

**CHAPTER 25****TRAFFIC CODE****SUBCHAPTER 1****GENERAL PROVISIONS**

25.01 TITLE. This Chapter may be known and cited as the "Windsor Heights Traffic Code".

25.02 DEFINITIONS. The following words and phrases when used in this Code, shall, for the purposes of this Code, have the following meanings:

1. "Alley": means that part of a public street extending into or intersecting blocks between streets.
2. "Authorized Emergency Vehicle": means vehicles of the Fire Department, police vehicles, ambulances and emergency vehicles owned by the United States, this state, or any subdivision of this state, or any municipality therein, and such privately owned ambulances, rescue or disaster vehicles as are designated or are authorized by the Iowa director of transportation.
3. "Bicycle": means every vehicle propelled by human power upon which any person may ride, having two (2) tandem wheels, either of which is over twenty (20) inches in diameter.
4. "Business District": means the territory contiguous to and including a street when fifty (50) percent or more of the frontage thereon, for a distance of three hundred (300) feet or more is occupied by buildings in use for business.

(Code of Iowa, 1995, Sec. 321.1 [7])

5. "Combination" or "Combination of Vehicles": means a group consisting of two (2) or more motor vehicles, or a group consisting of a motor vehicle and one (1) or more trailers, semi-trailers or vehicles, which are coupled or fastened together for the purpose of being moved on the streets as a unit.
6. "Combined Gross Weight": means the gross weight of a motor vehicle, plus the gross weight of a trailer or semi-trailer to be drawn thereby.
7. "Crosswalk": means that portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections; or

any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

8. "Curb": means the boundaries of that portion of a street used by vehicular traffic.

9. "Drive": means every person who drives or who is in actual physical control of a vehicle.

10. "Fully Controlled Access Highway": means a highway which gives preference to through traffic by providing access connections with selected public roads only and by prohibiting crossings at grade or direct private driveway connections.

11. "Gross Weight": means the empty weight of a vehicle, plus the maximum load to be carried thereon.

12. "Guaranteed Arrest Bond Certificate": means either any printed and unexpired certificate issued by an automobile club or association to any of its members or any printed and unexpired certificate issued by an insurance company authorized to write automobile liability insurance within the state, which certificate is signed by such member or insured and contains a printed statement that such automobile club, association or insurance company, and a surety company which is doing business in the state under the provision of Code of Iowa Sec. 515.48 (2), guarantee the appearance of the person whose signature appears on the certificate and that they will, in the event of failure of such person to appear in court at the time of trial, pay any fine or forfeiture imposed on such person in an amount not to exceed two hundred (200) dollars. If such insurance company is itself qualified under the provisions of Code of Iowa Sec. 515.48 (2). then it may be its own surety. Bail in this form shall be subject to the forfeiture and enforcement provisions with respect to bail bonds in criminal cases as provided by law.

13. "Intersection" or "Street Intersection": means the area embraced within either the prolongation or connection of the lateral curb lines or the lateral boundary lines of the roadways of two (2) streets which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets joining at any other angles may come in conflict.

14. "Laned Street": means a street the roadway of which is divided into three (3) or more clearly marked lanes for vehicular traffic.

15. "Metal Tire": means every tire the surface of which, in contact with the street, is wholly or partly of metal or other hard, non-resilient material.

16. "Motorcycle": means every motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, including a motor scooter and a bicycle with motor attached, but excluding a tractor.
17. "Motor Truck": means every motor vehicle designed primarily for carrying livestock, merchandise, freight of any kind, or over nine (9) persons as passengers.
18. "Motor Vehicle": means every vehicle which is self-propelled. The terms "car" and "automobile" shall be synonymous with the term "motor vehicle".
19. "Operator": means every person who is in actual physical control of a motor vehicle upon a street.
20. "Owner": means a person who holds the legal title of a vehicle, or, in the event a vehicle is the subject of a security agreement with an immediate right of possession vested in the debtor, then such debtor shall be deemed the owner for the purposes of this Traffic Code.
21. "Park": means 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 or materials.
22. "Pedestrian": means any person afoot.
23. "Person": means every natural person, firm, co-partnership, association or corporation.
24. "Pneumatic Tire": means every tire in which compressed air is designed to support the load.
25. "Police Officer or Peace Officer": means 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, in addition to its meaning in Code of Iowa Sec. 801.4.
26. "Private Road or Driveway": means every way or place in private ownership and used for vehicular traffic by the owner and those having express or implied permission from the owner, but not by other persons.
27. "Public Highway": includes any public street, avenue, alley, boulevard, park, parkway, driveway, square or place, bridge, viaduct, tressel or any other territory or

structure, whether public or private, within the city, designed, intended or used by or for the general public for the passage of vehicles or teams.

28. "Railroad": means a carrier of persons or property upon cars operated upon stationary rails.

29. "Railroad Sign or Signal": means any sign, signal or device erected by authority of a public body or official, or by a railroad, and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

30. "Residence District": means the territory contiguous to and including a street not comprising a business, suburban or school district, where forty (40) percent or more of the frontage on such a street, for a distance of three hundred (300) feet or more, is occupied by dwellings or dwellings and buildings in use for business.

(Code of Iowa, 1995, Sec. 321.1 [63])

31. "Right of way": means the privilege of the immediate use of the street.

32. "Roadway": means that portion of a street improved, designed or ordinarily used for vehicular traffic.

33. "Safety Zone": means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected, or is so marked or indicated by adequate signs, as to be plainly visible at all times.

34. "School Bus": means every vehicle operated for the transportation of children to or from school, except vehicles which are: (a) Privately owned and not operated for compensation, (b) Used exclusively in the transportation of the children in the immediate family of the driver, (c) Operated by a municipally or privately owned urban transit company for the transportation of children as part of or in addition to their regularly scheduled service, or (d) Designed to carry not more than nine persons as passengers, either school owned or privately owned, which are used to transport pupils to activity events in which the pupils are participants or used to transport pupils to their homes in case of illness or other emergency situations. The vehicles operated under the provisions of paragraph "d" of this section shall be operated by employees of the school district who are specifically approved by the local superintendent of schools for the assignment.

35. "School District": means the territory contiguous to and including a street for a distance of two hundred (200) feet in either direction from a school house.

(Code of Iowa, 1995, Sec. 321.1 [70])

36. "Semi-trailer": means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight, and that of its load, rests upon or is carried by another vehicle.

37. "Sidewalk": shall mean that portion of a street between either the curb lines or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

38. "Solid Tire": means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

39. "Stand or Standing": means any stopping of a vehicle, whether occupied or not.

40. "Stop or Stopping": means complete cessation of movement; any stopping of a vehicle except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal.

41. "Street or Highway": means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

42. "Suburban District": means all other parts of the city not included in the business, school or residence districts.

(Code of Iowa, 1995, Sec. 321.1 [79])

43. "Through Street or Highway": means every street or portion thereof at the entrances to which vehicular traffic from intersecting streets is required by law to stop or yield before entering or crossing the same when either stop or yield signs are erected as provided in this Traffic Code or such entrances are controlled by a police officer or traffic control signal. The term "arterial" shall be synonymous with "through" or "thru" when applied to streets of this City.

44. "Time": means, whenever certain hours are named herein, central standard time or central daylight saving time as may be in current use in this City.

45. "Traffic": means pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, using any street for purposes of travel, standing, stopping or parking.

46. "Traffic Control Device": means all signs, signals, markings, and devices not inconsistent with this Traffic Code, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

(Code of Iowa, 1995, Sec. 321.1 [46])

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

48. "Trailer": means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

49. "Vehicle": means every device in, upon or by which any person or property is, or may be, transported or drawn upon a street, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

50. "Vehicles of the Fire Department": means every vehicle operated by or on behalf of the Fire Department and shall include motor vehicles operated by member of the Windsor Heights Volunteer Fire Department enroute to either the fire station or the scene of a fire or rescue call and displaying a flashing blue light in accordance with the provisions of Code of Iowa Sec. 321.423.

**SUBCHAPTER 2****TRAFFIC CONTROL DEVICES AND SIGNALS**

25.03 AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES AND SIGNALS. The Superintendent of Public Works shall place and maintain, or cause to be placed and maintained, traffic control signs, signals and devices when and as required under this Code and other traffic ordinances of the City to make effective the provisions of this Code and such ordinances, and may place and maintain, or cause to be placed and maintained, such additional traffic control devices as may be deemed necessary to regulate traffic under the traffic ordinances of the City or under law, or to guide or warn traffic.

25.04 OBEDIENCE TO TRAFFIC CONTROL DEVICES AND SIGNALS. The driver of any vehicle shall obey the instruction of any traffic control device or signal applicable unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this Traffic Code.

25.05 TRAFFIC CONTROL SIGNAL 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 only shall be used and such terms and lights shall indicate as follows:

1. For the purposes of this section "stop at the official traffic control signal" means stopping at the first opportunity at either the clearly marked stop line or before entering the crosswalk or before entering the intersection.
2. Official traffic control signals consisting of colored lights or colored lighted arrows shall regulate vehicle and pedestrian traffic in the following manner:
  - a. A "steady circular red" light or "stop" means vehicular traffic shall stop. Vehicular traffic shall remain standing until a signal to proceed is shown or vehicular traffic, unless prohibited by a sign, may cautiously enter the intersection to make a right turn from the right lane of traffic or a left turn from a one-way street to a one-way street from the left lane of traffic on a one-way street onto the leftmost lane of traffic on a one-way street. Turns made under this paragraph shall be made in a manner that does not interfere with other vehicular or pedestrian traffic lawfully using the intersection. Pedestrian traffic facing a steady circular red light shall not enter the roadway unless the pedestrian can safely cross the roadway without interfering with any vehicular traffic.
  - b. A "steady circular yellow" or "steady yellow arrow" light or

"caution" means vehicular traffic is warned that the related green movement is being terminated and vehicular traffic shall no longer proceed into the intersection and shall stop. If the stop cannot be made in safety, a vehicle may be driven cautiously through the intersection. Pedestrian traffic is warned that there is insufficient time to cross the intersection and any pedestrian starting to cross the roadway shall yield the right of way to all vehicles.

c. A "steady circular green" light or "go" means vehicular traffic may proceed straight, turn right or turn left through the intersection unless otherwise specifically prohibited. Vehicular traffic shall yield the right of way to other vehicular and pedestrian traffic lawfully within the intersection. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

d. A "steady green arrow" light shown alone or with another official traffic control signal means vehicular traffic may cautiously enter the intersection and proceed in the direction indicated by the arrow. Vehicular traffic shall yield the right of way to other vehicles and pedestrians lawfully within the intersection.

e. A "flashing circular red" light means vehicular traffic shall stop and after stopping may proceed cautiously through the intersection yielding to all vehicles not required to stop or yield which are within the intersection or approaching so closely as to constitute a hazard, but then may proceed.

f. A "flashing yellow" light means vehicular traffic shall proceed through the intersection or past such signal with caution.

g. A "don't walk" light is a pedestrian signal which means that pedestrian traffic facing the illuminated pedestrian signal shall not start to cross the roadway in the direction of the pedestrian signal, and pedestrian traffic in the crossing shall proceed to a safety zone.

h. A "walk" light is a pedestrian signal which means that pedestrian traffic facing the illuminated pedestrian signal may proceed to cross the roadway in the direction of the pedestrian signal and shall be given the right of way by drivers of all vehicles.

- i. A "red with green arrow" light means vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow, but shall not interfere with other traffic or endanger pedestrians lawfully within a crosswalk.

No pedestrian facing such signal shall enter the roadway unless he can do so safely without interfering with any vehicular traffic.

5. "Walk". Pedestrians facing such signal may proceed across the roadway within any marked or unmarked crosswalk.
6. "Don't Walk". No pedestrian facing such signal shall enter the roadway.

25.06 TRAFFIC CONTROL SIGNALS - LOCATIONS DESIGNATED. Traffic control signals shall be erected at the following locations:

1. Seventy-third Street and Bellaire Avenue. The intersection of Seventy-third Street and one-hundred (100) feet north of Bellaire Avenue.
2. Sixty-third Street and College Avenue. The intersection of Sixty-third Street and College Avenue.
3. University Avenue and Seventy-third Street. The intersection of University Avenue and Seventy-Third Street.
4. University Avenue and Sixty-sixth Street. The intersection of University Avenue and Sixty-sixth Street.
5. University Avenue and Sixty-third Street. The west one-half (1/2) of the intersection of University Avenue and Sixty-third Street.
6. Seventy-third Street and Buffalo Road. The intersection of Seventy-third Street and Buffalo Road.
7. Seventy-third Street and Center Street. The intersection of Seventy-third Street and Center Street.
8. Seventy-third Street and the Interstate 235 westbound off-ramp.
9. University Avenue and Seventieth Street. The intersection of University Avenue and Seventieth Street.

25.07 TRAFFIC CONTROL SIGNALS - ALTERNATIVE OPERATION. The Traffic Division of the Police Department may cause traffic control signals to be operated either as flashing signals or rendered inoperative at such times as traffic conditions warrant.

25.08 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 by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection, or at a limit line when marked, 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.

25.09 WHEN TRAFFIC CONTROL DEVICES REQUIRED FOR ENFORCEMENT PURPOSES.

No provision of this Code for which signs are required shall be enforced against any alleged violation if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section of this Code does not state that signs are required, such section shall be effective without signs being erected to give notice thereof.

25.10 UNAUTHORIZED TRAFFIC CONTROL DEVICES OR SIGNALS. No person shall place, maintain or display upon, or in view of, any street any sign, signal, marking or device which purports to be, or is an imitation of, or resembles an official parking sign, curb or other marking, traffic control device or signal 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 traffic control device or signal or any railroad sign or signal, if such sign, signal, marking or device has not been authorized by the state Department of Transportation with reference to highways under its jurisdiction, the City Council with reference to streets in this City and the state Department of Transportation with reference to railroad crossings, and no person shall place or maintain, nor shall any public authority permit, upon any street, any traffic sign, signal or device bearing thereupon any commercial advertising. This section shall not be deemed to prohibit the erection, upon private property adjacent to streets, of signs giving useful directional information of a type that cannot be mistaken for official signs.

Every such prohibited sign, signal, device or marking is hereby declared to be a public nuisance and may be removed without notice.

(Code of Iowa, 1995, Sec. 321.259)

25.11 INTERFERENCE WITH TRAFFIC CONTROL DEVICES OR SIGNALS. No person shall, without lawful authority, attempt to, or in fact, alter, deface, injure, knock down or remove any traffic control device or signal or any railroad sign or signal or any inscription, shield or insignia thereon, or any part thereof.

25.12 FORM AND SIZE OF TRAFFIC CONTROL DEVICES OR SIGNALS. Whenever by this Code or other traffic ordinance of the City traffic control devices are required to be erected, the form and size of the same shall conform to such standards as may be fixed by the state Department of Transportation pursuant to Code of Iowa Sec. 321.252, but, if not fixed thereby, then the Superintendent of Public Works is authorized to determine the form and size thereof.

25.13 UNAUTHORIZED REFLECTORS. Except for traffic control devices as defined herein, no person shall place, erect or attach any red reflector, or any object or device which shall cause a red reflectorized effect, within the boundary lines of streets so as to be visible to passing motorists.

(Code of Iowa, 1995, Sec. 319.12)

**SUBCHAPTER 3****SPEED REGULATIONS**

**25.14 GENERAL.** Every driver of a motor vehicle on a street shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the street and of any other conditions then existing, and no person shall drive a vehicle on any street at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said street will observe the law.

(Code of Iowa, 1995, Sec. 321.285)

**25.15 BUSINESS DISTRICT.** A speed in excess of twenty (20) miles per hour in the business district, unless specifically designated otherwise in this Subchapter, is unlawful.

(Code of Iowa, 1995, Sec. 321.285 [1])

**25.16 RESIDENCE OR SCHOOL DISTRICT.** A speed in excess of twenty-five (25) miles per hour in any school or residence district, unless specifically designated otherwise in this Subchapter, is unlawful.

(Code of Iowa, 1995, Sec. 321.285 [2])

**25.17 SUBURBAN DISTRICT.** A speed in excess of forty-five (45) miles per hour in any suburban district, unless specifically designated otherwise in this Subchapter, is unlawful.

(Code of Iowa, 1995, Sec. 321.285 [3])

**25.18 PARKS AND PARKING LOTS.** A speed in excess of fifteen (15) miles per hour in any public park or parking lot, unless specifically designated otherwise in this Subchapter, is unlawful.

(Code of Iowa, 1995, Sec. 321.236 [5])

**25.19 MINIMUM SPEED.** No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation, or in compliance with law.

(Code of Iowa, 1995, Sec. 321.294)

**25.20 EMERGENCY VEHICLES.** The speed limitations set forth in this Subchapter do not apply to authorized emergency vehicles when responding to emergency calls and the drivers thereof sound audible signals by bell, siren or whistle. This provision does not relieve such drivers from the duty

to drive with due regard for the safety of others.

(Code of Iowa, 1995, Sec. 321.231)

25.21 SPECIAL SPEED RESTRICTIONS. In accordance with requirements of the state Department of Transportation, or whenever the Council shall determine upon the basis of an engineering and traffic investigation that any speed limit hereinbefore set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of the city street system the Council shall determine and adopt by ordinance such higher or lower speed limit as it deems reasonable and safe thereat.

(Code of Iowa, 1995, Sec. 321.290)

25.22 SPECIAL 25 MPH SPEED ZONES. A speed in excess of twenty-five (25) miles per hour shall be unlawful on any of the following designated streets or parts thereof.

1. University Avenue. University Avenue from the east corporate limits to the west corporate limits, twenty-five (25) miles per hour.

25.23 SPECIAL 30 MPH SPEED ZONES. A speed in excess of thirty (30) miles per hour shall be unlawful on any of the following designated streets or parts thereof:

1. Sixty-third Street. Sixty-third Street from the south line of Hickman Avenue to the south line of University Avenue, thirty (30) miles per hour.

25.24 SPECIAL 35 MPH SPEED ZONES. A speed in excess of thirty-five (35) miles per hour shall be unlawful on any of the following designated streets or parts thereof.

1. Seventy-third Street. Seventy-third Street, from the south corporate limits to the south line of University Avenue, thirty-five (35) miles per hour.
2. Sixty-third Street. Sixty-third Street, from the south line of University Avenue to the south corporate limits, thirty-five (35) miles per hour.

25.25 INTERSTATE 235. Notwithstanding any speed restrictions contained in this traffic code, the following speed restrictions shall apply to Interstate Highway 235 when official signs are erected giving notice thereof:

(Code of Iowa, 1995, Sec. 321.285[4])

1. Maximum Speed. No person shall operate a vehicle on said highway at a speed in excess of fifty-five (55) miles per hour.
2. Minimum Speed. No person shall operate a vehicle on said highway at a

speed less than forty (40) miles per hour.

3. Vehicle Capability. No person shall operate any vehicle, implement or conveyance on said highway which is incapable of obtaining and maintaining a speed of forty (40) miles per hour.

25.26 CONTROL OF VEHICLE. The person operating a motor vehicle or motorcycle shall have the same under control and shall reduce the speed to a reasonable and proper rate:

1. When approaching and passing a person walking in the traveled portion of the public street.
2. When approaching and passing an animal which is being led, ridden or driven upon a public street.
3. When approaching and traversing a crossing or intersection of public streets or a bridge or a sharp turn, or a curve, or a steep descent, in a public street.

**SUBCHAPTER 4****PASSING AND TURNING REGULATIONS**

25.27 MEETING AND TURNING RIGHT. Persons on horseback or in vehicles, including motor vehicles, meeting each other on the public street shall give one half of the traveled roadway thereof by turning to the right.

25.28 PROHIBITED PASSING. No vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left side of the road under the following conditions:

1. When approaching the crest of a grade or upon a curve in a street where the driver's view along the street is obstructed at a distance of approximately seven hundred (700) feet.
2. When approaching within one hundred (100) feet of any narrow bridge, viaduct or tunnel, when so sign posted, or when approaching within one hundred (100) feet of or traversing any intersection or railroad grade crossing.
3. Where official signs are in place directing that traffic keep to the right or a distinctive center line or off-center line is marked, which distinctive line also so directs traffic as declared by the state Department of Transportation pursuant to Code of Iowa Sec. 321.252.

25.29 PROHIBITED PASSING - LOCATIONS DESIGNATED. The following parts of streets set out in this section are hereby designated as no passing zones:

1. Seventy-third Street. Seventy-third Street, from the south corporate boundary to the south line of University Avenue.
2. Seventy-third Street. Seventy-third Street, from the south line of Del Matro Avenue to the north line of Washington Avenue.

25.30 MARKING. The Superintendent of Public Works shall mark the prohibited passing zones designated in the preceding section by solid yellow barrier lines placed on each side of the broken center line.

25.31 OVERTAKING A VEHICLE. The following rules shall govern the overtaking and passing of vehicles proceeding the same direction, subject to those limitations, exceptions and special rules hereinafter stated.

1. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to

the right side of the roadway until safely clear of the overtaken vehicle.

2. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

25.32 LIMITATIONS ON OVERTAKING ON THE LEFT. No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of on coming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to the right-hand side of the street before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.

25.33 OVERTAKING ON THE RIGHT. The driver of a vehicle may overtake and pass upon the right of another vehicle which is making, or about to make, a left turn. The driver of a vehicle may overtake and, allowing sufficient clearance, pass another vehicle proceeding in the same direction either upon the left or upon the right on a roadway with unobstructed pavement of sufficient width of four (4) or more lines of moving traffic when such movement can be made in safety.

No person shall drive off the pavement or upon the shoulder of the roadway in overtaking or passing to the right.

25.34 ROADWAYS LANED FOR TRAFFIC. Whenever any roadway has been divided into three (3) or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

1. A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.
2. Upon a roadway which is divided into three (3) lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn, or where such center lane is, at the time, allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign posted to give notice of such allocation.
3. Official signs may be erected directing slow moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the directions of every such sign.

4. Vehicles moving in a lane designated for slow moving traffic shall yield the right of way to vehicles moving in the same direction in a lane not so designated when such lanes merge to form a single lane.

25.35 TURNING AT INTERSECTIONS. The driver of a vehicle intending to turn at an intersection shall do so as follows:

1. Both the approach for a right turn and a right turn shall be made as close as possible to the right hand curb or edge of the roadway.
2. Approach for a left turn shall be made in that portion of the right half of the roadway nearest the centerline thereof and after entering the intersection the left turn shall be made so as to depart from the intersection to the right of the center line of the roadway being entered.
3. Approach for a left turn from a two way street into a one way street 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. A left turn from a one way street into a two way street shall be made by passing to the right of the center line of the street being entered upon leaving the intersection.
4. When official markers, devices or signs are so placed as to indicate a different course than as specified herein, no driver of a vehicle shall turn such vehicle at an intersection other than as directed and required by such markers, devices or signs.

25.36 WHEN SIGNAL REQUIRED. No person shall turn a vehicle from a direct course upon a street 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.

25.37 SIGNAL CONTINUOUS. A signal of intention to turn right or left shall be given continuously during not less than the last one hundred (100) feet traveled by the vehicle before turning when the speed limit is forty-five (45) miles per hour or less and during not less than the last three hundred (300) feet traveled by the vehicle before turning when the speed limit is in excess of forty-five (45) miles per hour.

25.38 SIGNAL UPON SLOWING DOWN OR STOPPING. 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 when there is opportunity to give such signal.

25.39 SIGNAL BY HAND AND ARM OR SIGNAL DEVICE. The signals required under the provisions of this Code may be given either by means of the hand and arm as provided in Section 25.40 of this Code, or by a mechanical or electrical directional signal device or light of a type approved by the state Department of Transportation and conforming to the provisions of this Code relating thereto.

Directional signal devices shall be designed with white, yellow or amber lamps to be displayed on the front of vehicles and with lamps of red, yellow or amber to be displayed on the rear of vehicles. Such devices shall be capable of clearly indicating any intention to turn either to the right or to the left and shall be visible and understandable during both daylight and darkness from a distance of at least one hundred (100) feet from the front and rear of a vehicle equipped therewith.

It shall be unlawful for any person to sell, or offer for sale, or operate on the streets of the City, any vehicle subject to registration under the provision of state law which has never been registered in this or any other state prior to January 1, 1954, unless such vehicle is equipped with a directional signal device of a type approved by the state Department of Transportation and is in compliance with the provisions of this section. Motorcycles, motor scooters, bicycles with motor attached and semi-trailers and trailers less than forty (40) inches in width are exempt from the provisions of this section.

When a vehicle is equipped with a directional signal device, such device shall at all times be maintained in good working condition. No directional signal device shall project a glaring or dazzling light. All directional signal devices shall be self-illuminating when in use while other lamps on the vehicles are lighted.

25.40 METHOD OF GIVING HAND AND ARM SIGNALS. All signals herein required which may be given by hand and arm shall, when so given, be given from the left side of the vehicle and the following manner and interpretation thereof is suggested:

1. Left Turn. Hand and arm extended horizontally.
2. Right Turn. Hand and arm extended upward.
3. Stop or Decrease of Speed. Hand and arm extended downward.

25.41 RIGHT OF WAY APPROACHING OR ENTERING INTERSECTIONS. Where two vehicles are approaching on any public street so that their paths will intersect and there is danger of collision, the vehicle approaching the other from the right shall have the right of way.

The foregoing rule is modified at through streets and otherwise as hereinafter stated in this Code.

25.42 RIGHT OF WAY - TURNING LEFT AT INTERSECTIONS. The driver of a vehicle within an intersection intending to turn to the left shall yield the right of way to all vehicles approaching from the opposite direction which are within the intersection or so close thereto as to constitute an

immediate hazard; then said driver, having so yielded and having given a signal when and as required by this Code, may make such left turn.

25.43 RIGHT OF WAY - ENTERING THROUGH STREETS. The driver of a vehicle shall stop or yield as required by this Code at the entrance to a through street and shall yield the right of way to other vehicles which have entered the intersection from said through street or which are approaching so closely on said through street as to constitute a hazard, but said driver, having so yielded, may proceed cautiously and with due care enter said through street.

25.44 RIGHT OF WAY - ENTERING STOP OR YIELD INTERSECTIONS. The driver of a vehicle shall stop in obedience to a stop sign at an intersection where a stop sign is erected at one or more entrances thereto, although not a part of a through street, and shall proceed cautiously, yielding to vehicles not so obligated to stop which are within the intersection or approaching so closely as to constitute a hazard. The driver shall stop within ten (10) feet in advance of said stop sign.

The driver of a vehicle approaching a yield sign shall, in obedience to such sign, slow down to a speed reasonable for the existing conditions or shall stop, if necessary, and shall yield the right of way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another street so closely as to constitute a hazard. Said driver, having so yielded, may proceed with caution.

25.45 RIGHT OF WAY - BACKING VEHICLE ON STREETS. No person shall operate a vehicle on a street in reverse gear unless and until such operation can be made with reasonable safety, and shall yield the right of way to any approaching vehicle on the street or intersecting street thereto which is so close thereto as to constitute an immediate hazard.

25.46 RIGHT OF WAY - OPERATION ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES. Upon the immediate approach of an authorized emergency vehicle with any lamp or device displaying a red light, a flashing red light or a flashing blue light from directly in front thereof, or when the driver is given audible signal by a siren, exhaust whistle or bell, 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 street 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.

**SUBCHAPTER 5****STOP OR YIELD REQUIRED**

25.47 THROUGH STREETS - STOP. Every driver of a vehicle shall stop, unless a yield is permitted by this Chapter, before entering an intersection with the following designated through streets:

(Code of Iowa, 1995, Sec. 321.345)

1. Colby Avenue from the east line of Seventieth Street to the west line of Sixty-sixth Street.
2. Colby Avenue from the east line of Sixty-sixth Street to the west line of Sixty-third Street.
3. College Drive from the west corporate limits to the west line of Seventy-third Street.
4. Del Matro Avenue from the east line of Seventieth Street to the west line of Sixty-fourth Street.
5. Forest Court from the east line of Seventy-third Street to the west line of Seventieth Street.
6. Marilyn Drive from west corporate limits to Seventy-sixth Street.
7. School Street from Sixty-ninth Street to the west line of Sixty-fifth Street.
8. Seventy-third Street from Center Street to Hickman Road.
9. Seventieth Street from University Avenue to Hickman Road.
10. Sixty-ninth Street from the north line of School Street to the south line of University Avenue.
11. Sixty-ninth Street from the north line of Washington Avenue to the north line of Hickman Road.
12. Sixty-eighth Street from the north line of School Street to the south line of University Avenue.

13. Sixty-eighth Street from the north line of University Avenue to the south line of Colby Avenue.
14. Sixty-eighth Street from the north line of Colby Avenue to the south line of Del Matro Avenue.
15. Sixty-eighth Street from the north line of Del Matro Avenue to the south line of Washington Avenue.
16. Sixty-eighth Street from Timmons Drive to Hickman Road.
17. Sixty-seventh Street from the north line of School Street to the South line of University Avenue.
18. Sixty-sixth Street from the north line of School Street to the south line of University Avenue.
19. Sixty-sixth Street from the north line of University Avenue to the south line of Del Matro Avenue.
20. Sixty-fifth Street from Lamar Place to University Avenue.
21. Sixty-fifth Street from the north line of University Avenue to the south line of Forest Court.
22. Sixty-fourth Street from Lamar Place to Mott Avenue.
23. Sixty-fourth Street from the north line of University Avenue to the south line of Colby Avenue.
24. Sixty-fourth Street from Sunset Terrace to College Avenue.
25. Sixty-fourth Street from Franklin Avenue to Lincoln Avenue.
26. Sixty-third Street from Hickman Road to University Avenue.
27. Sixty-third Street from University Avenue to Center Street.
28. Sunset Terrace from the east line of Sixty-sixth Street to the west line of Sixty-third Street.
29. Washington Avenue from the east line of Seventieth Street to the west line of Sixty-third Street.

30. Wilshire Boulevard from the Western Terminus to the west line of Seventy-third Street.
31. University Avenue from Seventy-third Street to Sixty-third Street.

25.48 SPECIAL STOPS REQUIRED. Every driver of a vehicle shall stop in accordance with the following:

(Code of Iowa, 1995, Sec. 321.345)

1. Sixty-fourth Street. Vehicles traveling on Sixty-fourth Street shall stop at Franklin Avenue.
2. Lincoln Avenue. Vehicles traveling east on Lincoln Avenue shall stop at Sixty-fourth Street.
3. Allison Avenue. Vehicles traveling east on Allison Avenue shall stop at Sixty-fourth Street.
4. Mott Avenue. Vehicles traveling east on Mott Avenue shall stop at Sixty-fourth Street.
5. Allison Avenue. Vehicles traveling west on Allison Avenue shall stop at Sixty-sixth Street.
6. Sixty-fourth Street. Vehicles travelling south on Sixty-fourth Street shall stop at Lincoln Avenue.
7. Wilshire Boulevard. Vehicles travelling east on Wilshire Boulevard shall stop at Seventy-fifth Street.

25.49 STOP OR YIELD AT THROUGH STREETS. When stop signs are erected upon streets intersecting a through street at the entrances thereto, or at the entrance to any intersection designated in the preceding section, every driver of a vehicle shall stop at such sign or within ten (10) feet in advance of such sign, or at a clearly marked stop line, before entering the intersection, except when directed to proceed by a police officer or traffic control signal. When expressly so provided in the preceding section, yield signs shall be erected in lieu of stop signs and shall have the force and effect prescribed by state law.

25.50 SCHOOL CROSSWALKS AND STOPS LOCATIONS DESIGNATED. School stop traffic signs may be placed on school days from 8:15 a.m. to 9:30 a.m., from 12:00 Noon to 1:45 p.m., and from 3:00 p.m. to 4:15 p.m., at school locations in the City, whereupon the driver of a vehicle shall bring such vehicle to a full stop at a point ten (10) feet from the approach side of the crosswalk in

proximity thereto, and thereafter proceed slowly and in a careful and prudent manner until he shall have passed such school sites.

25.51 CITY TRUCK ROUTES - LOCATIONS DESIGNATED. No commercial vehicle which have a gross weight or combined gross weight in excess of six thousand (6000) pounds, loaded or unloaded, shall be operated at any time upon any of the streets or parts of streets of the city, except the streets which are specifically designated for their use as follows:

1. Seventy-third Street. Seventy-third Street, from University Avenue to Center Street.
2. University Avenue. University Avenue, from the west corporate limits to the east corporate limits.
3. Sixty-third Street. Sixty-third Street from the north corporate limits to the south corporate limits.

25.52 ERECTION OF SIGNS. The Superintendent of Public Works shall mark the City truck routes designated in the preceding section with signs with the words "TRUCK ROUTE" and appropriate arrows thereon.

25.53 SCHOOL BUS ROUTES - LOCATIONS DESIGNATED. No school bus shall be operated at any time upon any of the streets of the City, except the streets or parts of streets designated as through streets in Section 25.47 of this Traffic Code; provided, however, that nothing contained in this section shall prohibit the operation of school buses serving handicapped children upon the streets of the City.

25.54 STOP BEFORE CROSSING SIDEWALK. The driver of a vehicle emerging from a private roadway, alley, driveway, or building shall stop such vehicle immediately prior to driving onto the sidewalk area and thereafter he shall proceed into the sidewalk area only when he can do so without danger to pedestrian traffic and he shall yield the right-of-way to any vehicular traffic on the street into which his vehicle is entering.

(Code of Iowa, 1995, Sec. 321.353)

25.55 OFFICIAL TRAFFIC CONTROLS. Every driver shall observe and comply with the directions provided by official traffic-control signals at the following intersections:

(Code of Iowa, 1995, Sec. 321.256)

1. Intersection of University Avenue and Sixty-third Street.
2. Intersection of University Avenue and Sixty-sixth Street.

3. Intersection of University Avenue and Seventy-third Street.
4. Intersection of Sixty-third Street and Interstate 235 north interchange.
5. Intersection of Sixty-third Street and Interstate 235 south interchange.
6. Intersection of Seventy-third Street and Buffalo Road.
7. Intersection of Seventy-third Street and Interstate 235 north interchange.
8. Intersection of Seventy-third Street and Center Street.
9. Intersection of Sixty-third Street and College Avenue.
10. Intersection of Seventy-third Street and one-hundred (100) feet north of Bellaire Avenue.
11. Intersection of University Avenue and Seventieth Street.

25.56 SCHOOL BUSES - REQUIRED STOPS. The driver of any vehicle, including the driver of a vehicle operating on a private road or driveway, when meeting a school bus with flashing amber warning lamps are flashing shall reduce the speed of said vehicle to not more than twenty miles per hour, and shall bring said vehicle to a complete stop when a school bus stops and the stop signal arm is extended. The vehicle shall remain stopped until the stop signal arm is retracted after which time the driver may proceed with due caution.

The driver of any vehicle, including the driver of a vehicle operating on a private road or driveway, overtaking a school bus shall not pass a school bus when a red or amber warning signal light is flashing. The driver shall bring said vehicle to a complete stop not closer than fifteen feet from the school bus when it is stopped and the stop arm is extended, and the vehicle shall remain stopped until the stop arm is retracted and the school bus resumes motion.

(Code of Iowa, 1995, Sec. 321.372)

**SUBCHAPTER 6****VEHICLE RESTRICTIONS**

25.57 APPLICABILITY OF SUBCHAPTER. The provisions of this Subchapter governing size, weight and load shall not apply to fire apparatus, road machinery or to implements of husbandry temporarily moved upon a street or to a vehicle operated under the terms of a special permit issued as provided in this Code.

25.58 WIDTH OF VEHICLES. The total outside width of any vehicle or the load thereon, except loose hay or straw, shall not exceed eight (8) feet.

(Code of Iowa, 1995, Sec. 321.454)

25.59 PROJECTING LOADS ON PASSENGER VEHICLES. No passenger type vehicle shall be operated on any street with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six (6) inches beyond the line of the fenders on the right side thereof.

(Code of Iowa, 1995, Sec. 321.455)

25.60 HEIGHT OF VEHICLES. No vehicle, unladen or with load, shall exceed a height of thirteen (13) feet, six (6) inches. Nothing herein contained shall be construed to require the city to provide sufficient vertical clearance to permit the operation of such vehicle upon the streets of the City. Any damage to streets or highways, highway structures or underpasses caused by the increase in height of any vehicle provided for by this section shall be borne by the operator or owner of such vehicle.

(Code of Iowa, 1995, Sec. 321.456)

25.61 MAXIMUM LENGTH. The maximum length of any motor vehicle or combination of vehicles, except fire fighting apparatus and vehicles operating in the daytime when transporting poles, pipe, machinery or other objects of a structural nature which cannot be dismembered readily when required for emergency repair of public service facilities or properties, and such vehicles transporting such objects operated at nighttime by a public utility when required for emergency repair of public service facilities or property, but in respect to such night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to mark clearly the dimensions of such load, at which time, a member of the Police Department shall be notified prior to the operation of such vehicle, shall be as follows:

1. No single truck, unladen or with load, shall have an overall length, inclusive of front and rear bumpers, in excess of forty (40) feet.
2. No single bus, unladen or with load, shall have an overall length, inclusive of

front and rear bumpers, in excess of forty (40) feet, provided that a bus constructed so as to contain a flexible part allowing articulation shall not exceed sixty-one (61) feet.

3. Except as to combinations of vehicles, provisions for which are otherwise made in this section, no combination of truck tractor and semi-trailer, nor any other combination of vehicles coupled together, unladen or with load, shall have an overall length, inclusive of front and rear bumpers, in excess of sixty (60) feet.

4. No combination of vehicles coupled together which are used exclusively for the transportation of vehicles and boats, unladen or with load, shall have an overall length, inclusive of front and rear bumpers, in excess of sixty-five (65) feet.

5. No combination of three (3) vehicles coupled together, one of which is a motor vehicle, unladen or with load, shall have an overall length, inclusive of front and rear bumpers, in excess of sixty (60) feet.

6. A mobile home not in excess of forty-eight feet in length may be drawn by any motor vehicle, except a motor truck, provided that the mobile home and its towing unit are not in excess of an overall length of sixty (60) feet. For the purposes of this subsection, a light delivery truck, panel delivery truck or "pickup" is not a motor truck. A portable livestock loading chute not in excess of a length of thirteen feet including its hitch or tongue may be drawn by any vehicle or combination of vehicles, provided that the vehicle or combination of vehicles drawing the loading chute is not in excess of the legal length provided for such vehicles or combinations.

(Code of Iowa, 1995, Sec. 321.457)

25.62 LOADING BEYOND FRONT OF VEHICLE. The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than three (3) feet beyond the front wheels of such vehicle or the front bumper of such vehicle if it is equipped with such a bumper.

(Code of Iowa, 1995, Sec. 321.458)

25.63 DUAL AXLE REQUIREMENT. No motor vehicle, trailer or semi-trailer having axles less than forty (40) inches apart, center to center, shall be operated on the streets of this City, unless the combined gross weight imposed on the street by all of the wheels of all axles which are less than forty (40) inches apart, center to center, does not exceed twenty thousand (20,000) pounds in the case of wheels equipped with pneumatic tires or fourteen thousand (14,000) pounds in the case of wheels equipped with solid rubber tires.

(Code of Iowa, 1995, Sec. 321.459, Sec. 463)

25.64 TRAILERS AND TOWED VEHICLES. When one vehicle is towing another, the draw bar or other connection shall not exceed fifteen (15) feet from one vehicle to the other vehicle, except the connection between any two (2) vehicles transporting poles, pipe, machinery or other objects of a structural nature which cannot readily be dismembered.

(Code of Iowa, 1995, Sec. 321.461)

25.65 DRAWBARS AND SAFETY CHAINS. When one (1) vehicle is towing or pulling another vehicle, the drawbar or other connection shall be of sufficient strength to pull all weight towed thereby and shall be fastened to the frame of the towing vehicle in such a manner as to prevent side sway and, in addition to such principal connection, there shall be a safety chain which shall be so fastened as to be capable of holding the towed vehicle should the principal connection for any reason fail.

The connection between a truck tractor and a semi-trailer with a gross weight of three thousand (3,000) pounds or more shall be of a type approved by the Director of the state Department of Transportation.

(Code of Iowa, 1995, Sec. 321.462)

25.66 MAXIMUM GROSS AXLE WEIGHT. It shall be unlawful for any person to operate any vehicle or combination of vehicles within the corporate limits of the City in violation of Code of Iowa Sec. 321.463. Code of Iowa Sec. 321.463 is, by this reference, incorporated herein as fully and completely as if herein set forth in full.

25.67 WEIGHTING VEHICLES AND REMOVAL OF EXCESS LOAD. Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighting of the same either by means of a portable or stationary scales and may require that such vehicle be driven to the nearest public scales.

Whenever an officer, upon weighing a vehicle and load as above provided, determines that the weight is unlawful, such officer may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this Code. All materials so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses when directed by an officer upon a weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this section, shall be guilty of a misdemeanor and punished as provided in this Code.

(Code of Iowa, 1995, Sec. 321.465)

25.68 MOVEMENT OF VEHICLES OF EXCESSIVE SIZE AND WEIGHT. The movement of vehicles of excessive size and weight shall be subject to the provisions of the current Code of Iowa Chapter 321E. Chapter 321E of the current Code of Iowa is, by this reference, incorporated herein as fully and completely as if herein set forth in full.

(Code of Iowa, 1995, Sec. 321.471)

25.69 LIMITATION IN THE USE OF STREETS BY CERTAIN VEHICLES. The City Council may, by resolution, deny or restrict the use of any street to certain types of vehicles when the recommendation for such restriction has been submitted to the Council by the City Administrator on showing that such use would either tend to destroy the pavement or would tend to create a hazard endangering the public safety, health or morals.

If such resolution is passed upon the recommendation of the City Administrator, it shall be the duty of the Superintendent of Public Works to post signs along such street informing the general public of such restriction.

When signs are erected giving notice of such restriction, any person failing to comply with such notice shall be deemed guilty of a misdemeanor.

(Code of Iowa, 1995, Sec. 321.471, 321.472, . 321.473)

25.70 TRUCK ROUTE. Truck route regulations are established as follows:

1. Truck Routes Designated. Every motor vehicle which is authorized pursuant to its registration to carry in excess of three (3) tons of cargo of freight, having no fixed terminal within the City or making no scheduled or definite stops within the City for the purpose of loading or unloading shall travel over or upon the following streets within the City and none other:

(Code of Iowa, 1995, Sec. 321.473)

- A. Sixty-third Street from Hickman Road to Center Street.
  - B. University Avenue from Sixty-third Street to Seventy-third Street.
  - C. Seventy-third Street from University Avenue to Center Street.
2. This section shall not prohibit the following:
    - A. The operation of commercial vehicles on any street where necessary to the conduct of business at a destination point, provided, however, that streets upon which such traffic is permitted are used

until reaching the intersection nearest the destination point.

B. The operation of emergency vehicles upon any street in the City.

C. The operation of commercial vehicles owned or operated by the City, any public utility or any contractor, when such vehicles are engaged in the repair, maintenance or construction of streets or public utilities in the City.

D. The operation of commercial vehicles upon any officially established detour in any case where such commercial vehicles could lawfully operate upon the streets for which such detour is established.

(Ord. No. 87-2)

**SUBCHAPTER 7****PEDESTRIANS**

25.71 PEDESTRIANS SUBJECT TO TRAFFIC CONTROL SIGNALS. Pedestrians shall be subject to traffic control signals at intersections as heretofore declared in this Code, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this Subchapter.

Any person failing to heed the command of an automatic traffic control signal shall be fined not more than twenty-five (25) dollars or imprisoned not to exceed three (3) days.

(Code of Iowa, 1995, Sec. 321.325)

25.72 PEDESTRIANS ON LEFT. Pedestrians shall, at all times when walking on or along a street, walk on the left side of such street.

25.73 PEDESTRIANS RIGHT OF WAY. Where traffic control signals are not in place or 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 any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this Code.

(Code of Iowa, 1995, Sec. 321.327)

25.74 WHEN PEDESTRIAN SHALL YIELD. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.

Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.

The foregoing rules of this section have no application under the conditions stated in Section 25.75 of this Code when pedestrians are prohibited from crossing at certain designated places.

25.75 PROHIBITED CROSSING. Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a crosswalk. No pedestrian shall cross a roadway other than in a crosswalk in any business district.

25.76 PEDESTRIANS PROHIBITED - INTERSTATE 235. No person shall walk upon, along or within any fenced portion of the right of way of Interstate Highway 235, except persons duly engaged in construction, maintenance or law enforcement or persons present for the purpose of leaving, servicing or removing a disabled vehicle or aiding the injured.

25.77 DUTY OF DRIVER. Notwithstanding the provisions of Section 25.73 of this Code, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise due care upon observing any child, or any confused or incapacitated person, upon a roadway.

Every driver of a vehicle shall yield the right of way to pedestrian workers engaged in maintenance or construction work on a street whenever the driver is notified of the presence of such workers by a flag man or a warning sign.

(Code of Iowa, 1995, Sec. 321.329)

25.78 USE OF CROSSWALKS. Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

(Code of Iowa, 1995, Sec 321.330)

25.79 PEDESTRIANS SOLICITING RIDES. No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

Nothing in this Code shall be construed so as to prevent any pedestrian from standing on that portion of the street or roadway not ordinarily used for vehicular traffic for the purpose of soliciting a ride from the driver of any vehicle.

25.80 BLIND PEDESTRIANS-WHITE CANES RESTRICTED TO BLIND PERSONS. No person, except one wholly or partially blind, shall carry or use on any public street, highway or sidewalk a cane or walking stick which is white in color or white tipped with red.

(Code of Iowa, 1995, Sec. 321.332)

25.81 BLIND PEDESTRIANS-DUTY OF DRIVERS. Any driver of a vehicle or operator of a motor driven vehicle who approaches or comes in contact with a person wholly or partially blind carrying a cane or walking stick which is white in color or white tipped with red, or being led by a guide dog wearing a harness and walking on either side of or slightly in front of said blind person, shall immediately come to a complete stop, and take such precautions as may be necessary to avoid accident or injury to the person.

(Code of Iowa, 1995, Sec. 321.333)

**SUBCHAPTER 8****BICYCLES**

**25.82 ALTERATION OF SERIAL FRAME NUMBER.** It shall be unlawful for any person willfully or maliciously to remove, destroy, mutilate or alter the manufacturer's serial frame number of any bicycle.

**25.83 SIRENS OR WHISTLES.** No bicycle shall be equipped with nor shall any person use upon a bicycle any siren or whistle.

**25.84 LAMPS AND REFLECTORS.** Every bicycle shall be equipped with a lamp on the front exhibiting a white light, when used on the public ways of the City at any time from sunset to sunrise, and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the street at a distance of five hundred (500) feet ahead. Such light shall be visible from a distance of at least three hundred (300) feet to the front. Such bicycle when so used shall display a lamp on the rear exhibiting a red light visible from a distance of three hundred (300) feet to the rear, except that in lieu thereof may be used a red reflector mounted not less than twenty-four (24) inches nor more than forty-two (42) inches above the ground, which shall be visible at night from all distance within five hundred (500) feet to fifty (50) feet from the bicycle when directly in front of a motor vehicle displaying lawfully light headlamps.

**25.85 BRAKES.** Each bicycle used upon the public ways of the City shall be equipped with a brake which will enable the operator to make the braked wheel skid on a dry, level pavement and which may be applied and bring the bicycle to a stop without the brake locking the braked wheel.

**25.86 MOTOR VEHICLE LAWS APPLICABLE.** Every person operating a bicycle upon the public ways of the City shall be subject to the provisions of this Code, and other traffic ordinances of the City and the statutes of the state applicable to the drivers of motor vehicles, except as to special regulations in this Subchapter and except as to those provisions of ordinance and statutes which by their nature can have no application.

**25.87 RIDING ON HANDLEBARS PROHIBITED.** It shall be unlawful for the operator of any bicycle, or any motorcycle not equipped with a side car or built to transport two (2) person, when upon any public street, to carry any other person upon the handlebars, frame or other part thereof, or for any other person to so ride on such vehicle.

**25.88 OBEDIENCE TO SIGNALS.** Any person operating a bicycle shall obey the directions of traffic control signs, signals and devices applicable to other vehicles unless otherwise directed by a police officer and shall obey direction signs relative to turns permitted unless such person dismounts from the bicycle, in which case he or she shall then obey the regulations applicable to pedestrians.

**25.89 PLACE OF RIDING.** Every person operating a bicycle upon a public way shall ride as near

to the right hand side of the way as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. When so riding upon a public way with other cyclists, there shall be not more than two (2) abreast. On public ways set aside for the exclusive use of bicycles and pedestrians, every person operating a bicycle shall yield the left one-half of the public way for approaching bicycles or pedestrians.

25.90 CARRYING PACKAGES. No person operating a bicycle upon a public way shall carry any package, bundle or other item(s) which prevents the rider from keeping at least one (1) hand upon the handlebars.

25.91 CONTROL. The operator of a bicycle upon a street or public way shall keep the same under control at all times and at all times during operation shall have one (1) or both hands upon the handlebars and the feet engaged with the braking device.

25.92 EMERGING FROM ALLEYS OR DRIVEWAY. The operator of a bicycle emerging from any alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway or driveway, yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area and, upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway.

25.93 OPERATION ON SIDEWALK. Bicycles may be operated upon the public sidewalks in a careful and prudent manner and at a rate of speed not exceeding eight (8) miles per hour. Every person lawfully operating a bicycle upon a public sidewalk, when approaching a pedestrian or a vehicle occupied by a child under the age of sixteen (16) years, shall either dismount or give a clear right-of-way to the full extent of such sidewalk to such pedestrian or child, and, in overtaking such pedestrian or child, shall give an audible signal before passing.

25.94 CLINGING TO OTHER VEHICLES. No person riding upon any bicycle on a street or public way shall attach the bicycle or the person to any moving vehicle upon such street or public way.

25.95 PARKING. No person shall park a bicycle upon a street, other than upon the sidewalk in a rack to support the bicycle, or against the sidewalk in a rack to support the bicycle, or against a building or at the curb in such a manner as to afford the least obstruction to pedestrian traffic, or upon the parking area between the sidewalk and the roadway.

25.96 PROHIBITED OPERATION - INTERSTATE 235. No person shall ride, park or stop any bicycle within any fenced portion of the right of way of Interstate Highway 235.

25.97 RECKLESS OPERATION. No person shall operate a bicycle on a public way at a speed greater than is reasonable and prudent under the conditions then existing and shall not operate the same in such a manner as to constitute a willful or wanton disregard for the safety of persons or property.

**SUBCHAPTER 9****STOPPING, STANDING AND PARKING REGULATIONS**

**25.98 PARKING AT RIGHT HAND CURB.** Except where angle parking is permitted by this Code, every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be so stopped or parked with the right hand wheels of such vehicle parallel with and within eighteen (18) inches, but not closer than two (2) inches, of the right hand curb.

**25.99 PARKING PROHIBITED.** No person shall stop, stand or park a vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

1. On a sidewalk.
2. In front of a public or private driveway.
3. Within an intersection.
4. Within five (5) feet of a fire hydrant.
5. On a crosswalk.
6. Within ten (10) feet upon the approach to any flashing beacon, stop or yield sign, or traffic control signal located at the side of a roadway.
7. Between a safety zone and the adjacent curb or within ten (10) feet of points on the curb immediately opposite the ends of a safety zone.
8. Within fifty (50) feet of the nearest rail of a railroad crossing, except when parked parallel with such rail and not exhibiting a red light.
9. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when properly sign posted.
10. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
11. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
12. On the center parkway or dividing area of any divided street.

13. At any place where official signs prohibit stopping or parking.
14. On any street prohibited by ordinance during removal of snow or ice.
15. In front of a curb cut or ramp which is located on public or private property in a manner which blocks access to the curb cut or ramp.

(Code of Iowa, 1995, Sec. 321.358)

25.100 PARKING - INTERSTATE 235. No person shall stop, stand or park a vehicle, whether attended or unattended, within any fenced portion of the right of way of Interstate Highway 235, or on any ramps thereof or on any approaches thereto, except duly authorized construction, maintenance or law enforcement vehicles or vehicles present for the purpose of servicing or removing a disabled vehicle or aiding the injured.

The foregoing provisions shall not apply to the driver of any vehicle which is disabled in such a manner and to such an extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position. The driver of such disabled vehicle shall, if possible, stop or push the same off of the paved or improved part of the main traveled part of the right of way.

25.101 HANDICAPPED PARKING - UNLAWFUL USE.

1. A handicapped identification device shall be displayed in a motor vehicle as a hanging device or on a motor vehicle as a plate or sticker as provided in Code of Iowa Section 321L.2 when being used by a handicapped person, either as an operator or passenger. Each hanging device shall be of uniform design and fabricated of durable material, suitable for display from within the passenger compartment of a motor vehicle, and readily transferable from one vehicle to another.
2. The use of a handicapped parking space, located on either public or private property as provided in Code of Iowa Sections 321L.5 and 321L.6, by a motor vehicle not displaying a handicapped identification device; by a motor vehicle displaying such a device but not being used by a handicapped person, as an operator or passenger; or by a motor vehicle in violation of the rules adopted by the state Department of Transportation under section 321L.8, constitutes improper use of a handicapped identification device which is a misdemeanor for which a fine shall be imposed upon the owner, operator, or lessee of the motor vehicle or the purchaser of the handicapped identification device. The fine for each violation shall be one hundred (100) dollars. A violation of this Section may be charged and collected upon a simple notice of the one hundred (100) dollar fine payable to the City Clerk. Proof of conviction of two or more violations involving improper use of a handicapped identification device is grounds for revocation by the court or the department of the holder's privilege to possess or use the device.

25.102 NO PARKING ZONES. No person shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal:

(Code of Iowa, 1995, Sec. 321.236 [1])

1. Allison Avenue on the south side from Sixty-sixth Street to Sixty-fourth Street.
2. Bellaire Avenue on the north side from Seventy-third Street to Seventieth Street.
3. Carpenter Drive on the south side from Seventy-first Street to Seventieth Street.
4. Carpenter Drive on the south side from Sixty-eighth Street to Sixty-sixth Street.
5. Carpenter Drive on the south side from Sixty-fifth Street to Sixty-fourth Street.
6. Colby Avenue on the south side from Seventy-third Street to Sixty-third Street and on the north side for the first 80 feet west of 63<sup>rd</sup> Street.
7. College Avenue on the south side from Sixty-eighth Street to Sixty-sixth Street.
8. College Avenue on the south side from Sixty-fourth Street to Sixty-third Street.
9. College Drive on the east and south sides from the west corporate limits to Seventy-third Street.
10. Crocker Street on the north side from Sixty-fifth Street to Sixty-fourth Street.
11. Del Matro Avenue on the south side from Seventy-third Street to Sixty-fourth Street.
12. Del Matro Court on the east and south sides from Del Matro Avenue to the southern terminus.
13. Eightieth Street on the east and north sides from College Drive to northern terminus.

14. Elmcrest Drive on the south side from Sixty-fifth Street to Sixty-fourth Street.
15. Elmcrest Drive on the south side from Sixty-eighth Street to the eastern terminus.
16. El Rancho Avenue on the south side from Seventy-third Street to Seventieth Street.
17. Forest Court on the south side from Seventy-third Street to Sixty-fourth Street.
18. Franklin Avenue on the south side from Seventy-third Street to Seventieth Street.
19. Franklin Avenue on the south side from Sixty-third Street to western terminus.
20. Franklin Avenue on the north side from Sixty-third Street to a point 33 feet west.
21. Garrison Road on the south side from Shasta Place to Monterey Drive.
22. Jefferson Avenue on the south side from Seventy-third Street to Seventieth Street.
23. Lamar Place on the south side from Sixty-fifth Street to Sixty-fourth Street.
24. Lincoln Avenue on the south side from Sixty-eighth Street to Sixty-fourth Street.
25. Lincoln Avenue on the north and south sides from Sixty-fourth Street to Sixty-third Street.
26. Lincoln Avenue on the north side from Sixty-eighth Street to a point 89 feet east.
27. Luin Lane on the south and east sides from College Drive to College Drive.
28. Marilyn Drive on the north side from Seventy-sixth Street to the west corporate limits.

29. Monterey Drive on the south and east sides from Garrison Road to Seventieth Street.
30. Mott Avenue on the south side from Sixty-ninth Street to Sixty-sixth Street.
31. Mott Avenue on the south side from Sixty-fifth Street to Sixty-fourth Street.
32. Northwest Drive on the south side from Sixty-fourth Street to Sixty-ninth Street.
33. Plaza Circle on the south and east sides from College Drive to the southern terminus.
34. Reite Avenue on the south side from Seventy-third Street to Sixty-eighth Street.
35. School Street on the south side from the western terminus to Sixty-third Street.
36. Seventy-ninth Street on the east side from College Drive to Marilyn Drive.
37. Seventy-eighth Street on the east side from College Drive to Marilyn Drive.
38. Seventy-seventh Street on the east side from College Drive to Marilyn Drive.
39. Seventy-sixth Street on the east side from College Drive to Marilyn Drive.
40. Seventy-fifth Street on the east side from College Drive to Wilshire Boulevard.
41. Seventy-fourth Street on the east side from College Drive to Wilshire Boulevard.
42. Seventy-third Street on both sides from south corporate limits to north corporate limits.
43. Seventy-second Street on the east side from University Avenue to Forest Court.
44. Seventy-first Street on the east side from University Avenue to Forest Court.
45. Seventieth Street on the east side from University Avenue to north corporate limits.

46. Seventieth Street on the west side from Del Matro Avenue to Washington Avenue.
47. Shasta Place on the west side from Garrison Road to north corporate limits.
48. Sixty-ninth Street on the east side from School Street to University Avenue.
49. Sixty-ninth Street on the east side from Washington Avenue to north corporate limits.
50. Sixty-eighth Street on the east side from Windsor Place to School Street.
51. Sixty-eighth Street on the east side from School Street to Washington Avenue.
52. Sixty-eighth Street on the east side from Timmons Drive to the north corporate limits.
53. Sixty-seventh Street on the west side from Windsor Place to School Street.
54. Sixty-seventh Street on the east side from School Street to University Avenue.
55. Sixty-sixth Street on the east side from School Street to University Avenue.
56. Sixty-sixth Street on the west side from University Avenue to the south line of Lot 4 Cooper Place.
57. Sixty-sixth Street on the east side from Del Matro Avenue to 113 feet north of University Avenue.
58. Sixty-sixth Street on the east side from Lincoln Avenue to the southern terminus.
59. Sixty-sixth Street on the east from College Avenue to Washington Avenue.
60. Sixty-fifth Street on the west side from Center Street to Crocker Street.
61. Sixty-fifth Street on the east side from Lamar Place to Forest Court.
62. Mariner Place on the east side from Center Street to Crocker Street.

63. Sixty-fourth Street on the east side from Lamar Place to the northern terminus and on the west side of the street for one-hundred and thirty (130) feet south originating from School Street.
64. Sixty-fourth Street on the east side from University Avenue to College Avenue.
65. Sixty-fourth Street on the east side from Northwest Drive to the northern terminus.
66. Sixty-third Street on the west side from Hickman Road to Center Street.
67. Sunrise Boulevard on the south side from Seventy-third Street to Seventieth Street.
68. Sunset Terrace on the south side from Seventy-third Street to Sixty-third Street.
69. University Avenue on the south side from Sixty-sixth Street to the west corporate limits.
70. University Avenue on the south side from Sixty-fifth Street to Sixty-third Street.
71. University Avenue on the north side from the west corporate limits to 57 feet west of Sixty-sixth Street.
72. University Avenue on the north side from Sixty-third Street to 250 feet east of Sixty-sixth Street.
73. Washington Avenue on the south side from Seventy-third Street to Sixty-sixth Street and on the north side from Sixty-sixth Street to Sixty-third Street.
74. Wilshire Boulevard on the south side from Seventieth Street to the western terminus.
75. Windsor Place on the south side from Sixty-eighth Street to Sixty-seventh Street.
76. Sixty-seventh Street on the west side from the south boundary with University Avenue to a point 100 feet south thereof.
77. Sixty-eighth Street on the west side from the south boundary with University

Avenue to a point 100 feet south thereof.

78. Sixty-Eighth Street on the West side from the south boundary with Hickman Road to a point 200 feet south thereof.

79. Sixty-ninth Street on the west side from the south boundary with University Avenue to a point 100 feet south thereof.

80. Sixty-ninth Street on the west side from the south boundary with Hickman Road to a point 100 feet south thereof.

81. Sixty-seventh Street on the east side from the south boundary with School Street to a point 89 feet south thereof.

82. Seventieth Street on the east and west sides from the south boundary with University Avenue to a point 362.99 feet south thereof.

83. College Drive on the north side from the west line of Seventy-third Street to the east line of Seventy-fourth Street.

84. Sixty-fourth Street on the west side from the north boundary of University Avenue to a point 75 feet north thereof.

85. College Drive on the north side from the west line of Seventy-fifth Street to the east line of Seventy-sixth Street.

86. 64<sup>th</sup> Street on the West side starting from the southwest corner of the intersection with Del Matro to a point 85 feet south of the intersection.

87. 64<sup>th</sup> Street on the West side starting from a point that is 85 feet south of the southwest corner of the intersection with Del Matro and continuing south for 50 feet. The “no parking” designation in this area shall indicate no parking on any weekday (Monday through Friday) from the times of 7:00 a.m. to 4:00 p.m.

88. Del Matro on the north side starting from a point that is 41 feet west of the northwest corner of the intersection with 64<sup>th</sup> Street and continuing west for 56 feet. The “no parking” designation in this area shall indicate no parking on any weekday (Monday through Friday) from the times of 7:00 a.m. to 4:00 p.m.

25.102A NO PARKING ZONES No person shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except on Sundays; when necessary to avoid conflict with other traffic; or in compliance with the direction of a peace officer or traffic control signal:

1. Seventieth Street on the West side from University Avenue to north corporate limits.

25.103 ERECTION OF SIGNS. The Superintendent of Public Works shall mark the prohibited parking zones designated in the preceding section with signs with the words "NO PARKING THIS SIDE" or "NO PARKING ANY TIME" or "NO PARKING THIS SIDE OF SIGN" thereon. In the alternative, the Superintendent may mark said prohibited parking zones by painting the curbing adjacent thereto with yellow paint along the full length of each such zone.

25.104 NO PARKING FOR ANY PURPOSE BETWEEN CERTAIN HOURS LOCATIONS DESIGNATED. It shall be unlawful to park a vehicle, except to avoid an accident or in obedience to the signal of a police officer or traffic control device, in any of the locations specifically designated in this section during the times specified.

1. College Avenue. College Avenue, on the north side, from the west line of Sixty-fourth Street to the west line of Sixty-third Street, between seven (7) o'clock a.m. and five (5) o'clock p.m., except Saturdays, Sundays and legal holidays.
2. Sixty-fourth Street. Sixty-fourth Street, on the west side, from the north line of Del Matro Avenue to the north line of College Avenue, between seven (7) o'clock a.m. and five (5) o'clock p.m., except Saturdays, Sundays and legal holidays.

The Superintendent of Public Works shall mark the prohibited parking zones designated in this section with signs with appropriate wording thereon.

25.105 NO PARKING, EXCEPT FOR LOADING AND UNLOADING, BETWEEN CERTAIN HOURS ON SPECIFIED STREETS LOCATIONS DESIGNATED. It shall be unlawful to 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 of the locations specifically designated in this section:

1. Sixty-sixth Street. Sixty-sixth Street, on the west line, from a point one hundred twenty-six (126) feet north of the north line of University Avenue to a point two hundred eleven (211) feet north of the north line of University Avenue.

The Superintendent of Public Works shall mark the prohibited parking zones designated in this section with signs with the words "NO PARKING - LOADING ZONE" thereon.

25.106 ANGLE PARKING LOCATIONS DESIGNATED. Angle parking only shall be permitted in the locations specifically designated in this section at the angle indicated:

1. Sixty-sixth Street. Sixty-sixth Street, on the west side, from the north line of University Avenue to a point one hundred (100) feet north of the north line of University Avenue, at an angle of forty-five (45) degrees.
2. Sixty-sixth Street. Sixty-sixth Street, on the east side, from the north line of University Avenue to a point one hundred (100) feet north of the north line of University Avenue, at an angle of forty-five (45) degrees.
3. University Avenue. University Avenue, on the north side, from a point fifty-seven (57) feet west of the west line of Sixty-sixth Street to the west line of Sixty-sixth Street, at an angle of forty-five (45) degrees.
4. University Avenue. University Avenue, on the north side, from the east line of Sixty-sixth Street to a point two hundred fifty (250) feet east of the east line of Sixty-sixth Street, at an angle of forty-five (45) degrees.

25.107 ANGLE PARKING - RESTRICTIONS. Where angle parking is permitted, it shall be lawful

to park vehicles which do not exceed twenty (20) feet in length within the parallel lines hereinafter required, provided, however, that the wheel of such vehicle closest to the curb shall stand within eight (8) inches thereof.

25.108 ERECTION OF SIGNS. The Superintendent of Public Works shall mark the permitted angle parking zones designated herein at each extremity thereof with signs with the words "ANGLE PARKING" thereon. The Superintendent shall also paint parallel lines upon the roadway in said zones at a minimum distance of eight (8) feet and a maximum distance of ten (10) feet from each other at the angles designated herein.

25.109 TWO HOUR PARKING BETWEEN 8:00 A.M. and 6:00 P.M. LOCATIONS DESIGNATED. Subject to all other provisions of this Traffic Code, it shall be unlawful to park a vehicle continuously in any one (1) block for more than two (2) hours between the hours of eight (8) o'clock a.m. and six (6) o'clock p.m., except Sundays and legal holidays, in any of the locations specifically designated in this section:

1. Sixty-sixth Street. Sixty-sixth Street, on the both sides, from the north line of University Avenue to a point one hundred (100) feet north of the north line of University Avenue.
2. University Avenue. University Avenue, on the north side, between 65<sup>th</sup> Street and 66<sup>th</sup> Street.

The Superintendent of Public Works shall mark the two (2) hour parking zones designated in this section with signs with appropriate wording thereon.

25.110 SNOW REMOVAL - PARKING RESTRICTIONS. Notwithstanding all other parking restrictions in this Traffic Code, it shall be unlawful to park any vehicle, except to avoid an accident or in obedience to the signal of a police officer or a traffic control device, upon any of the streets of the City during the time of any snow fall and within twenty-four (24) hours following the end of any snow fall.

25.111 PARKING CONTINUOUSLY IN ONE PLACE FOR MORE THAN TWENTY-FOUR (24) HOURS PROHIBITED. No person shall park any vehicle and Permit the same to remain standing upon any public street in the City continuously and in one place for a period of more than twenty-four (24) hours. A violation of this section shall place such vehicle in the status of an abandoned motor vehicle and the same shall be dealt with pursuant to this Code.

25.112 PARKING IN ALLEYS. No person shall park a vehicle in any alley except for the expeditious loading, unloading and delivery which is incident to said loading and unloading of material or merchandise or passengers, and, in no event shall any vehicle park in any alley for more than forty (40) minutes at any one time.

25.113 ILLEGAL OFF-STREET PARKING. No person shall drive, stop, stand or park a vehicle onto or upon privately owned property or in an area developed as an off-street parking facility, without the consent of the owner, lessee or person in charge of such privately owned property or facility. A violation of this section shall place such vehicle in the status of an illegally parked vehicle and, upon complaint of the owner, lessee or person in charge of the privately owned property or facility, said vehicle may be dealt with pursuant to the procedures of this Municipal Code governing abandoned vehicles.

25.114 PARKING BETWEEN CURB AND LOT LINES. No person shall park a vehicle on any unpaved portion of any street between the curb line and the lot line, except that, on recommendation of the City Administrator, duly approved by resolution of the Council, parking may be permitted at such locations when requested in writing by property owners. Each such location must be properly marked by approved metal signs at the extremities of such location. The expense of such signs shall be borne by the property owner.

25.115 PARKING NEAR MAIL BOXES ADJACENT TO STREETS. It shall be unlawful to park a vehicle within a distance of twenty (20) feet on either side of a mail box which is so placed and so equipped as to permit the depositing of mail from vehicle on the roadway.

25.116 PARKING FOR CERTAIN PURPOSES PROHIBITED. No person shall stand or park a vehicle upon any roadway for the principal purpose of advertising; displaying it for sale, or washing, greasing or repairing such vehicle, except for repairs necessitated by an emergency.

25.117 ERECTION OF TEMPORARY SIGNS PROHIBITING PARKING NEAR EXCAVATIONS AND OBSTRUCTIONS IN STREETS. No person shall excavate or obstruct any street until the person first reports to the Superintendent of Public Works of the person's intention to do so, whereupon it shall become the duty of the Superintendent to authorize the erection of temporary "NO PARKING" signs along side or opposite such area if the stopping, standing or parking of vehicles therein would obstruct traffic.

25.118 MOVING OTHER VEHICLES. No person shall move a vehicle not owned by such person into any prohibited area or away from a curb such distance as is unlawful.

(Code of Iowa, 1995, Sec. 321.359)

25.119 UNATTENDED MOTOR VEHICLES. No person driving in or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition

and removing the key, and, when standing upon any perceptible grade, without effectively setting the brake thereupon and turning the front wheels to the curb or side of the street.

(Code of Iowa, 1995, Sec. 321.362)

25.120 LAMPS ON PARKED VEHICLES. Whenever a vehicle is parked or stopped upon a roadway or should adjacent thereto, outside of a business district, whether attended or unattended, during the times mentioned in Section 25.122 of this Code, such vehicle shall be equipped with one or more lamps which shall exhibit a white or amber light on the roadway side visible from a distance of five hundred (500) feet to the front of such vehicle and a red light visible from a distance of five hundred (500) feet to the rear, unless such vehicle is parked within fifteen (15) feet of any pole, post or standard on which a city street light is erected and lighted and there is sufficient light to reveal any person or object within a distance of five hundred (500) feet upon such street. Lamps on parked or stopped vehicles, except trucks, trailers or semi-trailers as defined in Code of Iowa Sec. 321.392, required to be exhibited by this section, but not including running lights, shall not be lighted at any time when the vehicle is being driven on the streets unless the headlamps are also lighted. Any lighted headlamps on a parked vehicle shall be depressed or dimmed.

25.121 PARKING OF TRUCKS, TRACTORS AND TRAILERS PROHIBITED ON SPECIFIC STREETS. No person shall park a motor truck having a freight capacity greater than one ton or any trailer, semi-trailer, tractor, road tractor or truck tractor unit at any time upon any portion of a street abutting or adjacent to property zoned R-1, R-1A, R-2, or R-3 occupancy as defined in this Code of Ordinances, provided, however, any such vehicle shall be excluded from the provisions of this section when actually making pick-ups or deliveries to, or conducting lawful business at, any residence or building within the districts governed by this section.

**SUBCHAPTER 10****EQUIPMENT REGULATIONS**

**25.122 WHEN LIGHTED LAMPS REQUIRED.** Every motor vehicle upon a street within the City, at any time from sunset to sunrise, and at such other times when conditions such as fog, snow, sleet or rain provide insufficient lighting to render clearly discernible persons and vehicles on the street at a distance of five hundred (500) feet ahead, shall display lighted headlamps as provided in Section 25.126 of this Code, subject to exceptions with respect to parked vehicles as herein stated.

Whenever requirement is herein declared as to the distance from which certain lamps and devices shall render objects visible, or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in the preceding paragraph of this section upon a straight level unlighted street under normal atmospheric conditions unless a different time or condition is expressly stated.

This section shall not apply when an accident extinguishes said lights and renders a vehicle incapable of use, and when the person in control of the vehicle erects, at the earliest opportunity after the accident, such proper light at or near the vehicle as will give warning of the presence of said vehicle.

(Code of Iowa, 1995, Sec. 321.384)

**25.123 HEADLAMPS ON MOTOR VEHICLES.** Every motor vehicle, other than a motorcycle, shall be equipped with at least two (2) headlamps with at least one (1) on each side of the front of the motor vehicle, which headlamps shall comply with the requirements and limitations set forth in this Code.

(Code of Iowa, 1995, Sec. 321.385)

**25.124 HEADLAMPS ON MOTORCYCLES.** Every motorcycle shall be equipped with at least one (1) and not more than two (2) headlamps which shall comply with the requirements and limitations set forth in this Code.

(Code of Iowa, 1995, Sec. 321.386)

**25.125 MANDATORY LIGHTING EQUIPMENT.** Except as herein provided, the headlamps on motor vehicles, other than motorcycles or motor driven cycles, shall be so arranged that the driver may select at will between distributions of light projected to different elevations and such lamps may, in addition, be so arranged that such selections can be made automatically, subject to the following limitations.

1. There shall be an upper most distribution of light or composite beam, so

aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions.

2. There shall be a lower most distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead; and, on a straight level street under any condition of loading, none of the high intensity portion of the beams shall be directed to strike the eyes of an approaching driver.

3. Every new motor vehicle shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the headlamps is in use, and shall not otherwise be lighted. Said indicator shall be so designed and located that, when lighted, it will be readily visible without glare to the driver of the vehicle so equipped.

(Code of Iowa, 1995, Sec. 321.409)

25.126 REQUIRED USAGE OF LIGHTING DEVICES. Whenever a motor vehicle is being operated on a roadway, or shoulder adjacent thereto, during the times specified in Section 25.122 of this Code, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

1. Whenever a driver of a vehicle approaches an oncoming vehicle within one thousand feet, the driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lower most distribution of light, or composite beam, specified in Section 25.125 of this Code, shall be deemed to avoid glare at all times, regardless of road contour and loading.

2. Whenever the driver of a vehicle follows another vehicle within four hundred feet to the rear, except when engaged in the act of overtaking and passing, the driver shall use a distribution of light permissible under this chapter other than the uppermost distribution of light specified in section 25.125 of this Code.

(Code of Iowa, 1995, Sec. 321.415)

25.127 REAR LAMPS. All lamps and lighting equipment originally manufactured on a motor vehicle shall be kept in working condition or shall be replaced with equivalent equipment. Every motor vehicle and every vehicle which is being drawn at the end of a train of vehicles shall be equipped with a lighted

rear lamp, exhibiting a red light plainly visible from a distance of five hundred (500) feet to the rear.

(Code of Iowa, 1995, Sec. 321.387)

25.128 ILLUMINATING PLATES. Either the rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and center it clearly legible from a distance of fifty (50) feet to the rear. When the rear license plate is illuminated by an electric lamp other than the required rear lamp, said two (2) lamps shall be turned on or off only by the same control switch at all times whenever headlamps are lighted.

(Code of Iowa, 1995, Sec. 321.388)

25.129 LAMP OR FLAG ON PROJECTING LOAD. Whenever the load upon any vehicle extends to the rear four (4) feet or more beyond the bed or body of a vehicle, there shall be displayed at the extreme rear end of the load, at all times specified in Section 25.122 of this Code, a red light or lantern plainly visible from a distance of at least five hundred (500) feet to the sides and rear. The red light or lantern required under this section shall be in addition to the red rear light required upon every vehicle. At any other time there shall be displayed at the extreme rear end of such load a red flare or cloth not less than sixteen (16) inches square.

(Code of Iowa, 1995, Sec. 321.394)

25.130 LAMPS ON OTHER VEHICLES AND EQUIPMENT. All vehicles, including animal drawn vehicles not hereinbefore specifically required to be equipped with lamps, shall, at the times specified in Section 25.122 of this Code, be equipped with at least one (1) lighted lamp or lantern exhibiting a white light visible from a distance of five hundred (500) feet to the front of such vehicle and with a lamp or lantern exhibiting a red light visible from a distance of five hundred (500) feet to the rear.

(Code of Iowa, 1995, Sec. 321.398)

25.131 SPOT LAMPS. Any motor vehicle may be equipped with not to exceed one (1) spot lamp and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred (100) feet ahead of the vehicle.

(Code of Iowa, 1995, Sec. 321.402)

25.132 NUMBER OF DRIVING LAMPS REQUIRED OR PERMITTED. At all

times specified in Section 25.122 of this Code, at least two (2) lighted lamps, except where one (1) only is permitted, shall be displayed, one (1) on each side of the front of every motor vehicle, except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

(Code of Iowa, 1995, Sec. 321.419)

25.133 RED LIGHT IN FRONT. No person shall drive or move any vehicle or equipment upon any street with any lamp or device thereon displaying or reflecting a red light visible from directly in front thereof. This section shall not apply to authorized emergency vehicles, school buses or vehicles defined by Code of Iowa Sec. 321.423 (6). No person shall display any color of light other than red on the rear of any vehicle, except that stop lights and directional signals may be red, yellow or amber.

(Code of Iowa, 1995, Sec. 321.422)

25.134 FLASHING LIGHTS.

1. Definitions. As used in this section, unless the context otherwise requires:
  - A. "Advanced emergency medical care provider" means as defined in Code of Iowa section 147A.1.
  - B. "Basic emergency medical care provider" means as defined in Code of Iowa section 147.1.
  - C. "Fire department" means a paid or volunteer fire protection service provided by a benefited fire district under Code of Iowa Chapter 357B or by a county, municipality or township, or a private corporate organization that has a valid contract to provide fire protection service for a benefited fire district, county, municipality, township or governmental agency.
  - D. "Hazard lights" are lights which flash yellow or amber to the front of the vehicle and red to the rear of the vehicle simultaneously.
  - E. "Member" means a person who is a member in good standing of the fire department or a person who is an advanced or basic emergency medical care provider employed by an ambulance, rescue, or first responder service.
2. Prohibited lights. A flashing light on or in a motor vehicle is prohibited except as follows:

- A. On an authorized emergency vehicle.
  - B. On a vehicle as a means of indicating a right or left turn, a mechanical failure, or an emergency stop or intent to stop.
  - C. On a motor vehicle used by a rural mail carrier when stopping or stopped on or near a highway in the process of delivering mail, if such a light is any shade of color between white and amber and if it is mounted as a dome light on the roof of the vehicle.
  - D. On a vehicle being operated under an excess size permit issued under Code of Iowa Chapter 321E.
  - E. A flashing blue light on a vehicle upon which a blue light is permitted pursuant to subsection 3 of this section.
  - F. A flashing white light, used in conjunction with hazard lights, is permitted on a vehicle pursuant to subsection 7.
  - G. A white flashing strobe light mounted on a school bus as permitted under section 321.373, subsection 7.
3. Blue Light. A blue light shall not be used on any vehicle except:
- A. A vehicle owned or exclusively operated by a fire department;  
or
  - B. A vehicle authorized by the director when:
    - (1) The vehicle is owned by a member of a fire department.
    - (2) The request for authorization is made by the member on forms provided by the department.
    - (3) Necessity for authorization is demonstrated in the request.

(4) The Chief of the Fire Department certifies that the member is in good standing with the Department and recommends that the authorization be granted.

4. Expiration of authority. The authorization shall expire at midnight on the thirty-first day of December five years from the year in which it was issued, or when the vehicle is no longer owned by the member, or when the member has ceased to be an active member of the fire department or of an ambulance, rescue, or first responder service or when the member has used the blue or white light beyond the scope of its authorized use.

5. When Used. The certificate of authorization shall be carried at all times with the certificate of registration of the authorized vehicle and the operator of the vehicle shall not illuminate the blue or white light except in any of the following circumstances:

A. When the member is en route to the scene of a fire or is responding to an emergency in the line of duty requiring the services of the member.

B. When the authorized vehicle is transporting a person requiring emergency care.

C. When the authorized vehicle is at the scene of an emergency.

D. The use of the blue or white light in or on a private motor vehicle shall be for identification purposes only.

6. Amber flashing light. A farm tractor, farm tractor with towed equipment, self-propelled implement of husbandry, road construction or maintenance vehicle, road grader, or other vehicle principally designed for use off the highway which, when operated on a primary or secondary road, is operated at a speed of twenty-five miles an hour or less, shall be equipped with and display an amber flashing light visible from the rear at any time from sunset to sunrise. All vehicles specified in this subsection which are manufactured for sale or sold in this state shall be equipped with an amber flashing light. The type, number, dimensions, and method of mounting of the lights shall be determined by the director. The director, when approving the light, shall be guided as far as practicable by the standards of the American society of agricultural engineers.

7. Flashing white light. Except as provided in Section 321.373, subsection 7, and Section 321.423, subsection 2, paragraph "c" of this section, a flashing white light shall only be used on a vehicle when used in conjunction with hazard lights and a flashing white light shall not be used on a vehicle except in any of the following circumstances:

A. On a vehicle owned or exclusively operated by an ambulance, rescue, or first responder service.

B. On a vehicle authorized by the director of public health when all of the following apply:

(1) The vehicle is owned by a member of an ambulance, rescue, or first responder service.

(2) The request for authorization is made by the member on forms provided by the Iowa department of public health.

(3) Necessity for authorization is demonstrated in the request.

(4) The head on an ambulance, rescue, or first responder service certifies that the member is in good standing and recommends that the authorization be granted.

C. On an authorized emergency vehicle.

(Code of Iowa, 1995, Sec. 321.423)

**25.135 BRAKES.** Every motor vehicle, trailer, semi-trailer, motorcycle and bicycle used upon the public streets of the City shall be provided with such brakes as comply with Code of Iowa, Sections 321.430 and 321.431, which sections are, by this reference, incorporated herein as fully and completely as if herein set forth in full.

**25.136 HORNS AND WARNING DEVICES.** Every motor vehicle when operated upon a street shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or whistle. The driver of a motor

vehicle shall, when reasonably necessary to insure safe operation, give audible warning with his horn, but shall not otherwise use such horn when upon a street.

(Code of Iowa, 1995, Sec. 321.432)

25.137 SIRENS AND BELLS PROHIBITED. No vehicle shall be equipped with, nor shall any person use upon a vehicle, any siren, whistle or bell, except as otherwise permitted in this section. It is permissible, but not required, that any commercial vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning sign. Any authorized emergency vehicle may be equipped with a siren, whistle or bell, capable of emitting sound audible under normal conditions from a distance of not less than five hundred (500) feet and of the type approved by the state Department of Transportation, but such siren shall not be used 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, in which such latter event the driver of such vehicle shall sound such siren when necessary to warn pedestrians and other drivers of the approach thereof.

(Code of Iowa, 1995, Sec. 321.433)

25.138 LOUD SIGNALING AT NIGHT. Loud signaling devices shall not be used during the period from sunset to sunrise, unless absolutely necessary to avoid accidents.

25.139 MUFFLERS AND CUTOUTS. Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cutout, by pass or similar device upon a motor vehicle on a street.

(Code of Iowa, 1995, Sec. 321.436)

25.140 MIRRORS. Every motor vehicle shall be 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. Any motor vehicle so loaded or towing another vehicle in such manner as to obstruct the view in a rear view mirror located in the driver's compartment shall be equipped with a side mirror so located that the view to the rear will not be obstructed. However when such vehicle is not loaded or towing another vehicle the side mirrors shall be retracted or removed. All van or van type motor vehicles shall be equipped with outside mirrors of unit magnification, each with not less than nineteen point five square inches of reflective surface, installed with stable supports on both sides of the vehicle, located so as to provide the driver a view to the rear along both sides of the vehicle, and adjustable in both the horizontal and vertical directions to view the rearward scene.

Notwithstanding Code of Iowa Chapters 321 and 321E, a combination of vehicles coupled together which is used exclusively for the transportation of passenger vehicles, light delivery trucks, panel delivery trucks, pickups, boats, and recreational chassis, may permanently attach a convex-type mirror on either or both of the vertical supports, forward of the steering axle of the power unit,

provided that the mirror shall not extend beyond the limit of any other rearview mirror on the vehicle.

(Code of Iowa, 1995, Sec. 321.437)

#### 25.141 WINDSHIELDS AND WINDOWS.

1. General Prohibition. No person shall drive any motor vehicle equipped with a windshield, side or rear windows which do not permit clear vision.
2. Tinted Window Prohibition. A person shall not operate on the highway a motor vehicle equipped with a front windshield, a side window to the immediate right or left of the driver, or a sidewing forward of and to the left or right of the driver which is excessively dark or reflective so that it is difficult for a person outside the motor vehicle to see into the motor vehicle through the windshield, window, or sidewing.
3. Standard of Transparency. "Excessively dark or reflective" means that the windshield, front side window or front sidewing does not meet the minimum standard of transparency established in 49 CRF 571.205 (ANS Z-26.1-1977 and Z-26.1a-1980) as adopted in Iowa Administrative Code, rule 450.1(321). The federal regulation establishes a minimum standard of transparency requiring seventy percent (70%) light transmittance.
4. Dark Window Exemption.
  - A. A person suffering from a severe light sensitive condition may be exempt from the standard of transparency if the need is documented by a physician. The exemption does not apply to a commercial vehicle.
  - B. A passenger or operator of a motor vehicle who for medical reasons requires a front windshield, a front side window or a front side wing with less than 70 percent but not less than 35 percent light transmittance may obtain a form to be signed by the person's physician. Form 432020 is available from the office of vehicle registration at the address in paragraph 450.1(7)"b".

C. "Physician" as used in this rule means a person licensed under Iowa Code chapter 148, 150, 150A or 154.

(Code of Iowa, 1995, Sec. 321.438)

25.142 WINDSHIELD WIPERS. The windshield on every 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 the vehicle.

(Code of Iowa, 1995, Sec. 321.439)

25.143 RESTRICTIONS AS TO TIRE EQUIPMENT. Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one (1) inch thick above the edge of the flange of the entire periphery. No pneumatic tires shall be used on a motor vehicle when such tire is worn to the extent that more than two (2) layers of fabric or cords are exposed on the entire traction surface.

(Code of Iowa, 1995, Sec. 321.440)

25.144 METAL TIRES PROHIBITED. No person shall operate or move on any street any motor vehicle, trailer or semi-trailer having any metal tire in contact with the street.

(Code of Iowa, 1995, Sec. 321.441)

25.145 PROJECTIONS ON WHEELS - GENERALLY. No tire on a vehicle moved on a street shall have on it 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, except that it shall be permissible to use: (1) Farm machinery with tires having protuberances which will not injure the highway; (2) 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 skid; (3) Pneumatic tires with inserted ice grips or tire studs projecting not more than one-sixteenth (1/16) inch beyond the tread of the traction surface of the tire upon any vehicle from November 1 to April 1 of each year.

(Code of Iowa, 1995, Sec. 321.442)

25.146 PROJECTIONS ON WHEELS - SPECIAL PERMITS. The City Administrator, at the direction of the City Council, shall issue special permits authorizing the operation upon a street of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of

which upon a street would otherwise be prohibited under this Code. Immediately upon issuing such permit, the City Administrator shall notify the Chief of Police thereof.

(Code of Iowa, 1995, Sec. 321.443)

**SUBCHAPTER 11****GENERAL REGULATIONS**

25.147 FOLLOWING TOO CLOSELY. The driver of a motor vehicle shall not follow a motor vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the street.

(Code of Iowa, 1995, Sec. 321.307)

25.148 LIMITATION ON "U" TURNS. No person shall make a "U" turn with a vehicle within any intersection where traffic is controlled by a traffic control signal.

25.149 OBSTRUCTION OF DRIVERS VIEW. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

No person in a vehicle shall ride in such a position as to interfere with the driver's view ahead or to the sides or to interfere with his control over the driving mechanism of the vehicle.

(Code of Iowa, 1995, Sec. 321.363)

25.150 SPILLING LOADS ON STREET. No vehicle shall be driven or moved on any street unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping, except that sand or cinders, or other substances, may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.

25.151 TRUCK BOXES - TRASH HAULING. Any person owning or operating a truck for the purpose of hauling rubbish, trash or waste materials shall equip the box of such truck with sides, end gate and a top cover or canvas so as to prevent the contents from being dropped or blown from the box while the truck is in operation.

25.152 EXCESSIVE TIRE NOISE. No person shall skid, slide or spin the tires of the motor vehicle he or she is operating so as to cause the emission of excessive or unusual noise when the same is not necessary for the safe operation of the vehicle.

25.153 RECKLESS DRIVING. Any person who drives 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.

(Code of Iowa, 1995, Sec. 321.277)

25.154 DRAG RACING. No person shall engage in any motor vehicle speed contest or exhibition of speed on any street or highway of this City and no person shall aid or abet any motor vehicle speed contest or speed exhibition on any street or highway of this City, except that a passenger shall not be considered as aiding and abetting. Motor vehicle speed contest or exhibition of speed are defined as one or more persons competing in excess of the applicable speed limit in vehicles on the public streets or highways.

(Code of Iowa, 1995, Sec. 321.278)

25.155 STARTING PARKED VEHICLES. No person shall start a vehicle which is stopped, standing or parked unless, and until, such movement can be made with reasonable safety.

25.156 TRAVELING ON RIGHT-HAND SIDE OF STREET. The operator of a motor vehicle shall at all times travel on the right-hand side of the center of the street.

(Code of Iowa, 1995, Sec. 321.297)

25.157 SCHOOL BUS ROUTES - LOCATIONS DESIGNATED. No school bus shall be operated at any time upon any of the streets of the City except as hereinafter provided. School buses may be operated on the following streets or parts thereof:

1. Through Streets. All of the streets or parts of streets designated as through streets in Section 25.47 of this Code.
2. College Avenue. College Avenue from the west line of Sixty-fourth Street to the west line of Sixty-third Street.
3. Del Matro Avenue. Del Matro Avenue from the east line of Seventy-third Street to the west line of Seventieth Street.
4. Garrison Road. All of Garrison Road.
5. Lamar Place. All of Lamar Place.
6. Monterey Drive. All of Monterey Drive.
7. School Street. School Street from the east line of Sixty-fourth Street to the west line of Sixty-third Street.
8. Shasta Place. All of Shasta Place.
9. Sixty-fifth Street. Sixty-fifth Street from the north line of Lamar Place to the north line of Lot 1, Boulder Knolls, an O.P. included in and forming a part of the

City of Windsor Heights, Iowa.

10. Sixty-fourth Street. Sixty-fourth Street from the north line of Lamar Place to the north line of Lot 8, Lamar Acres, an O.P. included in and forming a part of the City of Windsor Heights, Iowa.

11. Sixty-fourth Street. Sixty-fourth Street from the north line of Sunset Terrace to the south line of College Avenue.

Nothing contained in this section shall prohibit the operation of school buses serving handicapped persons upon the streets of the City.

25.158 DUMPING OF SNOW. It shall be unlawful for any person to throw, push, or place or cause to be thrown, pushed or placed, any ice or snow from private property, sidewalks, or driveways onto the traveled way of streets so as to obstruct gutters, or impede the passage of vehicles upon the street or to create a hazardous condition therein; except where, in the cleaning of large commercial drives in the business district, it is absolutely necessary to move the snow onto the streets temporarily, such accumulation be removed promptly by the property owner or his agent, and only after first making arrangements for such prompt removal at the owner's cost of the accumulation within a reasonably short time. This section shall not apply to employees or contractors of the City engaged in snow removal operations on behalf of the City.

(Code of Iowa, 1995, Sec. 364.12 [2])

25.159 PUTTING DEBRIS ON STREET. No person shall throw or deposit upon any street any glass bottle, glass, nails, tacks, wires, cans, trash, garbage, rubbish, litter, offal or other debris. No substance likely to injure any person, animal or vehicle upon such street shall be thrown or deposited by any person upon any street.

(Code of Iowa, 1995, Sec. 321.369)

25.160 CLEANING UP STREET AFTER WRECKS. Any person removing a wrecked or damaged vehicle from a street shall remove any glass or other injurious substance dropped upon the street from such vehicle.

(Code of Iowa, 1995, Sec. 321.371)

25.161 DRIVING IN PROCESSIONS. Each driver in a funeral or other procession shall drive as near to the right hand edge of the roadway as practicable and safe.

25.162 IDENTIFICATION OF FUNERAL PROCESSIONS. A funeral composed of a procession of vehicles shall be identified as such by the lighting of their head lights, which shall be kept lighted during the time they are in procession.

25.163 DRIVING THROUGH PROCESSIONS. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this Code. This provisions shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

25.164 DRIVING THROUGH SAFETY ZONES. No driver of a vehicle shall, at any time, drive the vehicle through or within a safety zone.

25.165 DRIVING ON SIDEWALKS. The driver of a vehicle shall not drive the vehicle within a sidewalk area except at a permanent or temporary driveway.

25.166 OPERATION FOR PURPOSE OF ADVERTISING. No person shall operate any vehicle on any street for the primary purpose of advertising.

25.167 FOLLOWING FIRE APPARATUS. The driver of any vehicle, other than one on official business, 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 the fire apparatus has stopped in answer to a fire alarm.

(Code of Iowa, 1995, Sec. 321.367)

25.168 CROSSING FIRE HOSE. No vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street or private driveway to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.

(Code of Iowa, 1995, Sec. 321.368)

25.169 USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES. No person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device shall go upon any roadway except when crossing a street on a sidewalk.

25.170 COASTING OR SLIDING IN STREETS. No person shall coast or slide upon any sled, device or vehicle upon or across any travelled street unless such street shall have been closed temporarily by authority of the City Council for the purpose of permitting sliding or coasting thereon.

25.171 CLIMBING ON VEHICLES PROHIBITED. It shall be unlawful for any person to jump or climb or hang upon any vehicle on any street, alley or other public place without the permission of the driver thereof.

25.172 CLINGING TO MOVING VEHICLES PROHIBITED. It shall be unlawful for any person riding on any motorcycle, sled, roller skates, coaster, scooter or similar device, to cling to or attach the person or the person's vehicle to any other moving vehicle upon a public highway.

25.173 BOARDING OR ALIGHTING FROM MOVING VEHICLES. No person shall board or alight from any vehicle on the public highway while such vehicle is in motion.

25.174 RIDING ON PORTIONS OF VEHICLES NOT INTENDED FOR PASSENGERS. No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. The section shall not apply to an employee engaged in the necessary discharge of a duty or to persons riding without truck bodies in space intended for merchandise.

25.175 PERSONS PROPELLING PUSH CARTS OR RIDING OR DRIVING ANIMALS SUBJECT TO TRAFFIC REGULATIONS. Every person propelling any push cart or riding an animal upon a roadway, and every person driving any animal drawn vehicle, shall be subject to the provisions of this Code applicable to the driver of a vehicle, except those provisions of this Code which by their nature can have no application.

25.176 RIDING, LEADING OR DRIVING ANIMALS - INTERSTATE 235. No person shall ride, lead or drive any animal with any fenced portion of the right of way of Interstate Highway 235.

25.177 PEACE OFFICERS' AUTHORITY. Any peace officer is authorized to stop any vehicle to require exhibition of the driver's motor vehicle license, to serve a summons or memorandum of traffic violation, to inspect the condition of the vehicle, to inspect the vehicle with reference to size, weight, cargo, log book, bills of lading or other manifest of employment, tires and safety equipment, or to inspect the registration certificate, the compensation certificate, travel order, or permit of such vehicle.

(Code of Iowa, 1995, Sec. 321.492)

25.178 PARADES REGULATED. No person shall conduct or cause any parade on any street except as provided herein:

1. "Parade" Defined. Parade shall mean any march or procession of persons or vehicles organized for marching or moving on the streets in an organized fashion or manner or any march or procession of persons or vehicles represented or advertised generally to the public as a parade.
2. Permit Required. No parade shall be conducted without first obtaining a written permit from the Mayor or Chief of Police. Such permit shall state the time and date for the parade to be held and the streets or general route therefor. Such written permit granted to the person organizing or sponsoring the parade shall be permission for all participants therein to parade when such participants have been invited by the permittee to participate therein.
3. Sponsor Signature. The application for a permit shall be signed by the president, secretary or some person having authority connected with the association,

company, society, order, or exhibition sponsoring the parade.

4. Approval. If the Mayor, or Chief of Police, upon presentation of an application for a permit for a street parade, shall be satisfied that the march or parade will not interfere with the safety of travel or good order of the City, he or she shall issue a permit without charge. Nothing in this section shall be construed as requiring a permit for funeral processions.

5. Conditions. The Mayor or Chief of Police is empowered to prescribe the conditions governing any parade, procession or march, including the designation of the routes to be followed, held or proposed to be held on any public street. Should the public interest so require, he or she may for limited periods of time prohibit or restrict parking on any street where unrestricted or restricted parking is permitted under the provisions of this Code. Signs shall be placed, police officers stationed or other steps taken to inform the public or special regulations.

6. Parade Not a Street Obstruction. Any parade for which a permit shall have been issued as herein required, and the person lawfully participating therein, shall not be deemed an obstruction of the streets notwithstanding the provisions of any other ordinance to the contrary.

7. Control by Police and Firefighters. Persons participating in any parade shall at all times be subject to the lawful orders and direction in the performance of their duties of the members of the Police and Fire Departments.

25.179 AUTHORITY OF CHIEF OF POLICE AS TO PARADES, PROCESSIONS. The Mayor or Chief of Police is empowered to prescribe the conditions governing any parade, procession or march, including the designation of the routes to be followed, held or proposed to be held on any public street. Should the public interest so require, he or she may for limited periods of time prohibit or restrict parking on any street where unrestricted or restricted parking is permitted under the provisions of this Code. Signs shall be placed, police officers stationed or other steps taken to inform the public or special regulations.

25.180 VIOLATION OF REGULATIONS. It shall be unlawful for any person to fail or refuse to comply with any lawful order of a peace officer or direction of a Fire Department officer during a fire.

25.181 TAMPERING WITH VEHICLE. No person shall, individually, or in association with one or more other persons, willfully injure or tamper with any vehicle or break or remove any part or part of or from a vehicle without the consent of the owner.

(Code of Iowa, 1995, Sec. 321.78)

25.182 OPERATOR'S LICENSE.

1. It shall be unlawful for any person to operate any motor vehicle upon a highway in the City unless such person has in his or her immediate possession a valid motor vehicle operator's license issued by the state Department of Transportation. In addition, it shall be unlawful for any person to refuse to display the same upon demand of a judicial magistrate, district associate judge, district judge or peace officer. However, no person charged with violating this section shall be convicted if he or she produces in court, within a reasonable time, an operator's license or instruction permit issued to him or her and valid at the time of the person's arrest or at the time the person was charged with a violation of this section.
2. A person shall not operate a motor vehicle upon a highway in the City with an expired drivers license.

(Code of Iowa, 1999, Sec. 321.174)

25.183 REGISTRATION CARD.

1. It shall be unlawful for any owner of a motor vehicle to operate said vehicle upon the highways of the City without a valid registration card for said vehicle issued by the state Department of Transportation being carried in the vehicle. The operator of any motor vehicle shall show said registration card to any peace officer on request.
2. A person shall not drive a motor vehicle on the highways of the City unless financial liability coverage, as defined in section 321.1, subsection 24A, of the 1999 Code of Iowa, is in effect for the motor vehicle and unless the driver has in the motor vehicle the proof of financial liability coverage card issued for the motor vehicle, or if the vehicle is registered in another state, other evidence that financial liability coverage is in effect for the motor vehicle.

(Code of Iowa, 1999, Sec. 321.32)

25.184 DRIVING WHILE LICENSE DENIED, SUSPENDED OR REVOKED. It shall be unlawful for any person whose operator's license or driving privilege, has been denied, cancelled, suspended or revoked by the state Department of Transportation, to operate any motor vehicle upon the public

streets of the City while such license or permit is denied, cancelled, suspended or revoked.

(Code of Iowa, 1995, Sec. 321.218)

25.185 PERMITTING UNAUTHORIZED PERSON TO DRIVE. It shall be unlawful for any person to cause or knowingly permit a motor vehicle owned by him or her or under his or her control to be driven upon any street of the City by any person who is not authorized to operate said motor vehicle under law, or to be driven in violation of any of the provisions of this Chapter or the Iowa Code.

(Code of Iowa, 1995, Sec. 321.220)

25.186 ELUDING OR ATTEMPTING TO ELUDE LAW ENFORCEMENT VEHICLE. It shall be unlawful for any driver of a motor vehicle upon the public streets of the City to fail to bring said motor vehicle to a stop in a reasonable distance or otherwise elude or attempt to elude a marked official law enforcement vehicle driven by a uniformed peace officer after being given a visual or audible signal to stop and in doing so does not exceed the speed limit by more than twenty-five (25) miles per hour.

(Code of Iowa, 1995, Sec. 321.279)

25.187 RESTRICTED LICENSES. It shall be unlawful for any person to operate a motor vehicle upon the streets of the City in violation of any restrictions placed by the state Department of Transportation upon said person's motor vehicle license.

(Code of Iowa, 1995, Sec. 321.193)

25.188 STRIKING PROPERTY UPON THE HIGHWAY. The driver of any vehicle involved in an accident resulting in damage to property legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner, a peace officer or person in charge of such damaged property of the damage and shall inform the person of the driver's name and address and the registration number of the vehicle causing the damage and shall, upon request and if available, exhibit the driver's motor vehicle license and shall report the accident when and as required in Code of Iowa section 321.266. If the property damaged is an unattended vehicle and the operator or owner of such vehicle cannot reasonably be located, the driver of the vehicle striking the unattended vehicle shall leave 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. Any violation of this section shall be a misdemeanor.

(Code of Iowa, 1995, Sec. 321.265)

25.189 OPERATION WITHOUT REGISTRATION. It shall be unlawful for any person to operate, or an owner to permit, a motor vehicle to be operated upon public highway or street in the City

unless there shall be attached thereto and displayed thereon as required by state law a valid registration plate or plates issued therefor for the current registration year and unless a certificate of title has been issued for such vehicle.

(Code of Iowa, 1995, Secs. 321.37 and 321.38)

25.190 FRAUDULENT USE OF REGISTRATION. It shall be unlawful for any person to lend to another a registration card, registration plate, special plate, or permit issued to the person if the other person desiring to borrow the card, plate, or permit would not be entitled to the use of it. It shall be unlawful for a person knowingly to permit the use of a registration card, registration plate, special plate, or permit issued to the person by one not entitled to it. It shall also be unlawful for any person knowingly to display upon a vehicle a registration card, registration plate, or permit not issued for that vehicle.

(Code of Iowa, 1995, Sec. 321.99)

25.191 OTHER PROHIBITED ACTS. It shall be unlawful for any person to commit any of the following acts:

1. To alter with fraudulent intent any certificate of title, manufacturer's or importer's certificate, registration card, registration plate, manufacturer's vehicle identification plate, or permit issued by the state Department of Transportation or the County Treasurer.
2. To forge or counterfeit any such document or plate.
3. To hold or use any such document or plate knowing the same to have been altered, forged, or falsified.
4. To operate any motor vehicle upon the highways or streets of the City upon which the certificate of title has been cancelled, or while a certificate of registration for motor vehicle is suspended or revoked.
5. To hold or use any certificate of title, manufacturer's or importer's certificate, registration card, registration plate, manufacturer's vehicle identification plate, or permit issued by the state Department of Transportation or county treasurer, for any vehicle to which such document or plate is not legally assigned.
6. To transfer in any manner or to offer to transfer in any manner a certificate of title, manufacturer's or importer's certificate to any vehicle on which a salvage certificate of title or junking certificate is required under Code of Iowa section 321.52, with knowledge or reason to believe that the certificate will be used for a vehicle other than the vehicle for which the certificate is issued. "Transfer" for the purposes of this subsection means to sell, exchange, change possession or ownership

or convey in any manner.

(Code of Iowa, 1995, Sec. 321.100)

**SUBCHAPTER 12****ENFORCEMENT PROCEDURES**

25.192 ARREST OR CITATION. Whenever a police officer has reasonable cause to believe that a person has violated any provision of this Code, such officer may:

1. Immediate Arrest. Immediately arrest such person and take him or her before a local magistrate, or
2. Issue Citation. Without arresting the person, either
  - A. Prepare a written citation to appear in court containing the name and address of such person, the motor vehicle license number, if any, the registration number, if any, of the person's vehicle, the offense charged, and the time and place the person shall appear in court; or
  - B. Prepare a memorandum of the alleged traffic violation containing the name and address of such person, the registration number, if any, of the person's vehicle, the offense alleged to have been committed, and such other information as may be prescribed by the commissioner of public safety with the concurrence of the director of transportation.
  - C. If the officer prepares either a citation or a memorandum as provided in this section, the alleged offender shall be requested to sign it. If the person signs, the person may be released without arrest. In case a citation is issued, the signing shall constitute a written promise to appear as stated in the citation. A copy of the citation shall be presented to the person named therein. If a memorandum is prepared, the original shall be retained by the officer, and a copy shall be sent to the department, and a copy shall be presented to the person named therein.
  - D. For preparing the summons or memorandum referred to in this section, there shall be charged to the person named in the summons or memorandum, upon conviction, a fee of two dollars. The fee shall be assessed as part of the court costs.

(Code of Iowa, 1995, Secs. 805.6, 321.485)

3. File Complaint. For non-traffic violations, a complaint may be filed pursuant to Code of Iowa, Chapter 804.

25.193 PARKING VIOLATIONS: ALTERNATE.

- A. Admitted violations of any parking restrictions imposed by this Code may be charged upon a simple notice of a fine of fifteen (15) dollars payable at the office of the City Clerk. If such fine is not paid within seventy-two (72) hours, a complaint may be filed as provided by Code of Iowa, Chapter 804.

(Code of Iowa, 1995, Sec. 321.236 [1a])

- B. Scheduled Violation. A Violation of the Fire code of the City of Windsor Heights, Iowa, Section 28.06, paragraph 21, amendments to the Uniform Fire Code, is a scheduled violation and subject to a fine of \$50.00.
- C. Scheduled Violation. A Violation of City Code Section 25.110, Snow Removal - parking Restrictions is a scheduled violation and subject to a fine of \$25.00.

25.194 PARKING VIOLATIONS: VEHICLE UNATTENDED. When a vehicle is parked in violation of this Code and the driver is not present, the notice of fine or citation as herein provided shall be attached to the vehicle in a conspicuous place.

25.195 PRESUMPTION IN REFERENCE TO 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:

1. Described Vehicle. The particular vehicle described in the information was parked in violation of this Code, and
2. Registered Owner. The defendant named in the information was the registered owner at the time in question.

25.196 FAILURE TO COMPLY WITH NOTICE OR SUMMONS. Failure to comply with the notice provided for in this Chapter in accordance with the terms and provisions thereof shall constitute a separate misdemeanor.

25.197 DISMISSAL OF NOTICE OR SUMMONS. The Chief of Police or the City Attorney shall have power and authority to investigate all notices or summonses for violations of this Traffic Code or other traffic ordinances of the City and, where he/she finds from such investigation that such notice or summons is unjustified or excusable, may recommend that the same be dismissed.

25.198 FAILURE TO APPEAR. Any person who fails to appear in court as specified by a citation or a

complaint shall be guilty of a misdemeanor.

25.199 OBEDIENCE TO TRAFFIC REGULATIONS. It is unlawful and, unless otherwise declared in this Code with respect to particular offenses, it is a misdemeanor for any person to do any act forbidden for fail to perform any act required in this Traffic Code.

25.200 POLICE TO ENFORCE TRAFFIC REGULATIONS. Officers of the Police Department are hereby authorized to direct all traffic by voice, hand or signal in conformance with the provisions of this Code. In the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require notwithstanding the provisions of this Code.

Officers of the Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

Any police officer is authorized to stop any vehicle to require exhibition of the driver's motor vehicle license, to serve a summons or a memorandum of traffic violation, to inspect the condition of the vehicle, to inspect the vehicle with reference to size, weight or safety equipment or to inspect the registration certificate of the vehicle.

25.201 OBEDIENCE TO POLICE OFFICERS; RESISTING OFFICER. No person shall willfully fail to refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control or regulate traffic.

No person shall resist or obstruct any police officer in the performance of any official duty.

25.202 PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS. The provisions of this Code applicable to the drivers of vehicles upon the streets shall apply to the drivers of all vehicles owned or operated by the United States, this state or any county, city, town, district or any other political subdivision of the state, and it shall be unlawful for any such driver to violate any of the provisions of this Code except as otherwise permitted by this Code or by law.

(Code of Iowa, 1995, Sec. 321.230)

25.203 EXEMPTIONS TO AUTHORIZED EMERGENCY VEHICLES.

1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected perpetrator of a felony or in response to an incident dangerous to the public or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section.
2. The driver of any authorized emergency vehicle, may:

- A. Park or stand an authorized emergency vehicle, irrespective of the provisions of this Chapter.
  - B. Disregard laws or regulations governing direction of movement for the minimum distance necessary before an alternative route that conforms to the traffic laws and regulations if available.
3. The driver of a fire department vehicle, police vehicle or ambulance may:
    - A. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
    - B. Exceed the maximum speed limits so long as the driver does not endanger life or property.
  4. The exemptions granted to an authorized emergency vehicle under subsection 2 and for a fire department vehicle, police vehicle or ambulance as provided in subsection 3 shall apply only when such vehicle is making use of an audible signaling device meeting the requirements of Code of Iowa section 321.433, or a visual signaling device approved by the department except that use of an audible or visual signaling device shall not be required when exercising the exemption granted under subsection 3, paragraph "b" of this section when the vehicle is operated by a peace officer, pursuing a suspected violator of the speed restrictions imposed by or pursuant to this Chapter, for the purpose of determining the speed of travel of such suspected violator.
  5. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of the driver's reckless disregard for the safety of others.

(Code of Iowa, 1995, Sec. 321.231)

**25.204 PENALTY.** Whenever in this Code any act is prohibited, or is made or declared to be unlawful, or an offense, or a misdemeanor, or whenever in this Code the doing of an act is required, or the failure to do any act is declared to be unlawful, or no specific penalty is provided therefor, the violation of any such provision of this Code shall be punishable by a fine not to exceed one hundred (100) dollars or by imprisonment not exceeding thirty (30) days.

**25.205 NOTICE ON ILLEGALLY PARKED VEHICLES.** Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by this Traffic Code or any ordinance of this City or by state law, the officer finding such vehicle shall take its

registration number and may take any other information displayed on the vehicle which may identify its user and shall conspicuously affix to such vehicle a notice in writing, on a form provided by the City Clerk, for the driver to answer to the charge against him in Court at a time as specified in the notice.

25.206 FORM, CONTENTS AND USE OF SUMMONS. The City Clerk shall provide to the Police Department for issuance to all officers, sets of triplicate summons, each identified by several serial numbers on each copy of the triplicate summons. Copies of the summons shall be used as follows: one (1) to be used as a notice of violation to be delivered to the person charged or affixed to the vehicle illegally parked as provided in Section 25.204 of this Code; one (1) to be sworn to the officer as an information and filed in the Polk County Clerk of Court within forty-eight (48) hours after issuance of the notice as provided in Section 25.205 of this Code; and one (1) to be delivered to and retained by the City for record purposes. The wording on the individual copies of the triplicate summons form shall be prescribed by Police Department and need not be the same on each copy.

25.207 REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES. The Chief of Police, acting through any authorized agent, may remove and impound vehicles when stopped or parked in violation of this Code, or other ordinances of the City, and, in so doing, may employ such means as are reasonably necessary. Impounded vehicles shall be stored in a location designated by the city.

25.208 RIGHT OF OWNER TO REDEEM IMPOUNDED VEHICLE.

1. The registered owner or other person having a legal entitlement to possession of a vehicle impounded under section 25.207 of this Code, may claim the same by posting money with the City's impoundment contractor or, if the City has the impounded vehicle, with the City treasurer, in an amount sufficient to cover all charges attributable to the impoundment and storage of the vehicle. The posted money shall be treated as a bond which shall be credited toward said charges unless a hearing pursuant to Section 25.211 of this Code is held and a hearing officer determines there was no probable cause to impound the vehicle. In such case the bond shall be promptly refunded upon the presentation to the City treasurer of (1) a Certificate of No Probable Cause issued by the City, and (2) the bond receipt.

2. In the event the vehicle is not claimed until after a hearing requested pursuant to Section 25.211 of this Code, the vehicle may be claimed (1) upon payment of all charges referred to in Subsection (a) of this Section or (2) upon presentation of a Certificate of No Probable Cause within two working days of its issuance to the party in possession of the vehicle.

25.209 FAILURE OF OWNER TO CLAIM IMPOUNDED VEHICLE. If an impounded vehicle is not claimed by the owner within 20 days after impoundment, the unclaimed vehicle shall be placed in the status of and shall be deemed an abandoned vehicle as provided by state law.

25.210 NOTICE OF IMPOUNDMENT. When a vehicle has been impounded pursuant to this Code, the registered owner of the vehicle shall be sent, by certified mail to the owner's last known address of record within 72 hours of the impoundment, excluding weekends and holidays, a notice of said impoundment along with a description of any personal property contained within the vehicle and of the right to a hearing pursuant to this Subchapter. Notice personally presented within said period to said owner or person having a legal entitlement to possession shall satisfy the mailing requirement.

25.211 RIGHT TO HEARING.

1. The registered owner or a person having a legal entitlement to possession of a vehicle impounded pursuant to this Code has a right to a post-seizure administrative hearing before a hearing officer designated by the City Council to determine whether there was probable cause to impound the vehicle and any personal property contained within the vehicle, provided the registered owner or person having a legal entitlement to possession files a written demand with the City Clerk's office within 10 days of the impoundment.
2. Failure to request a hearing within such time period or to attend a scheduled post-seizure hearing shall be deemed a waiver of the right to such a hearing.

25.212 CONDUCT OF HEARING. The post-seizure administrative hearing shall be conducted before the hearing officer designated by the City Council within a reasonable period of time, but not to exceed 15 business days, excluding Saturdays, Sundays and city holidays, from the date of receipt of a written demand therefor. Such hearing may be continued from time to time for good cause. The sole issue before the hearing officer shall be whether there was probable cause to impound the vehicle and personal property contained within the vehicle in question. The hearing officer shall decide only that either (a) there was probable cause to impound the vehicle and contents, or (b) there was no probable cause to impound the vehicle and contents. In the event the hearing officer determines there was probable cause to impound the vehicle and contents, the registered owner or person having legal entitlement to possession of the vehicle is responsible for payment of all charges attributable to the impoundment and storage of the vehicle and the costs of the administrative hearing. If the hearing officer determines there was no probable cause, the hearing officer shall prepare a Certificate of No Probable Cause and the bond filed or charges paid shall be refunded pursuant to Section 25.208 of this Code. The proceedings at the administrative hearing shall be tape recorded by the hearing officer. Such tape recording shall serve as the official record of the administrative hearing for appeal purposes. The hearing officer shall retain all such tape recordings until the time for filing a notice of appeal has expired. Should a notice of appeal be timely filed, the hearing officer shall retain the tape recorded record of the administrative hearing until the appeal has been acted upon by the City Council. The decision of the hearing officer shall in no way affect any criminal proceeding in connection with the impoundment in question. Criminal charges, if any, may only be challenged in the appropriate court.

25.213 PROBABLE CAUSE TO IMPOUND. "Probable cause to impound" shall mean such a state of facts as would lead a person of ordinary care and prudence to believe there was a breach of law for which the vehicle may be removed and impounded under Section 24.207 of this Code.

25.214 RIGHT TO APPEAL HEARING OFFICER'S DECISION. The decision of the hearing officer may be appealed to the City Council by either the department causing the vehicle to be impounded or the registered owner or person having legal entitlement to possession of the impounded vehicle, provided said department or the registered owner or person having legal entitlement to possession of the impounded vehicle files a written notice of appeal with the City Clerk's office within seven days of the hearing officer's decision. Failure to file a written notice of appeal within such period shall be deemed a waiver of the right to appeal the decision of the hearing officer to the City Council.

25.215 APPEAL PROCESS. The appeal shall be considered and a decision rendered by the City Council within 30 days of the filing of the written notice of appeal. The time for considering the appeal may be extended for good cause. The appeal process shall consist of a review by the City Council of the transcript of the tape recorded record of the earlier administrative hearing. No additional evidence may be presented as a part of the appeal. The sole issue before the Council shall be whether the decision of the hearing officer was supported by sufficient evidence. The decision of the City Council on the question of probable cause is final. If the City Council finds no probable cause, the hearing officer shall issue the Certificate of No Probable Cause. The decision shall in no way affect any criminal proceeding in connection with the impoundment in question. Criminal charges, if any, may only be challenged in the appropriate court.

25.216 BIDS BY GARAGES FOR PRIVATE STORAGE; DESIGNATION BY CITY COUNCIL. At least once each year the City Council may take bids from privately owned garages for schedules of fees for towing and storing impounded vehicles or vehicles taken up because of illegal parking. Thereupon, the City Council shall designate such of the bidders as shall be geographically located to tow and store such vehicles at a minimum cost in the event City facilities are not available for towing or storing vehicles to be impounded. The Chief of Police is hereby authorized to direct the public garage designated by the City Council as aforesaid and located nearest to such vehicle to tow and store the same until disposed of as provided in this Subchapter. Such garage is hereby authorized to retain such vehicle until the fees for towing and storage on the basis of their bid shall be paid.