

TITLE 6

MOTOR VEHICLES AND TRAFFIC

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CHAPTER 1

ADMINISTRATION AND ENFORCEMENT

SECTION:

- 6-1-1 Short Title
- 6-1-2 Definitions
- 6-1-3 Powers of Governing Body
- 6-1-4 Duties of City Administrator
- 6-1-5 Public Danger; Temporary Traffic Control Devices
- 6-1-6 Standards for Determining City Regulations
- 6-1-7 Authority of Law Enforcement and Fire Officers
- 6-1-8 Impoundment of Vehicles
- 6-1-9 Penalties

6-1-1: **SHORT TITLE:** This title may be cited as the *IRRIGON TRAFFIC ORDINANCE*. (Ord. 76 revised, 10-28-1997)

6-1-2: **DEFINITIONS:** In addition to definitions in the Oregon vehicle code, the following mean:

BUS STOP: A roadway space designated by sign for use by buses to load or unload passengers.

HOLIDAY: New Year's Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and any other day proclaimed by the governing body to be a holiday.

LOADING ZONE: A roadway space designated by sign for loading or unloading passengers or materials during specified hours of specified days.

MOTOR TRUCK: A motor vehicle with a maximum combined vehicle and load weight over ten thousand (10,000) pounds that is designed or used to carry freight, property, articles or things.

PERSON: A natural person, firm, partnership, association or corporation.

STREET: Highway, road, or street as defined in Oregon Revised Statutes 801.110, 801.305, 801.450 and 801.524, including the entire width of the right of way.

TAXICAB STAND: A roadway space designated by sign for taxicab use.

TRAFFIC LANE: That area of the roadway used for a single line of traffic movement. (Ord. 76 revised, 10-28-1997; amd. 2008 Code)

6-1-3: POWERS OF GOVERNING BODY:

A. Local Authority: Subject to state laws, the governing body shall exercise all local traffic authority for the city except those powers expressly delegated by this chapter or another ordinance.

B. Powers Enumerated: The powers of the governing body include, but are not limited to:

1. Designation of through streets.

2. Designation of one-way streets.

3. Designation of truck routes.

4. Designation of parking zones.

5. Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage or excess traffic.

6. Authorization, by resolution, of greater maximum weights or lengths than specified by state law for vehicles using city streets or roads.

7. Initiation of proceedings to change speed zones.

8. Revision of speed limits in parks.

9. Temporary closure or blocking of streets.

10. Designation of certain streets as bridle paths and prohibit horses and animals on other streets.

11. Establishment of bicycle lanes and paths and traffic controls for such facilities. (Ord. 76 revised, 10-28-1997)

6-1-4: DUTIES OF CITY ADMINISTRATOR: The city administrator or designee shall exercise the following duties:

A. Traffic Control Devices: Implement ordinances, resolutions and motions of the governing body and the council's orders by installing, maintaining, removing and altering traffic control devices. Installation shall be based on standards contained in the "Manual On Uniform Traffic Control Devices For Streets And Highways And The Oregon Supplements".

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- B. Classes Of Traffic Controls: Establish, remove or alter the following classes of traffic controls:
 - 1. Crosswalks, safety zones and traffic lanes.
 - 2. Intersection channelization and areas where vehicle drivers shall not make right, left or U-turns and the time when the prohibition applies.
 - 3. Parking areas and time limitations, including the form of permissible parking (e.g., parallel or diagonal).
- C. Oversize Vehicle Permits: Issue oversize or overweight vehicle permits¹.
- D. Temporary Closing Or Blocking Of Streets: Temporarily close or block streets. (Ord. 76 revised, 10-28-1997)

6-1-5: **PUBLIC DANGER; TEMPORARY TRAFFIC CONTROL DEVICES:**

- A. Installation Of Temporary Devices: Under conditions constituting a danger to the public, the city administrator or city maintenance supervisor or their respective designees may install temporary traffic control devices.
- B. Nonfunctioning Devices: Nonfunctioning traffic control devices shall be treated as an all-way stop by vehicle operators on all affected streets. (Ord. 76 revised, 10-28-1997)

6-1-6: **STANDARDS FOR DETERMINING CITY REGULATIONS:** The regulations of the city administrator or city maintenance supervisor or council or designees shall be based on:

- A. Traffic engineering principles and traffic investigations.
- B. Standards, limitations and rules promulgated by the Oregon transportation commission.
- C. Other recognized traffic control standards. (Ord. 76 revised, 10-28-1997)

6-1-7: **AUTHORITY OF LAW ENFORCEMENT AND FIRE OFFICERS:** If a fire or other public emergency occurs, officers of the law enforcement and fire departments may direct traffic as conditions require, notwithstanding the provisions of this chapter. (Ord. 76 revised, 10-28-1997)

6-1-8: **IMPOUNDMENT OF VEHICLES:**

- A. Disposition Of Towed Vehicles: Disposition of a vehicle towed and stored under provision of state law for the removal of hazardous vehicles shall be in accordance with provisions of state law or Irrigon or Morrow County ordinances on impoundment and disposition of abandoned vehicles.

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- B. Citation Issuance: Impoundment of a vehicle does not preclude issuance of a citation for violation of a provision of this title.
- C. Stolen Vehicles: Stolen vehicles may be towed from public or private property and stored at the expense of the vehicle owner. (Ord. 76 revised, 10-28-1997)

6-1-9: **PENALTIES:**

- A. General Traffic Provisions: Violation of the provisions of [chapter 2](#) of this title is punishable by fines not to exceed one hundred dollars (\$100.00).
- B. Parking Regulations: Violation of the provisions of [chapter 3](#) of this title is punishable by fines not to exceed fifty dollars (\$50.00). (Ord. 76 revised, 10-28-1997)

[Footnote 1](#): ORS 818.010 to 818.430.

CHAPTER 2

GENERAL TRAFFIC PROVISIONS

SECTION:

- 6-2-1 Short Title
- 6-2-2 Definitions
- 6-2-3 Powers of Governing Body
- 6-2-4 Duties of City Administrator
- 6-2-5 Public Danger; Temporary Traffic Control Devices

6-2-1: **CROSSING PRIVATE OR PUBLIC PROPERTY:** The operator of a vehicle shall not proceed from one street to an intersecting street by leaving the roadway and crossing private or public property. This provision does not apply to the operator of a vehicle who stops on the property to procure or provide goods or services. (Ord. 76 revised, 10-28-1997)

6-2-2: **UNLAWFUL RIDING:**

- A. **Riding On Outside Of Vehicle:** The operator of a vehicle shall not permit a passenger to, and no passenger shall, ride on a vehicle on a street except within a part of the vehicle designed or intended for the use of passengers. This provision does not apply to an employee engaged in the discharge of a duty or to a person riding within a truck body in space intended for merchandise.
- B. **Boarding Or Alighting From Vehicle:** No person shall board or alight from a vehicle while the vehicle is in motion on a street. (Ord. 76 revised, 10-28-1997)

6-2-3: **DAMAGING SIDEWALKS AND CURBS:**

- A. **Sidewalks:** The operator of a motor vehicle shall not drive on a sidewalk or roadside planting strip except to cross at an authorized permanent or temporary driveway.
- B. **Curbs:** No person shall remove a portion of a curb or move a motor vehicle or a device moved by a motor vehicle onto a curb or sidewalk without first obtaining authorization and posting bond, if required by ordinance. A person who causes damage shall be responsible for the cost of repair. (Ord. 76 revised, 10-28-1997)

6-2-4: **STORING VEHICLES ON STREETS:** No person shall store, or permit to be stored, a motor vehicle or personal property on a street or other public property where temporary vehicle parking is authorized in excess of seventy two (72) hours without permission of the governing body. Failure to move a motor vehicle or other personal property for seventy two (72) hours constitutes prima facie evidence of storage. (Ord. 76 revised, 10-28-1997)

6-2-5: **EXCESSIVE NOISE AND JAKE BRAKES:**

A. Jake Brakes:

1. Definition: A "dynamic braking device", commonly referred to as a "jake brake" is a device used primarily on trucks and buses which converts the motor into an air compressor for the purpose of vehicle braking without the use of wheel brakes.

2. Prohibition: It shall be unlawful to operate any motor vehicle in excess of ten thousand (10,000) pounds' gross vehicle registration weight within the city with a dynamic braking device engaged.

B. Excessive Tire Noise:

1. Definition: "Excessive tire noise" shall mean noise generated through the rapid acceleration of a motor vehicle in a manner which causes it to break traction causing squealing, screeching, or other like noise or a similar noise generated by excessive speed around corners or straightaways.

2. Prohibition: It shall be unlawful to operate any motor vehicle in such a manner as to cause excessive tire noise, except in the case of an emergency situation which requires such activity in an attempt to avoid imminent danger.

C. Parked Motor Vehicles With Motor Running:

1. Definition: A "parked motor vehicle", shall mean a motor vehicle of ten thousand (10,000) pounds' gross vehicle registration weight or more with the motor or attached auxiliary equipment in operation.

2. Prohibition: It shall be unlawful to operate such a vehicle while parked alongside a public right of way inside a residential district or immediately adjacent to a private residence with the motor and/or auxiliary equipment in operation except for an emergency reason. It shall also be unlawful to operate said vehicle on private property in such a manner as to be plainly audible within any dwelling unit between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M.

3. Exception: This shall not apply to commercial construction equipment, the normal operation of vehicles designed and used for commercial transportation of passengers, and vehicles being loaded or unloaded.

D. Off Road Vehicles On Public Property:

1. Definition: "Off road vehicle" shall mean any motor vehicle designed for or capable of cross country travel on or immediately over land, water, sand, snow, ice, marsh, swampland or other natural terrain.

2. Prohibition: It shall be unlawful to operate an off road recreational motor vehicle on public properties unless the property has been designated for off road recreational use pursuant to city planning and the city zoning code.

- E. Penalties: Any person violating the provisions of this section shall be guilty of a violation punishable by a fine of not less than twenty five dollars (\$25.00) for the first offense nor less than fifty dollars (\$50.00) for the second or succeeding offenses to no more than two hundred fifty dollars (\$250.00). Each day that a violation continues is a separate offense. (Ord. 103, 6-10-1986)

CHAPTER 3

PARKING REGULATIONS

SECTION:

- 6-3-1 Method of Parking
- 6-3-2 Prohibited Parking or Standing
- 6-3-3 Prohibited Practices
- 6-3-4 Use of Loading Zone
- 6-3-5 Authorized Emergency Vehicles
- 6-3-6 Lights on Parked Vehicles
- 6-3-7 Extension on Parking Time
- 6-3-8 Exemptions

6-3-1: **METHOD OF PARKING:**

- A. Distance From Curb; Use Of Parking Space: When parking spaces are designated on a street or public lot, no person shall park or stand a vehicle other than in the direction of the traffic flow and in such manner that the front vehicle tire closest to the curb is located within twelve inches (12") of the curb and within a single marked space, unless the size or shape of the vehicle makes compliance impossible.
- B. Priority In Taking Parking Space: The operator who first begins maneuvering a motor vehicle into a vacant parking space on a street or public lot has priority to park in that space, and no other vehicle operator shall attempt to interfere.
- C. Parking Near Building Where Fire Department Summoned: When the operator of a vehicle discovers the vehicle is parked close to a building to which the fire department has been summoned, the operator shall immediately remove the vehicle from the area unless directed otherwise by police or fire officers. (Ord. 76 revised, 10-28-1997)

6-3-2: **PROHIBITED PARKING OR STANDING:** No person shall park or stand:

- A. A vehicle in violation of the Oregon vehicle code or in violation of a parking limitation device.
- B. A vehicle in an alley, except for a stop of not more than thirty (30) consecutive minutes for loading or unloading persons or material.
- C. A motor truck on a street in front of, or adjacent to, a residence, motel, apartment house, hotel, or other sleeping accommodation in a residential zone between the hours of nine o'clock (9:00) P.M. and seven o'clock (7:00) A.M. (Ord. 76 revised, 10-28-1997)

6-3-3: **PROHIBITED PRACTICES:** No operator shall park a vehicle, and no owner shall allow a vehicle to be parked on a street or other public property for the principal purpose of:

- A. Displaying the vehicle for sale.
- B. Repairing or servicing the vehicle, except while making repairs necessitated by an emergency.
- C. Displaying temporary advertising from the vehicle.
- D. Selling merchandise from the vehicle, except when authorized¹. (Ord. 76 revised, 10-28-1997)

6-3-4: **USE OF LOADING ZONE:** No person shall park or stand a vehicle in a place designated as a loading zone when the hours applicable to that loading zone are in effect for any purpose other than loading or unloading persons or materials. Such a stop shall not exceed the time limits posted. If no time limits are posted, use of the zone shall not exceed thirty (30) minutes. (Ord. 76 revised, 10-28-1997)

6-3-5: **AUTHORIZED EMERGENCY VEHICLES:**

- A. The driver of an authorized emergency vehicle, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law or when responding to, but not returning from, a fire alarm, may park or stand irrespective of the provisions of this title.
- B. This section shall not relieve drivers of authorized emergency vehicles from the duty to park or stand with regard for the safety of all persons. (Ord. 76 revised, 10-28-1997)

6-3-6: **LIGHTS ON PARKED VEHICLES:** No lights need be displayed on a vehicle that is parked in accordance with this title on a street where there is sufficient light to reveal a person or object at a distance of at least five hundred feet (500') from the vehicle. (Ord. 76 revised, 10-28-1997)

6-3-7: **EXTENSION OF PARKING TIME:** Where maximum parking time limits are designated, moving a vehicle to another parking space within the same block shall not extend the time limits for parking. (Ord. 76 revised, 10-28-1997)

6-3-8: **EXEMPTIONS:** The provisions that regulate the parking or standing of vehicles do not apply to:

- A. Vehicles Used For Maintenance Work: A city, county, state or public utility vehicle being used for public works maintenance, construction or repair work.
- B. Postal Or Delivery Vehicles: A vehicle owned by the United States being used for collection, transportation or delivery of mail or a vehicle used as a delivery vehicle, i.e.,

furniture van, U-haul truck, United Parcel Service, etc.; or when a special
oversize/overweight exemption permit is issued. (Ord. 76 revised, 10-28-1997)

- C. Disabled Persons: A vehicle of a disabled person who complies with the provisions of
Oregon Revised Statutes 801.235 and 811.602 to 811.637. (Ord. 76 revised, 10-28-1997;
amd. 2008 Code)

CHAPTER 3

PARKING REGULATIONS

ARTICLE A. PARKING CITATIONS AND OWNER RESPONSIBILITY

SECTION:

6-3A-1	Short Title
6-3A-2	Definitions
6-3A-3	Powers of Governing Body
6-3A-4	Duties of City Administrator

6-3A-1: **CITATION ON ILLEGALLY PARKED VEHICLE:** When a vehicle without an operator is found parked in violation of a restriction imposed by this title or state law, the person finding the vehicle shall note the license number and any other information displayed on the vehicle that may identify the owner, and shall attach a parking citation to the vehicle. The citation shall instruct the operator to answer to the charge or pay the penalty imposed within ten (10) working days, during regular business hours (8:00 A.M. to 12:00 noon, 1:00 P.M. to 5:00 P.M. Monday through Friday) at the Irrigon city offices. (Ord. 76 revised, 10-28-1997)

6-3A-2: **FAILURE TO COMPLY WITH PARKING CITATION:** If the operator does not respond to a parking citation attached to the vehicle within ten (10) working days, the city administrator shall send a letter to the owner of the vehicle informing the owner of the violation and giving notice that if the citation is disregarded for a period of thirty (30) days:

- A. The fine will be doubled; and
- B. If the vehicle has two (2) or more outstanding citations or fifty dollars (\$50.00) in unpaid fines, it may be impounded, and an impounded vehicle shall not be released until all outstanding fines and charges are paid. (Ord. 76 revised, 10-28-1997)

6-3A-3: **OWNER RESPONSIBILITY:** The owner of a vehicle that is in violation of a parking restriction shall be responsible for the offense unless the operator used the vehicle without the owner's consent. (Ord. 76 revised, 10-28-1997)

6-3A-4: **REGISTERED OWNER PRESUMPTION:** In a proceeding charging violation of a parking restriction against a vehicle owner, proof that the vehicle was registered to the defendant at the time of the violation constitutes a presumption that the defendant was the owner. (Ord. 76 revised, 10-28-1997)

[Footnote 1:](#) ORS 811.580.

CHAPTER 4

BICYCLES

SECTION:

- 6-4-1 Short Title
- 6-4-2 Definitions
- 6-4-3 Powers of Governing Body
- 6-4-4 Duties of City Administrator

6-4-1: **LICENSING REQUIREMENTS:**

- A. License Required: No person shall ride a bicycle on the streets unless the bicycle is licensed in accordance with this section.
- B. License Obtained From City Staff: The owner of a bicycle shall obtain a license from the city office staff.
- C. Time Limit For Licensing: A bicycle, whether or not licensed under regulations of another jurisdiction, shall be licensed in accordance with this section within thirty (30) days after being brought into the city.
- D. Equipment, Compliance With Statute: No bicycle shall be licensed unless it is equipped as required by state law.
- E. Required Information; License Issuance: The city administrator or designee shall:
 - 1. Obtain the name and address of a person purchasing a license.
 - 2. Record the make, model, size, color and serial number of the bicycle.
 - 3. Issue a license.
- F. Records Kept By City: A number shall be assigned to each bicycle and a record of the license issued shall be maintained as a part of the law enforcement records. The name of Irrigon and the license number assigned shall be attached to the frame of the bicycle.
- G. Ownership Change; License Renewal: Bicycle licenses shall be renewed when ownership changes.
- H. License Fees:

1. The fee for a bicycle license shall be five dollars (\$5.00).
2. All license fees shall be deposited in the general fund. (Ord. 76 revised, 10-28-1997)

6-4-2: **LEAVING BICYCLE IN RACK OR ON PROPERTY:** In addition to observing other applicable provisions of this title and state law pertaining to bicycles, no person shall:

- A. Leave a bicycle other than in a bicycle rack. If no rack is provided, the person shall leave the bicycle so that it does not obstruct a roadway, sidewalk, driveway, or building entrance. A bicycle shall not be left in violation of motor vehicle parking provisions.
- B. Leave a bicycle secured to a tree or fire hydrant.
- C. Leave a bicycle on private property without consent of the owner or person in charge. Consent is implied on private business property unless bicycle parking is expressly prohibited.
- D. Leave a bicycle on a stand or other public property for more than twenty four (24) hours. (Ord. 76 revised, 10-28-1997)

6-4-3: **IMPOUNDING BICYCLES; REDEMPTION OR DISPOSAL:**

- A. Impoundment Authorized: A bicycle left on a street or other public property for more than twenty four (24) hours may be impounded by the city.
- B. Obstructing Pedestrian Or Vehicular Traffic: A bicycle parked in violation of this chapter that also obstructs or impedes pedestrian or vehicle traffic or otherwise endangers the public may be immediately impounded by a law enforcement officer or an employee of the city, in addition to any citation issued.
- C. Notice To Owner: If a bicycle impounded under this chapter is licensed, or other means of identifying its ownership exists, the city shall make reasonable efforts to notify the owner. No impoundment fee shall be charged to the owner of a stolen bicycle that has been impounded.
- D. Impoundment Fee: Except as provided in subsection C of this section, a fee of five dollars (\$5.00) shall be charged to the owner of a bicycle impounded under this section.
- E. Disposition Of Unclaimed Bicycle: A bicycle impounded under this chapter that remains unclaimed after fifteen (15) days shall be disposed of in accordance with city procedures for disposal of abandoned or lost personal property. (Ord. 76 revised, 10-28-1997)

6-4-4: **RENTING BICYCLES:** No person shall rent a bicycle to another person unless the bicycle is licensed and equipped as required by this chapter. (Ord. 76 revised, 10-28-1997)