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Chapter 10.04GENERAL PROVISIONS AND DEFINITIONSSections:

10.04.010	Driving on streets closed for coasting and sports prohibited.
10.04.020	Passenger buses.
10.04.030	Throwing glass and debris on streets prohibited.
10.04.040	Hitching onto vehicles prohibited.
10.04.050	Impaired visibility of driver prohibited.

10.04.010 Driving on streets closed for coasting and sports prohibited. The mayor and city council are authorized to adopt resolutions closing certain streets of the city (other than Main Street) for the purpose of affording areas for coasting or other sports during such periods as such resolution shall specify, and it is unlawful for any driver to enter such streets during prohibited periods; provided, that owners of property facing such streets, and drivers of vehicles delivering goods or supplies to such owners shall have access to such property. All areas so closed shall be deemed closed only after signs are posted on the streets so closed. (Ord. 238 §13, 1954)

10.04.020 Passenger buses. Passengers alighting from any bus, other than school buses, shall wait at the curb until after the bus has left before crossing the street. It is unlawful for the driver of any vehicle passing a bus other than a school bus loading or unloading passengers to pass such bus at a speed in excess of ten miles per hour. (Ord. 238 §15, 1954)

10.04.030 Throwing glass and debris on streets prohibited. The throwing, casting or placing of glass, tacks, sharp-edged stone, bits of wire, or other substance of like nature upon the streets, alleys and public places of the city is prohibited. (Ord. 238 §25, 1954)

10.04.040 Hitching onto vehicles prohibited. No person riding any vehicle, sled or other conveyance shall hitch or hold onto any part of any other vehicle with or without the consent of the driver thereof. (Ord. 238 §29, 1954)

10.04.050 Impaired visibility of driver prohibited. No person shall drive a vehicle on any street in the city that is so closed in or constructed as to prevent the driver from having a sufficient view of the traffic at the front and sides of such vehicle, or with windshield or windows so covered with frost or snow as to impair visibility. (Ord. 238 §30, 1954)

Chapter 10.08

PARKING

Sections:

10.08.010	Definitions.
10.08.015	Establishment of a loading zone.
10.08.020	Parking in interference of snow removal prohibited.
10.08.030	Removal, impoundment and return of vehicles.
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10.08.050	Downtown and business district parking restrictions.
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10.08.065	Parking on city-owned property.
10.08.070	Parking in prohibited areas or across parking lines.
10.08.080	Warning signs and barricades.
10.08.090	Parking within twenty feet of fire hydrants prohibited.
10.08.100	Violations–Penalties.

10.08.010 Definitions. For purposes of this chapter the words and phrases defined in this section mean as follows:

“Loading zone” means a space or section of a public right of way which has been set aside for the exclusive purpose of loading and unloading property and persons.

“Parking” means the leaving of any motor vehicle unattended for any purpose, other than an emergency, and the temporary loading and unloading of vehicles. (Ord. 927 §1, 2005; Ord. 461 §1, 1983)

10.08.015 Establishment of a loading zone. Loading zones shall be established by the city council along city streets and rights-of-way by the adoption of a resolution by the city council and by the installation of appropriate signage near the loading zones. (Ord. 927 §2, 2005)

10.08.020 Parking in interference of snow removal prohibited. It is unlawful for any person to intentionally park any vehicle on the public streets of the city in such manner as to interfere with the safe and proper plowing or removal of snow on the public streets of the city. (Ord. 227 §1, 1951)

10.08.030 Removal, impoundment and return of vehicles. No person shall park a vehicle upon the public streets or other rights-of-way regularly used by the public in such a manner as to restrict or prohibit the removal of snow within that right-of-way.

A. Members of the Hailey police department are authorized to remove or have removed a vehicle from a public street or other right-of-way regularly used by public to a place designated by the police department or otherwise maintained by this city, when a vehicle is parked in violation of this section and is interfering or is about to interfere with snow removal operations.

B. No person shall recover any vehicle removed in accordance with this section except as provided herein. Before the owner or person in charge of such vehicle shall be allowed to recover it from the place where it has been placed or impounded, he shall present to the person holding and in charge of such vehicle evidence of his identity and right to possession of the vehicle, shall sign a receipt for its return, shall pay the cost of removal, and shall pay any cost of storage accrued. Until paid, these charges constitute a lien upon the vehicle which may be enforced in the same manner as a garage keepers lien in accordance with the provisions of Idaho statutory law. All expenses of towing and storage shall be expenses of the vehicle owner.

C. The removal, towing, and impounding of vehicles shall be conducted only by authorized towing companies who have demonstrated to the city proof of adequate equipment, storage facilities and insurance coverage. (Ord. 722 §1, 1999)

10.08.040 Parking restrictions during winter months in residential areas. No person shall park a vehicle upon the public streets or other rights-of-way regularly used by the public in residential areas within the city from the hours of twelve a.m. to seven a.m., each day from November 1st of each year to May 1st of the following year, in order to facilitate the removal of snow. The city shall install signs at the entrance to all residential subdivisions and upon all residential streets designated as collector streets indicating the substance of this section. (Ord. 722 §2, 1999)

10.08.050 Downtown and business district parking restrictions. A. It is unlawful for the driver of any vehicle to park motor vehicle or nonmotorized vehicle on Main Street between McKercher Boulevard and Maple Street or on Bullion and Croy Streets between First Avenue and River Street for any period exceeding two hours between the hours of nine a.m. and six p.m.

B. It is unlawful for the driver of any vehicle to park any motor vehicle or non-motorized vehicle on Main Street between McKercher Boulevard and Maple Street between the hours of two a.m. to six a.m. Such restrictions shall apply during the entire year to facilitate street cleaning and snow removal operations. Nothing contained in this section shall be construed to prohibit parking of motor vehicles for periods exceeding two hours during hours other than those specified herein and/or areas other than those specified herein, provided such parking does not violate the provisions of this section.

C. It is unlawful for the driver of any vehicle to stop, stand or park a vehicle within any place marked as a loading zone, except while actively engaged in the expeditious loading or unloading of persons or property. In no case shall the stopping, standing or parking for the loading or unloading exceed ten (10) minutes.

D. Nothing in this section shall be construed as amending the provisions of Section 10.08.070 or any amendment thereof.

E. The city shall install signs upon Main Street between McKercher Boulevard and Cedar Street, and at other locations deemed appropriate, showing the hours of limited parking and otherwise indicating the substance of this section.

F. The driver of any motor vehicle parking that vehicle on any portion of Main Street where parking is allowed shall park his or her vehicle at an angle parallel to the right-hand curb so that the right side of the vehicle is not more than one foot from the curb and so that said vehicle will be within any parking lane or space marked on the street or curb by or under the authority of the mayor and city council. Vehicles parking on other streets shall be parked parallel or at an oblique angle, in accordance with any signs posted under the authority of the mayor and city council. (Ord. 927 §3, 2005; Ord. 722 §3, 1999; Ord. 703 §3, 1997; Ord. 643 §1, 1994; Ord. 578 §1, 1991; Ord. 567 §§1--5, 7, 1990)

10.08.060 Parking and obstructing alleys and similar thoroughfares. It is unlawful for any person, firm, corporation, partnership or association to park in, or to obstruct in any way, method or manner, any alley or similar public thoroughfare, under any circumstances without the express permission of the city. (Ord. 461 §2, 1983)

10.08.065 Parking on city-owned property. It is unlawful to park any motor vehicle upon property owned by the city or upon any portion of a city right-of-way posted to indicate that such parking is illegal. (Ord. 927 §4, 2005; Ord. 608 §§1, 2, 1992)

10.08.070 Parking in prohibited areas or across parking lines. It is unlawful for the driver of any vehicle to park said vehicle in or across any private driveway, or in those areas prohibited by order of the mayor or city council, including areas in front of gasoline pumps or driveways to garages or service stations. Further, where parking lines have been established by order of the mayor or city council, it is unlawful for the driver of any vehicle in parking his vehicle wherever such parking lines exist to have his vehicle overlap such lines. (Ord. 238 §8, 1954)

10.08.080 Warning signs and barricades. It is unlawful for any person, firm, corporation or association doing any work in or upon any alley or similar public thoroughfare, whether by permit or otherwise, if such work is not completed by sunset, to fail to provide a fence, or other suitable obstruction or obvious warning sign, around the site of the work and shall provide a minimum of four lights, and, keep them burning throughout the hours from sunset to sunrise. (Ord. 461 §3, 1983)

10.08.090 Parking within twenty feet of fire hydrants prohibited. No vehicle shall park within twenty feet of any fire hydrant. (Ord. 238 §11, 1954)

10.08.100 Violations–Penalties. A. Any violations of the provisions of Section 10.03.030 (B) of this chapter regarding recovery or moving of any vehicle removed by the police department without payment for removal and storage shall be guilty of a misdemeanor.

B. Every person who violates any provision of section 10.08.050(A) shall be deemed guilty of an infraction and shall be subject to a penalty of ten dollars (\$10.00) per violation, per day, and a penalty of thirty-five dollars (\$35.00) per violation, per day for a second and subsequent offense within a calendar year. Each parking space used in violation of this section shall constitute a separate infraction.

C. Except as otherwise provided in section 10.08.100(B), every person who violates any provision of chapter 10.08 shall be deemed guilty of an infraction and shall be subject to the penalty for each violation established in the Idaho Infraction Rules. Each day or parking space used in violation of this section shall constitute a separate infraction. (Ord. 927 §5, 6, 2005; Ord. 722 §4, 1999; amended during 1992 codification; Ord. 461 §4, 1983; Ord. 227 §2, 1951)

Chapter 10.12

SPEED LIMITS

Sections:

10.12.010 Speed limits designated.

10.12.010 Speed limits designated. Every person operating a motor vehicle on a public street or alley in the city shall drive the same in a careful and prudent manner, and not to exceed the following speeds:

- A. Twenty-five miles per hour on Main Street, from one thousand two hundred seventy-three feet north of mile post 117 at North First Street to two thousand six hundred fifteen feet south of mile post 116 on South Main Street;
- B. Fifteen miles per hour in all alleys;
- C. Fifteen miles per hour through school zones as indicated by school zone signs posted at school zone areas;
- D. Fifteen miles per hour on all streets which are adjacent to city parks;
- E. Twenty miles per hour in all residential areas, except as posted.
- F. Twenty-five miles per hour in all other areas of the city not specified in subsections A through E of this section, except as posted.
- G. Where a speed limit is posted, no person shall operate a motor vehicle in excess of the posted speed limit. Speed limits will be posted in the city as authorized by Idaho Code Section 49-207, et seq.

Registered physicians, firemen and police officers in an emergency may exceed such speed limitations. No vehicle shall emerge from an alley or private driveway at a speed in excess of five miles per hour. (Ord. 796 §1, 2002; Ord. 729, 1999; Ord. 704 §1, 1998; Ord. 561 §26(d), 1991; Ord. 238 §26, 1954)

Chapter 10.16

TRAFFIC SIGNS AND SIGNALS

Sections:

- 10.16.010 Stop signs.
- 10.16.020 Warning devices and signals.
- 10.16.030 Restriction of truck traffic on residential streets.
- 10.16.040 Penalty.

10.16.010 Stop signs. Vehicles shall come to a full stop at any intersection wherein there is now installed or shall hereafter be installed a stop sign. (Ord. 238 §34, 1954)

10.16.020 Warning devices and signals. When a flashing yellow signal is used at any intersection or above any

street of the city, drivers of vehicles may proceed through the intersection and past such signal only with caution. (Ord. 238 §35, 1954)

10.16.030 Restriction of truck traffic on residential streets. It is unlawful for the driver of any vehicle (including any trailer pulled by such vehicle) with a gross vehicular weight (“GVW” or “GVWR”) of twenty thousand (20,000) pounds or more (regardless whether the vehicle and if applicable, the trailer, weighs in excess of 20,000 pounds) to operate such vehicle on a residential street within the city if such street is posted to prohibit the driving of trucks upon such street or to fail to obey signs designating truck routes within the city. The provisions of this section shall not apply to a) emergency vehicles, b) rubbish pickup vehicles, c) utility service vehicles (e.g., snowplows and street construction equipment) used to service streets, utilities and real property in neighborhoods adjacent to residential streets, d) vehicles delivering personal property or construction materials to property in a neighborhood adjacent to a residential street, e) school buses and f) vehicles involved in agricultural operations and vehicles transporting products of agricultural operations.

A party may apply for a temporary special use permit allowing use of a certain residential street or streets, for a vehicle with a GVW exceeding twenty thousand pounds. After consideration of said application and hearing by the city council, the city council may, upon such terms and conditions as are deemed by the council to be adequate to protect the public welfare, authorize the city clerk to issue such a temporary special use permit. The conditions and restrictions included in any such special use permit may include, without limitation, restrictions as to length of the permit, days and/or hours of operation, speed limits more restrictive than those posted or those generally applicable to the street or streets authorized for use, limits as to the weight of the vehicles (including any trailers) to be used, prohibition of use of “Jake” brakes within the city, prohibition of operation in wet or winter weather, a requirement that the applicant indemnify and hold the city harmless with regard to liability for any claims or damages resulting from the applicant’s operations, proof of liability insurance in an amount acceptable to the city council, and a requirement that security (in the form of a bond, escrow account, or joint account in an amount and form acceptable to the council) be posted to secure payment by the applicant of any and all expense to repair damage to the street or streets used by the applicant, which damage is the result of said use. (Ord. 870 §1, 2004; Ord. 692 §1, 1996; Ord. 680 §1, 1995; Ord. 647 §1, 1994)

10.16.040 Penalty. Any person, firm or other legal entity violating any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars (\$300.00) or imprisonment in the county jail for a period not to exceed six (6) months, or both such fine and imprisonment. (Ord. 870 §2, 2004)

Chapter 10.20

RULES OF THE ROAD

Sections:

- 10.20.010 Backing and leaving curbs.
- 10.20.020 Emergency equipment–Right-of-way.
- 10.20.030 Fire equipment–Approach procedures.
- 10.20.040 Fire equipment–Parking near.
- 10.20.050 School buses–Passing.
- 10.20.060 Meeting vehicles.
- 10.20.070 Overtaking vehicles.
- 10.20.080 Slow traffic.
- 10.20.090 Turn and stop signaling.
- 10.20.100 Turning at intersections.

Sections: (Continued)

- 10.20.110 U-turns.
- 10.20.120 Motor-bikes–Rider restrictions.
- 10.20.130 Pedestrian duties.

10.20.010 Backing and leaving curbs. Before backing any vehicle or leaving a curb, center, or side of the street with any vehicle, and while backing or leaving the curb or center, diligence must be exercised by the driver so as not to injure any person or property. Any driver so backing or leaving a curb shall yield the right-of-way to vehicular traffic moving on his side of the street. (Ord. 238 §4, 1954)

10.20.020 Emergency equipment–Right-of-way. The fire department, police department, ambulances when operated on official business and when the operator thereof shall sound an audible signal by bell, siren or exhaust whistle, and funeral processions shall have the right-of-way in any street or through any procession, in the order named. (Ord. 238 §5, 1954)

10.20.030 Fire equipment–Approach procedures. The driver of any vehicle upon the approach of any fire apparatus, shall immediately draw up said vehicle as near the right-hand curb as practical and bring it to a standstill and remain stopped until all fire apparatus have passed. (Ord. 238 §6, 1954)

10.20.040 Fire equipment–Parking near. A. In cases of fire within the limits of the city, it is unlawful for any person, except firemen on duty, to park any auto, or other vehicle, within three hundred feet of the fire, or possible spreading thereof, to be designated by the firemen, and also within three hundred feet of any fireplug within the vicinity of the fire; a violation of this section, on conviction, shall be a misdemeanor.

B. Any person driving over a fire hose, at any time, shall be guilty of a misdemeanor, and shall be fined not less than fifty dollars, and shall pay the expense of damage to the hose on conviction. (Ord. 158 §§1--4, 1937)

10.20.050 School buses–Passing. It is unlawful for the driver of any vehicle to pass a school bus stopped and loading or unloading students, while the signal arm on such bus is in an extended position. If such arm is lowered, such bus may be passed at a speed not in excess of five miles per hour. (Ord. 238 §14, 1954)

10.20.060 Meeting vehicles. A vehicle, except when passing another, shall keep as near to the right-hand curb as safety and convenience will permit. A vehicle meeting another shall pass to the right. (Ord. 238 §16, 1954)

10.20.070 Overtaking vehicles. A vehicle overtaking another shall pass on the left side of the overtaken vehicle and shall not pull over to the right until entirely clear of it. (Ord. 238 §17, 1954)

10.20.080 Slow traffic. On all thoroughfares, heavy and slow-moving vehicles shall, so far as convenience permits, keep to the right curb, in order to allow the rapid moving and lighter traffic to proceed immediately. (Ord. 238 §18, 1954)

10.20.090 Turn and stop signaling. The driver of any vehicle desiring or intending to turn into an intersection or alley to the left, shall first signal for at least one hundred feet before making such turn, either by proper hand signal or mechanical signaling device. The driver of any vehicle desiring or intending to deviate from a straight path shall signal such intention for at least one hundred feet before such turn is made. No person shall stop or suddenly decrease the speed of a vehicle without first giving appropriate signals, when there is opportunity to give such signal. Such signals shall be given either by hand or mechanical device, and in accord with requirements of the law of the state for such signals. (Ord. 238 §19, 1954)

10.20.100 Turning at intersections. The driver of any vehicle who desires or intends to turn into an intersecting street or alley to the left shall, after making proper signals, make such turn so as to keep to the right of the center of such intersection so as to enter such street or alley in the direction in which traffic is moving, and desiring to turn to the right, such driver shall, after making proper signals, turn in such direction, keeping as close to the right-hand intersection corner as safety and convenience will permit. (Ord. 238 §20, 1954)

10.20.110 U-turns. A. No vehicle shall be turned around upon any street in the city unless said vehicle shall first proceed to a street intersection. Such turn shall be made, after proper signal, to the left after reaching the center of such intersection and keeping within the intersection while making such turn. Provided, however, that no such turn shall be made at any intersection where the same has been posted preventing such turns, by authority of the mayor or city council.

B. No vehicle shall be driven across the centerline of Main Street between Walnut and Galena Streets in order to park such vehicle at the curb of the opposite lane of traffic, except where there is a curb cut and off-street parking in such curb, nor shall any vehicle be backed out of a parking space at a curb in such a manner as to cross the centerline of Main Street and proceed in the direction opposite to that of the direction of parking. (Ord. 350 §1, 1975; Ord. 238 §28, 1954)

10.20.120 Motor-bikes–Rider restrictions. No more than two persons shall ride a motor-bike, motorcycle or motor scooter at any one time, and no person shall ride in front of the driver of such motor-bike, or on the handlebars of such bike, or in any other position that will interfere with the driver’s control and management of the machine in a careful and prudent manner. (Ord. 238 §32, 1954)

10.20.130 Pedestrian duties. A. Crosswalks for pedestrians shall be shown by white lines or other appropriate markings or devices. Where crosswalks are established, the driver of a vehicle shall yield the right-of-way, slowing down or stopping, if need be, to yield to a pedestrian crossing the roadway within a crosswalk. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.

B. Whenever any vehicle is stopped at a marked crosswalk or any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

C. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway. (Ord. 875 §1, 2004; Ord. 238 §37, 1954)

Chapter 10.24

ABANDONED VEHICLES

Sections:

10.24.010	Authority.
10.24.020	Definitions.
10.24.030	Impoundment.
10.24.040	Disposition of impounded vehicles.
10.24.050	Nuisance abatement.
10.24.060	Nuisance abatement–Notice.
10.24.070	Nuisance abatement–Lien on property.
10.24.080	Violation–Penalty.

10.24.010 Authority. Portions of this ordinance are adopted in conjunction with Title 49, Chapter 18 of the Idaho Code and the city adopts any and all rules and procedures of the Idaho Department of Motor Vehicles dealing with the disposition of abandoned vehicles. (Amended during 1992 codification; Ord. 464 §1, 1983)

10.24.020 Definitions. For the purposes of this chapter, the following definitions shall apply:

“Abandoned and/or junk motor vehicle” means any motor vehicle which:

1. Is left on private property for more than twenty-four hours without the permission of the person having rights to the possession of the property; or on a public street or other property open to the public for the purposes of vehicular travel or parking, or upon or within the right-of-way of any road or highway for twenty-four hours or

longer, or is impounded for violation of any state law or municipal ordinance, or is impounded as a result of or due to extraordinary circumstances as defined in this section, except that a vehicle shall not be considered abandoned if its owner and/or operator is unable to remove it from the place where it is located and has notified a law enforcement agency and requested assistance;

2. Is without a valid correct license plate; or
3. Has a fair market value of not more than two hundred dollars;
4. Has been left unclaimed for a period of sixty days from the date the same was impounded.

“Authorized officer” means any member of the Idaho State Police, or any regularly employed and salaried deputy sheriff or other county employee designated to perform the function of removing abandoned vehicles or junk vehicles by the board of county commissioners of the county in which

the vehicle is located, or any regularly employed and salaried city police officer or other city employee designated to perform the function of removing abandoned vehicles or junk vehicles by the city council, or a qualified person deputized or appointed by the proper authority or reserve deputy sheriff or city policeman, within whose jurisdiction the abandoned vehicle or junk vehicle is located.

“Extraordinary circumstances” means any situation where an emergency exists or public safety is endangered, or any situation in which a motor vehicle:

1. Is blocking or impeding traffic; or
2. Is causing a public safety hazard; or
3. Has the potential of impeding any emergency vehicle; or
4. Is impeding any snow removal or other road maintenance operation.

“Highway” means any way or place of whatever nature open to the use of the public as a matter of right for the purposes of vehicular travel or parking of motor vehicles which is maintained by the state or some taxing subdivision or unit thereof, or the federal government or any agency thereof.

“Junk” means old or scrap copper, iron, rope, rags, batteries, paper, trash, rubber, tires, debris, waste, or junked, dismantled, partially dismantled or wrecked automobiles, or parts thereof, steel or other old or scrap ferrous or nonferrous material, and all other items and materials clearly abandoned or discarded.

“Legal owner” means any person notated as “lien holder” of the respective vehicle, such notation appearing on the title records of the Department of Law Enforcement and on the respective certificate of title.

“Maintain” means to allow to exist.

“Person” means every natural person, firm or corporation, association or copartnership.

“Registered owner” means any person required to register a motor vehicle, whether or not a lien holder appears on the title in the records of the Motor Vehicle Division of the Department of Law Enforcement.

“Unregistered vehicle” means a motor vehicle without current title or registration on file with the motor vehicle division of the state Department of Law Enforcement or, if not titled or registered in the state, without current attached license plates issued for such vehicle in the name of the owner so as to provide ready means to identify the owner.

“Wrecker” or “tow truck,” as used in this chapter, means a motor vehicle designed and used primarily for towing other vehicles that may be disabled. (Amended during 1992 codification; Ord. 464 §3, 1983)

10.24.030 Impoundment. Any vehicle falling within the definition of abandoned and/or junk motor vehicle may be taken into custody by a law enforcement officer of the city and stored in a suitable place, or may cause any such vehicle to be placed in the custody of a tow truck operator certified pursuant to the applicable provisions of the Idaho Code, and which has also demonstrated to the city proof of

adequate equipment, storage facilities and insurance coverage. All expenses of towing and storage to be the responsibility of the owner of the vehicle. (Ord. 734 §1, 1999; amended during 1992 codification; Ord. 464 §4, 1983)

10.24.040 Disposition of impounded vehicles. Any vehicle impounded for a violation of any law of the state, or any ordinance or resolution of the city or for any reason stated in this chapter, and left unclaimed for a period of sixty days shall be deemed to be an abandoned and/or junk motor vehicle and at the expiration of any such period, said vehicle shall be deemed to be in the custody of the chief law enforcement officer of the city. The chief law enforcement officer or the tow truck operator, if any, shall dispose of any such vehicle in the manner provided in this Chapter 18 of Title 49 of the Idaho Code. (Amended during 1992 codification; Ord. 464 §5, 1983)

10.24.050 Nuisance abatement. The accumulation and maintenance by any person of junk and debris, as defined in this chapter, and/or wrecked, dismantled or partially dismantled automobiles and/or vehicles and/or parts thereof on private premises owned or occupied by him or her, or the placing thereof on streets, alleys or public places of the city, being, in this chapter, declared as a public nuisance, the city is authorized to remove or abate such nuisance. (Ord. 464 §6, 1983)

10.24.060 Nuisance abatement–Notice. The city shall give the owner or occupier of private premises violating provisions of this chapter relating to such accumulation and maintenance described in this chapter, notice to remove or cause to be removed such public nuisance within fifteen days from the date of said notice and upon the failure of said owner to remove or cause to be removed said public nuisance within such time the city may remove or cause to be removed said public nuisance and said owner or occupier shall be charged for the expenses of such removal by the city. (Ord. 464 §7, 1983)

10.24.070 Nuisance abatement–Lien on property. The expenses of removal by the city of any public nuisance found under the provisions of this chapter shall constitute a lien upon the property such nuisance is removed from, and the amount thereof may be certified to the proper officer

of the county for the collection thereof in the same manner as other taxes as provided by law. The city may, at its option, institute a civil action for the removal of and the abatement of such nuisance. (Ord. 464 §8, 1983)

10.24.080 Violation–Penalty. For the purpose of promoting the public safety, health, welfare, convenience and enjoyment of public travel, to protect the public alleys and to preserve and enhance the scenic beauty of the city, it is declared that the accumulation and maintenance of junk and wrecked or abandoned motor vehicles on private premises and upon streets and alleys is a public nuisance and a misdemeanor, subject to imprisonment of up to six months in the county jail, or a fine of up to three hundred dollars, or both. (Amended during 1992 codification; Ord. 464 §2, 1983)

Chapter 10.28

CRIMINAL PROVISIONS

Sections:

10.28.010 Driving while intoxicated or under the influence.

10.28.010 Driving while intoxicated or under the influence. It is unlawful for any person, under the influence of intoxicating liquor or drugs, to drive or operate any motor vehicle upon the streets, highways or public places of the city. (Ord. 238 §31, 1954)

Chapter 10.32

VEHICLE EQUIPMENT

Sections:

10.32.010 Horns and warning devices.

10.32.020 Lights.

10.32.030 Mufflers–Cutouts.

10.32.040 Tracked equipment.

10.32.010 Horns and warning devices. It is unlawful to operate any vehicle upon the streets or alleys of the city unless the same is equipped with a horn in good working order capable of emitting sound audible under normal conditions from a distance

of not less than two hundred feet, and it is unlawful for any vehicle except fire equipment, police cars and ambulances to have any siren, exhaust, compression or spark plug whistle, or for any person at any time to use a horn otherwise than as a reasonable warning or to make any unnecessary or unreasonable loud or harsh sound by means of a horn or other warning device. (Ord. 238 §33, 1954)

10.32.020 Lights. Every motor vehicle operated on the streets of the city during the time from sunset to sunrise, and at any time when there is not sufficient light to render clearly discernible any person on the streets at a distance of five hundred feet ahead, shall be equipped with lighted front and rear lamps, as required by the applicable sections of Title 19 of the Idaho Code. (Amended during 1992 codification; Ord. 238 §22, 1954)

10.32.030 Mufflers–Cutouts. It is unlawful to drive a motor vehicle on any street of the city unless such vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise. A muffler cutout shall not be used on any motor vehicle on any street in the city. (Ord. 238 §27, 1954)

10.32.040 Tracked equipment. A. It is unlawful for any person to drive or operate any tracked equipment with metal cleats over or across any of the public streets of the city that have an oiled surface.

B. Any violation of the provisions of this section is unlawful and any person so violating such provisions shall be guilty of an offense and upon conviction thereof shall be fined not to exceed one hundred dollars and costs, and upon failure to pay such fine and costs shall be confined in the city jail at the rate of one dollar and fifty cents per day until such fine and costs are paid in full.

C. Nothing in this section shall be deemed or construed as prohibiting the use of any tracked equipment that does not have metal cleats on the track. (Ord. 251 §§1--3, 1956)

Chapter 10.36

RECREATIONAL VEHICLES

Sections:

- 10.36.010 Restrictions.
- 10.36.020 Snowmobiles.

10.36.010 Restrictions. No person shall drive or allow to be driven on the streets, alleys or public thoroughfares of the city any snowmobile, or any other self-propelled recreational vehicle under one thousand pounds unladen gross weight designed primarily for travel on snow or ice, which may be steered by tracks, skis or runners, except as provided in this chapter. (Ord. 298 §1, 1970)

10.36.020 Snowmobiles. A. Snowmobiles and other self-propelled recreational vehicles, as described in Section 10.36.010, may be operated upon the public streets (but not the alleys) of the city only for access to and from snowmobile recreation areas. Such operation shall be illegal in the following areas:

1. Galena Street from River Street to 1st Avenue;
2. Carbonate Street from River Street to 1st Avenue;
3. Bullion Street from River Street to 1st Avenue;
4. Croy Street from River Street to 1st Avenue;
5. Walnut Street from River Street to 1st Avenue;
6. Blaine County Recreational Path currently used for cross-country skiing.

Operation upon Main Street and Highway 75 shall be illegal, except for expeditious crossing at permitted streets.

B. Legal operation of snowmobiles upon public streets in accordance with this chapter is limited to individuals holding a valid driver's license pursuant to Title 49, Chapter 3, of the Idaho Code.

C. All snowmobiles operated upon a public street in accordance with this chapter must be equipped with at least one headlight, one taillight, and a stoplight visible from a distance of not less than two hundred fifty feet. The headlight and taillight must be on at all times. All snowmobiles operated upon a public street must have an operable braking system and a flag displayed at a height which meets current snowmobile industry standards.

D. Any individual operating a snowmobile or riding upon a snowmobile on a public street must wear an approved helmet at all times.

E. It shall be illegal to operate a snowmobile pursuant to this chapter under the influence of alcohol or drugs of any kind. It shall be illegal to operate a snowmobile pursuant to this chapter in excess of fifteen miles per hour.

F. If more than one snowmobile is being operated on a public street, said snowmobiles must be driven single file on the right-hand side of the street. Snowmobiles shall be allowed only upon the plowed portion of a right-of-way and shall not be operated upon any snow bank.

G. Any snowmobile operated pursuant to this chapter shall be currently registered in the state of Idaho and display a valid sticker indicating such registration. The operator of any snowmobile in accordance herewith must carry a current certificate of liability insurance.

H. To prevent excessive noise, all snowmobiles operated in accordance herewith shall be equipped with a muffler in good working order and in constant operation. No person shall use a muffler cut-out, by-pass or similar device.

I. Towing of a disabled snowmobile without the use of a rigid towing device shall be allowed; provided, that both snowmobiles are being steered by licensed drivers.

J. No operation of a snowmobile pursuant to this chapter shall be allowed between the hours of ten p.m. and eight a.m. (Ord. 675 §1, 1995)

Chapter 10.40

BICYCLES

Sections:

10.40.010	Definitions.
10.40.020	Registration required.
10.40.030	Registration procedure.
10.40.040	Registration assigned to bicycle.
10.40.050	Sale or transfer of bicycles.
10.40.060	Registration fee.
10.40.070	Serial numbers.
10.40.080	Warning devices and lights.

Sections: (Continued)

- 10.40.090 Prohibited parking areas.
- 10.40.100 Riding and operating restrictions.
- 10.40.110 Racing and reckless operation.
- 10.40.130 Violation–Penalty.

10.40.010 Definitions. For purposes of this chapter, the words and phrases defined in this section apply:

“Bicycle” means and includes any and all two-wheeled vehicles having a tandem arrangement of the wheels, one or more saddles or seats for the rider or riders, handlebars, and levers or pedals for propulsion of the vehicle by the feet of the rider. (Ord. 217 §1, 1948)

10.40.020 Registration required. On and after April 1, 1949 it is unlawful for any person to ride, operate or propel any bicycle or permit any bicycle to stand or be parked on the streets or alleys of the city, unless such bicycle has been registered with the city clerk and unless there is properly attached thereto a registry secured from the city clerk as provided in this chapter. (Ord. 217 §2, 1948)

10.40.030 Registration procedure. Commencing on the first day of April, 1949, and annually thereafter, every bicycle must be registered with the city clerk, such registration to show the serial number of each bicycle and such other information as may be required by the city clerk. (Ord. 217 §3, 1948)

10.40.040 Registration assigned to bicycle. As each registration is effected, a number shall be assigned to said bicycle, which number must be attached to the bicycle in such manner that the number will be in plain view while the bicycle is in motion or parked, and such number shall remain so attached throughout the current registration year; and any number issued during any year shall be invalid and shall be detached from the bicycle on and after the first day of April following its issuance; and only one number shall be displayed upon a bicycle. (Amended during 1992 codification; Ord. 217 §4, 1948)

10.40.050 Sale or transfer of bicycles. In case of the sale or transfer of a bicycle the purchaser or transferee shall immediately report such sale or transfer to the clerk of the city and give the clerk the name of the new owner, and the registration and number plate shall thereupon be transferred to such new owner or transferee, and the number plate originally assigned to such bicycle must remain attached thereto until the end of the current registration period. (Ord. 217 §5, 1948)

10.40.060 Registration fee. Every bicycle owner shall pay a fee of fifty cents for each bicycle registered and to which a number plate is so issued, and upon each transfer of a bicycle the purchaser or transferee shall pay a like sum upon his registration as provided in Section 10.40.050. All fees collected shall be deposited monthly in the general fund of the city. (Ord. 217 §6, 1948)

10.40.070 Serial numbers. No bicycle shall be sold or registered unless it has embossed, cut or impressed on some portion thereof a serial number; should any bicycle submitted for registration not have such number, the city clerk shall issue a number and see the same is stamped thereon. (Amended during 1992 codification; Ord. 217 §7, 1948)

10.40.080 Warning devices and lights. It is unlawful for any person to ride, use or operate a bicycle upon the streets, alleys and public places within the city unless the same is equipped with a bell or some warning device adequate for giving warning to others, and operators of bicycles upon such ways shall use such warning device for such purpose. No person shall ride a bicycle upon the streets, alleys or public places of the city during the night time without having such bicycle equipped with a headlight and a reflector, which reflector shall be attached to the rear of said bicycle so it is discernible by traffic approaching from the rear; such headlight and reflector shall be of such design and specifications as required by Idaho Code Section 49-723. (Amended during 1992 codification; Ord. 217 §8, 1948)

10.40.090 Prohibited parking areas. It is unlawful for any person to park a bicycle in any parking space or lane established and marked on the street or curb by the city officials for the use of automobiles, but shall be parked and left in racks and similar spaces provided or to be provided for the use of bicycles, or in spaces not marked off and reserved for bicycles. (Ord. 217 §9, 1948)

10.40.100 Riding and operating restrictions. Two or more riders on the same single seat bicycle is prohibited at all times and no one while riding a bicycle shall hold onto or be in any way attached to any other vehicle or person thereon. (Ord. 217 §10, 1948)

10.40.110 Racing and reckless operation. It is unlawful for any person or persons to run or engage in, or cause to be run or engaged in, any bicycle race within the city, except with the express permission and direct supervision of the city chief of police, which official is authorized to designate the times and places for such races; it is unlawful to ride a bicycle in a reckless or careless manner, or in any manner that may be dangerous to the persons or property of themselves or others, and all persons riding bicycles are expressly prohibited from weaving from left to right or vice versa. (Ord. 217 §11, 1948)

10.40.130 Violation–Penalty. Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor. (Amended during 1992 codification; Ord. 217 §13, 1948)