

ORDINANCE NO. 200 INDEX

REPLACED
BY
#209

CHAPTER 1. GENERAL STATE OFFENSES & TRAFFIC CODE

- 1-1 Criminal Code Adopted
- 1-2 Adopting of Idaho Motor Vehicle Laws
- 1-3 Issuance of Citations
- 1-4 Penalty
- 1-5 Owner Responsibility
- 1-6 Permitting Unauthorized Minor to Drive
- 1-7 Permitting Unauthorized Person to Drive
- 1-8 Rules of the Road

CHAPTER 2. PARKING

- 2-1 Parking Zones Established
- 2-2 Designation of Parking Zones/Parking Spaces
- 2-3 Off-Street Parking
- 2-4 Manner of Parking
- 2-5 Parking in Loading Zones
- 2-6 Unlawful Parking
- 2-7 Handicapped Parking
- 2-8 Parking on Private Property
- 2-9 Obstructing Traffic
- 2-10 Leaving of Wrecked, Non-Operating Vehicle on Street
- 2-11 Repairing Vehicle on Street
- 2-12 Impoundment of Vehicles
- 2-13 Towing & Storage of Impounded Vehicles
- 2-14 Unattended Motor Vehicles
- 2-15 Enforcement
- 2-16 Penalties

CHAPTER 3. OPERATION OF VEHICLES

- 3-1 Operation of Vehicles on Public or Private Property
- 3-2 City Speed Limits
- 3-3 Operation at Careful & Prudent Speed Required
- 3-4 U Turns
- 3-5 No Passing Zones
- 3-6 Vehicles Turning Left at Intersection
- 3-7 Turning Movements & Required Signals
- 3-8 Vehicles Approaching or Entering Intersections
- 3-9 Vehicles Entering Stop or Yield Intersections
- 3-10 Limitations on Backing
- 3-11 Collision with Pedestrians or Vehicles or Objects
- 3-12 Reckless Driving
- 3-13 Racing on Highways
- 3-14 Fleeing or Attempting to Elude a Law Enforcement Officer
- 3-15 Barriers, Barricades or Warning Signals

CHAPTER 4. EMERGENCY VEHICLES AND OFFICIALS

- 4-1 Authorized Emergency Vehicles
- 4-2 Following Fire Apparatus Prohibited
- 4-3 Crossing Fire Hose
- 4-4 Duty & Authority of Law Enforcement & Fire Department Officials
- 4-5 Obedience to Law Enforcement & Fire Department Officials Required

CHAPTER 5. TRUCKS, TRUCK ROUTES & HEAVY LOADS

- 5-1 Truck Routes
- 5-2 Heavy Loads, Machinery, Lugs & Flanges
- 5-3 Air Compression Brakes

CHAPTER 6. ALCOHOL & DRUGS

- 6-1 Open Container Law
- 6-2 Prohibition Regarding Alcoholic Liquor
- 6-3 Persons Under the Influence of Intoxicating Liquor or Drugs

CHAPTER 7. MISCELLANEOUS

- 7-1 Riding on Motorcycles
- 7-2 Unlawful Snowmobile Operations
- 7-3 Authorized Snowmobile Operations: Road Rules
- 7-4 Use of Coasters, Roller Skates & Similar Devices -- Unlawful When
- 7-5 Applicability to Pushcarts, Animals & Animal-Drawn Vehicles
- 7-6 Unlawful Riding
- 7-7 Tampering With a Vehicle
- 7-8 Regulating Funerals and Other Processions
- 7-9 Bus Stops -- Designation Authority -- Use -- Unlawful Acts
- 7-10 Stopping, Standing or Parking Near Congested Places
- 7-11 Obstructions, Debris or Other Blockage of Streets & Alleys
- 7-12 Placing Debris or Other Materials on the Streets
- 7-13 Traffic-Control Signs, Signals & Devices
- 7-14 Crosswalks & Safety Zones
- 7-15 Street Closing Signs & Other Traffic Signs
- 7-16 Minors - Curfew Regulations
- 7-17 Air Guns and Firearms
- 7-18 Urination, Defecation, Indecent Exposure & Peeping Toms
- 7-19 Unlawful Act - General

CHAPTER 8. DEFINITIONS AND ADMINISTRATION

- 8-1 Definitions
- 8-2 Savings Clause
- 8-3 Repealer Clause
- 8-4 Severability Clause
- 8-5 Effective Date

ORDINANCE NO. 200: TRAFFIC & STATE OFFENSES

AN ORDINANCE OF THE CITY OF CLARK FORK, IDAHO ADOPTING IDAHO CRIMINAL CODE & IDAHO MOTOR VEHICLE LAWS; PROVIDING FOR ISSUANCE OF CITATIONS; PROVIDING FOR PENALTIES; DEFINING OWNER RESPONSIBILITY; MAKING IT ILLEGAL FOR UNAUTHORIZED MINOR/PERSON TO DRIVE; ADOPTING BY REFERENCE IDAHO RULES OF THE ROAD; ESTABLISHING PARKING RULES & ENFORCEMENT OF SAID RULES; PROVIDING FOR OPERATION OF VEHICLES, INCLUDING EMERGENCY VEHICLES; PROVIDING DUTIES AND AUTHORITY FOR LAW ENFORCEMENT AND FIRE DEPARTMENT OFFICIALS; REGULATING TRUCKS AND HEAVY LOADS; PROHIBITING USE OF ALCOHOL BY MINORS AND DRIVING UNDER THE INFLUENCE OF ALCOHOL; REGULATING MOTORCYCLES AND SNOWMOBILES; REGULATING COASTERS, ROLLER SKATES, PUSHCARTS, ANIMALS, ANIMAL-DRAWN VEHICLES AND SIMILAR DEVICES; DEFINING UNLAWFUL RIDING; PROHIBITING TAMPERING WITH A VEHICLE; REGULATING FUNERALS AND OTHER PROCESSIONS; DESIGNATING BUS STOPS; ALLEVIATING CONGESTION; PROHIBITING OBSTRUCTION OF STREETS/ALLEYS AND LITTERING OF SAME; PROVIDING AUTHORITY TO PLACE AND MAINTAIN TRAFFIC CONTROL DEVICES, AND DESIGNATE AND MAINTAIN CROSSWALKS AND SAFETY ZONES; PROVIDING CURFEW REGULATIONS; REGULATING USE OF AIR GUNS AND FIREARMS; PROHIBITING URINATION, DEFECATION AND INDECENT EXPOSURE IN PUBLIC; PROHIBITING PEEPING TOMS; MAKING NON-COMPLIANCE WITH THIS ORDINANCE UNLAWFUL; PROVIDING DEFINITIONS FOR TERMS USED IN THIS ORDINANCE; REPEALING ORDINANCE NO. 181 AND ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF CLARK FORK, IDAHO:

CHAPTER 1. GENERAL STATE OFFENSES & TRAFFIC CODE

1-1 CRIMINAL CODE ADOPTED. Pursuant to the provisions of section 50-901 of the Idaho Code, there is hereby adopted Title 18 of said Idaho Code, being the criminal laws of the State of Idaho, establishing principles of liability for conduct; establishing general principles of justification for conduct; defining offenses involving danger to persons; defining offenses against family; defining offenses against public administration; defining offenses against public order and decency; establishing a uniform system of penalties, including fines, forfeitures and imprisonment; and establishing criteria for imposing sentences upon those convicted of an offense, and said laws shall be and the same are hereby adopted as a Criminal Code of the City. Three (3) copies of said law shall be on file in the City Hall for reference to and inspection by the general public, one of which shall be filed in the office of the City Clerk.

1-2 ADOPTING OF IDAHO MOTOR VEHICLE LAWS. It is hereby declared to be the intent of the City Council to aid and assist by whatever means possible with the utmost consistency in traffic regulation among and between the agencies of Idaho having jurisdiction. Toward that end, adoption of the Idaho motor vehicle laws by cities of Idaho is a necessary means of assuring maximum uniformity within the State.

1-2 (cont.) For the purpose of establishing rules and regulations for the use of all streets and public thoroughfares of the City, that certain code, more particularly Title 49, Idaho Code, is hereby adopted and incorporated as an ordinance of the City as fully as though set forth at length herein. Pursuant to Idaho Code Section 49-208(4), one (1) copy thereof shall be available for public use and examination in the office of the Clerk.

1-3 ISSUANCE OF CITATIONS. Upon a violation of any provision of this Chapter or the laws hereinabove adopted, the arresting officer shall execute the citation in the following manner:

"Violation of Clark Fork Code, Section _____ (being in particular Section 18-_____ of the Idaho Code) or Section _____ (being in particular 49-_____ of the Idaho Code)" as the case may be. (Current Code).

1-4 PENALTY. Violation by any person of any provisions of this ordinance shall be a misdemeanor and shall be punishable as defined by Idaho Code; provided, however, that a public offense which would be a declared infraction under state statute shall be subject to the penalty assessed under the Idaho Code.

1-5 OWNER RESPONSIBILITY. Every owner of a motor vehicle is liable and responsible for the operation of such motor vehicle by any person using or operating the same with the permission, express or implied, of such owner, and the violation of this Chapter of such person shall be imputed to the owner for the purpose of penalties for unlawful parking.

1-6 PERMITTING UNAUTHORIZED MINOR TO DRIVE. No person shall cause or knowingly permit his child or ward under the age of eighteen (18) years of age to drive a motor vehicle upon any street or highway where such minor is not authorized by the Idaho State Code and amendments thereof.

1-7 PERMITTING UNAUTHORIZED PERSON TO DRIVE. No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven upon any street or highway by any person who is not authorized by the Idaho State Code and amendments thereof.

1-8 RULES OF THE ROAD.

A. ADOPTION BY REFERENCE. Pursuant to Section 49-208(4), Title 49, Idaho Code, Adoption by Reference, the Idaho Rules of the Road are hereby adopted as and for the Traffic Ordinance of the City with like effect as if recited at length herein, except where they conflict with this ordinance.

CHAPTER 2. PARKING

2-1 **PARKING ZONES ESTABLISHED.** The City Council has heretofore established and shall hereafter establish, from time to time, as it deems proper and necessary for the control of traffic, parking zones and loading zones on the streets of the City. Establishment of and all changes in such zones shall be only as duly ordered by the City Council and entered in the official minutes of the Council meetings.

2-2 **DESIGNATION OF PARKING ZONES/PARKING SPACES.**

A. The City of Clark Fork is authorized and directed to designate all parking and loading zones by causing appropriate parking signs to be installed upon the streets so as to clearly inform the public of the location of the parking and loading zones and of the parking time allowed therein.

B. The City of Clark Fork is authorized and directed to cause lines or markings to be painted or placed upon street surfaces or upon curbs for the purpose of designating the spaces to be used for parking of vehicles.

C. In addition or in lieu of the above, the City of Clark Fork may designate "No Parking" zones by posted sign or painting the adjacent curb red in color and loading zones by painting the adjacent curb yellow in color. Such designations shall be ratified by the City Council and duly noted in the official minutes.

2-3 **OFF-STREET PARKING.** The City of Clark Fork is authorized and directed to cause lines or markings to be painted or placed upon parking lots owned or under the jurisdiction of the City and to designate the type of parking permitted such as passenger vehicles, trucks and trailers, boats or other type of motor vehicles. Vehicles shall park within the markings designating the space in accordance with the markings of the parking space and designation thereof. The City of Clark Fork shall cause appropriate parking signs to be installed upon such lots clearly informing the public of the type of parking permitted.

2-4 **MANNER OF PARKING.**

A. Any vehicle parked within a parking or loading zone shall be parked entirely within the markings designating one parking space and shall be parked parallel or diagonal to the curb in accordance with the markings of the space. In the case of diagonal parking, the vehicle shall be parked so that the front of the vehicle is nearest the curb. Absent signs and/or street or curb markings to the contrary, all vehicular parking shall be along the side of streets safely away from the flow of traffic with the vehicle pointed in the same direction as the adjacent flow of traffic.

2-4 A. (cont.)

Also, vehicles may only be parked in an alley when it is wide enough to allow a normal-sized vehicle to pass by between the parked vehicle and the remainder of the alley without the leading vehicle being required to leave the roadway of the alley. No vehicle parked in an alley or street shall block vehicular access to or from private or public property.

B. The City of Clark Fork has the authority to require all vehicles to be removed from City streets and alleys for snow removal.

2-5 PARKING IN LOADING ZONES. A loading zone or space may be occupied by a vehicle while actually engaged in loading and unloading persons or supplies, for such period of time only as is set forth on the loading zone sign.

2-6 UNLAWFUL PARKING. It shall be unlawful for any person to park a vehicle or, having parked the same, to suffer it to remain parked in violation of the regulations on any duly installed parking sign or any provision of this Chapter. When the parking sign merely states the duration of time allowed for parking, such as "Two Hour Parking", then the regulation shall be in force only during "operating time" and when the sign forbids parking at all times, or at designated times, the regulation is in force at all times or as stated.

2-7 HANDICAPPED PARKING. It shall be unlawful for any person to stop, stand or park a vehicle in a designated handicapped parking space or area as defined in Idaho Code, unless the (an) occupant has complied with the requirements of Idaho Code. This Section shall apply to both public and private parking areas which are properly designated.

2-8 PARKING ON PRIVATE PROPERTY. If at any time a vehicle is parked on private property without the consent of the owner of such property, local law enforcement is authorized to remove said vehicle therefrom and to cause the same to be stored; provided that the owner of such private property has first signed a complaint against the owner or operator of said vehicle.

2-9 OBSTRUCTING TRAFFIC.

A. No person shall stop, stand or park any vehicle upon a street, or alley, in such a manner or under such conditions as to interfere with the free movement of vehicular traffic.

B. No person shall use any street, sidewalk, alley or other public property for the purpose of sale, or display, or advertising any goods, or wares or merchandise, or any other commodity.

2-10 LEAVING OF WRECKED, NON-OPERATING VEHICLE ON STREET. No person shall leave any partially dismantled, non-operating, wrecked or junked vehicle on any street or highway within the city or on any city right-of-way.

2-11 REPAIRING VEHICLE ON STREET. No construction, repairing, overhauling, remodeling or other type of work other than in case of extreme emergency shall be performed on any vehicle or other property upon any street, right-of-way, alley, park, parking lot or other public property or place within the City.

2-12 IMPOUNDMENT OF VEHICLES. The City of Clark Fork can authorize local law enforcement to impound and tow away vehicles under the following circumstances:

A. Any vehicle parked so as to obstruct the flow of traffic, constitute a safety hazard, or remain without authority upon any portion of any traveled city street, highway or alley or other public property.

B. Any otherwise lawfully-parked vehicle on any public or City property which has been determined to be an abandoned vehicle having been not moved for a period of at least forty-eight (48) hours.

2-13 TOWING AND STORAGE OF IMPOUNDED VEHICLES.

A. Towing and storage liens on impounded motor vehicles, costs and expenses of taking and keeping, including the towing and storage of any motor vehicle which is impounded or taken into custody and control by the local law enforcement under the authority of any law in the State of Idaho or ordinance of the City, shall be assessed by the local Law Enforcement against such motor vehicle and shall constitute a lien in favor of the City or its agent and against such vehicle.

B. The City Council may authorize the local law enforcement to enter into an agreement with an auto storage company for the towing and storage of impounded vehicles taken into custody by local law enforcement.

2-14 UNATTENDED MOTOR VEHICLES. No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key, and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the street or highway.

2-15 ENFORCEMENT. It shall be the duty of each law enforcement officer observing the violation of the provisions of this Chapter to leave at or upon the vehicle in violation a notice of such violation. The notice shall bear the date and hour of leaving the same at or upon such vehicle and shall state the nature of the parking violation observed. When the violation is "overtime parking", a separate notice for each hour or fraction thereof that the vehicle remains in violation shall be issued. The notice shall instruct the owner or operator of such vehicle to report to the Law Enforcement Department or to the court having jurisdiction in regard to such violation within the time period set by law or custom or practice of the court. Any owner or operator receiving a notice or citation for overtime parking may pay to the City office the amount of penalty computed in Section 2-16 herein, in full satisfaction of the violation. The failure of the owner or operator to report or appear, pursuant to such notice, shall constitute a violation of this Chapter and such violator shall be deemed guilty of a misdemeanor. The issuance of a citation or notice shall not be the exclusive remedy for enforcement of this Chapter, all other lawful remedies being reserved, including the filing and prosecution of a criminal complaint.

2-16 PENALTIES

A. Overtime Parking. Any person violating any duly posted parking regulation by parking in excess of the time allowed in any parking zone shall be subject to a penalty of one dollar (\$1.00) for the first hour or fraction thereof in excess of the time allowed, and two dollars (\$2.00) for each additional hour or fraction thereof. Any person violating any other parking regulation shall be subject to a penalty of five dollars (\$5.00). The penalties herein prescribed shall be in addition to any costs or other penalty as may be imposed by a court of competent jurisdiction.

B. Late Appearance. In addition to all other penalties imposed by this Chapter, any person failing to report or to appear within the time limited by the instructions on an "overtime parking ticket" or upon any other parking citation, duly issued, shall be subject to double the penalty set forth in subsection A of this Section above if the delay in appearance has not exceeded ten (10) days, treble the penalty if the delay has been more than ten (10) days but less than twenty-five (25) days, and five (5) times the penalty if the delay has been more than twenty-five (25) days. (Current Code)

CHAPTER 3. OPERATION OF VEHICLES

3-1 OPERATION OF VEHICLES ON PUBLIC OR PRIVATE PROPERTY.

A. It shall be unlawful for any person to drive a motor vehicle within the City upon public property other than a dedicated street, highway or alley open to public vehicular use, without the prior written consent of the City of Clark Fork, unless otherwise specifically authorized by this Code or the City Council by resolution to such effect.

B. It shall be unlawful for any person to drive a motor vehicle over private property not owned by the driver without the permission or express or implied consent of the owner or other person authorized to give such consent. Absence of fences, barriers or "No Trespassing" signs, etc. does not of itself constitute implied consent. Further, the owner or his designated agent is always free, absent binding contractual obligations to the contrary, to revoke permission or consent. (Current Code)

3-2 CITY SPEED LIMITS. Unless otherwise clearly posted by the City of Clark Fork or other authorized State or County authority, no person driving a motor vehicle shall, in any event, cause or suffer it to travel faster than twenty-five (25) miles per hour on City streets and fifteen (15) miles per hour on City alleys.

3-3 OPERATION AT CAREFUL AND PRUDENT SPEED REQUIRED. Any person driving a vehicle in the City shall drive the same at a careful and prudent speed not greater than is reasonable and proper, having due regard to the traffic, surface and width of the street or alley and of any other conditions then existing; and no person shall drive any vehicle upon a street or alley at such a speed as to endanger the life, limb or property of any person.

3-4 U TURNS. U turns shall only be permitted when it is otherwise safe and prudent to proceed, giving due caution to both vehicular and pedestrian traffic.

3-5 NO PASSING ZONES. The City of Clark Fork is hereby authorized to determine those portions of any highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones and when such signs or markings are in place and clearly visible to an ordinarily-observant person, every driver of a vehicle shall obey the directions thereof, subject to penalty for violation.

3-6 VEHICLES TURNING LEFT AT INTERSECTION. The driver of a vehicle within an intersection intending to turn left shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute a hazard.

3-7 TURNING MOVEMENTS AND REQUIRED SIGNALS. No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway, or turn a vehicle to enter a private road or driveway or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the event any other traffic may be affected by such movement.

3-8 VEHICLES APPROACHING OR ENTERING INTERSECTIONS.

A. When two (2) vehicles enter or approach an intersection from different streets at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

B. The right of way rules declared in subsection A are modified at through streets and otherwise as stated in this Title.

3-9 VEHICLES ENTERING STOP OR YIELD INTERSECTIONS.

A. Except when directed to proceed by a law enforcement officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop and, after having stopped, shall yield the right of way to any vehicle which has entered the intersection from another roadway or which is approaching so closely on said roadway as to constitute an immediate hazard; but said driver, having so yielded, may proceed and the drivers of all other vehicles approaching the intersection shall yield the right of way to the vehicle so proceeding.

B. The driver of a vehicle approaching a yield sign shall, in obedience to such sign, slow down to a speed reasonable for the existing conditions, or shall stop if necessary and shall yield the right of way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard. Said driver having so yielded may proceed and the drivers of all other vehicles so proceeding, providing, however, that if such driver is involved in a collision with a pedestrian in a crosswalk or a vehicle in the intersection after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right of way.

3-10 LIMITATIONS ON BACKING. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic, except that under no circumstances shall the driver of a vehicle back the same into or through an intersection.

3-11 COLLISION WITH PEDESTRIANS OR VEHICLES OR OBJECTS. Every driver of a motor vehicle within the City shall exercise due care to avoid colliding with any object, other vehicle, or with any pedestrian upon any street or alley or parking lot of the City, and shall exercise proper precaution in operating said motor vehicle.

3-12 RECKLESS DRIVING.

A. Reckless driving. Any person who drives any vehicle upon a street or highway carelessly and heedlessly, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property, or who passes when there is a line in his lane indicating a sight distance restriction, shall be guilty of reckless driving.

B. Inattentive driving - Penalty. It shall be unlawful for any person to operate a motor vehicle in a careless or inattentive manner or in disregard of the safety of persons or property. Inattentive driving shall be considered a lesser offense than reckless driving and shall be applicable in those circumstances where the conduct of the operator has been inattentive, careless or imprudent, in light of the circumstances then existing, rather than heedless or wanton, or in those cases where the danger to persons or property by the motor vehicle operator's conduct is slight.

3-13 RACING ON HIGHWAYS.

A. No person shall drive any vehicle in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or for the purpose of making a speed record, on any street, alley or highway in this City, and no person shall in any manner participate in any such race, competition, contest, test or exhibition; provided, however, this Section shall not apply to rallies, economy runs, tours, regularity runs and any other organized motoring activities where the objective is to maintain precise speeds, all within posted legal speed limits.

B. "Drag race" is defined as the operation of two (2) or more vehicles from a point side by side at accelerated speeds in a competitive attempt to outdistance each other.

3-13 (cont.)

C. "Racing" is defined as use of one or more vehicles in an attempt to outgain, outdistance or prevent another vehicle from passing, to arrive at a given destination ahead of another vehicle or vehicles, or to test the physical stamina or endurance of drivers over long distance driving routes, or the operation of one or more vehicles over a common selected course, from the same point for the purpose of comparing the relative speeds or power of acceleration of such vehicle or vehicles within a certain distance or time limit.

D. This Section shall not prohibit the use of the roadways of this City for organized motoring activities where speed of acceleration is not the objective of the contest but rather the prime objective is the precise measurement of time and distance within the posted legal speed limits.

E. This Section shall not prohibit organized motoring activities upon the roadways of this City where speed is a primary objective of the contest when prior written permission is obtained from the authority having jurisdiction over the area to be used and prior notification is given to law enforcement agencies in the area to be used.

3-14 FLEEING OR ATTEMPTING TO ELUDE A LAW ENFORCEMENT OFFICER. Any driver of a motor vehicle who willfully fails or refuses to bring his vehicle to a stop, or who otherwise flees or attempts to elude a pursuing law enforcement vehicle, when given visual or audible signal to bring the vehicle to a stop, shall be guilty of a misdemeanor. The signal given by the law enforcement officer may be by hand, voice, emergency light or siren. The officer giving such signal shall be in uniform, prominently displaying his badge of office, and his vehicle shall be appropriately marked showing it to be an official law enforcement vehicle.

3-15 BARRIERS, BARRICADES OR WARNING SIGNALS. No person shall ride or drive any motor vehicle or any bicycle or any other vehicle over, across or upon any pavement, curbing or sidewalk which has been newly laid or across which barriers, barricades or warning signals have been placed, or on or over any street or sidewalk which has been closed to traffic, or across or near which barriers or signs have been erected showing said street or sidewalk to be closed.

CHAPTER 4. EMERGENCY VEHICLES AND OFFICIALS

4-1 AUTHORIZED EMERGENCY VEHICLES.

A. The authorized driver of an authorized emergency vehicle (see definition), when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this Section, but subject to the conditions herein stated.

B. The authorized driver of an authorized emergency vehicle may:

1. Park or stand, irrespective of the provisions of this Title.
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
3. Exceed the maximum speed limits so long as he does not endanger life or property.
4. Disregard regulations governing direction of movement or turning in specified direction.

C. The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds audible signal by bell, siren or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet (500') to the front of such vehicle, except that an authorized emergency vehicle operated as a law enforcement vehicle need not be equipped with or display a red light visible from in front of the vehicle or sound audible signal.

D. 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 authorized emergency vehicle has passed, except when otherwise directed by a law enforcement officer.

E. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

4-2 FOLLOWING FIRE APPARATUS PROHIBITED. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet (500') or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

4-3 CROSSING FIRE HOSE. No vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street, or private driveway, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.

4-4 DUTY AND AUTHORITY OF LAW ENFORCEMENT & FIRE DEPT. OFFICIALS

A. It shall be the duty of the officers of the local Law Enforcement Agency or such officers as are assigned by the local law enforcement agency to enforce all street traffic laws of the state and the municipality.

B. Officers of the local Law Enforcement Agency or such officers as are assigned by the local law enforcement agency are authorized to direct all traffic by voice, hand or signal; provided that in the event of a fire, other emergency, or to expedite traffic or to safeguard pedestrians, officers of the local Law Enforcement Agency may direct traffic as conditions may require.

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

4-5 OBEDIENCE TO LAW ENFORCEMENT AND FIRE DEPARTMENT OFFICIALS REQUIRED. It is unlawful for any person willfully to fail or refuse to comply with any lawful order or direction of a law enforcement officer or Fire Department official.

CHAPTER 5. TRUCKS, TRUCK ROUTES & HEAVY LOADS

5-1 TRUCK ROUTES. Any motor vehicle and or trailer with a manufacturer rated weight of 2 & 1/2 tons or more shall not travel on City streets, nor alleys, nor any other public easements or rights of way except upon the following designated truck routes:

- 2nd & Main to 2nd & Mill
- 2nd & Mill to Highway 200
- All of South Stephen
- All of Main Street
- All of 1st Avenue
- All of Railroad Avenue

The above restrictions do not apply to trucks making legitimate deliveries that cannot be reached via the truck route or unloaded trucks going to and from driver's place of residence using most direct route possible.

5-2 HEAVY LOADS, MACHINERY, LUGS AND FLANGES. No person shall drive or operate any vehicle of such weight or size or in such condition, or so constructed or loaded, as to cause delay in traffic, or cause accident, or cause injury to any person's property or to the street. Persons desiring to do heavy hauling or move machinery, tractors and farm machines shall travel only on the streets designated by the City of Clark Fork. No machine or machinery of any kind having lugs or flanges upon its wheels upon which its weight is borne or any cutting machine or machinery with disks touching the surface of the street, shall be moved or propelled over or upon any paved street in the City, except that plank of not less than two inches (2") in thickness be first laid upon the pavement, and such machine or machinery be entirely resting, moved or propelled upon such plank.

5-3 AIR COMPRESSION BRAKES. The use of air compression brakes (also known as Jake Brakes) by trucks within the City is hereby prohibited and shall be unlawful, except under emergency circumstances where use of air compression brakes is necessary to prevent an accident or injury to persons or property.

CHAPTER 6. ALCOHOL & DRUGS

6-1 OPEN CONTAINER LAW.

A. Definitions: The following terms, as used in this Section, shall mean:

BEER: Any beverage obtained by the alcoholic fermentation of an infusion or decoction of barley, malt and/or other ingredients in drinkable water and containing not more than four percent (4%) of alcohol by weight.

ALCOHOLIC LIQUOR:

1. Alcohol means a product of distillation of any fermented liquor, rectified either once or more often, whatever may be the origin thereof, or synthetic ethyl alcohol.

2. Spirits means any beverage which contains alcohol obtained by distillation mixed with drinkable water and other substances in solution, including among other things brandy, rum, whiskey and gin.

3. Wine means any alcoholic beverage obtained by the fermentation of the natural sugar content of fruits (grapes, apples, etc.) and other agricultural products containing sugar (honey, milk, etc.).

4. Any liquid or solid, patented or not, containing alcohol, spirits or wine, and susceptible of being consumed by human beings for beverage purposes containing more than four percent (4%) of alcohol by weight.

6-1 A. (cont.)

PUBLIC AREA: All public property of the City of Clark Fork and any private property open to use by the general public excluding the inside of any building which includes, but is not limited to: parking areas, parking lots, sidewalks, loading and unloading areas, alleys, easements, roadways, ditches, rights of way for public utilities, railroad grounds, school grounds and any parking facilities along with or adjacent to public or private meeting areas or any open air, and otherwise not enclosed area of the City of Clark Fork.

B. Consumption and Transportation of Beer and Alcoholic Liquor Prohibited: It shall be unlawful for any person to:

1. Consume beer or alcoholic liquor upon the public streets or public areas of the City.

2. Break open or allow to be broken or opened any container of beer or alcoholic liquor while the same is being transported or is in any automobile or other vehicle upon the public streets or public areas of the City.

6-2 PROHIBITION REGARDING ALCOHOLIC LIQUOR.

A. Minors Prohibited From Liquor Establishments: It shall be unlawful for any person under the age of twenty-one (21) years to frequent any saloon, club room or place where liquor by the drink is sold.

B. Unlawful to Permit Minors in Liquor Establishments: It shall be unlawful for any person to entice or persuade or for the proprietor to permit any person under the age of twenty-one (21) years to enter or frequent any saloon, club room or place where liquor by the drink is sold.

6-3 PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS.

A. It is unlawful and punishable for any person who is under the influence of intoxicating beverage to drive or be in actual physical control of any vehicle within this City.

B. It is unlawful and punishable for any person who is a habitual user of, or under the influence of any narcotic drug, or who is under the influence of any other drug to a degree which renders him incapable of safely driving a vehicle to drive a vehicle within this City. The fact that any person charged with a violation of this subsection is or has been entitled to use such drug under the laws of this City shall not constitute a defense against any charge of violating this subsection.

CHAPTER 7. MISCELLANEOUS

7-1 RIDING ON MOTORCYCLES. A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry more than one other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event one passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator.

A. No person under the age of 18 shall ride upon a motorcycle as operator or passenger upon any public road or highway, unless at all times when so operating or riding upon said vehicle he is wearing, as part of his motorcycle equipment, a protective safety helmet of a type and quality equal to or better than the standards established for such helmets by the State of Idaho Commissioner of Law Enforcement. (Current Code)

B. "Motorcycle" as used in this Section shall mean every motor vehicle designed to travel on not more than three (3) wheels in contact with the ground, except any such motor vehicle as may be included within the term "tractor" as defined by Chapter 1, Title 49, Idaho Code.

C. No person shall operate a motorcycle without a muffler in good working order and in constant operation, which prevents excessive or unusual noise and annoying smoke.

7-2 UNLAWFUL SNOWMOBILE OPERATIONS.

A. It is unlawful for any person to knowingly permit, drive or operate a snowmobile in any one or more of the following manners:

1. while under the influence of intoxicating liquor, narcotics, or habit-forming drugs;
2. at a rate of speed greater than provided by law for motor vehicles.

B. No snowmobiles may be operated in the City of Clark Fork:

1. unless the driver holds a valid license, and the snowmobile has a current state registration number and a current groomer sticker;
2. in a careless or reckless manner so as to endanger the person or property of another, or to cause injury or damage to either;
3. without a lighted headlight and taillight which shall be lighted at all times during operation;
4. without a suitable braking device which may be operated by either hand or foot;
5. by a person under the age of fourteen (14) years; and
6. without a muffler in good working order and in constant operation which prevents excessive or unusual noise and annoying smoke.

7-2 (cont.)

C. Except on a posted and marked access route, the operator shall bring the snowmobile to a complete stop at each and every intersection whether or not such street intersection is posted with a stop sign.

D. The owner of a snowmobile shall register such vehicle in accordance with the applicable laws of the state, and shall further comply with all provisions of the state laws concerning snowmobiles.

7-3 AUTHORIZED SNOWMOBILE OPERATIONS: ROAD RULES

A. Every person operating a snowmobile shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. Persons riding snowmobiles upon a roadway shall not ride more than single file.

B. The operator of a snowmobile emerging from an alley, driveway, or building shall, upon approaching a sidewalk or the sidewalk area, yield the right of way to all pedestrians approaching the sidewalk or sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on the roadway.

C. Snowmobiles will not be operated on private property without the permission of the owner, and at no time on sidewalks or posted areas.

D. No person riding upon any snowmobile shall attach the same or himself to any vehicle upon the street or roadway.

E. No person shall park a snowmobile upon a street other than upon the roadway against the curb or upon the sidewalk in such a manner as to afford the least obstruction to pedestrian and/or vehicular traffic.

F. Snowmobile operation is prohibited from 9:00 PM - 6:00 AM in the Clark Fork City Limits.

7-4 USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES--UNLAWFUL WHEN. Any person upon roller skates or riding any coaster, skateboard, toy vehicle or similar device shall be subject to all of the duties applicable to pedestrians. No person riding upon any such device shall attach the same or himself to any vehicle upon the street or roadway.

7-5 APPLICABILITY TO PUSHCARTS, ANIMALS AND ANIMAL-DRAWN VEHICLES. Every person propelling any pushcart, driving any animal-drawn vehicle or riding an animal upon a roadway shall be subject to the provisions of this Title applicable to the driver of any vehicle, except those provisions which by their own nature can have no application.

7-6 UNLAWFUL RIDING. It shall be unlawful for any person to ride any vehicle upon any portion thereof not designated 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 persons riding within truck bodies in space intended for merchandise.

7-7 TAMPERING WITH A VEHICLE. Any person who shall, without the consent of the owner or person in charge of a vehicle, climb into or upon such vehicle with the intent to commit any crime, malicious mischief, or injury thereto, or who, while a vehicle is at rest and unattended, shall attempt to manipulate any of the levers, starting crank or other starting device, brakes or other mechanism thereof, or to set said vehicle in motion, shall be guilty of a misdemeanor, except that the foregoing provisions shall not apply when any such act is done in an emergency in furtherance of public safety or convenience or by or under the direction of an officer in the regulation of traffic or performance of any other official duty.

7-8 REGULATING FUNERALS AND OTHER PROCESSIONS.

A. Unlawful To Drive Between: It is unlawful for a driver of a vehicle to drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated.

B. Rules For Involved Drivers: Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.

7-9 BUS STOPS -- DESIGNATION AUTHORITY -- USE -- UNLAWFUL ACTS.

A. The City of Clark Fork shall have the authority to designate bus stops at such locations and in such manner and number as may be necessary and of the greatest benefit and convenience to the public. Every such bus stop shall be designated by appropriate signs.

B. The operator of a bus shall not stop such bus at any place for the purpose of taking on or discharging passengers other than at a bus stop so designated, except in case of emergency.

C. It is unlawful for any person to stop, stand or park a vehicle at an authorized bus stop so designated or between the right curb and any such stop, except that the operator of a passenger vehicle may temporarily stop thereat for the purpose of and while actually engaged in the discharge or the pickup of passengers then in readiness at the curb.

7-10 STOPPING, STANDING OR PARKING NEAR CONGESTED PLACES.

A. The local law enforcement is authorized to determine and designate, by proper signs, places not exceeding one hundred feet (100') in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay in traffic.

B. When official signs are erected at hazardous or congested places as authorized in Subsection A of this Section, it is unlawful for any person to stop, stand or park a vehicle in any such designated place.

7-11 OBSTRUCTIONS, DEBRIS OR OTHER BLOCKAGE OF STREETS AND ALLEYS.

It shall be unlawful for any person to cause a City street or alley to be blocked or obstructed in any manner by any material, machinery, debris or other things without the prior written consent of the City of Clark Fork. In the event that such blockage is a result of excavation, the person or persons causing such blockage shall additionally comply with all requirements set forth by Idaho Code with reference to excavation projects. The City of Clark Fork is authorized to take all necessary and immediate steps to clean, remove, or cause to be cleaned or removed such obstructions or debris or material that block any streets or alleys all at the expense of the person or persons causing the same to occur. Such civil liability on the part of the person or persons causing such obstruction or blockage or causing unlawful debris to be placed upon a street or alley shall be in addition to prosecution as provided in Idaho Code.

7-12 PLACING DEBRIS OR OTHER MATERIALS ON THE STREETS. Every person who willfully or negligently throws or allows to fall from any vehicle, or places, or deposits upon or alongside of any highway, street, alley or easement used by the public for public travel, including but not limited to, any debris, paper, litter, glass bottle, glass, nails, tacks, hoops, cans, barbed wire, boards, trash or garbage, lighted material, other waste substance or any part of the cargo of any vehicle is guilty of a misdemeanor.

7-13 TRAFFIC-CONTROL SIGNS, SIGNALS & DEVICES.

A. Authority to Place & Maintain: The City of Clark Fork shall place and maintain traffic-control signs, signals and devices when and as required under the traffic regulations of the municipality to make effective the provisions of said regulations, and may place and maintain such additional traffic-control devices as it may deem necessary.

B. Conformity to Approved Specifications Required: All traffic-control signs, signals & devices shall conform to the approved specifications as set forth by Idaho State Law. All signs and signals required by this Chapter for a particular purpose shall so far as practicable be uniform as to type and location throughout the municipality.

7-13 B. (cont.)

All traffic-control devices so erected and not inconsistent with the provisions of this title shall be official traffic-control devices.

7-14 CROSSWALKS AND SAFETY ZONES. The City of Clark Fork is authorized to do the following:

A. Designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where, in the opinion of the City, there is particular danger to pedestrians crossing the roadway, and at such other places as the City may deem necessary.

B. Establish safety zones of such kind & character and at such places as may be deemed necessary for the protection of pedestrians.

7-15 STREET CLOSING SIGNS AND OTHER TRAFFIC SIGNS. The maintenance personnel, as directed from time to time by the City Council of the City, may permanently or temporarily close streets or alleys from use by motor vehicles and may place a barrier or other sign marking or indicating that such street is closed for use. The purpose of using barriers or signs temporarily closing streets shall be to restrict use of roads or streets that present unsafe conditions such as roads near schools while school is in session, road break-up or other road hazards, etc. It shall be a violation of the City traffic laws as an infraction for any person to drive a motor vehicle and either not obey or disregard the instructions given by such sign or barrier.

7-16 MINORS -- CURFEW REGULATIONS

A. Hours & Age Restriction: It shall be unlawful for any child less than seventeen (17) years of age to loiter on the streets, alleys, parks or other public place within the City between the hours of ten o'clock (10:00) P.M. and five o'clock (5:00) A.M.; provided, however, that a person below the age of seventeen (17) years may be upon the streets or other public places of the City between the hours of ten o'clock (10:00) P.M. and five o'clock (5:00) A.M., when such child is then engaged in the performance of a lawful employment or when such person is accompanied by his parents or one of them or legal guardian or other person having legal care, custody and control of such child.

B. Responsibility of Parent or Guardian: It shall be unlawful for any parent, guardian or other person having the legal care, custody or control of any child less than seventeen (17) years of age to permit such child to loiter in or upon the public streets, alleys, parks or buildings of the City in violation of Subsection A hereof between the hours of ten o'clock (10:00) P.M. and five o'clock (5:00) A.M. (Current Code).

7-17 AIR GUNS AND FIREARMS.

A. Definition: Wherever the term firearms is used in this Chapter, the term shall mean any instrument used in the propulsion of shot, shell or bullets or other harmful objects by the action of gunpowder exploded within it, or by the action of compressed air within it, or by the power of springs and including what are commonly known as air rifles and B-B guns.

B. Discharge of Firearms Prohibited: It shall be unlawful for any person to discharge firearms of any kind or description within the limits of the Municipality; provided, however, that this shall not apply to law enforcement officers in the discharge of their duties. (Current Code)

C. Exceptions; Permits: The City Council may at any time, upon receipt of proper application, grant permits to shooting galleries, gun clubs and others for shooting in fixed localities and under specified rules. Such permits shall be in writing attested by the Clerk conforming to such requirements as the City Council shall demand, and the permit thus issued shall be subject to revocation at any time by action of the Council. The City Council shall set, by resolution, the rules applicable to the operating of shooting galleries, gun clubs, and other fixed localities for shooting. Also, a proper application will contain the following information: name, current address, telephone, place of employment, social security number, statement as to whether or not applicant has ever pled guilty to or been found guilty of any felony at any time, or any misdemeanor or infraction within the last ten (10) years. The same information is required to be on the application for any employees or persons who operate the facility.

7-18 URINATION, DEFECATION, INDECENT EXPOSURE & PEEPING TOMS.

A. It shall be unlawful for any person to defecate or urinate on private or public property in public view unless in facilities which include restrooms designated for such a purpose.

B. It shall be unlawful for any person to expose themselves in any indecent manner. It shall be unlawful for any person to loiter around any window or other such aperture of any occupied dwelling with the intent to observe a person dressing or undressing, or with any other unlawful intent.

7-19 UNLAWFUL ACT -- GENERAL. It shall be unlawful for any person to do any act forbidden, or fail to perform any act required, by the provisions of this ordinance or Title 49, Idaho Code.

CHAPTER 8. DEFINITIONS AND ADMINISTRATION

8-1 DEFINITIONS. The following words and phrases, when used in this Ordinance, shall have the meanings respectively ascribed to them.

ALLEY: That thoroughfare which intersects blocks of the Municipality at the rear of the lots of said blocks or transverses blocks between regularly-established streets.

AUTHORIZED EMERGENCY VEHICLE: Vehicles of the Fire Department, Law Enforcement vehicles, and such ambulances and emergency vehicles as are designated or authorized by the City of Clark Fork.

BICYCLE: Every device propelled by human power upon which any person may ride, having two (2) tandem wheels either of which is over sixteen inches (16") in diameter.

COMMERCIAL VEHICLE: Every vehicle designed, maintained or used primarily for the transportation of property.

CONTROLLED ACCESS HIGHWAY: Every highway, street or roadway in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same except of such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway.

CROSSWALK: A. That part of a roadway at an intersection included within the connections of the laterals of the sidewalk on the opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable roadway.

B. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

CURB LOADING ZONE: A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

DRIVER: Every person who drives or is in actual physical control of a vehicle.

FREIGHT CURB LOADING ZONE: A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.

INTERSECTION: A. The area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadway of the two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

B. Where a highway includes two (2) roadways thirty feet (30') or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty feet (30') or more apart, then every crossing of two (2) roadways of such highway shall be regarded as a separate intersection.

LANED ROADWAYS: A roadway which is divided into two (2) or more clearly-marked lanes for vehicular traffic.

LAW ENFORCEMENT OFFICER: Any officer authorized to direct or regulate traffic or make arrests for violation of traffic regulations.

MOTORCYCLE: Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

MOTOR VEHICLE: Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

OFFICIAL TRAFFIC CONTROL DEVICES: All signs, signals, markings and devices not inconsistent with this Ordinance placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

PARK: When prohibited, means the standing of a vehicle whether occupied or not.

PASSENGER CURB LOADING ZONE: A place adjacent to a curb reserved for the exclusive use of vehicles during loading or unloading of passengers.

PEDESTRIAN: Any person afoot.

PRIVATE ROAD or DRIVEWAY: Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

RAILROAD: A carrier of persons or property operated upon stationary rails.

RAILROAD TRAIN: A steam engine, electric or other motor, with or without cars coupled thereto operated upon rails.

RESIDENCE DISTRICT: The territory contiguous to and including a public thoroughfare not comprising a business district when the property on such thoroughfare for a distance of one hundred fifty feet (150') or more is, in the main, improved with residences or residences and buildings.

RIGHT OF WAY: The privilege of the immediate use of the public thoroughfare.

ROADWAY: That portion of a street or highway improved, designated or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two (2) or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

SAFETY ZONE: The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

SIDEWALK: That portion of a street between the curb line of the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.

SNOWMOBILE: Snowmobile means every self-propelled device upon a combination of skis, tracks, or endless belts in and upon or by which any person may operate upon snow; which may be driven on the streets, alleys and public thoroughfares of the City and shall be operated as designated.

STOP: Complete cessation of movement.

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 law enforcement officer or traffic control sign or signal.

STREET or HIGHWAY: The entire width between the boundary lines of every publicly-maintained way when any part thereof is open to the use of the public for the purpose of vehicular travel.

THROUGH HIGHWAY: Every street or highway or portion thereof at the entrances to which vehicular traffic from intersecting streets or highways is required by law to stop before entering or crossing, provided that proper signs are erected as provided in this Ordinance.

TRAFFIC: Pedestrians, ridden or herded animals, vehicles and other conveyances, either single or together, while using any public thoroughfares for purposes of travel.

TRAFFIC CONTROL SIGNAL: Any device, whether manually, electrically or mechanically operated by which traffic is alternately directed to stop and to proceed.

TRUCK ROUTE: List of City streets where any motor vehicle and or trailer with a manufacturer-rated weight of 2 & 1/2 tons or more shall travel. This list of restrictions does not apply to trucks making legitimate deliveries that cannot be reached via the truck route, or to unloaded trucks going to and from the driver's place of residence using the most direct route possible.

VEHICLE: Every device, in, upon or by which any person or property is or may be transported or drawn upon a thoroughfare, except devices moved by human power or used exclusively upon stationary tracks or rails.

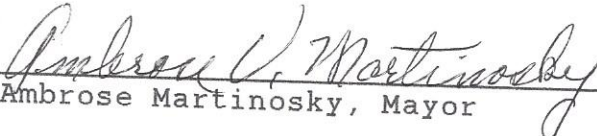
8-2 SAVINGS CLAUSE: Ordinance No. 181, repealed by this ordinance, shall remain in force to authorize the arrest, prosecution, conviction and punishment of a person who violates Ordinance No. 181 prior to the effective date of this ordinance.

8-3 REPEALER CLAUSE: All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed and rescinded, including Ordinance Number 181.

8-4 SEVERABILITY CLAUSE: If any section, paragraph, sentence or provisions hereof or the application thereof to any particular circumstances shall ever become invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect & applicable to all circumstances to which it may validly apply.

8-5 EFFECTIVE DATE: This ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE Mayor and the City Council of the City of Clark Fork by roll call vote under suspension of the rules, this 14th day of July, 1993.


Ambrose Martinosky, Mayor

CITY COUNCIL MEMBERS:

	YES	NO	ABSENT	ABSTAIN
Beverly Dawson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Reed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Russell Schenck	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Helen VanStone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST: 
Elizabeth Parenti, City Clerk



**CITY OF CLARK FORK, IDAHO LEGAL ADVISOR'S
STATEMENT RE: ORDINANCE NO. 200**

The undersigned, as legal advisor for the City of Clark Fork, Idaho, hereby states, pursuant to Idaho Code Section 50-901A, that he has reviewed the above-stated ordinance summary and that the summary is true, complete and provides adequate notice to the public.

DATED: August 2, 1993.

Steve Smith
Steve Smith,
Legal Advisor for the City of
Clark Fork, Idaho

SUMMARY OF CLARK FORK TRAFFIC & STATE OFFENSES ORDINANCE NO. 200

An ordinance of the City of Clark Fork, Idaho adopting Idaho Criminal code and Idaho motor vehicle laws; providing for issuance of citations; providing for penalties; defining owner responsibility; making it illegal for unauthorized minor/person to drive; adopting by reference Idaho Rules of the Road; establishing parking rules & enforcement of said rules; providing for operation of vehicles, including emergency vehicles; providing duties and authority for law enforcement and fire department officials; regulating trucks and heavy loads; prohibiting use of alcohol by minors and driving under the influence of alcohol; regulating motorcycles and snow mobiles; regulating coasters, roller skates, pushcarts, animals, animal-drawn vehicles and similar devices; defining unlawful riding; prohibiting tampering with a vehicle; regulating funerals and other processions; designating bus stops; alleviating congestion; prohibiting obstruction of streets/alleys and littering of same; providing authority to place and maintain traffic control devices, and designate and maintain crosswalks and safety zones; providing curfew regulations; regulating use of air guns and firearms; prohibiting urination, defecation and indecent exposure in public; prohibiting peeping toms; making non-compliance with this ordinance unlawful; providing definitions for terms used in this ordinance; repealing Ordinance No. 181 and all ordinances and resolutions in conflict with this ordinance; providing a severability clause; and providing for an effective date.

SECTION 1-1 adopts Title 18 of Idaho Code which is the criminal code.
Section 1-2 adopts Title 49 of Idaho Code which are the motor vehicle laws.

Section 1-3 provides for issuance of citations.

Section 1-4 provides penalties for violation of the provisions of this ordinance.

Section 1-5 states owners are responsible for the operation of their vehicle by any person using or operating the vehicle with permission, express or implied.

Section 1-6 prohibits minors from driving.

Section 1-7 prohibits owners from allowing any person to drive their vehicles who is not authorized to do so by Idaho State Code.

Section 1-8 adopts the Idaho Rules of the Road.

Section 2-1 authorizes City Council to establish parking zones.

Section 2-2 provides for designation of parking zones/spaces.

Section 2-3 provides for off-street parking.

Section 2-4 provides for the way in which a vehicle may be parked and gives the City authority to require all vehicles to be removed from streets/alleys for snow removal.

Section 2-5 provides for parking in loading zones.

Section 2-6 provides for unlawful parking.

Section 2-7 states it is unlawful to use the handicapped parking unless you are handicapped.

Section 2-8 states it is unlawful to park on private property without the consent of the owner.

Section 2-9 states it is unlawful to obstruct traffic.

Section 2-10 prohibits leaving a wrecked or non-operating vehicle on the street.

Section 2-11 prohibits repairing a vehicle on a street or public property.

Section 2-12 provides for impoundment of vehicles.

Section 2-13 provides for towing and storage of impounded vehicles.

Section 2-14 provides for unattended motor vehicles.

Section 2-15 provides for enforcement of violations of the provisions of Chapter 2.

Section 2-16: Penalties.

A. Overtime Parking. Any person violating any duly posted parking regulation by parking in excess of the time allowed in any parking zone shall be subject to a penalty of one dollar (\$1.00) for the first hour or fraction thereof in excess of the time allowed, and two dollars (\$2.00) for each additional hour or fraction thereof. Any person violating any other parking regulation shall be subject to a penalty of five dollars (\$5.00). The penalties herein prescribed shall be in addition to any costs or other penalty as may be imposed by a court of competent jurisdiction.

B. Late Appearance. In addition to all other penalties imposed by this Chapter, any person failing to report or to appear within the time limited by the instructions on an "overtime parking ticket" or upon any other parking citation, duly issued, shall be subject to double the penalty set forth in subsection A of this Section above if the delay in appearance has not exceeded ten (10) days, treble the penalty if the delay has been more than ten (10) days but less than twenty-five (25) days, and five (5) times the penalty if the delay has been more than twenty-five (25) days.

Section 3-1 provides for operation of vehicles on public or private property.

Section 3-2 provides for city speed limits.

Section 3-3 requires operation of vehicles at careful and prudent speed.

Section 3-4 states U-turns shall only be permitted when it is safe to proceed.

Section 3-5 gives City of Clark Fork authority to determine no-passing zones.

Section 3-6 provides for vehicles turning left at intersections.

Section 3-7 provides for turning movements and required signals.

Section 3-8 provides for vehicles approaching or entering intersections.

Section 3-9 provides for vehicles entering stop or yield intersections.

Section 3-10 provides limitations on backing.

Section 3-11 states every driver is to exercise due care to avoid collisions with pedestrians, vehicles or other objects.

Section 3-12 defines reckless and inattentive driving.

Section 3-13 prohibits racing on highways and streets.

Section 3-14 makes it a misdemeanor to flee or attempt to elude a law enforcement officer.

Section 3-15 prohibits driving through barricades or warning signals.

Section 4-1 provides for the operation of authorized emergency vehicles.

Section 4-2 prohibits following fire apparatus which is responding to an alarm.

Section 4-3 prohibits driving over a fire hose.

Section 4-4 provides for duty and authority of law enforcement and fire department officials.

Section 4-5 requires obedience to directions of law enforcement and fire department officials.

Section 5-1 provides truck routes within the City.

Section 5-2 provides limitations on heavy loads, machinery, lugs and flanges.

Section 5-3 prohibits use of compression brakes.

Section 6-1 provides for an open container law and prohibits consumption of alcohol on public property. Also prohibits transportation of any opened alcohol container.

Section 6-2 prohibits consumption of alcohol by minors.

Section 6-3 makes it unlawful to drive under the influence of drugs and alcohol.

Section 7-1 provides for operation of motorcycles.

Section 7-2 details unlawful snowmobile operations.

Section 7-3 provides road rules for snowmobiles.

Section 7-4 regulates use of coasters, roller skates and similar devices.

Section 7-5 states this ordinance also applies to pushcarts, animals and animal-drawn vehicles.

Section 7-6 states it is unlawful to ride on a vehicle which is not intended for the use of passengers.

Section 7-7 prohibits tampering with a vehicle.

Section 7-8 regulates funerals and other processions.

Section 7-9 provides for bus stops and makes it unlawful to stop, stand or park in a bus stop.

Section 7-10 regulates control of congested places.

Section 7-11 prohibits blocking streets and alleys.

Section 7-12 prohibits littering and makes it a misdemeanor.

Section 7-13 authorizes City of Clark Fork to place and maintain traffic-control signs, signals and devices.

Section 7-14 authorizes City of Clark Fork to designate crosswalks and safety zones.

Section 7-15 authorizes City of Clark Fork to permanently or temporarily close streets or alleys as necessary, and states it shall be a violation of the City traffic laws as an infraction for any person to drive a motor vehicle and either not obey or disregard the instructions given by such sign or barrier.

Section 7-16 provides curfew regulations for minors.

Section 7-17 provides a definition of firearms, prohibits discharge of firearms, and provides exceptions.

Section 7-18 prohibits urination, defecation, and indecent exposure in public and also prohibits peeping toms.

Section 7-19 states it shall be unlawful for any person to do any act forbidden, or fail to perform any act required, by the provisions of this ordinance or Title 49, Idaho Code.

Section 8-1 provides definition of terms used in this ordinance.

Section 8-2 provides Ordinance 181 shall remain in force until ordinance #200 goes into effect.

Section 8-3 repeals all ordinances or resolutions in conflict with this ordinance, including Ordinance #181.

Section 8-4 states if any part of this ordinance ever becomes invalid or unenforceable, it will not affect the remainder of this ordinance.

Section 8-5 provides this ordinance shall be in full force and effect after its passage, approval and publication according to law.

Passed and adopted by the Mayor and the City Council of the City of Clark Fork by roll call vote under suspension of the rules, the 14th day of July, 1993. The full text of this ordinance is available at the Clark Fork City Hall, 110 E. 3rd Street, weekdays between 8:00 AM and 12:00 Noon.


Ambrose Martinosky, Mayor

ATTEST:


Elizabeth Parenti, City Clerk

