other emergency requiring same. No person or employee connected with a garage or repair shop shall use sidewalks, streets, or alleys in the vicinity of such garage or shop for the purpose of working on automobiles or vehicles of any description. *(Ref. 39-697 RS Neb.)*

**§5-415 PARKING; CURRENT LICENSE.** It shall be unlawful to park, or place on the streets, alleys, or other public property any motor vehicle without first securing a current license as provided by law. *(Ref. 60-323 RS Neb.) (Amended by Ord. No. 669, 5/8/97)*

**§5-416 PARKING; TIME LIMIT.** It shall be unlawful for any person:

- A. To park any vehicle on any day except Sunday for a longer period of time than fifteen (15) minutes on Tenth (10th) Street in the west half of the block between M and L Streets between the hours of eight (8:00) o'clock A.M. and six (6:00) o'clock P.M. on the north side of the street; and between the hours of eight (8:00) o'clock A.M. and one (1:00) o'clock P.M. on the south side of the street;
- B. To continuously park or stand any vehicle on M Street between the hours of one (1:00) o'clock A.M. and five (5:00) o'clock A.M. of the same day; or
- C. To park or stand any vehicle for any period of time along a curb painted red, or for longer than fifteen (15) minutes along a curb painted white.
- D. To park longer than fifteen (15) minutes on that part of the south side of Fifth (5<sup>th</sup>) Street lying west of the intersection of Fifth (5<sup>th</sup>) Street and I Street to Railroad Avenue.

The Governing Body may, hereafter by resolution, entirely prohibit, or fix a time limit for, the parking and stopping of vehicles on any other street, streets, or district designated by such resolution, and the parking, or stopping, of any vehicle in any such street, streets, or district, for a period of time longer than fixed herein or in such resolution shall constitute a violation of this Article. Any vehicle found in violation of these provisions may be towed by the Municipal Police to the police station or some suitable place for storage, and the owner thereof may have the vehicle returned to him upon payment of the towing charge and storage charge, if any. *(Ref. 60-680 RS Neb.) (Amended by Ord. No. 696, 9/9/99)*

**§5-417 PARKING; MAXIMUM TIME LIMIT.** *(Repealed by Ord. No. 669,5/8/97)*

**§5-418 PARKING; EMERGENCY VEHICLES.** The provisions of this Article regulating the movement, parking, and standing of vehicles shall not apply to authorized emergency vehicles, as defined in this Article, while the driver of such vehicle is operating the same in an emergency in the necessary performance of public duties. *(Ref. 39-753 RS Neb.)*

§5-419

§5-421

**§5-419 PARKING; REMOVAL OF ILLEGALLY PARKED VEHICLES.** Whenever any Police Officer shall find a vehicle standing upon a street or alley in violation of any of the provisions of the Article, such individual may remove or have such vehicle removed, or require the driver or other person in charge of the vehicle to move such vehicle, to a position off the roadway of such street or alley or from such street or alley.

The owner or other person lawfully entitled to the possession of any vehicle towed or stored shall be charged with the reasonable cost of towing and storage fees. Any such towing or storage fee shall be a lien upon the vehicle prior to all other claims. Any person towing or storing a vehicle shall be entitled to retain possession of such vehicle until such charges are paid. The lien provided for in the section shall not apply to the contents of any vehicles. (*Ref. 60-6, 165, 60-680 RS Neb.*) (*Ord. No. 602, 2/9/89*)

**§5-420 PARKING; HANDICAPPED.** Parking spaces shall be reserved for handicapped persons at the following locations:

A. Beginning at the end of the street radius at the intersection of 10th and "L" Street on the east side of "L" Street for a distance of thirty (30') feet.

B. Beginning ten (10') feet from the end of the street radius at the intersection of 8th and Main Street on the north side of 8<sup>th</sup> Street and running for a distance of thirty (30') feet.

The City Street Superintendent shall mark the curbs with the appropriate colors and cause to be erected signs designating the above handicapped parking areas. (*Ord. No. 614, 5/9/91*)

**§5-421 PARKING; HANDICAPPED OR DISABLED PERSONS; PERMITS; PERIOD VALID; RENEWAL; FEE.**

(1) All permits authorized under this Article for handicapped or disabled parking shall be issued for a period of three (3) years from the date of issuance. All temporarily handicapped or disabled parking permits authorized under this Article shall be issued for a period ending ninety (90) days from the date of issuance but may be renewed for up to three (3) additional ninety-day (90) periods. For each additional ninety-day (90) renewal period, there shall be submitted an additional application with proof of a handicap or disability and the required permit fee.

(2) A permit fee of three dollars (\$3.00) shall be charged for each permit, two dollars and fifty cents (\$2.50) of which shall be retained by the Municipal Clerk and fifty cents (\$0.50) shall be forwarded on a quarterly basis to the Department of Motor Vehicles. (*Ref. 18-1740 RS Neb.*) (*Ord. No. 648, 5/5/94*)

**§5-422 PARKING; HANDICAPPED PARKING SPACE, LOADING AND UNLOADING ZONE; CREATION.**

(1) There is hereby created a handicapped parking space on 9<sup>th</sup> Street, Bridgeport, Nebraska. Said space being twenty-five feet (25') in length and located as marked along Lot 18, Block 7, Original Town of Bridgeport, Nebraska, commencing from a point seventy-seven feet (77') east of the southeast corner of 9th and Main and continuing twenty-five feet (25').

(2) There is also hereby created a ten (10) minute loading and unloading zone on Main Street, Bridgeport, Nebraska. Said space being thirty feet (30') in length and located as marked along Lot 16, Block 10, Original Town of Bridgeport, Nebraska commencing from a point fifty feet (50') south of the southeast intersection of 10th and Main and continuing south thirty feet (30').

**§5-423 PARKING; STORAGE, OR USE OF TRAILERS, CAMPER TRAILERS, TRAILER WITH BOATS, AND MOTOR HOMES.** Described vehicles shall be trailers, camper trailers, trailers with boats, and motor homes. Described vehicles are not allowed to park within five (5) feet of any driveway or thirty (30) feet from any corner. Described vehicles shall be no wider than eight and one-half feet. Described vehicles must have tires that are fully inflated with

Bridgeport Code

§5-423

§5-423

air and the vehicle must be usable and properly licensed. All non-motorized vehicles must have reflectors at least three feet above the ground on the street or left side of the trailer. Described vehicles cannot be parked on the street to store junk, unusable items, or items defined as nuisances. Any trailer with sharp, dangerous, or protruding objects cannot be parked on the street. This includes any objects that protrude from the trailer bed, frame, and any objects the trailer is designed to carry. All described vehicles are authorized to park along the street so as not to in any way impede the flow of traffic and to park on the street only within the lot lines of property where the owners of such vehicles live. (*Ord. No. 747, 3/9/06*)

**Article 5. Bicycles**

**§5-501 BICYCLE; OPERATION.** No person shall ride or propel a bicycle on a street or other public highway of this Municipality with another person on the handlebars or in any position in front of the operator.

No bicycle shall be ridden faster than is reasonable and proper, but every bicycle shall be operated with reasonable regard to the safety of the operator and any other persons upon the streets and public highways.

Persons riding bicycles shall observe all traffic signs and stop at all stop signs.

No bicycle shall be permitted on any street or other public highway from one half (1/2) hour after sunset and one half (1/2) hour before sunrise without a headlight, visible under normal atmospheric conditions, from the front thereof for not less than five hundred (500') feet indicating the approach or presence of the bicycle, firmly attached to such bicycle, and properly lighted, or without a yellow, or red light reflector attached to, and visible five hundred (500') feet from the rear thereof. The said headlight shall give a clear, white light.

No person shall ride or propel a bicycle upon any street or other public highway abreast of more than one other person riding or propelling a bicycle.

Every person riding or propelling a bicycle upon any street or other public highway shall observe all traffic rules and regulations applicable thereto, and shall turn only at intersections, signal for all turns, ride at the right-hand side of the street or highway, pass to the left when passing overtaken vehicles and individuals that are slower moving, and shall pass vehicles to the right when meeting. Where the Governing Body has provided for bicycle stands, it shall be unlawful for any person to fail to park a bicycle in such a stand.

No person shall ride any bicycle on any sidewalk or in any sidewalk space in the congested district. In all other areas bicycles may be operated on the sidewalks when done in a prudent and careful manner. (*Ref. 39-688, 39-690, 39-691 RS Neb.*)

**§5-502 CLINGING TO MOTOR VEHICLE.** No person riding upon any bicycle or roller skates shall attach the same or himself to any moving vehicle upon any roadway, and it shall be unlawful for the driver of any vehicle to suffer or permit any person traveling upon any bicycle or roller skates to cling to or attach himself or his bicycle, or roller skates, to such vehicle so driven and operated by him. (*Ref. 39-689 RS Neb.*)

**Article 6. Prohibitions and Enforcement**

**§5-601** **PASSING; HINDRANCE.** The driver of a vehicle about to be overtaken and passed by another vehicle shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. *(Ref. 39-622 RS Neb.)*

**§5-602** **DRIVING ABREAST.** Two (2) or more vehicles shall not be driven abreast except when passing, or when traversing a multi-lane or one-way street; Provided, motorcycles may be driven no more than two (2) abreast in a single lane. *(Ref. 39-628, 39-694 RS Neb.) (Ord. No. 393, 2/7/74)*

**§5-603** **FOLLOWING; DISTANCE.** The operator of a vehicle shall not follow another vehicle more closely than is reasonable and prudent having due regard for the speed of the vehicles, and the traffic and condition of the street. *(Ref. 39-629 RS. Neb.)*

**§5-604** **FOLLOWING; FIRE APPARATUS.** The driver of any vehicle shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500') feet, or drive into, or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. *(Ref. 39-681 RS Neb.)*

**§5-605** **FUNERAL PROCESSIONS.** No vehicle, except police vehicles, fire department vehicles, when responding to emergency calls or orders in their several departments, ambulances responding to emergency calls, or vehicles carrying United States mails shall be driven through a funeral procession or cortege except with the permission of a police officer. *(Ref. 39-629, 39-697 RS Neb.)*

**§5-606** **LITTERING.** It shall be unlawful for any person to drop, or cause to be left, upon any municipal highway, street, or alley, except at places designated by the Governing Body, any rubbish, debris, or waste, and whosoever shall be guilty of such littering will be fined not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars. *(Ref. 39-683 RS Neb.)*

**§5-607** **GLASS; POINTED OBJECTS.** No person shall throw, cast, lay, or place upon any street any thorns, nails, tacks, glass, bottles, window glass, or other articles made of, or containing, glass, and in case of an accident causing the breaking of any glass upon any street, the owner or person in charge of such glass, or the person responsible for such breakage, shall at once remove, or cause the same to be removed, from the street. *(Ref. 39-683 RS Neb.)*

**§5-608** **SIGNS; DEFACING OR INTERFERING WITH.** It shall be unlawful for any person to willfully deface, injure, remove, obstruct or interfere with any official traffic sign or signal. *(Ref. 39-619 RS Neb.)*

**§5-609** **SIGNS; UNAUTHORIZED DISPLAY.** It shall be unlawful for any person to maintain or display upon, or in view of any street, any unofficial sign, signal, or device which purports to be, is an imitation of, or resembles an official traffic sign or signal which attempts to direct the movement of traffic, or which hides from view, or interferes with the effectiveness of any official sign or signal. Every such prohibited sign, signal, or device is hereby declared to be a public nuisance, and any Police officer is hereby empowered to remove the same, or cause it to be removed, without notice. *(Ref. 39-618 RS Neb.)*

§5-610

§5-614

**§5-610 CROWDING; FRONT SEAT.** No person shall drive a motor vehicle when it is so loaded, or when there is in the front seat such a number of persons, exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or to interfere with the driver's control over the driving mechanism of such vehicle. *(Ref. 39-677 RS Neb.)(Amended by Ord. No. 451, 12/1/77)*

**§5-611 DRAGGING: ROPE, CHAIN.** No person shall permit any rope, strap, chain or other article to drop behind any vehicle while in use on the streets, except persons operating vehicles transporting gasoline, benzene or other flammable materials. *(Ref. 60-680 RS Neb.)*

**§5-612 RIDING; OUTSIDE VEHICLE.** No person shall permit any other person to ride on the running board, hood, top, or fenders of any motor vehicle. Nor shall any person ride on the running board, hood, top, or fenders of any motor vehicle. *(Ref. 60-6,179, 60-680 RS Neb.)*

**§5-613 QUIET ZONES: UNNECESSARY NOISE.** All streets, or portions thereof, lying within three hundred (300') feet of any hospital, nursing home, or school, and which have been declared to be "quiet zones" by the Governing Body shall be respected as such by all drivers, and no driver of any vehicle shall within such zones, make any unnecessary noise or sound the horn, or other warning device, of such vehicle except in an emergency. It shall be unlawful for any person in any part of said Municipality to make, or cause to be made, any unnecessary noise with any signal device, or to use the same except as a road signal. *(Ref. 60-680 RS Neb.)*

**§5-614 SPEED: BASIC RULE: MAXIMUM LIMITS.**

A. **SPEED: BASIC RULE.** No person shall drive a vehicle on any street, alley, or other place within the corporate limits at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. A person shall drive at a safe and appropriate speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when traveling upon any narrow or winding roadway, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or road conditions.

B. **SPEED: MAXIMUM LIMITS.** Except when a special hazard exists as listed in subsection A above, no person shall operate a motor vehicle on any street, alley, or other place within the corporate limits at a speed in excess of the following maximum limits:

1. On Fifth (5th) Street:

- a. Between the west Municipal limits and I Street a limit of forty (40) miles per hour.
- b. Between I Street and M (Main) Street a limit of thirty-five (35) miles per hour.

2. On M (Main) Street:

- a. Between 4th Street and the junction of US-385, N-88 and Railroad Avenue a limit of thirty (30) miles per hour.
- b. Between the junction of US-385, N-88 and Railroad Avenue and the south Municipal limits at County Road CR-12 a limit of forty (40) miles per hour.

3. On US-385:

- a. Between the junction of US-385, N-88 and Railroad Avenue to the junction of N Street a limit of thirty (30) miles per hour.

§5-614

§5-619

- b. Between the junction with N Street to the junction with P Street a limit of forty (40) miles per hour.
- c. Between the junction with P Street to the southeast Municipal City limits at the junction with County Road CR-12 a limit of fifty (50) miles per hour.

4. On Seventh (7th) Street:

- a. Between Q Street and S Street a limit of fifteen (15) miles per hour.

5. On Ninth (9th) Street:

- a. Between Q Street and S Street a limit of fifteen (15) miles per hour.

6. On Q Street:

- a. Between Seventh (7th) Street and Ninth (9th) Street a limit of fifteen (15) miles per hour.

7. On all other highways and streets in the Municipality a limit of twenty-five (25) miles per hour. *(Ref. 39-7, 108 RS Neb.) (Amended by Ord. Nos. 391, 9/3/73; 442, 9/8/77; 448, 11/3/77; 551, 9/6/84; 647, 4/7/94)*

**§5-615**        **DRUNKEN DRIVING; PENALTY.** It shall be unlawful for any person to operate, or be in actual physical control of, any motor vehicle while under the influence of alcoholic liquor, or of any drug. Any person who shall operate or be in actual physical control of any motor vehicle while under the influence of alcoholic liquor, or of any drug, shall be deemed guilty of a crime, and upon conviction thereof, such person shall be punished as provided by State law. For purposes of this section the determination of whether an individual is under the influence of either alcohol or drugs shall be as prescribed in the Statutes of Nebraska. *(Ref. 60-6,196 through 60-6. 203 RS Neb.)*

**§5-616**        **RECKLESS DRIVING.** Any person who drives a motor vehicle in such a manner as to indicate an indifferent or wanton disregard for the safety of persons or property shall be deemed to be guilty of reckless driving. *(Ref. 60-6,213; 60-6,215; 60-4.182 RS Neb.) (Ord. No. 407, 12/5/74)*

**§5-617**        **RECKLESS DRIVING: WILLFUL.** Any person who drives a motor vehicle in such a manner as to indicate a willful disregard for the safety of persons, or property shall be deemed to be guilty of willful, reckless driving. *(Ref. 60-6.214 through 60-6,218 RS Neb.) (Ord. No. 407, 12/5/74)*

**§5-618**        **NEGLIGENT DRIVING.** Any person who operates a motor vehicle in such a manner as to indicate a want of ordinary care and caution that a person of ordinary prudence would use under like circumstances shall be deemed guilty of negligent driving. *(Ref. 60-4.182 RS Neb.) (Ord. No. 407, 12/5/74)*

**§5-619**        **UNNECESSARY TIRE NOISE.** Any person who drives, uses, operates, parks or stops any motor vehicle in such a manner as to cause unnecessary tire noise shall be deemed guilty of causing unnecessary tire noise. *(Ord. No. 407, 12/5/74)*

§5-620

§5-626

**§5-620 ACCIDENT; DRIVER'S DUTY.** The driver of any vehicle involved in an accident upon a public highway, private road, or private drive, resulting in injury or death to any person shall:

1. Immediately stop such vehicle at the scene of the accident.
2. Give his name, address, and the registration number of his vehicle, and exhibit his operator's, or chauffeur's license, to the person struck, or the driver, or occupants, of any vehicle collided with.
3. Render to any person injured in such accident reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment if it is apparent that such treatment is necessary, or is requested by the injured person.

The driver of any vehicle involved in an accident, whether upon the public highway, private road, or private drive, resulting in damage to property shall:

1. Immediately stop such vehicle at the scene of the accident.
2. Give his name, address, and the registration number of his vehicle, and exhibit his operator's, or chauffeur's license to the owner of the property struck, or the driver, or occupants of any other vehicle involved in the collision. *(Ref. 60-697, 60-696 RS Neb.)*

**§5-621 EMERGENCY; REGULATIONS.** The Chief of Police is hereby empowered to make and enforce temporary traffic regulations to cover emergencies. *(Ref. 81-2005 RS Neb.) (Amended by Ord. No. 419, 3/4/76)*

**§5-622 POLICE; ENFORCEMENTS.** The Municipal Police are hereby authorized, empowered, and ordered to exercise all powers, and duties, with relation to the management of street traffic and to direct, control, stop, restrict, regulate, and, when necessary, temporarily divert, or exclude, in the interest of public safety, health, and convenience the movement of pedestrian, animal, and vehicular traffic of every kind in streets, parks, and on bridges. The driver of any vehicle shall stop upon the signal of any police officer. *(Ref. 60-683 RS Neb.)*

**§5-623 POLICE; REFUSAL TO OBEY.** It shall be unlawful for any person to refuse, or fail to comply with, any lawful order, signal, or direction of a police officer. *(Ref. 60-680 RS Neb.)*

**§5-624 POLICE; TRAFFIC OFFICERS.** The Governing Body or the Municipal Police may at any time detail officers. To be known as "traffic officers," at street intersections. All traffic officers shall be vested with the authority to regulate and control traffic at the intersections to which they are assigned. It shall be their duty to direct the movement of traffic and prevent congestion and accidents. It shall be unlawful for any person to violate any order, or signal, of any such traffic officer not with standing the directive of a stop sign, or signal device, which may have been placed at any such intersection. *(Ref. 60-6.222. 60-680, 60-683 RS Neb.)*

**§5-625 TRAFFIC CITATIONS; DISPOSITION.** The Municipal Police upon issuing a traffic citation to an alleged violator of any provision of this Chapter shall deposit the original traffic citation with the Municipal Attorney, who shall at his discretion file a complaint in the appropriate court.

**§5-626 TRAFFIC CITATION: ILLEGAL CANCELLATION.** Any person who cancels, or solicits the cancellation of any traffic citation in any manner other than as provided herein, shall be guilty of a misdemeanor. *(Ref. 60-680 RS Neb.)*

§5-627

§5-633

**§5-627        SUMMONS: DESTRUCTION.** It shall be unlawful for any person to tear up, or destroy, a parking tag placed upon any vehicle by the Municipal Police, or to disregard the summons contained on such tag, and fail to appear in court as directed by said tag. (*Ref. 60-680 RS Neb.*)

**§5-628        NEWLY LAID PAVEMENT.** No person shall ride or drive any vehicle over or across any pavement newly laid or repaired, across or around which there has been placed a barrier, or at or near which there is an officer, person or sign warning persons against riding or driving over such pavement.

**§5-629        SOUND APPARATUS; ADVERTISING.** No person shall operate or permit to be operated any sound producing or sound-amplifying apparatus for amplifying the human voice within the limits of any street or public place in the Municipality, or in or upon any vehicle while parked or stopped therein. No motor vehicle shall have any poster, sign, picture or advertising material on the windshield or glass of the side or rear window thereof; and no person shall, by himself or through his agent, place or post any poster, sign, picture or advertising material on the windshield or glass of either his own motor vehicle or that of any other person.

**§5-630        RAILROAD CROSSING WATCHMAN.** Each watchman, trainman or other agent of any railroad or railway company, if and when stationed at a railway crossing within the corporate limits of the Municipality shall be vested with authority to regulate and control traffic of vehicles at said railway crossing where he is so stationed. It shall be his duty to direct the movement of traffic at such railway crossing in such a manner as will facilitate the movement of traffic, prevent congestion and accidents, and to stop all movement of vehicles at said railway crossing, when any engine, car or conveyance of the railway company approaches said railway crossing upon said tracks, by arm signals or by holding a stop signal in his hand extended straight out from his shoulder while facing said street. It shall be unlawful for any person to violate any order or signal of any watchman.

**§5-631        GARAGE KEEPER; REPORT DAMAGED VEHICLES.** The person in charge of any garage or repair shop in the Municipality to which is brought any vehicle which shows evidence of having been struck by a bullet, or having been recently involved in an accident, shall report to the Chief of Police of the Municipality as soon as such vehicle is received giving the engine number, manufacturer's serial number, registration plate number and the name and address of the owner or operator of such vehicle.

**§5-632        GARAGE KEEPER; REPORT ABANDONED VEHICLES.** The person in charge of any garage or repair shop at which has been left a motor vehicle of unknown ownership for a period of fifteen (15) consecutive days without being removed by its owner or any other person duly authorized to remove the same, shall report to the Chief of Police of the Municipality giving the name, engine number, manufacturer's serial number, registration plate number, and the name and address of the person abandoning the vehicle, if known.

**§5-633        ONE-WAY STREETS; DESIGNATED.** It shall be unlawful for any person to drive or operate a motor vehicle in a westerly direction on Ninth (9th) Street between Q and S Streets, or in a northerly direction on R and S Streets between Ninth (9th) and Tenth (10th) Streets; or to proceed on any other street or alley within the City in a direction opposite to the direction which may hereafter be designated by resolution of the Mayor and The Council as a one-way street, and as indicated by signs erected and installed along such streets and alleys. (*Ord. No. 416, 2/5/76*)

Traffic Regulations

§5-634

§5-634

**§5-634**      **USE OF ENGINE BRAKES UNLAWFUL WITHIN CITY LIMITS.** It shall be unlawful for any person to use engine brakes, commonly known as "Jake Brakes", on trucks within the City limits of The City of Bridgeport, Morrill County, Nebraska. (*Ord. No. 624, 8/13/92*)

**Article 7. Penal Provision**

**§5-701**        **VIOLATION; PENALTY.** Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this Chapter, set forth at full length herein or incorporated by reference shall be deemed guilty of a misdemeanor and *upon* conviction thereof, shall be fined not more than five hundred dollars (\$500.00) for each offense. A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply.  
*(Amended by Ord. No. 694, 7/8/99)*