

ORDINANCE NO. 1280

AN ORDINANCE CONTROLLING VEHICULAR AND PEDESTRIAN TRAFFIC AND PARKING; PROVIDING FOR PARKING METER ZONES AND PARKING METERS; PROVIDING FOR THE DISPOSITION OF COINS COLLECTED FROM PARKING METERS; PROVIDING PENALTIES AND REPEALING ORDINANCES IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY.

THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Section 1: Short Title. This ordinance may be cited as City of Hood River Uniform Traffic Ordinance.

Article I - State Traffic Laws

Section 2: Applicability of State Traffic Laws.
Violation of Oregon Revised Statutes, Chapters 481, 482, 483, 484, and 485 and Sections 164.650, 164.660, 166.630 and 374.335 as now or hereafter constituted shall be an offense against this city.

Article II - Definitions

Section 3: Definitions.

(1) In addition to those definitions contained in the above ORS chapters, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:

(a) Bicycle. A non-motorized vehicle designed to be ridden, propelled by human power, and having two or more wheels the diameter of which are in excess of 10 inches or having two or more wheels where any one wheel has a diameter in excess of 15 inches.

(b) Bus stop. A space on the edge of a roadway designated by sign for use by buses loading or unloading passengers.

(c) Holiday. New Year's Day, Washington's Birthday (third Monday in February), Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, and any other day

proclaimed by the council to be a holiday.

(d) Loading Zone. A space on the edge of a roadway designated by sign for the purpose of loading or unloading passengers or materials during specified hours of specified days.

(e) Motor vehicle. Every vehicle that is self-propelled, including tractors, fork-lift trucks, motorcycles, road building equipment, street cleaning equipment, and any other vehicle capable of moving under its own power, notwithstanding that the vehicle may be exempt from licensing under the motor vehicle laws of Oregon.

(f) Park or parking. The condition of:

(i) A motor vehicle that is stopped while occupied by its operator with the engine turned off.

(ii) A motor vehicle that is stopped while unoccupied by its operator whether or not the engine is turned off.

(g) Parking meter shall mean and include any mechanical device or meter not inconsistent with this ordinance placed or erected for the regulation of parking by authority of this ordinance. Each parking meter installed shall indicate by proper legend the legal parking time established by the city and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

(h) Parking meter zone shall mean and include any restricted street upon which parking meters are installed and in operation.

(i) Parking meter space shall mean any space within a parking meter zone, adjacent to a parking

meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.

(j) Parking strip. That area between the street curb and the adjacent property line.

(k) Pedestrian. A person on the public right-of-way except:

(i) The operator or passenger of a motor vehicle or bicycle.

(ii) A person leading, driving, or riding an animal or animal-drawn conveyance.

(l) Person. A natural person, firm, partnership, association, or corporation.

(m) Stand or standing. The stopping of a motor vehicle while occupied by its operator with the engine running except stopping in obedience to the instructions of a traffic officer or traffic control device or for other traffic.

(n) Stop. Complete cessation of movement.

(o) Street and other property open to public travel.

(i) Street. The terms "highway", "road", and "street", when used in this ordinance or in the ORS chapters incorporated herein, shall be considered synonymous, unless the context precludes such construction. "Street," as defined in this ordinance and the ORS chapters incorporated by reference herein, includes alleys, sidewalks, and parking areas and

accessways owned or maintained by the city.

(ii) Other property open to public travel. Property, whether publicly or privately owned and whether publicly or privately maintained, upon which the public operates motor vehicles either by express or implied invitation other than streets as defined in subsection (a) of this section and excepting public school property, county property, or property under the jurisdiction of the State Board of Higher Education. Other property open to public travel shall include but not be limited to parking lots, service station lots, shopping center and supermarket parking lots, and other accessways and parking areas open to general vehicular traffic, whether or not periodically closed to public use.

(p) Taxicab stand. A space on the edge of a roadway designated by sign for use by taxicabs.

(q) Traffic control device. A device to direct vehicular or pedestrian traffic, including but not limited to a sign, signaling mechanism, barricade, button, or street or curb marking installed by the city or other authority.

(r) Traffic lane. That area of the roadway used for the movement of a single line of traffic.

(s) Vehicle. As used in subsequent sections of this ordinance, includes bicycles.

(2) As used in this ordinance, the singular includes

the plural and the masculine includes the feminine.

ARTICLE III - Administration

Section 4: Powers of the Council.

(1) Subject to state laws, the city council shall exercise all municipal traffic authority for the city except those powers specifically and expressly delegated herein or by another ordinance.

(2) The powers of the council shall include but not be limited to:

- (a) Designation of through streets.
- (b) Designation of one-way streets.
- (c) Designation of truck routes.
- (d) Designation of parking meter zones.
- (e) Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage.
- (f) Authorization of greater maximum weights or lengths for vehicles using city streets than specified by state law.
- (g) Initiation of proceedings to change speed zones.
- (h) Revision of speed limits in parks.

Section 5. Duties of the City Administrator.

The City Administrator and his designate shall exercise the following duties under the direction of the Police Commission and with the approval of the council:

(1) Implement the ordinances, resolutions and motions of the council and his own orders by installing traffic control devices. Such installations shall be based on the standards contained in the Oregon Manual on Uniform Traffic Control Devices for Streets and Highways.

(2) Establish, maintain, remove, or alter

the following classes of traffic controls:

(a) Crosswalks, safety zones, and traffic lanes.

(b) Intersection channelization and areas where drivers of vehicles shall not make right, left, or U-turns, and the time when the prohibition applies.

(c) Parking areas and time limitations, including the form of permissible parking (e.g., parallel or diagonal).

(3) Issue oversize or overweight vehicle permits.

Section 6: Public Danger. Under conditions constituting a danger to the public, the City Administrator or his designate may install temporary traffic control devices deemed by him to be necessary.

Section 7: Standards. The regulations of the City Administrator or his designate shall be based upon:

(1) Traffic engineering principles and traffic investigations.

(2) Standards, limitations, and rules promulgated by the State Highway Commission.

(3) Other recognized traffic control standards.

Section 8: Authority of Police and Fire Officers.

(1) It shall be the duty of police officers to enforce the provisions of this ordinance.

(2) In the event of a fire or other public emergency, officers of the police and fire department may direct traffic as conditions require, notwithstanding the provisions of this ordinance.

Section 9: Obedience to and Alteration of Control Devices.

(1) No person shall disobey the instruction of a

traffic officer or a traffic control device.

(2) No unauthorized person shall install, move, remove, obstruct, alter the position of, deface or tamper with a traffic control device.

Section 10: Evidence. The existence of a traffic control device shall be prima facie evidence that the device was lawfully authorized and installed.

Section 11: Existing Control Devices. Traffic control devices installed prior to the adoption of this ordinance are lawfully authorized.

Article IV - General Regulations

Section 12: Rules of Road. In addition to state law, the following shall apply to the operation of vehicles upon the streets of the city:

(1) The operator of a vehicle shall not back the vehicle unless the movement can be made with reasonable safety and without interfering with other traffic, and shall yield the right-of-way to moving traffic and pedestrians.

(2) The operator of a vehicle in the traffic lane shall have the right-of-way over an operator of a vehicle departing from a parking space.

(3) No operator of a vehicle shall pull away from a curb or other parking area without giving an appropriate turn signal when other traffic may be affected.

(4) Where a stop sign is erected at or near the entrance to an intersection, the operator of a vehicle approaching shall bring the vehicle to a stop before crossing a stop line or crosswalk; or, if none, then before entering the intersection. Stopping at a point which does not yield an unobstructed view of traffic on the intersecting street shall not constitute compliance with the requirements of this section.

(5) Notwithstanding an indication by a traffic control device to proceed:

(a) No operator of a vehicle shall enter an

intersection unless there is sufficient space on the opposite side of the intersection to accommodate his vehicle without obstructing the passage of other vehicles.

(b) No operator of a vehicle shall enter a marked crosswalk, whether or not at an intersection, unless there is sufficient space on the opposite side of the crosswalk to accommodate his vehicle without obstructing the passage of pedestrians.

Section 13: Crossing Private Property. No operator of a vehicle shall proceed from one street to an intersecting street by crossing private property. This provision shall not apply to the operator of a vehicle who stops on the property for the purpose of procuring or providing goods or services.

Section 14: Emerging from Vehicle. No person shall open the door of a motor vehicle into a traffic lane without first ascertaining that it can be done in safety.

Section 15: Unlawful Riding.

(1) No operator shall permit a passenger and no passenger shall ride on a vehicle upon a street except on a portion of the vehicle designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to a person riding within a truck body in space intended for merchandise.

(2) No person shall board or alight from a vehicle while the vehicle is in motion upon a street.

Section 16: Clinging to Vehicles. No person riding upon a bicycle, motorcycle, coaster, roller skates, sled, or other device shall attach the device or himself to a moving vehicle upon a street. Nor shall the operator of a vehicle upon a street knowingly allow a person riding on any of the

above vehicles or devices to attach himself, the vehicle, or the device to his vehicle.

Section 17. Sleds on Streets. No person shall use the streets for traveling on skis, toboggans, sleds, or similar devices, except where authorized.

Section 18. Damaging Sidewalks and Curbs.

(1) The operator of a vehicle shall not drive upon a sidewalk or roadside planting strip except to cross at a permanent or temporary driveway.

(2) No unauthorized person shall place dirt, wood, or other material in the gutter or space next to the curb of a street with the intention of using it as a driveway.

(3) No person shall remove a portion of a curb or move a motor vehicle or device moved by a motor vehicle upon a curb or sidewalk without first obtaining authorization and posting bond if required. A person who causes damage shall be held responsible for the cost of repair.

Section 19. Obstructing Streets.

(1) No unauthorized person shall obstruct the free movement of vehicles or pedestrians using the streets.

(2) No person shall park or stand a vehicle in such a manner or location that it constitutes a hazard to public safety or an obstruction on the street.

Section 20. Removing Glass and Debris. A party to a vehicle accident or a person causing broken glass or other debris to be upon a street shall remove the glass and other debris from the street.

Section 21. Trains Not to Block Streets. No person shall direct or operate a train or permit railroad cars to block the use of any street for a period of time longer than five minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching.

ARTICLE V - Parking Regulations

Section 22. Method of Parking.

(1) No person shall stand or park a vehicle

in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within 12 inches of the edge of the curb, except where the street is marked or signed for angle parking.

(2) Where parking space markings are placed on a street, no person shall stand or park a vehicle other than in the indicated direction and, unless the size or shape of the vehicle makes compliance impossible, within a single marked space.

(3) The operator who first begins maneuvering his vehicle into a vacant parking space on a street shall have priority to park in that space, and no other vehicle operator shall attempt to deprive him of his priority or block his access.

(4) Whenever the operator of a vehicle discovers that his vehicle is parked close to a building to which the fire department has been summoned, he shall immediately remove the vehicle from the area, unless otherwise directed by police or fire officers.

Section 23: Prohibited Parking and Standing. In addition to the state motor vehicle laws prohibiting parking, no person shall park or stand:

(1) A vehicle upon a bridge, viaduct, or other elevated structure used as a street unless authorized.

(2) A vehicle in an alley other than for the expeditious loading or unloading of persons or materials but in no case for a period in excess of 30 consecutive minutes.

(3) A vehicle upon a parkway or freeway, except as authorized.

(4) A vehicle with any of its wheels upon the

parking strip.

Section 24. Prohibited Parking. No operator shall park and no owner shall allow a vehicle to be parked upon a street for the principal purpose of:

- (1) Displaying the vehicle for sale.
- (2) Repairing or servicing the vehicle, except repairs necessitated by an emergency.
- (3) Displaying advertising from the vehicle.
- (4) Selling merchandise from the vehicle, except when authorized.

Section 25. Use of Loading Zone. No person shall stand or park a vehicle for any purpose or length of time, other than for the expeditious loading or unloading of persons or materials, in a place designated as a loading zone when the hours applicable to that loading zone are in effect. In no case when the hours applicable to the loading zone are in effect shall the stop for loading and unloading of materials exceed the time limits posted. If no time limits are posted, then the use of the zone shall not exceed 30 minutes.

Section 26. Leaving Unattended Vehicle. No operator or person in charge of a motor vehicle shall park it or allow it to be parked on a street, on other property open to public travel, or on a new or used car lot without first stopping the engine, locking the ignition, removing the ignition key from the vehicle and effectively setting the brake. If the vehicle is attended, the ignition key need not be removed.

Section 27. Action by Police Officer. Whenever a police officer shall find a motor vehicle parked unattended with the ignition key in the vehicle in violation of Section 26, the police officer is authorized to remove the key from vehicle and deliver the key to the person in charge of the police station.

Section 28. Standing or Parking of Buses and Taxicabs Regulated. The operator of a bus or taxicab shall not stand or

park the vehicle upon a street in a business district at a place other than a bus stop or taxicab stand, respectively, except that this provision shall not prevent the operator of a taxicab from temporarily stopping his vehicle outside a traffic lane while loading or unloading passengers.

Section 29. Restricted Use of Bus and Taxicab Stands.

No person shall stand or park a vehicle other than a taxicab in a taxicab stand, or a bus in a bus stop, except that the operator of a passenger vehicle may temporarily stop for the purpose of and while actually engaged in loading or unloading passengers, when stopping does not interfere with a bus or taxicab waiting to enter or about to enter the restricted space.

Section 30. Lights on Parked Vehicle. No lights need

be displayed upon a vehicle that is parked in accordance with this ordinance upon a street where there is sufficient light to reveal a person or object at a distance of at least 500 feet from the vehicle.

Section 31. Extension of Parking Time. Where

maximum parking time limits are designated by sign, movement of a vehicle within a block shall not extend the time limits for parking.

Section 32. Exemption. The provisions of this

ordinance regulating the parking or standing of vehicles shall not apply to a vehicle of the city, county or state or public utility while necessarily in use for construction or repair work on a street, or a vehicle owned by the United States while in use for the collection, transportation, or delivery of mail.

Article VI - Parking Meters

Section 33. Parking Meter Zone. The areas, streets

or portions of such streets shown on the attached "Schedule A" and all frontages thereon, together with all increases thereof adopted by the council through resolution and all frontages thereon, except that curb cuts and sidewalk cuts which meet

city specifications and for which application has been made and granted, and which are necessary for the use of the public in availing itself of the business conducted upon the premises served by the curb cut or sidewalk cut, and also excepting curb cuts and sidewalk cuts used for residential purposes only, shall not be metered, but all that portion of existing curb cuts and sidewalk cuts which are in excess of the amount reasonably necessary for such use shall be metered. The council by resolution may decrease such areas or the streets included within the parking meter zone.

Section 34. Designation of Parking Spaces. The City Administrator under the direction of the police committee is hereby directed and authorized to mark off individual parking spaces in parking metered zones; said parking spaces to be designated by lines painted or durably marked on the curbing or surface of the street. At each space so marked off it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated.

Section 35. Installation of Parking Meters. In said parking meter zones the City Administrator under the direction of the police commission shall cause parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking spaces provided by Section 34 of this ordinance; said installation to be placed not more than two feet from the curb nor more than four feet from the front line or rear line of the parking space as indicated; the City Administrator under the direction of the police commission will be responsible for the regulation, control, operation, maintenance and use of such parking meters. Each device shall be so set as to display a signal showing legal parking upon deposit of the appropriate coin or coins, lawful money of the United States of America, for the period of time prescribed thereon. Each device shall be so arranged that upon the expiration of the lawful time limit it will indicate by a proper visible

signal that the lawful parking period has expired and in such cases the right of such vehicle to occupy such space shall cease and the operator, owner, possessor or manager thereof shall be subject to the penalties in this ordinance provided.

Section 36. Deposit of Coins. No person shall park a vehicle in a metered parking space, except as otherwise permitted by this ordinance, without immediately depositing in the parking meter adjacent to the ~~space~~ the coin of the United States required by the meter as designated by directions on the meter unless the parking meter indicates at the time the vehicle is parked that an unexpired portion remains of the period for which a coin has been previously deposited.

Section 37. Legal Time Limit. No person, except as otherwise permitted by this ordinance, shall permit a vehicle parked by him to remain parked in a parking meter space during a time when the parking meter adjacent to the space indicates that no portion remains of the period for which a coin had been deposited, or beyond the time limit for parking in such space.

Section 38. Extension of Parking Time. No person shall deposit or cause to be deposited in a parking meter a coin for the purpose of extending the parking time beyond the time limit for parking in a parking meter space.

Section 39. Mechanical Defect. An unintentional violation of a provision of this ordinance by reason of a mechanical failure of a parking meter is not an offense within the meaning of this ordinance.

Section 40. Collections. It shall be the duty of the City Administrator to direct the collection of all coins deposited in parking meters.

Section 41. Parking Meter Hoods. The City Administrator may issue a parking meter hood to:

(1) For delivery work to a vehicle used for delivery purposes.

(2) Special work permits may be issued

quarterly to any duly licensed medical doctor whose office is located within the parking meter zone.

(3) Special parking work permits may be issued without fee to all city officers, employees and city officials for use only by the individual officers, employees and officials while actually engaged in rendering service to or on behalf of the city of Hood River. Said work permits, when applied for and issued, shall be plainly stamped and marked on the face thereof in large letters "City Employee".

(4) A person engaged in the construction, reconstruction or repair of a building or installation of equipment in a building adjacent to a street where parking meters are installed. Such hood to be issued at the time of securing the work permit to be used only at the scene of the work and to be turned in at the time of the completion of the job. The application shall state the location of the work and the time it is to be returned. A deposit of \$5.00 shall be made at the time of the application to be refunded to the person upon the return of the hood and compliance with all terms of its use.

Special parking and work hood permits shall be of two kinds:

(1) Standard parking work permits for vehicles actively being utilized in the business and shall not be used for vehicles being held on a standby basis. The fee for this type of permit shall be \$5.00 per calendar quarter.

(2) Parking work permits for all other vehicles qualifying for special working permits will allow vehicles to park on a strictly standby basis in any two hour or more meter in the metered zone without the necessity of depositing a coin in the meter. The fee for this type of permit shall be \$15.00 per calendar quarter or may be purchased on an annual basis of \$50.00 per calendar year.

The police commission may establish written

administrative rules and regulations for the issuance of all permits with the approval of the council. Said permits will be issued only one vehicle at a time and the permit shall be used while the permittee is actually using the vehicle as an integral part of carrying on his work.

The City Recorder shall keep a full, complete and up to date list of all permits applied for and issued, which list shall be open to public inspection and which shall designate the purpose for which said permit was issued.

No parking hood may be used on a 20 minute parking meter space.

Section 42: Use of Parking Meter Hoods. A person with a properly issued hood may place it upon a parking meter reasonably close to the place where he is engaged. This will reserve the parking meter space for the use of the permittee's vehicle during the period when he is actually engaged in the task for which the hood was issued. No parking hood shall be used for the purpose of creating a permanent loading zone.

Section 43: Violation. No person shall use a parking meter hood except for the purpose for which the hood was issued. Failure to abide by this provision will result in forfeiture of the hood, without refund of any of the fees paid, and the city administrator shall not issue another hood to the violator except upon council approval.

Section 44: Courtesy Permits. The city administrator may in his discretion make courtesy permits available to visitors of the city. Such permits shall be valid for not more than three days and shall be free. These permits, if properly displayed in accordance with the direction prescribed by the city administrator, shall authorize the permittee to park his vehicle without regard to time limits and without having to pay the meter fees in any parking space allowing over 30 minutes of continuous parking.

Article VII - Bicycles

Section 45: Bicycle Equipment. A bicycle operated upon the streets shall be equipped as required by state law including lights and reflectors. In addition, a bicycle shall be equipped with a brake capable of sliding at least one tire when applied on dry, level, clean pavement, and a functioning bell or horn. No bicycle shall be equipped with a siren or whistle.

Section 46: Bicycle Operating Rules. In addition to observing all other applicable provisions of this ordinance and state law, a rider of a bicycle upon a street shall:

(1) Not ride upon a sidewalk within a commercial zone.

(2) Yield the right-of-way to pedestrians on sidewalks.

(3) On a two-way street, ride to the extreme right except when preparing for a left turn. On a one-way street, ride to the extreme curbside of the traffic lane and with the direction of travel designated for that lane. If the curb lane is designated for "left-turn" or "right-turn" only, and the operator is not intending to turn, he shall operate in the through lane.

(4) Not carry a package, bundle, or article which prohibits him from having full control of the bicycle and unhindered vision.

(5) Not ride abreast of another bicycle or in any manner other than single file, except on designated bicycle paths.

(6) Not operate a bicycle in a careless or reckless manner which endangers or would be likely to endanger himself, another, or any property. Racing or trick riding shall be included in this offense.

(7) Not leave a bicycle, except in a bicycle rack. If no rack is provided, he shall leave the bicycle so as not to

obstruct any roadway, sidewalk, driveway, or building entrance. Nor shall he leave the bicycle in violation of the provisions relating to the parking of motor vehicles.

Section 47: Impounding of Bicycles.

(1) It shall be unlawful to leave a bicycle on public or private property without the consent of the person in charge or the owner thereof.

(2) A bicycle left on public property for a period in excess of 24 hours may be impounded by the police department.

(3) In addition to any citation issued, a bicycle parked in violation of this ordinance may be immediately impounded by the police department.

(4) If a bicycle impounded under this ordinance is licensed, or other means of determining its ownership exist, the police shall make reasonable efforts to notify the owner. An impounding fee of \$5.00 shall be charged to the owner. No impounding fee shall be charged to the owner of a stolen bicycle which has been impounded.

(5) A bicycle impounded under this ordinance which remains unclaimed shall be disposed of in accordance with the city's procedures for disposal of abandoned or lost personal property.

Article VIII - Pedestrians

Section 48: Use of Sidewalks. A pedestrian shall not use a roadway for travel when a sidewalk is available.

Section 49: Pedestrians Must Use Crosswalks. No pedestrian shall cross a street other than within a crosswalk in blocks with marked crosswalks or if within 150 feet of a marked crosswalk.

Section 50: Right Angles. A pedestrian shall cross a street at a right angle, unless crossing within a crosswalk.

Section 51: Obedience to Traffic Lights. At an

intersection where a pedestrian control light is in operation, no pedestrian shall start to cross the street except when the walk signal is illuminated. Where only vehicle control lights are in operation, no pedestrian shall start to cross the street except when the green light is illuminated.

Article IX - Funeral Processions

Section 52: Funeral Procession. A permit shall

not be required to conduct a funeral procession.

(1) The procession shall proceed to the place of interment by the most direct route which is both legal and practicable.

(2) The procession shall be accompanied by adequate escort vehicles for traffic control purposes.

(3) All motor vehicles in the procession shall be operated with their lights turned on.

(4) No person shall unreasonably interfere with a funeral procession.

(5) No person shall operate a vehicle that is not a part of the procession between the vehicles of a funeral procession.

Article X - Parades

Section 53: Prohibited Activity. No person shall organize or participate in a parade which may disrupt or interfere with traffic without obtaining a permit. A permit shall always be required of a procession of people utilizing the public right-of-way and consisting of 100 or more persons or 20 or more vehicles.

Section 54: Parade Permit.

(1) Application for parade permits shall be made to the city administrator at least 45 days prior to the intended date of the parade, unless the time is waived by him.

(2) Applications shall include the following information:

(a) The name and address of the person responsible for the proposed parade.

(b) The date of the proposed parade.

(c) The desired route including assembling points.

(d) The number of persons, vehicles, and animals which will be participating in the parade.

(e) The proposed starting and ending time.

(f) The application shall be signed by the person designated as chairman.

(3) If the city administrator, upon receipt of the application, determines that the parade can be conducted without endangering public safety and without seriously inconveniencing the general public, he shall approve the route and issue the permit.

(4) If the city administrator determines that the parade cannot be conducted without endangering public safety or seriously inconveniencing the general public, he may:

(a) Propose an alternate route.

(b) Propose an alternate date.

(c) Refuse to issue a parade permit.

(5) The city administrator shall notify the applicant of his decision within 5 days of receipt of the application.

(6) If the city administrator proposes alternatives or refuses to issue a permit, the applicant shall have the right to appeal his decision to the city council.

Section 55: Appeal to Council.

(1) An applicant may appeal the decision of the city administrator by filing a written request of appeal with the city recorder within five days after the city administrator has proposed alternatives or refused to issue a permit.

(2) The council shall schedule a hearing date which shall not be later than the second regular session following the filing of the written appeal with the city recorder and shall notify the applicant of the date and time that he may

appear either in person or by a representative.

Section 56: Offenses Against Parade.

(1) No person shall unreasonably interfere with a parade or parade participant.

(2) No person shall operate a vehicle that is not of a parade between the vehicles or persons comprising a parade.

Section 57: Permit Revocable. The city administrator may revoke a parade permit if circumstances clearly show that the parade can no longer be conducted consistent with public safety.

Article X - Traffic Offenses on Other Property
Open to Public Travel

Section 58: Careless Driving. No person shall operate a motor vehicle on other property open to public travel in a careless manner that endangers or would be likely to endanger any person or property.

Section 59: Reckless Driving. No person shall operate a motor vehicle on other property open to public travel carelessly and heedlessly in willful or wanton disregard of the rights of safety of others.

Section 60: Driving Under the Influence of Intoxicating Liquor, Dangerous Drugs, or Narcotic Drugs. No person shall operate a motor vehicle on other property open to public travel while under the influence of intoxicating liquor, dangerous drugs, or narcotic drugs.

(1) A person charged with an offense under this section shall be advised that he has a right to a chemical test of his blood, saliva, or urine at his expense or chemical test of his breath without expense; that he is not required to submit to any such test; and that his refusal will not result in suspension of his driving privileges, and that his refusal to submit or failure to request chemical testing cannot be used

against him in any criminal proceeding.

(2) As used in this section, "intoxicating liquor," "dangerous drug," and "narcotic drug" shall mean the same as those terms are defined by state law.

Section 61: Duties at an accident.

(1) The operator of a motor vehicle involved in an accident on other property open to public travel which results in injury or death to a person or causes damage to another occupied vehicle shall stop immediately at the scene of the accident, or as close thereto as possible, and shall remain at the scene of the accident until he has fulfilled the following requirements:

(a) Rendered to a person injured in the accident reasonable assistance, including the conveying or the making of arrangements for the conveying of the person to a physician or hospital for medical treatment, if it is apparent that treatment is necessary, or if the injured person requests conveyance.

(b) Given to the occupant of the other vehicle his name and address and the names and addresses of any other occupants of the vehicle he is operating.

(2) The operator of a motor vehicle on other property open to public travel which collides with an unattended vehicle or damages other property, public or private, shall make a reasonable effort to locate and notify the owner of the damaged property. If, after reasonable effort, the operator cannot locate the owner, he shall leave in a conspicuous place a note containing his name and address and a brief description of the circumstances and promptly report the accident to the police.

(3) A witness to the accident shall furnish to the operators or occupants of the vehicles, or injured persons, his name and address.

Section 62: Enforcement.

(1) The violation of a provision of this ordinance relating to the operation of a motor vehicle on other property open to public travel shall be a municipal offense and shall subject the violator to arrest by a police officer or a private citizen if the violation takes place in the presence of the officer or citizen or by a police officer acting under authority of a municipal court warrant.

(2) ORS 133.310 (3) and 484.105 shall not apply to offenses on other property open to public travel. The Oregon Uniform Traffic Citation and Complaint Form shall not be used and convictions for offenses occurring on other property open to public travel shall not be reported to the Department of Motor Vehicles.

(3) A misdemeanor citation may be issued in lieu of custody.

Article XI - Parking Citations and Owner Responsibility

Section 63: Citation on Illegally Parked Vehicle.

Whenever a vehicle without an operator is found parked in violation of a restriction imposed by Article VI, Parking Meters (Sections 33 to 44) of this ordinance, the officer finding the vehicle shall take the make, its state license number, the date, hour and meter post of such violation, together with such facts, a knowledge of which are necessary to a thorough understanding of the circumstances attending such violation, and any other information displayed on the vehicle which may identify its owner, and shall conspicuously affix to the vehicle a traffic citation for the operator to answer to the charges against him or pay the penalty imposed within five days during the hours and at a place specified in the citation.

Section 64: Payment in Lieu of Answering Citation.

The owner or operator may, within 24 hours after the time in which the citation was attached to such vehicle as mentioned

in Section 63 above, pay to the City Recorder in full satisfaction of such violation, the minimum sum of One (\$1.00) Dollar, provided, however, in the cases of repeated violators or in case of failure to pay within twenty-four (24) hours, the City Recorder acting in his judicial capacity shall have authority to assess a larger sum for each such violation, but not in excess of Ten (\$10.00) Dollars.

Section 65: Failure to Comply with Traffic Citation Attached to Parked Vehicle. If the operator does not respond to a traffic citation affixed to such vehicle within a period of five days, the City Recorder may send to the owner of the vehicle to which the traffic citation was affixed, a letter informing him of the violation and warning him that in the event the letter is disregarded for a period of five days, a warrant for his arrest will be issued.

Section 66: Owner Responsibility. The owner of a vehicle placed in violation of a parking restriction shall be responsible for the offense, except where the use of the vehicle was secured by the operator without the owner's consent.

Section 67: Registered Owner Presumption. In a prosecution of a vehicle owner, charging a violation of a restriction on parking, proof that the vehicle at the time of the violation was registered to the defendant shall constitute a presumption that he was then the owner in fact.

Article XII - Impoundment and Penalties

(1) Whenever a vehicle is placed in a manner or location that constitutes an obstruction to traffic or a hazard to public safety, a police officer shall order the owner or operator of the vehicle to remove it. If the vehicle is unattended, the officer may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another or that the vehicle was initially parked in a safe manner,

but subsequently became an obstruction or hazard.

(2) The disposition of a vehicle towed and stored under authority of this section shall be in accordance with the provisions of Ordinance No. 1252, relating to impoundment and disposition of vehicles abandoned on the city streets.

(3) The impoundment of a vehicle will not preclude the issuance of a citation for violation of a provision of this ordinance.

(4) Stolen vehicles may be towed from public or private property and stored at the expense of the vehicle owner.

(5) Whenever a police officer observes a vehicle parked in violation of a provision of this ordinance, if the vehicle has four or more unpaid parking violations outstanding against it, the officer may, in addition to issuing a citation, cause the vehicle to be impounded. A vehicle so impounded shall not be released until all outstanding fines and charges have been paid. Vehicles impounded under authority of this subsection shall be disposed of in the same manner as provided in subsection (2) of this section.

Section 69: Penalties.

(1) Except as may be limited by charter, violations of ORS provisions made offenses against this city are punishable to the same extent provided in the statutes.

(2) Violation of Sections 6 through 21 is punishable by fine not to exceed \$100.00, or confinement in the city jail not to exceed 10 days, or both fine and imprisonment.

(3) Violation of Sections 22 through 54 is punishable by fine not to exceed \$50.00.

(4) Except as may be limited by charter, violations of Sections 55 through 61 are punishable by confinement in the city jail not to exceed 90 days or by fine not to exceed \$200.00, or by both.

Article XIII - General

Section 70: Severability Clause. If a portion of

this ordinance is for any reason held to be invalid, such decision shall not affect validity of the remaining portions of this ordinance.

Section 71: Use of Funds. As provided in Section 36 of this ordinance the amount of the coin designated in the directions on the meter adjacent to each parking space is hereby levied and assessed as a fee to provide for the proper regulation, control and inspection of traffic upon the public streets of the city of Hood River, including the doing of all things necessary to provide and maintain off-street parking if in the opinion of the City Council the traffic condition of the city requires the same, and to cover the cost of supervising, regulating and inspecting the parking of vehicles in the parking meter zones provided for herein, the cost of placing and maintaining lines or markings designating parking spaces in parking meter zones, and the cost of the rental, purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the parking meters installed hereunder, and the special fundⁱⁿ which such fees shall be placed shall be devoted exclusively to those purposes and the same when collected shall be placed in a special fund to be known as the "Parking Meter Fund" which shall be used exclusively for the purposes specified in this section.

Section 72: Repeal. The following ordinances enacted on the dates set opposite the number relating to traffic, be and they are each hereby repealed:

Ordinance No.	Date of Enactment
899	February 2, 1948
958	June 2, 1952
1055	July 16, 1956
1090	August 3, 1959
1120	February 20, 1961
1142	December 18, 1961
1144	March 19, 1962
1146	October 15, 1962
1154	December 17, 1962
1259	July 14, 1969
1274	May 25, 1970

Section 73: Saving Clause. The repeal of any

ordinance by Section 72 shall not preclude any action against any person who violated the ordinance prior to the effective date of this ordinance.

Section 74: Emergency Clause. That inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the city of Hood River and its inhabitants, and in order to provide as speedily as possible a modern up-to-date Traffic Control Ordinance for the city of Hood River an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage and approval by the mayor.

Read for the first time: September 28, 1970

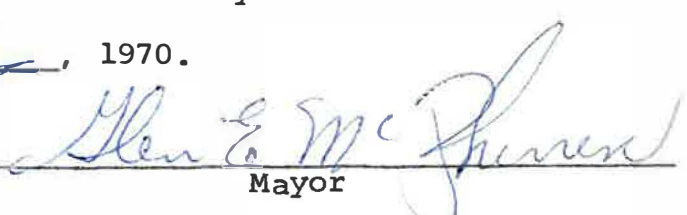
Read for the second time: September 28, 1970

PASSED by the Council of the City of Hood River
this 28th day of September, 1970.



City Recorder

APPROVED by the Mayor of the City of Hood River
this 28th day of September, 1970.



Mayor