

AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF WASHBURN, N. D. AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WASHBURN, N. D. as follows:

Sec.1, Definition of words and phrases.--The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the meanings respectively ascribed to them in this article. Whenever any words and phrases used herein are not herein defined but are defined in the State Laws regulating the operation of vehicles any such definition shall be deemed to apply to such words and phrases used herein.

Sec.2. Vehicles, Traffic, Etc., Defined.-- (a) Vehicle.-- Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway.

(c) Authorized emergency vehicles.--Vehicles of the Fire Department, police vehicles, ambulances, or emergency vehicles of municipal departments.

Sec 3. Traffic.--Pedestrians, ridden or herded animals, vehicles and other conveyances while using streets for purpose of travel.

Sec.4. Right-of-way.--The privilege of the immediate use of the roadway.

Sec.5. Stop.--When required means complete cessation of movement.

(a) Stop, stopping or standing.--When prohibited means any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

(b) Park.-- When prohibited means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

Sec.6. Official time standard.--Whenever certain hours are named herein they shall mean standard time as may be in current use in this city.

Sec. 7. Driver.--Every person who drives or is in actual physical control of a vehicle.

(a) Pedestrian.--Any person afoot.

Sec. 8. Police officer.--Every office of the municipal police department or any other authorized office to direct traffic or to make arrests for violation of traffic regulations.

(a) Traffic Division.--The traffic division of the police department of this city, or in event a traffic division is not established, the said term shall be deemed to refer to the police department of this city.

Sec. 9. Street or highway.--The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(a) Through highway.--Every street or highway or portions thereof at the entrances to which vehicular traffic from intersecting streets or highways is required to stop before entering or crossing the same and when stop signs are erected as provided in this act.

(b) Intersections.--The area embraced within the prolongation or connection of the lateral curb lines.

Sec.10 Traffic commission, its powers and duties.-- There is hereby established a traffic commission to serve without compensation, consisting of the board of city commissioners, the chief of police, and such other officials as may be appointed by the traffic commission.

Sec. 11. Operation of vehicles on approach of emergency vehicles.--Upon the immediate approach of any emergency vehicle equipped with at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and when the driver is giving audible signal by siren, exhaust whistle or bell.

(a) 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 roadway clear of any intersection and shall stop and remain in such position until the emergency vehicle has passed, except when otherwise directed by a police officer.

Sec. 12. Immediate report of accident.--The driver of a vehicle involved in any accident resulting in injury to or death of any person or property damage to an apparent extent of \$25.00 or more, shall immediately, either verbal or written, give ~~###~~ notice of such accident to the police department if such accident occurs within this city.

Sec. 13. Authority to establish play streets.--The board of city commissioners shall have authority to establish or 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.

Sec. 14. Play streets.--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 having business or whose residences are within closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

Sec. 15. State speed laws applicable.--The State traffic laws ~~###~~ regulating the speed of vehicles shall be applicable upon all streets within this city, except as this ordinance, as authorized by State law, hereby declares and determines upon the basis of traffic investigation that certain speed regulations shall be applicable upon specified streets or certain areas, in which event it shall be prima facie unlawful for any person to drive a vehicle at a speed in excess of any speed so declared when signs are in place giving notice thereof.

Sec. 16. Through streets designated.--Those streets and parts of streets described in schedule II attached hereto and made a part thereof are hereby declared through streets for the purpose of this section.

Sec. 17. Authority to erect stop signs.--Whenever any ordinance of this city designates and describes a through street it shall be the duty of the traffic commission to place and maintain a stop sign on each and every street intersecting such through street.

Sec. 18. Intersection where stops required.--The city traffic commission is hereby authorized to determine and designate intersections where particular hazard exists upon other than through streets and to determine whether vehicles shall stop at one or more entrances to any such stop intersections, and shall erect a stop sign at every such place where a stop is required.

Sec. 19. Method of parking.--No person shall stand or park a vehicle on south side of Jewell Avenue, adjoining blocks eleven (11), fourteen (14) and eighteen (18), Veeder's addition to the city of Washburn, point beginning at Walnut street, running in an easterly direction to and ending at Maple Street., 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.

Sec.20. Stopping, standing, or parking prohibited. No signs required.---No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or direction 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 15 feet of a fire hydrant.
5. On a crosswalk.
6. Within 5 feet of a cross walk at an intersection.
7. Within 5 feet of the driveway entrance to any fire station, when properly signposted.
8. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
9. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
10. At any place where official signs prohibit stopping.

SCHEDULE II. Through streets.--In accordance with the provision of this ordinance and when signs are erected giving notice thereof drivers of vehicles shall stop at every intersection before entering any of the following streets. Jewell Avenue, through the length of the city of Washburn.

Sec.21. Penalties.--Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this ordinance shall be punished by a fine of not more than 100⁰⁰ dollars or by imprisonment of not more than 60 days or by both such fine and imprisonment

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WASHBURN, NORTH DAKOTA:

Section Thirty Three (33) of Ordinance No. 48 of the City of Washburn, North Dakota and being Ordinance regulating the penalty for the violation of any of the provisions of said ordinance is hereby amended and reinserted to read as follows:

Section 1: Section 33. PENALTY. Any person, co-partnership or corporation which shall violate any of the provisions of this ordinance shall upon conviction thereof be fined not more than One Hundred (\$100.00) or imprisonment not exceeding ninety (90) days or by both such fine and imprisonment for the first conviction. In addition to the aforementioned fine and imprisonment license shall be suspended for thirty (30) days on a second conviction. In addition to the aforementioned fine and imprisonment license shall be cancelled upon third conviction.

Section 2. This ordinance shall take effect and be in force ten (10) days after second reading and final adoption and publication of the title and penalty clause provided by law.

R. O. Everson
R. O. Everson
President of the City Commission

Attest:

R. L. Luttrell
Deputy City Auditor.

First Reading April 2, 1951.
Second Reading and final passage, April 16, 1951.
Publications made April 5 and April 12, 1951.

Attest

R. L. Luttrell
City Auditor

R. O. Everson
President of the City Commission

1st reading Apr 2-1951 2nd reading Apr 16-1951 Passage May 1-1951