

## ORDINANCE

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### AN ORDINANCE REGULATING TRAFFIC UPON AND USE OF THE STREETS AND PROVIDING PENALTIES THEREOF IN ADDITION TO CONTROLLED-ACCESS FACILITIES ON THE PRIMARY ROAD HIGHWAY #2 AND STREETS WITHIN THE CITY OF FARMINGTON, IOWA

BE IT ENACTED by the Council of the City of Farmington, Iowa:

**SECTION 1** Purpose. The purpose of this Ordinance is to regulate traffic upon and use of the streets of Farmington, Iowa, and to provide for the enforcement of these regulations.

**SECTION 2** Short title. This Ordinance may be known and cited as the "Traffic Code."

**SECTION 3** Definitions. Where words and phrases used in this ordinance are defined by the law of Iowa, such definitions shall apply to this Ordinance.

1. The term "park or parking" shall mean the standing of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of and while actually engaged in, loading or unloading merchandise or passengers.
2. The term "stand or standing" shall mean the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.
3. The term "stop" shall mean complete cessation of movement.
4. The term "stop or stopping" shall mean any halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with direction of a police officer or traffic-control sign or signal.
5. The term "business districts" shall mean those areas from Front to Third Street with the boundaries of Olive Street to State Street.
6. The term "residential districts" shall mean all areas of the city not included in business districts.

**SECTION 4** Police Department, traffic division. There is hereby established in the police department of this city a traffic division to be under the control of the chief of police.

**SECTION 5** Traffic accident studies. Whenever the accidents at any particular location become numerous, the police department shall conduct studies of such accidents and propose remedial measures.

**SECTION 6** Traffic accident reports. The driver of a vehicle involved in an accident within the limits of this city shall file a report as and when required by the Iowa Department of Public Safety. A copy of this report will be filed with the police department. All such reports shall be for the confidential use of the police department and shall be subject to the provisions of Section 321.271 of the Code of Iowa.

**SECTION 7** Investigation of accidents reported. The police department shall investigate all accidents reported. If sufficient evidence of a violation is found, proper action will be taken to punish the violator.

**SECTION 8** Driver's files maintained. The Police Department shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions and complaints reported for each driver.

**SECTION 9** Controlled Access Stipulations.

Beginning at the westerly corporate limits (Sta. 656+92), thence easterly along Olive Street approximately 1,052.0 feet to Fourth Street, thence southerly along Fourth Street, approximately 4,308.0 feet to the southerly corporate limits (Sta. 710+52), as shown on the plans for Project FN-222, regulating ingress or egress from and across such controlled-access facilities to or from abutting land, designating points at which access may be permitted regulating traffic, and providing penalties for the violations thereof.

Whereas, Primary Road No. Iowa 2 within the corporate limits of the City of Farmington, Iowa, as described above, is being improved, the cost of such improvement being borne by the Bureau of Public Roads and the State Highway Commission, and the participation in the costs thereof is dependent on the establishment of the controlled-access facilities by the City of Farmington along said highway improvement and said controlled-access facilities are necessary for the preservation of the public peace, health, safety and the promotion of the general welfare.

Section 1. This ordinance shall be deemed on exercise of the police power of the City under Chapter 148, Acts of the Fifty-Sixth General Assembly of the State of Iowa, for the preservation of the public peace, health, safety and the promotion of the general welfare.

Section 2. Definition. For the purpose of this Ordinance, a controlled access facility shall mean a controlled right of easement of access, light, air, or view by reason of the fact that their property abuts upon such controlled-access facility or for any other reason.

Section 3. Unlawful use of Controlled-Access Facilities. It shall be unlawful for any person to:

1. Drive a vehicle over, upon, or across any curb, central dividing section or other separation or dividing line on such controlled-access facilities.
2. Make a left turn or a semi-circular or U-turn except through an opening provided for that purpose in the dividing curb section, separation or line.
3. Drive any vehicle except in the proper lane provided for that purpose and in the proper direction and to the right of the central dividing curb, separation or line.
4. Drive any vehicle into the controlled-access facility from a local service road except through an opening provided for that purpose in the dividing curb or dividing section or dividing line which separates such service road from the controlled-access facility property.

Section 4. Penalty. Any person violating any provision of Section 9.3 of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars or by imprisonment for not more than thirty days.

Section 5. Establishment. There are hereby fixed and established controlled-access facilities on the Primary Road System extension improvement, Project N. FN-222 Primary Road No. Iowa 2 within the City of Farmington, Iowa described as follows:

Beginning at the westerly corporate limits (Sta. 656+92), thence easterly along Olive Street to Fourth Street, thence southerly along Fourth Street and

Primary Road Iowa No. 2 to the southerly corporate limits (Sta. 710+52), regulating access to and from abutting properties along said streets or highway, all in accordance with the plans for such improvement identified as Project No. FN-222 on file in the Office of the City Clerk. The compiled list furnished by the Iowa State Highway Commission of entrances provided for access and under the above improvement specified as project No. FN-222 are hereby recorded as follows in this ordinance:

Station	Curb		Entrance Width		Use of Entrance
	Side of Street	Opening Width	Lt.	Rt.	
657+51	Lt. &	Rt.	37'	37'	Street
658+28	Lt.		34'		Commercial
659+05	Lt.		18'		Commercial
659+27	Lt.		16'		Alley
659+15		Rt.		22'	Alley
659+26		Rt.		12'	Commercial
660+02.5		Rt.		39'	Commercial
660+13	Lt.		70'		Commercial
660+85	Lt. &	Rt.	31.5'	39'	Street
661+50	Lt.		59'		Commercial
661+89	Lt.		13.5'		Residential
662+49		Rt.		17'	Alley
663+03	Lt.		18'		Residential
664+13	Lt. &	Rt.	33'	36'	Street
665+43.5	Lt.		10.5'		Residential
665+70	Lt. &	Rt.	9'	11'	Residential
665+93	Lt.		13'		Residential
666+13		Rt.		10'	Residential
667+44	Lt.		33'		Street
667+44	Lt.		26'		Street
668+56	Lt.		15'		Residential
669+39		Rt.		45'	Res. & Comm.
670+66	Lt. &	Rt.	25'	32'	Street
672+30		Rt.		30'	Residential
673+09		Rt.		16'	Residential
674+07	Lt. &	Rt.	32'	28'	Street
674+81	Lt.		81'		Commercial
675+25		Rt.		18'	Commercial
675+74.5	Lt.		15'		Commercial
767+35		Rt.		18'	Commercial

677+33	Lt. &	Rt.	26'	26'	Street
678+21	Lt.		14'		Residential
678+32		Rt.		19'	Residential
679+04	Lt.		16'		Residential
679+63		Rt.		16'	Residential
680+71	Lt. &	Rt.	26'	26'	Street
681+79		Rt.		16'	Residential
682+44		Rt.		18'	Residential
683+07	Lt. &	Rt.	33'	24'	Street
685+53	Lt.		16'		Residential
685+61		Rt.		31.5'	Residential
686+38	Lt.		16'		Residential
686+81.5		Rt.		39.5'	Residential
687+53.5	Lt.		13'		Residential
687+55.5		Rt.		13'	Residential
688+40	Lt.		26'		Residential
688+93		Rt.		18'	Residential
689+05	Lt.		18'		Residential
690+28	Lt.		30'		Residential
690+37.5		Rt.		15'	Residential
691+04.5		Rt.		15'	Residential
691+13	Lt.		14'		Residential
691+36	Lt.		16'		Residential
692+36.5		Rt.		13'	Residential
693+35		Rt.		18'	Residential
693+63	Lt.		26'		Street
694+80		Rt.		13'	Commercial
695+15		Rt.		13'	Commercial
696+42		Rt.		11'	Commercial
698+75	Lt.		150'		Comm. & Alley
702+60		Rt.		50'	Commercial
707+45	Lt.		110'		Commercial
708+19	Lt.		24'		Street
708+32		Rt.		24'	Street

Section 6. Parking. Parking of any nature will be prohibited from Sta. 656+92 to Sta. 710+52 and for a distance of 35 feet back of sidewalk line on intersection streets.

Section 7. Speed limits. Speed limits are hereby established as follows:

30MPH from Sta. 656+92 to Sta. 696+00

45MPH from Sta. 696+00 to Sta. 710+32

**Enforcement and Obedience to Traffic Regulations**

**SECTION 10** Authority of police and fire department officials. Provisions of this ordinance and the Iowa law relating to motor vehicles and law of the road shall be enforced by the officers of the police department.

The officers of the police department are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws. In the event of a fire or other emergency, officers of the police department, may direct traffic as conditions require notwithstanding the provisions of the traffic laws.

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.

**SECTION 11** Required obedience to provisions of this Ordinance and state law. Any person who shall willfully fail or refuse to comply with any lawful order of a police officer, or direction of a fire department officer during a fire, or who shall fail to abide by the provisions of this Ordinance and the applicable provisions of the following Iowa statutory laws relating to motor vehicles and the statutory law of the road is in violation of this Ordinance. These sections of the Code are:

1. 321.32, 321.174, 321.189, 321.190, 321.193 and 321.218 through 321.224 -- display of registration and license to drive.
2. 321.229 through 321.234 -- obedience to a peace officer and responsibility of public officers, emergency vehicles and bicycles to obey traffic regulations.
3. 321.256 through 321.260 -- traffic signs, signals and markings.
4. 321.261 through 321.266 and 321.268 -- accidents and accident reporting.
5. 321.275 -- operation of motorcycles.
6. 321.277, 321.278, 321.283 through 321.288, 321.290, 321.294, and 321.295 -- reckless driving, drag racing, speed, control of vehicle and minimum speed.

7. 321.297 through 321.310 -- driving on right, meeting, overtaking, following or towing.
8. 321.311 through 321.318 -- turning and starting, signals on turning and stopping.
9. 321.319 through 321.324 -- right of way and entering of highway.
10. 321.325 through 321.334 and 321.340 -- pedestrian rights and duties and safety zones.
11. 321.241 through 321.344 -- railroad crossings.
12. 321.353 through 321.360 -- stop at sidewalks, stopping, standing and parking.
13. 321.362 through 321.371 -- unattended vehicle, obstructing driver's view, crossing median, following fire apparatus, or crossing fire hose, and putting glass, etc., on streets.
14. 321.384 through 321.409, 321.415, 321.418 through 321.423 -- lighting equipment required and time of use.
15. 321.430 through 321.443 and 321.447 through 321.450 -- brakes, horns, sirens, mufflers, wipers, mirrors, tires, flares, windows, safety belts, and special markings for transporting explosives.
16. 321.452 through 321.463, 321.465 and 321.466 -- size weight and load.

**THE CITY OF FARMINGTON'S SCHEDULE OF FINES SHALL BE THE SAME AS THOSE LISTED IN THE STATE CODE FINE BOOK ON VIOLATIONS.**

**Traffic Control Devices**

**SECTION 12** Authority to install traffic-control devices. The chief of police shall cause to be placed and maintained traffic-control devices when and as required under the Ordinances of this City to make effective its provisions, and may so cause to be placed and maintained such additional, emergency or temporary traffic-control devices for the duration of an emergency or temporary condition as traffic conditions may require to regulate traffic under the traffic Ordinances of this city or under state law or to guide or warn traffic.

All traffic-control devices shall comply with standards established by the Manual of Uniform Traffic Control Devices for Streets and Highways.

**SECTION 13** Crosswalks and Traffic Lanes. The chief of police is hereby authorized:

1. To designate and maintain by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where due to traffic conditions there is particular danger to pedestrians crossing the street or roadway, and at such other places as traffic conditions require.

2. To mark lanes for traffic on street pavements at such places as traffic conditions require, consistent with the traffic Ordinances of this city. Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

**SECTION 14** Play streets. The chief of police shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same. Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

### **Speed Regulations**

**SECTION 15** Changing state speed limits in certain zones. It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by state law upon the streets or portions thereof is greater or less than is necessary for the safe operation of vehicles thereon, and it is hereby declared that the maximum speed limit upon these streets or portions thereof described shall be as per section 9.7.

### **Turning Movements**

**SECTION 16** Turning markers, buttons and signs. The chief of police may cause markers, buttons or signs to be placed within or adjacent to

intersections, and thereby require and direct, as traffic conditions require, that a different course from that specified by the state law be traveled by vehicles turning at intersections, and when markers, buttons, or signs are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons or signs, including right-hand turns at intersections with automatic traffic signals.

**SECTION 17** Authority to place restricted turn signs. The chief of police is hereby authorized to determine those intersections, as traffic conditions require, at which the drivers of vehicles shall not make a right or left turn. The making of such turns may be prohibited between certain hours of any day, in which event the same shall be plainly indicated on signs.

**SECTION 18** Obedience to no-turn signs. Whenever authorized signs are erected indicating that no right or left turn is permitted, no driver of a vehicle shall disobey the directions of any such signs.

**SECTION 19** "U" turns. It shall be unlawful for a driver to make a "U" turn except at an intersection provided, however, that "U" turns are prohibited at intersections within the business district and at intersections where there are automatic traffic signals.

### **One-Way Streets and Alleys**

**SECTION 20** Authority to designate one-way streets and alleys. Whenever any traffic Ordinance of this city designates any one-way street or alley the police department shall place and maintain signs giving notice thereof and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers or other devices so placed in accordance with this section.

**SECTION 21** One-way streets and alleys. Upon the following streets and alleys vehicular traffic shall move only in the indicated direction:

Downtown: Front Street to Second Street on Elm Street -- East  
Elm to State Street on Second Street -- South

**SECTION 22** Authority to restrict direction of movement on streets during certain periods. The chief of police as head of the traffic division, is hereby authorized to determine and recommend to the Council certain

streets, or specified lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall upon authority given by Ordinance place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The chief of police may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers or other devices so placed in accordance with this section.

### **Special Stops Required**

**SECTION 23** Through highways. Streets and portions of streets described are hereby declared to be through highways as per Section 9 with stop signs located at the corner of Olive and 4th Streets with a four-way stop.

**SECTION 24** Authority to erect stop signs. Whenever any Ordinance of this city designates and describes a through highway it shall be the duty of the police department to cause to be placed and maintained a stop sign on each and every street intersecting such through highway except as hereinafter modified in the case of intersecting through highways.

**SECTION 25** Stops at intersecting through highways and other intersections. At the intersections of through highways and at intersections upon streets other than through highways, where, because of heavy cross-traffic or other traffic conditions, particular hazard exists, the chief of police is hereby authorized to determine whether vehicles shall stop or yield at one or more entrances to any such intersection shall present said recommendation to the Council, and upon approval by the Council, shall erect an appropriate sign at every such place when a stop or yield is required.

**SECTION 26** Stop when traffic is obstructed. Notwithstanding any traffic-control signal indication to proceed, no driver shall enter any intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating.

**SECTION 27** School stops. When a driver of a vehicle approaches an authorized school stop he shall bring such vehicle to a full stop at a point ten

(10) feet from the approach side of the crosswalk marked by an authorized school stop sign, and thereafter proceed in a careful and prudent manner until he shall have passed such school site.

### **Pedestrian's Rights and Duties**

**SECTION 28** Prohibited crossing. Pedestrians crossing a street in the business district shall cross in the crosswalks only.

**SECTION 29** Pedestrians on left. Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway. Where sidewalks are not provided pedestrians shall at all times when walking on or along a roadway, walk on the left side of such roadway.

### **Method of Parking**

**SECTION 30** Standing or parking close to curb. No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within eighteen (18) inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking and vehicles parked on the left-hand side of one-way streets.

**SECTION 31** Standing or parking on the left-hand side of one-way streets. No person shall stand or park a vehicle on the left-hand side of a one-way street other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the left-hand wheels of the vehicle within eighteen (18) inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking.

**SECTION 32** Signs or markings indicating angle parking. The chief of police, as traffic conditions require, shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets or portions thereof indicating the method of angle parking. Such determination shall be subject to approval by Council resolution.

**SECTION 33** Obedience to angle parking signs or markings. Upon those streets or portions of streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at an angle to the curb or edge of the roadway or in the center of the roadway as indicated by such signs and markings.

**Stopping, Standing, or Parking Prohibited in Specified Places**

**SECTION 34** Stopping, standing or parking prohibited. No person shall stop, stand or park a vehicle 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. In any public alley within the fire limits of this city.
2. In any private alley within the fire limits of this city in such a manner that ingress or egress of fire apparatus to or from such alley might be blocked.
3. Within thirty-five (35) feet of a crosswalk at an intersection.
4. Upon any street within the corporate limits when snow or ice removal is necessary.
5. On the center parking or dividing area of any divided street.
6. Within twenty (20) feet on either side of a mailbox which is so placed and so equipped as to permit the depositing of mail from vehicles on the roadway.

**SECTION 35** Authority to paint curbs and erect signs prohibiting standing or parking. When, because of restricted visibility or when standing or parked vehicles constitute a hazard to moving traffic, or when other traffic conditions require, the chief of police may cause curbing to be painted with a yellow or orange color and erect no parking or standing signs. It shall be unlawful for the operator of any vehicle to stand or park a vehicle in any area so painted or sign-posted.

**SECTION 36** Authority to impound vehicles. Members of the police department are hereby authorized to remove, or cause to be removed, a vehicle from a street, public alley or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the police department, or otherwise maintained by the city, under the circumstances hereinafter enumerated:

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

2. When any vehicle is left unattended upon a street and is so illegally parked as to constitute a definite hazard or obstruction to

3. When any vehicle is left parked upon a street for a continuous period of forty-eight (48) hours or more. A diligent effort shall first be made to locate the owner. If the owner is found he shall be given an opportunity to remove the vehicle.

4. When any vehicle is left parked in violation of a ban of parking during a snow emergency as proclaimed by the mayor.

In addition to the penalties hereinafter provided, the owner or driver of any vehicle impounded for violation of any of the provisions of this ordinance shall be required to pay the reasonable cost of towing charges and storage.

### **Stopping, Standing, or Parking**

**SECTION 37** Parking signs required. Whenever by this or any Ordinance of this City any parking time limit is imposed or parking is prohibited on designated streets or portions of streets it shall be the duty of the police department to erect appropriate signs giving notice thereof and no such regulations shall be effective unless signs are erected and in place at the time of any alleged offense. When signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs.

**SECTION 38** Prohibited parking during snow emergency. No person shall park, abandon or leave unattended any vehicle on any public street, alley or city-owned offstreet parking during any snow emergency proclaimed by the mayor unless the snow has been removed or plowed from said street, alley, or parking area and the snow has ceased to fall. A snow emergency parking ban shall continue from its proclamation through the duration of the snow or ice storm and the forty-eight (48) hour period after cessation of such storm except as above provided upon streets which have been fully opened.

Such a ban shall be of uniform application and the chief of police is directed to widely publicize the requirements, using all available news media, in early November each year. When predictions or occurrences indicate the need, the mayor shall proclaim a snow emergency and the police chief shall inform the news media to publicize the proclamation and the parking rules thereunder. Such emergency may be extended or shortened when conditions warrant.

**SECTION 39** All-night parking prohibited. No person, except physicians or other persons on emergency calls, shall park a vehicle on any street marked to prohibit all night parking and giving notice thereof, for a period of time longer than thirty (30) minutes between the hours of 2 a.m. and 5 a.m. of any day.

**SECTION 40** Truck parking limited. Trucks weighing five (5) tons or more, loaded or empty, shall not be parked at the following locations on the streets named.

Front Street; Elm Street -- Front to Third; State Street -- Front to Third; Second Street -- Olive to State Street.

That it shall also be unlawful for any person to operate or move a tractor, trailer, semi-trailer or other vehicle of any kind on any black-topped street in the City of Farmington, Iowa if the same has on the periphery of any wheel thereof any block, stud, flange, cleat, spike or other protuberance of any material other than rubber which projects beyond the tread of the traction space of such wheel or tire.

### **Miscellaneous Driving Rules**

**SECTION 41** Vehicles not to be driven on sidewalks. The driver of a vehicle shall not drive upon or within any sidewalk area except at a driveway.

**SECTION 42** Clinging to vehicles. No person shall drive a motor vehicle on the streets of this City unless all passengers of said vehicle are inside said vehicle in the place intended for their accommodation. No person shall ride on the running board of a motor vehicle or in any other place not customarily used for carrying passengers. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

**SECTION 43** Parking for certain purposes prohibited. No person shall park a vehicle upon the roadway for the principle purpose of:

1. Displaying such vehicle for sale.
2. For washing, greasing or repairing such vehicle except such repairs as are necessitated by an emergency.
3. Displaying advertising.

4. Selling merchandise from such vehicle except in a duly established market place or when so authorized or licensed under the Ordinances of this City.

5. Storage or as junkage or dead storage for more than forty-eight (48) hours.

**SECTION 44** Driving through funeral or other procession. No driver of any 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 Ordinance. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

**SECTION 45** Drivers in procession. Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as closely as is practical and safe.

**SECTION 46** Funeral processions to be identified. A funeral procession composed of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the funeral director in conjunction with the police department's approval.

**SECTION 47** Driving in quiet zones. Whenever authorized signs are erected indicating a quiet zone, no person operating a motor vehicle within any such zone shall sound the horn or other warning device of such vehicle except in an emergency.

**SECTION 48** Load restrictions upon vehicles using certain streets. When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts specified on such signs at any time upon any of the following streets or parts of streets: Front Street.

1. Every motor vehicle weighing five (5) tons or more, when loaded or empty, having no fixed terminal within the city of making no scheduled or definite stops within the city for the purpose of loading or unloading shall travel over or upon the following street: Highway No. 2.

2. Any motor vehicle weighing five (5) tons or more, when loaded or empty, having a fixed terminal, making a scheduled or definite stop within the City for the purpose of loading or unloading shall

proceed over or upon the designated routes set out in this section to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload and return, by the most direct route to its point of departure from said designated route.

3. The owner, or any other person, employing or otherwise directing the driver of any vehicle shall not require or knowingly permit the operation of such vehicle upon a street in any manner contrary to this section.

**SECTION 49** School bus signals. The driver of any school bus used to transport children to and from a public or private school shall, when stopping to receive or discharge pupils at any point within the resident or business districts of the City, turn on the flashing stop warning signal lights at a distance of not less than one hundred (100) feet, nor more than three hundred (300) feet from the point where said pupils are to be received or discharged from the bus. At the point of receiving or discharging pupils the driver of the bus shall bring bus to a stop and extend the stoparm. After receiving or discharging pupils, the bus driver shall turn off the flashing stop warning lights, retract the stoparm and then proceed on the route. No school bus shall stop to unload or load pupils unless there is at least three hundred (300) feet of clear vision in each direction.

**SECTION 50** Discharging pupils. All pupils shall be received and discharged from the right front entrance of every school bus and if said pupils must cross the street or highway, they shall be required to pass in front of the bus, look in both directions, and proceed to cross the street or highway only on signal from the bus driver.

**SECTION 51** Other motor vehicles to stop. The driver of any vehicle when meeting a school bus on which the stop warning signal lights are flashing shall reduce the speed of said vehicle to not more than twenty (20) miles per hour, and shall bring said vehicle to a complete stop when school bus stops and stop signal arm is extended and said vehicle shall remain stopped until stop arm is retracted after which driver may proceed with due caution.

The driver of any vehicle overtaking a school bus shall not pass a school bus when flashing stop warning signal lights are flashing and shall bring said vehicle to a complete stop not closer than fifteen (15) feet of the school bus when it is stopped and stoparm is extended, and shall remain stopped until the stop arm is retracted and school bus resumes motion, or until signaled by the driver to proceed.

**Penalties and Procedure on Arrest**

**SECTION 52** Arrest and notice to appear. Whenever a peace officer has reasonable cause to believe that a person has violated any provision of this Ordinance such officer may:

1. Immediately arrest such person and take him before a magistrate of the County of Van Buren, Iowa, or
2. Without arresting the person, prepare in triplicate a written summons to appear in court containing the name and address of such person, the operator or chauffeur license number, if any, the registration number of his vehicle, the offense charged, the time when and place where such person shall appear, and if the offense charged by speeding such summons shall also specify the speed at which such person is alleged to have driven and the speed limit applicable within the district or location.

The original copy of the summons shall be delivered to the violator, the duplicate shall be filed with the police department and the triplicate shall be retained by the arresting officer.

**SECTION 53** Summons placed on illegally parked vehicles. Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by any Ordinance of this City the officer or other authorized person finding such vehicle shall attach a written summons as hereinbefore provided to such vehicle in a conspicuous place and the driver of such vehicle shall be held to appear at the time and place designated in the summons.

**SECTION 54** 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. The particular vehicle described in the information was parked in violation of this Ordinance, and
2. The defendant named in the information was the registered owner at the time in question.

**SECTION 55** Penalty. Anyone violating any of the provisions of this Ordinance shall, upon conviction, be subject to imprisonment not exceeding thirty (30) days, or a fine not exceeding \$100.

**SECTION 56** Repealer. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed. These are: none.

**SECTION 57** Severability clause. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 58** When effective. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed by the Council the 21st day of January, 1978, and approved this 21st day of January, 1978.

Glenn T. Halbrook, Mayor

Karen Faulkner, City Clerk

Reviewed: 3/31/80

#### **AMENDMENT – ORDINANCE 24**

**SECTION 40** Truck parking limited. Trucks weighing five (5) tons or more, loaded or empty, shall not be parked at the following locations are the streets named.

Front Street: Elm Street -- Front Street to Third; State Street --  
Front to Third; Second Street -- Olive to State Street

That it shall be unlawful for any person to operate or move a tractor, trailer, semi-trailer or other vehicle of any kind on any black-topped street in the City of Farmington, Iowa, if the same has on the periphery of a wheel thereof any block, stud, flange, cleat, spike or other protuberance of any material other than rubber which projects beyond the tread of the traction space of such wheel or tire.

**SECTION 48** Load restrictions upon vehicles using certain streets. When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts specified on such signs

at any time upon any of the following streets or parts of streets:  
Front Street

1. Every motor vehicle weighing five (5) tons or more, when loaded or empty, 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 street: Highway No. 2.

2. Any motor vehicle weighing five (5) tons or more, when loaded or empty, having a fixed terminal, making a scheduled or definite stop within the designated routes set out in this section to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload and return, by the most direct route to its point of departure from said designated route.

3. The owner, or any other person, employing or otherwise directing the driver or any vehicle shall not require or knowingly permit the operation of such vehicle upon a street in any manner contrary to this section.

**Amendment to Ordinance 24, Section 40 and 48:**

**Add to:**

**SECTION 40** No semi-trailers and tractors are permitted to park in residential areas with the exception of those vehicles for which the owner/operator has adequate private parking or his/her personal property.

**Insert to:**

**SECTION 48** Paragraph 2: ...for a period of two (2) hours.... The exception to this time limit would be for the time necessary for moving vans to unload or load.

First Reading: November 13, 2000  
Second Reading: Waived December 11, 2000  
Third Reading: December 11, 2000

Passed and Approved this 11th day of December, 2000.

Raymond Clemenson, Mayor

Joan Rohdy, Clerk