



**ARTICLE I. PURPOSE**

The purpose of this chapter is to regulate the operation and use of vehicles of every kind including the power: to erect traffic signs and signals; to regulate the speed of vehicles subject to 23 V.S.A. Chapter 13, Subchapter 12; to establish rules for pedestrian traffic on public highways and to establish crosswalks; and to set off portions of public highways of the municipality for sidewalks and bicycle paths and to regulate their use.

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Statutory Cross-Reference: 23 V.S.A. § 2201.

**ARTICLE III. GENERAL PROVISIONS**

**SECTION 13.01. DEFINITIONS**

The following words and phrases when used in this chapter shall have the meanings respectively ascribed to them in this section. Whenever any words or phrases used in this chapter are not defined herein, but in the state laws regulating the operation of vehicles, the state law definition shall apply.

**AUTHORIZED EMERGENCY VEHICLE** - shall mean vehicles of the fire and police departments, public or private ambulances, and a vehicle to which a permit has been issued pursuant to 23 V.S.A. § 1252(a)(1) or 23 V.S.A. § 1252(a)(2).

**BICYCLE** – shall mean every pedal-driven device propelled by human power having one or more wheels on which a person may ride, including a so-called pedal vehicle which may have an enclosed cab.

**COMMERCIAL VEHICLE** - shall mean every vehicle designed, maintained or used primarily for the transportation of property.

CROSSWALK – shall mean:

- A. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs from the edges of the traversable roadway; and
- B. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossings by lines or other markings on the surface.

DRIVER - shall mean every person who drives or is in actual physical control of a vehicle.

ENFORCEMENT OFFICER - shall mean any law enforcement officer as defined in 23 V.S.A. § 4(11), or duly appointed code enforcement officer for the City of Winooski.

Statutory Cross-Reference: 23 V.S.A. § 4.

EXPLOSIVE – shall mean any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

FARM TRACTOR – shall mean every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

FLAMMABLE LIQUIDS – shall mean any liquid which has a flash point of 70 degrees F. or less, as determined by Tagliabue or equivalent closed cup test device.

HAZARDOUS MATERIALS – shall mean those substances or materials in such quantities and form which may pose an unreasonable risk to health and safety or property when transported in commerce, by any and all modes. Hazardous materials shall include, but not be limited to, explosives, etiologic agents, radioactive materials, flammable liquid or solids, combustible liquid or solids, poisons, toxins, oxidizing or corrosive materials, and compressed gases.

INTERSECTION – shall mean the area embraced within the prolongation of the property lines of two or more streets which join at an angle, whether or not such streets cross.

LANED ROADWAY – shall mean a street, the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

LAW ENFORCEMENT OFFICER – shall mean persons certified pursuant to 20 V.S.A. § 2358: sheriffs, deputy sheriffs, constables whose authority has not been limited under 24 V.S.A. § 1936 (a), police officers, state's attorneys, capitol police officers, motor vehicle inspectors, liquor investigators, state game wardens, and state police.

LOADING ZONE – shall mean the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

**MERGING TRAFFIC** – shall mean a maneuver executed by the drivers of vehicles on converging roadways to permit simultaneous or alternate entry into the junction thereof, wherein the driver of each vehicle involved is required to adjust his vehicular speed and lateral position so as to avoid a collision with any other vehicles.

**MOTORCYCLE** - shall mean 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** - shall mean all vehicles propelled or drawn by power other than muscular power, except farm tractors, vehicles running only upon stationary rails or tracks, motorized highway building equipment, road making appliances, or electric personal assistive mobility devices.

**OFFICIAL TIME STANDARD** - Whenever certain hours are named in this chapter they shall mean standard time or daylight saving time as may be in current use in the city.

**OFFICIAL TRAFFIC CONTROL DEVICES** - shall mean all signs, signals, markings and devices not inconsistent with this chapter, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

**OPERATE, OPERATING OR OPERATED** – shall include, as applied to motor vehicles, "drive," "driving" and "driven" and shall also include an attempt to operate, and shall be construed to cover all matters and things connected with the presence and use of motor vehicles on the highway, whether they be in motion or at rest.

**OPERATOR** - shall mean every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or who is in actual physical control of a vehicle regardless of ownership status.

**PARK or PARKING** - shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle caused by reasons beyond the control of the operator of the vehicle.

**PEDESTRIAN** - shall mean any person afoot.

**PERSON** - shall include a corporation, association, co-partnership, company, firm or other aggregation of individuals.

**PRIVATE ROAD or DRIVEWAY** - shall mean 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** - shall mean a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

**RAILROAD TRAIN** - shall mean a steam engine, electric or other motor engine, with or without

cars coupled thereto, operated upon rails, except streetcars.

RIGHT-OF-WAY - shall mean the privilege of the immediate use of the roadway.

ROADWAY - shall mean that portion of a street or highway improved, designed 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" shall refer to any such roadway separately but not to all such roadways collectively.

SIDEWALK - shall mean that improved portion of a street between the curblines or the lateral lines of a roadway and the adjacent property lines intended for use by pedestrians.

STOP - when required shall mean complete cessation of movement.

STOP, STOPPING or STANDING - when prohibited shall mean any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic-control sign or signal.

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

THROUGH HIGHWAY - shall mean 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 the same, provided that such stop signs are erected as provided in this chapter.

TRAFFIC - shall mean pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances either singly or together while using any street for purposes of travel.

TRAFFIC CONTROL SIGNAL - shall mean any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

YIELD RIGHT-OF-WAY - when required by an official sign, shall mean the act of granting the privilege of the immediate use of the intersecting roadway to traffic within the intersection and to vehicles approaching from the right or left, provided that when the roadway is clear the vehicle may proceed into the intersection.

## **SECTION 13.02. AUTHORITY OF ENFORCEMENT OFFICERS**

- A. Law enforcement officers may make arrests for violation of this chapter.
- B. Enforcement officers may direct, control and regulate traffic, and make reasonable orders in enforcement of this ordinance or to prevent, or alleviate traffic congestion, property damage or personal injury. No person may knowingly fail or refuse to comply with any lawful order or direction of any enforcement officer.

## **SECTION 13.03. OBEDIENCE TO LAW ENFORCEMENT OFFICERS**

- A. A person, while operating or in charge of a motor vehicle shall, upon request by a law

enforcement officer who reasonably suspects that the person has committed or is committing a violation of this ordinance or applicable state law, give his or her name and address and the name and address for the owner of the motor vehicle and produce his or her operator's license and registration certificate for the motor vehicle. If the operator does not have a valid Vermont operator's license, the operator shall produce other suitable forms of identification. A person operating a motor vehicle shall promptly and carefully stop when signaled to stop by a law enforcement officer wearing insignia which identifies the officer.

- B. Any person who fails to comply with the provisions of this section shall be committing a criminal act and shall be subject to the penalties and enforcement as provided for in Chapter 1, Section 1.11 of the Winooski City Code.

**SECTION 13.04. SCENE OF FIRE**

The fire department officer in command, or any fire fighter designated by him, may exercise the powers and authority of an enforcement officer in directing traffic at the scene of any fire or where the fire department has responded to an emergency call for so long as fire department equipment is on the scene in the absence of, or in assisting, the police. The fire department officer in command, or his designee, shall be clearly identified, including, but not limited to, badges, fire hat, or fire coat.

**SECTION 13.05. REGISTRATION OF VEHICLE TO CONSTITUTE PRIMA FACIE EVIDENCE OF VIOLATIONS**

The presence of any motor vehicle in or upon any public street in the city, or in or upon any other place within the city where the parking or leaving of a motor vehicle is regulated by this chapter, in violation of this chapter, shall be prima facie evidence that the person in whose name such vehicle is registered on the records of the commissioner of motor vehicles, committed or authorized such violation.

**SECTION 13.06. TOWING OF VEHICLES**

- A. Any law enforcement officer, or duly appointed code enforcement officer for the city, is hereby authorized to remove and tow away, or have removed and towed away by a commercial towing service: any motor vehicle parked without authorization on publicly owned land and including, by illustration and not limitation, public, municipal parking lots, drives or ways; and any motor vehicle illegally parking in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, or obstructs or may obstruct the movement of any emergency vehicle. The police department shall make a reasonable attempt to notify the owner prior to the towing of the vehicle.
- B. The owner of the towed motor vehicle will be required to pay a reasonable towing charge for such removal and a reasonable storage charge for which a lien may be imposed against the motor vehicle and/or its owner in addition to any applicable criminal or civil penalty.
- C. Motor vehicles so towed away shall be stored in a safe place and shall be restored to the owner or operator of such motor vehicle upon payment of all charges.

**ARTICLE IV. TRAFFIC CONTROL DEVICES**

**SECTION 13.07. AUTHORITY OF CITY MANAGER TO INSTALL TRAFFIC CONTROL DEVICES**

The city manager shall cause to be placed and maintained traffic control signs, signals and devices when and as required under this chapter and other ordinances or regulations of the city to make effective the provisions of this chapter and said ordinances or regulations, and may place and maintain such additional traffic control devices as s/he may deem necessary to regulate traffic under this chapter and other ordinances or regulations of the city or under state law, or to guide or warn traffic.

**SECTION 13.08. MANUAL AND SPECIFICATIONS FOR TRAFFIC CONTROL DEVICES**

- A. All traffic control signs, signals and devices shall conform to the manual and specifications approved by the National Joint Committee on Uniform Traffic Control Devices.
- B. 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 city. All traffic control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic control devices.

**SECTION 13.09. OBEDIENCE TO OFFICIAL TRAFFIC CONTROL DEVICES**

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with this chapter or other ordinances of the city, unless otherwise directed by an enforcement officer, subject to the exceptions granted to the driver of an authorized emergency vehicle by this chapter.

**SECTION 13.10. WHEN TRAFFIC DEVICES ARE REQUIRED FOR ENFORCEMENT PURPOSES**

No provision of this chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place.

**SECTION 13.11. DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS OR MARKINGS PROHIBITED; DECLARED A NUISANCE**

- A. No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal.
- B. No person shall place or maintain, nor shall any public authority permit, upon any highway any traffic sign or signal bearing thereon any commercial advertising.
- C. This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.



- D. Every sign, signal or marking prohibited by this section is hereby declared to be a public nuisance and the authority having jurisdiction over the highway where the sign, signal or marking is erected is hereby empowered to remove the same or cause it to be removed without notice.

**SECTION 13.12. INTERFERENCE WITH OFFICIAL TRAFFIC CONTROL DEVICES OR RAILROAD SIGNS OR SIGNALS**

No person shall, without lawful authority, attempt to or in fact, alter, deface, injure, knock down or remove any official traffic control device or any railroad sign or signal or any inscription or shield, or insignia thereon or any part thereof.

**ARTICLE V. MOTOR VEHICLE OPERATION**

**SECTION 13.13. MARKING TRAFFIC LANES; DRIVING WITHIN LANES**

- A. The city manager may cause to be marked traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.
- B. Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane, except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

**SECTION 13.14. OPERATION OF AUTHORIZED EMERGENCY VEHICLES**

- A. The driver of an authorized emergency vehicle, when responding to an emergency call, or when responding to but not upon returning from a fire alarm, and a law enforcement officer operating an authorized emergency vehicle in fresh pursuit of a suspected violator of the law may:
  - 1. park or stand, irrespective of the provisions of this chapter;
  - 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 prima facie speed limits so long as he does not endanger life or property;
  - 4. disregard regulations governing the direction of movement or turning in specified directions; and
  - 5. shall come to a full stop when approaching a school bus which is flashing red lights and may proceed only when the flashing red lights are extinguished.
- B. The exemptions granted to an authorized emergency vehicle apply only when the vehicle is making use of audible or visual signals meeting the requirements of this chapter.
- C. 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.

- D. The operator of a school bus, upon the approach of an authorized emergency vehicle as described in subsection (A) of this section, shall take action immediately to get school children out of the public highway and to a safe place and shall thereafter extinguish the flashing red lights.

**SECTION 13.15. OPERATION OF VEHICLES UPON APPROACH OF AUTHORIZED EMERGENCY VEHICLES**

- A. Upon the approach of a law enforcement vehicle which is sounding a siren or displaying a blue or a blue and white signal lamp or both, all other vehicles shall pull to the right of the lane of traffic and come to a complete stop until such law enforcement vehicle has passed, or until signaled by an enforcement officer; and provided further; that upon the approach of ambulances, fire apparatus, vehicles owned by volunteer firefighter, and motor vehicles used in rescue operations as set forth in 23 VSA § 1252, which are sounding a siren or displaying a red signal lamp, or both, all other vehicles shall pull to the right of the lane of traffic and come to a complete stop until such emergency vehicle has passed. Whenever enforcement officers are stationed, they shall have full power to regulate traffic irrespective of the foregoing provisions.
- B. This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

**SECTION 13.16. FOLLOWING OR PARKING NEAR 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 (500) feet or drive into or park such a vehicle within the block where any fire apparatus has stopped in answer to a fire alarm.

**SECTION 13.17. CROSSING FIRE HOSE**

The driver of a vehicle shall not drive over any unprotected hose of a fire department when laid down on any street, private driveway or roadway to be used at any fire or alarm of fire, without the consent of the fire department official in command.

**SECTION 13.18. FUNERAL PROCESSIONS TO BE IDENTIFIED**

A procession of vehicles in connection with a funeral shall be identified as such by the display upon the outside of each vehicle of pennant or other identifying insignia, or by such other method as may be determined and designated by the chief of police.

**SECTION 13.19. MANNER OF DRIVING IN PROCESSION**

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe.

**SECTION 13.20. DRIVING THROUGH FUNERAL OR OTHER PROCESSIONS**

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in

this chapter. This section shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

**SECTION 13.21. DRIVING ON SIDEWALKS PROHIBITED**

The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

**SECTION 13.22. STOPPING, STANDING AND PARKING OF BUSES REGULATED**

- A. The operator of a bus shall not stand or park any bus upon any street at any place other than at a bus stand.
- B. The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand or passenger loading zone, except in case of an emergency.
- C. The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus, when stopped to load or unload passengers or baggage, shall be in a position with the right front wheel or such vehicle not more than eighteen (18) inches from the curb and the bus approximately parallel to the curb, so as not to unduly impede the movement of other vehicular traffic.

**SECTION 13.23. STOPPING, STANDING AND PARKING OF TAXICABS REGULATED**

The operator of a taxicab shall not stand or park any taxicab upon any street at any place other than in a taxicab stand. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

**SECTION 13.24. RESTRICTED USE OF BUS AND TAXICAB STANDS**

No person shall stop, stand or park a vehicle other than a bus in a bus stop or other than a taxicab in a taxicab stand when any such stop has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

**SECTION 13.25. BUS STOPS AND TAXICAB STANDS TO BE DESIGNATED**

- A. The city manager is hereby authorized to designate certain portions of the city streets as taxicab stands.
- B. The city manager, in consultation with the representatives of the Chittenden County Transportation Authority, and its successors, is hereby authorized to designate certain portions of the city streets as bus stops. Said designated portions shall be clearly marked by erecting a sign reading "Bus Stop - No Parking" or some such similar traffic control device.

**SECTION 13.26. DRIVING UNSAFE VEHICLES PROHIBITED**

It is unlawful for any person to drive or move, or for the owner of a vehicle to cause or knowingly permit to be driven or moved, on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person or property, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required by State law.

**SECTION 13.27. THROUGH STREETS**

The streets and parts of streets of the city designated by regulation as through streets are hereby declared to be through streets. The driver of a vehicle shall stop at the entrance to a through street and shall yield the right-of-way to other vehicles which have entered the intersection or which are approaching so close on a through street as to constitute an immediate hazard, unless directed otherwise by the traffic officer or a traffic control signal.

**SECTION 13.28. ERECTION OF STOP SIGNS AT INTERSECTIONS**

The city manager is hereby authorized to determine and designate intersections where particular hazards exist upon streets and to determine whether vehicles shall stop at one (1) or more entrances to any such intersection, and shall erect a stop sign at every such place where a stop is required.

**ARTICLE VI. RULES FOR DRIVING**

**SECTION 13.29. REQUIRED POSITION AND METHOD OF TURNING AT INTERSECTION**

- A. The driver of a vehicle intending to turn at an intersection shall do so as follows:
1. Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the roadway.
  2. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection. After entering the intersection, the left turn shall be made such that the vehicle is positioned to the right of the center line of the roadway being entered. Whenever practicable, a vehicle making a left turn shall stay to the left of the appropriate lane of travel, rather than moving to the right, unless a wide turning radius is necessary.
  3. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle. After entering the intersection, the left turn shall be made such that the vehicle is positioned in the furthest left lane lawfully available to traffic moving in such direction upon the roadway being entered. The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on said highway.

**SECTION 13.30. TURNING ON CREST OF HILL**

No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet.

**SECTION 13.31. STARTING PARKED VEHICLE**

No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

**SECTION 13.32. DRIVER'S SIGNAL**

- A. No driver of a vehicle shall suddenly start, slow down, stop or attempt to turn without first giving a suitable signal in such a manner as to apprise others who might be affected by his/her action.
- B. No person shall turn a vehicle from a direct course upon a highway unless and until such movement can be made with reasonable safety and then only after giving a clearly audible signal by sounding the horn if any pedestrian may be affected by such movement, or after giving an appropriate signal in the manner hereinafter provided in the event any other vehicle may be affected by such movement.
- C. A signal of intention to turn right or left shall be given during not less than the last one hundred (100) feet traveled by the vehicle before turning.
- D. The signals herein required shall be given either by means of the hand and arm or by a signal lamp or signal device, but when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of such vehicle, then said signals must be given by such a lamp or device.
- E. All signals herein required to be given by hand and arm shall be given from the left side of the vehicle in the following manner, and such signals shall indicate as follows:
  - 1. Left-turn: Hand and arm extended horizontally
  - 2. Right-turn: Hand and arm extended upward
  - 3. Stop or Decrease of Speed: Hand and arm extended downward

**SECTION 13.33. DRIVING FROM ALLEYS, DRIVEWAYS AND GARAGES**

- A. The driver of a vehicle emerging from an alley, driveway or garage shall stop such vehicle immediately prior to driving onto a sidewalk, or across a sidewalk line projected across such alley, and shall exercise extreme care in driving upon said sidewalk or across such line.
- B. No driver of a vehicle shall drive within any sidewalk area, except at a permanent or temporary driveway, or at any time into or upon any portion of a roadway marked as a safety zone.

**SECTION 13.34. RIGHT-OF-WAY**

Except as otherwise herein provided, the driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway; and when two vehicles enter an intersection from different highways 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.

**SECTION 13.35. VEHICLE TURNING LEFT**

The driver of a vehicle within an intersection intending to turn to the 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 an immediate hazard, but said driver, having so yielded and having given a signal when and as required, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn.

**SECTION 13.36. LIMITATIONS ON TURNING AROUND**

It shall be unlawful for the operator of any vehicle to maneuver such vehicle by backing up and turning around so as to proceed in the opposite direction, unless such movement can be made in safety and without backing into traffic or otherwise interfering with traffic.

**SECTION 13.37. AUTHORITY TO PLACE AND OBEDIENCE TO TURNING MARKERS**

- A. The city manager is authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law, this chapter or other ordinances of the city.
- B. When authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

**SECTION 13.38. AUTHORITY TO PLACE RESTRICTED TURN SIGNS**

The city manager is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right or left turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or the signs may be removed when such turns are permitted.

**SECTION 13.39. OBEDIENCE TO NO-TURN SIGNS**

Whenever authorized signs are erected indicating that no right or left turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

**SECTION 13.40. U-TURNS**

- A. The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction, commonly known as a U-Turn, at any point on the streets of the city.

- B. The provisions of subsection (A) shall not apply to the following:
  - 1. Police vehicles;
  - 2. Authorized construction, maintenance, repair and towing vehicles; or
  - 3. Ambulances, fire engines and other vehicles performing official emergency functions.
- C. In case of emergency, police officers in regulating traffic may depart as far as may be necessary from this section.

**SECTION 13.41. DRIVING ON RIGHT SIDE OF ROADWAY**

- A. Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway except as follows:
  - 1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
  - 2. When the right half of a roadway is closed to traffic while under construction or repair;
  - 3. Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon;
  - 4. Upon a roadway designated and sign posted for one-way traffic; and/or
  - 5. Whenever there is a single track paved road on one side of the public highway and two vehicles meet thereon, the driver on whose right is the wider shoulder shall give the right-of-way on such pavement to the other vehicle.

**SECTION 13.42. PASSING VEHICLES**

Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

**SECTION 13.43 OVERTAKING VEHICLES**

- A. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules hereinafter stated:
  - 1. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
  - 2. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

**SECTION 13.44. OVERTAKING VEHICLES ON RIGHT**

- A. The driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.
- B. The driver of a vehicle may overtake, and allowing sufficient clearance, pass another vehicle proceeding in the same direction either upon the left or upon the right of a roadway with unobstructed pavement of sufficient width for four or more lanes of moving traffic when such movement can be made in safety. No person shall drive off the pavement or upon the shoulder of the roadway in overtaking or passing on the right.
- C. The driver of a vehicle may overtake and pass another vehicle upon the right on a one-way street, or on any street on which traffic is restricted to one direction of movement where the roadway is free from obstructions and of sufficient width for two or more lanes of moving vehicles.

**SECTION 13.45. LIMITATIONS ON OVERTAKING ON THE LEFT**

- A. No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.
- B. No vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left side of the roadway under the following conditions:
  - 1. When approaching the crest of a grade or upon a curve in the highway, where the driver's view is obstructed within sufficient distance as to create a hazard in the event another vehicle might approach from the opposite direction.
  - 2. When approaching within one hundred (100) feet of or traversing any intersection or railroad grade crossing.
  - 3. Where official signs are in place directing that traffic keep to the right, or a distinctive center line is marked, which distinctive line also so directs traffic.
  - 4. The limitations in subparagraphs 1 and 2 of this paragraph (B) shall not apply upon a one-way street or upon a street with unobstructed pavement of sufficient width for two or more lanes of moving traffic in each direction when such movement can be made with safety.

**SECTION 13.46. ONE-WAY ROADWAYS AND ROTARY TRAFFIC ISLANDS**

- A. Upon a roadway designated and sign-posted for one-way traffic a vehicle shall be driven only in the direction designated.
- B. A vehicle passing around a rotary traffic island shall be driven only on the right of such



island.

**SECTION 13.47. DRIVING ON ROADWAYS LANED FOR TRAFFIC**

- A. Whenever any roadway has been divided into three or more clearly marked lanes for traffic the following rules in addition to all others consistent herewith shall apply:
1. A vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.
  2. Upon a roadway which is divided into three lanes a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction that the vehicle is proceeding and is sign-posted to give notice of such allocation.
  3. Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the directions of every such sign.

**SECTION 13.48. SPEED RESTRICTIONS**

It shall be unlawful to drive any motor vehicle on any street not under the jurisdiction of the state, or the county, within the city at a speed in excess of twenty-five (25) miles per hour. Provided that if the city manager by regulation sets other limits as provided by statute after an engineering and traffic survey, then such limits shall govern the rate of speed on the streets indicated in such regulation. Appropriate signs showing such speed limits shall be posted.

**SECTION 13.49. TRAFFIC NOT TO BE OBSTRUCTED**

No vehicle shall be operated or allowed to remain upon the street in such a manner as to form an unreasonable obstruction to the traffic thereon.

**SECTION 13.50. BICYCLES AND MOTORCYCLES**

It shall be unlawful for more than one person to ride upon any bicycle or motorcycle other than upon a seat permanently attached to said vehicle to the right or rear of the operator.

**SECTION 13.51. UNATTENDED VEHICLES**

No person shall permit a motor vehicle to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition and effectively setting the brake, air temperatures permitting, and, when the vehicle is standing upon a grade, turning the front of the front wheels toward the curb or side of the highway. This section does not apply to authorized emergency vehicles.

**SECTION 13.52. CLINGING TO VEHICLES**

It shall be unlawful for an operator of a motor vehicle or wagon to allow any person on any street riding a bicycle, motorcycle, or any toy vehicle to cling to or to attach himself or his vehicle to the motor vehicle or wagon.

**SECTION 13.53. RIDING ON RUNNING BOARDS**

It shall be unlawful for any person to ride upon the fenders, running board or outside step of any vehicle.

**SECTION 13.54. OBEDIENCE TO SIGNAL INDICATING APPROACH TO RAILROAD TRAIN**

- A. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop not less than fifteen (15) feet, and within fifty (50) feet, from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:
1. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
  2. A crossing gate is lowered or when a flagman gives or continues to give a signal of the approach or passage of a railroad train;
  3. A railroad train approaching within approximately fifteen hundred (1,500) feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard; or
  4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.
- B. No person shall drive any vehicle through, around or under any crossing gate or bridge at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.
- C. The driver of any motor vehicle carrying passengers for hire, or any school bus carrying any school children, or any vehicle carrying explosives, flammable liquid or other hazardous materials as cargo shall stop such vehicle within fifty (50) feet but not less than ten (10) feet from the nearest rail or the tracks and shall listen and look in both directions along such track from which a train might come, before proceeding across such tracks at a grade crossing. Provided that no such stop need be made at any such crossing where a police officer or a traffic-control signal directs traffic to proceed.

**SECTION 13.55. BACKING**

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interference with other traffic.

**SECTION 13.56. RESTRICTED ACCESS**

No person shall drive a vehicle onto or from any controlled or limited controlled access roadway except at such entrances and exits as are established by public authority.

**SECTION 13.57. SCHOOL BUSES**

The driver of a vehicle on a street or highway, upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children, shall stop the vehicle before reaching such school bus when there is in operation on the bus a visual signal as required by the statute for operation while the bus is transporting pupils; however, the driver of a vehicle upon a street or highway of which the roadway for traffic moving in opposite direction is separated by a strip of ground at least four feet wide, which is not surfaced or suitable for vehicle traffic, need not stop his/her vehicle upon meeting or passing a school bus which is on the opposite roadway.

**SECTION 13.58. VEHICLES TO STOP AT STOP SIGNS; YIELD INTERSECTIONS**

- A. When stop signs are erected as authorized by this division, at or near the entrance to any intersection, every driver of a vehicle shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, except when directed to proceed by a police officer or traffic-control signal.
- B. No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he/she is operating to safely proceed. A driver may not proceed until the crosswalk and intersection are clear of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.
- C. The driver of a vehicle approaching a yield sign shall, in obedience to the yield sign, slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection. However, if the driver is involved in a collision with a vehicle in the intersection, after driving past a yield sign without stopping, the collision shall be deemed prima facie evidence of the driver's failure to yield right-of-way.

**SECTION 13.59. SIGNS INDICATING ONE-WAY STREETS**

Whenever any provision of this chapter or other ordinance or regulation of the city designates any one-way street, the city manager may so designate such street, and the city shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

**SECTION 13.60. SIGNS INDICATING DEAD-END STREETS**

The city shall place and maintain appropriate signs indicating dead-end streets at the entrance of those streets designated as dead-end streets by regulation.

**SECTION 13.61. ONE-WAY STREETS ENUMERATED**

When signs are properly erected designating streets as “one-way,” vehicular traffic shall move only in the indicated direction and movement in the opposite direction is prohibited.

**ARTICLE VII. PEDESTRIANS**

**SECTION 13.62. CITY MANAGER TO DESIGNATE CROSSWALKS**

The city manager is hereby authorized to designate and maintain by appropriate devices, marks or lines upon the surface of roadways, crosswalks at intersections where in his/her opinion there is particular danger to pedestrians crossing the roadway, and at such other places as s/he may deem necessary.

**SECTION 13.63. PEDESTRIANS CROSSING ROADWAY**

- A. At no place shall a pedestrian cross any roadway other than by the most direct route to the opposite curbing, and when crossing at any place other than a crosswalk s/he shall yield the right-of-way to all vehicles upon the roadway.
- B. No person shall stand or loiter in any roadway other than in a safety zone, if such act interferes with the lawful movement of traffic.

**SECTION 13.64. SIGNALS**

At intersections where traffic is directed by an enforcement officer or by a stop-and-go signal, it shall be unlawful for any pedestrian to cross the roadway other than with released traffic, if such crossing interferes with the lawful movement of traffic.

**SECTION 13.65. PEDESTRIANS' RIGHT-OF-WAY IN CROSSWALK**

- A. When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk; however, no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle, which is so close that it is impossible for the driver to so yield.
- B. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.
- C. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at any intersection shall yield the right-of-way to all vehicles upon the roadway.

**SECTION 13.66. PROHIBITED CROSSINGS**

- A. Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.
- B. No pedestrian shall cross a roadway other than in a crosswalk or at any intersection.

**SECTION 13.67. PEDESTRIANS WALKING ALONG ROADWAYS**

- A. Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
- B. Where sidewalks are not provided or are impassible, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction. Pedestrians, when walking in a roadway, shall walk no more than two (2) abreast.

**SECTION 13.68. PEDESTRIANS SOLICITING RIDES OR BUSINESS**

No person shall stand in a roadway for the purpose of soliciting a ride, employment or business from the occupant of any vehicle.

**SECTION 13.69. BLIND PEDESTRIANS; RIGHT-OF-WAY**

Whenever a pedestrian is crossing or attempting to cross a public street or highway, guided by a guide dog or carrying in a raised or extended position a cane or walking stick, white in color or white tipped with red, the driver of every vehicle approaching the intersection, or place where the pedestrian is attempting to cross, shall bring his or her vehicle to a full stop before arriving at the intersection or place of crossing and before proceeding shall take such precautions as may be necessary to avoid injuring the pedestrian.

**SECTION 13.70. DRIVERS TO EXERCISE DUE CARE**

Notwithstanding any of the provisions of this article, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

**ARTICLE VIII. BICYCLES**

**SECTION 13.71. APPLICATION OF ARTICLE**

- A. The parent of any child and the guardian of any ward may not authorize or knowingly permit any such child or ward to violate any of the provisions of this article.
- B. This article applies whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.
- C. Every person riding a bicycle is granted all of the rights and is subject to all of the duties

applicable to operators of vehicles, except as to those provisions which by their nature can have no application.

**SECTION 13.72. RIDING ON BICYCLES**

- A. No person propelling a bicycle may ride other than upon or astride a permanent and regular seat attached thereto.
- B. No person may use a bicycle to carry more persons at any one time than the number for which it is designed and equipped.

**SECTION 13.73. CLINGING TO MOTOR VEHICLES**

No person may attach themselves, or any bicycle, wagon, roller skates, sled or toy vehicle upon which s/he is riding or will ride to any motor vehicle.

**SECTION 13.74. RIDING ON ROADWAYS AND BICYCLE PATHS**

- A. A person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- B. Persons riding bicycles upon a roadway may not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.
- C. Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders may use only such path and may not use the roadway.

**SECTION 13.75. CARRYING ARTICLES**

No person operating a bicycle may carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handle bars.

**SECTION 13.76. EQUIPMENT ON BICYCLES**

- A. No person may operate a bicycle at nighttime unless it is equipped with a lamp on the front, which emits a white light visible from a distance of at least five hundred (500) feet to the front, and with a red reflector on the rear, which shall be visible at least three hundred (300) feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. Lamps emitting red lights visible to the rear may be used in addition to the red reflector.
- B. No person should operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for the distance of at least one hundred (100) feet. No person may equip a bicycle with any siren or whistle, or any device simulating a siren of an authorized emergency vehicle, nor may he operate a bicycle so equipped.
- C. No person may operate a bicycle unless it is equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

- D. No person may operate a bicycle with equipment that interferes with the normal and safe operation of the bicycle or in any other way is hazardous to the operator, other persons or property.
- E. No person may operate a bicycle unless:
  - 1. it is equipped with handlebars that are affixed to the frame in a tight and secure manner;
  - 2. it is equipped with a permanent and regular seat attached in a secure manner; and
  - 3. it has a frame that is not cracked, broken, or bent.

**SECTION 13.77. LEGAL GUARDIAN RESPONSIBLE FOR PENALTIES**

A parent or legal guardian of a person under the age of sixteen years shall be held directly responsible for the violation of any provision of this Article.

**ARTICLE XIV. PENALTIES**

The provisions of the chapter shall be civil offenses enforced pursuant to 23 V.S.A. Chapter 23.

**ADDENDUM TO CHAPTER 13**

**One-way Streets Designated by City Manager**

- A. When signs are erected giving notice thereof, the following streets are designated as one-way and vehicular traffic shall move only in the indicated direction and movement in the opposite direction is prohibited:
  - 1. Bellevue Street going east from Franklin Street to Russell Street;
  - 2. Follett Street going north from West Canal Street to West Allen Street;
  - 3. West Center Street going west from Weaver Street to Mayo Street and going east from Weaver Street to Main Street;
  - 4. Railroad Lane going west from Weaver Street to Mallett's Bay Avenue;
  - 5. Center Street going west from Main Street to West Allen Street;
  - 6. Main Street traffic circle (rotary) from West Canal Street and Winooski Falls Way to East Allen Street and West Allen Street (right turns only and counters clockwise on the right side of Commons Park);
  - 7. Mayo Street going south from West Allen Street to Canal Street;
  - 8. West Allen Street going east from Malletts Bay Avenue to Main Street;
  - 9. West Canal Street going west from Main Street to Follett Street; and
  - 10. Weaver Lane going south from East Allen Street.